

HUMAN RIGHTS COMMISSION

Annual Report 1983-84

Australian Government Publishing Service
Canberra 1985

©Commonwealth of Australia 1985
ISSN 0810-2252

Printed by Graphic Services Pty Ltd, Northfield, S.A.

**Human Rights Commission
GPO Box 629
Canberra A.C.T. 2601**

23 April 1985

The Hon. Lionel Bowen, M.P.
Deputy Prime Minister
and Attorney-General
Parliament House
Canberra, A.C.T. 2600

Dear Attorney-General,

I have pleasure in enclosing with this letter the Report of the Commission on its operations from 1 July 1983 to 30 June 1984. Pursuant to subsection 29(1) of the Human Rights Commission Act 1981, the Report covers the operations of the Commission under both the Act and the Racial Discrimination Act 1975.

Yours sincerely,

C H A I R M A N
*for and on behalf of the Human
Rights Commission*

CONTENTS

1. Highlights of 1983-84	1
2. Statutory Functions	2
3. Activities of the Commissioners	7
4. The Office of the Commission	15
5. Review of Legislation and Inquiries	17
6. Complaint Handling	19
7. The Promotion of Human Rights	22
8. Research	25
9. Contributions to Law Reform	30
10 Co-operation with the States	31
11 Consultation with Non-Government Organisations	34
12 Other Activities	35
13 The Sex Discrimination Act	36
14 Report by the Commissioner for Community Relations	37
15 Looking Ahead	50
Appendixes	
1. Organisational Structure	53
2. Statement of Expenditure 1983-84.	54
3. Externally Contracted Research	55
4. Complaints Received from 1/7/83 to 30/6/84	56
5. Fields trips	58
6. Compulsory Conferences Convened and Certificates Issued	59
7. Publications of the Commission	60

1. HIGHLIGHTS OF 1983-84

1983-84 was the Human Rights Commission's second full year of operation. It saw the Commission taking a more public profile as it faced the challenge of its responsibilities. Highlights of the year included-

1. Reports to the Attorney-General on
 - observance of human rights at the Villawood Detention Centre (Report No. 6);
 - proposal for amendments to the Racial Discrimination Act to cover incitement to racial hatred and racial defamation (Report No. 7).
2. Statement by the Minister for Immigration and Ethnic Affairs, the Hon. Stewart West, on the Villawood Report, accepting many of the Commission's recommendations.
3. First field trips by the Commission under the Racial Discrimination Act to Western Australia and the Northern Territory.
4. Preparations for implementation of the Sex Discrimination Act.
5. Opening of the Commission's office in Brisbane.
6. Publication of teaching material for human rights for upper-primary and secondary students.
7. Discussion paper on ethical and legal issues in guardianship options for intellectually disadvantaged people.
8. Publication of an occasional paper on the rights of epileptics, thereby bringing hidden disabilities to official and public attention.
9. Conference on the teaching of human rights, held in Adelaide jointly with UNESCO.
10. Public Inquiry into the Migration Act 1958.

2. STATUTORY FUNCTIONS

The Human Rights Commission was appointed by the Commonwealth Government to promote and protect human rights in Australia. Its functions are described in section 9 of the Human Rights Commission Act 1981. Broadly speaking, the Commission is able to review legislation, investigate complaints, and undertake research and educational programs affecting human rights. It has the obligation to report to the Minister where there is a failure to observe human rights, and its reports must be tabled in the Parliament. The Commission has also been given responsibility for the administration of the Racial Discrimination Act 1975, but under that legislation the Commissioner for Community Relations has responsibility for inquiring into, and endeavouring to settle, complaints of racial discrimination. Similar arrangements are made under the Sex Discrimination Act 1984, which was enacted on 21 March 1984. Although the Act was not proclaimed during the year under review, the Commission was engaged in preparation for its commencement. Accordingly, its relevant features are noted in this section.

Section 9 of the Human Rights Commission Act 1981 reads:

9. (1) The functions of the Commission are—

- (a) to examine enactments, and (when requested to do so by the Minister) proposed enactments, for the purpose of ascertaining whether the enactments or proposed enactments are, or would be, inconsistent with or contrary to any human rights, and to report to the Minister the results of any such examination;
- (b) to inquire into any act or practice that may be inconsistent with or contrary to any human right, and-
 - (i) where the Commission considers it appropriate to do so—endeavour to effect a settlement of the matters that gave rise to the inquiry; and
 - (ii) where the Commission is of the opinion that the act or practice is inconsistent with or contrary to any human right, and the Commission has not considered it appropriate to endeavour to effect a settlement of the matters that gave rise to the inquiry or has endeavoured without success to effect a settlement of those matters—to report to the Minister the results of its inquiry and of any endeavours it has made to effect such a settlement;
- (c) on its own initiative or when requested by the Minister, to report to the Minister as to the laws that should be made by the Parliament, or action that should be taken by the Commonwealth, on matters relating to human rights;
- (d) when requested by the Minister, to report to the Minister as to the action (if any) that, in the opinion of the Commission, needs to be taken by Australia in order to comply with the provisions of the Covenant, of the Declarations or of any relevant international instrument;
- (e) on its own initiative or when requested by the Minister, to examine any relevant international instrument for the purpose of ascertaining whether there are any inconsistencies between that instrument and the Covenant, the Declarations or any other relevant international instrument, and to report to the Minister the results of any such examination;

- (f) to promote an understanding and acceptance, and the public discussion, of human rights in Australia and the external Territories;
- (g) to undertake research and educational programs, and other programs, on behalf of the Commonwealth for the purpose of promoting human rights and to co-ordinate any such programs undertaken by any other persons or authorities on behalf of the Commonwealth;
- (h) to perform-
 - (i) any functions conferred on the Commission by any other enactment;
 - (ii) any functions conferred on the Commission pursuant to any arrangement in force under section 11; and
 - (iii) any functions conferred on the Commission by any State Act or Northern Territory enactment, being functions that are declared by the Minister, by notice published in the Gazette, to be complementary to other functions of the Commission; and
- (j) to do anything incidental or conducive to the performance of any of the preceding functions.

(2) The Commission shall not—

- (a) regard an enactment or proposed enactment as being inconsistent with or contrary to any human right for the purposes of paragraph (1)(a) or (b) by reason of a provision of the enactment or proposed enactment that is included solely for the purpose of securing adequate advancement of particular persons or groups of persons in order to enable them to enjoy or exercise human rights equally with other persons; or
- (b) regard an act or practice as being inconsistent with or contrary to any human right for the purposes of paragraph (1)(a) or (b) where the act or practice is done or engaged in solely for the purpose referred to in paragraph (a).

(3) For the purpose of the performance of its functions, the Commission may work with and consult appropriate non-governmental organizations.

Section 20 of the Racial Discrimination Act 1975 reads:

20. In addition to the functions of the Human Rights Commission under the Human Rights Commission Act 1981, that Commission has the following functions:

- (a) to inquire into alleged infringements of Part II, and endeavour to effect a settlement of the matters alleged to constitute those infringements, in accordance with section 21;
- (b) to promote an understanding and acceptance of, and compliance with, this Act; and
- (c) to develop, conduct and foster research and educational programs and other programs for the purpose of-
 - (i) combating racial discrimination and prejudices that lead to racial discrimination;
 - (ii) promoting understanding, tolerance and friendship among racial and ethnic groups; and
 - (iii) propagating the purposes and principles of the Convention.

The Commission is an independent statutory authority, which has the power to do all things that are necessary or convenient to be done for or in connection with the performance of its functions (section 10, Human Rights Commission Act 1981).

Section 48 of the Sex Discrimination Act 1984 reads:

48. (1) In addition to the functions of the Human Rights Commission under the Human Rights Commission Act 1981, the Commission has the following functions:

- (a) to inquire into alleged infringements of Part II, and endeavour by conciliation to effect a settlement of the matters to which the alleged infringements relate;
- (b) to inquire into, and make determinations on, matters referred to it by the Minister or the Commissioner;
- (c) to exercise the powers conferred on it by section 44;
- (d) to promote an understanding and acceptance of, and compliance with, this Act;
- (e) to undertake research and educational programs, and other programs, on behalf of the Commonwealth for the purpose of promoting the objects of this Act;
- (f) to examine enactments, and (when requested to do so by the Minister) proposed enactments, for the purpose of ascertaining whether the enactments or proposed enactments are, or would be, inconsistent with or contrary to the objects of this Act, and to report to the Minister the results of any such examination;
- (g) on its own initiative or when requested by the Minister, to report to the Minister as to the laws that should be made by the Parliament, or action that should be taken by the Commonwealth, on matters relating to discrimination on the ground of sex, marital status or pregnancy or to discrimination involving sexual harassment; and
- (h) to do anything incidental or conducive to the performance of any of the preceding functions.

(2) The Commission shall not regard an enactment or proposed enactment as being inconsistent with or contrary to the objects of this Act for the purposes of paragraph (1)(f) by reason of a provision of the enactment or proposed enactment that is included for the purpose referred to in section 33.

(3) If the Commissioner is a member of the Commission, the Commissioner shall not participate in any inquiry held by the Commission under Division 3 or attend any meeting of the Commission, be present during any deliberation of the Commission, or take part in any decision of the Commission, in connection with such an inquiry.

International Human Rights Instruments

The legislation under which the Commission works takes account of Australia's obligations under a range of international human rights instruments.

The Human Rights Commission Act 1981 has annexed to it as schedules the International Covenant on Civil and Political Rights, the Declaration of the Rights of the Child, the Declaration on the Rights of Mentally Retarded Persons, and the Declaration on the Rights of Disabled Persons.

The International Covenant on Civil and Political Rights (ICCPR) proclaims the rights of all people to:

- privacy;
- marriage and family;
- their own language, culture and religion;
- participation in public affairs;
- freedom of expression, movement, association and assembly;
- protection of their inherent right to life;

- liberty and security of person;
- freedom from degrading treatment or punishment; and
- equal treatment with others under the law.

Universal rights are designated under the ICCPR. Three Declarations assign particular rights to children, people with disabilities and people who are intellectually disadvantaged.

The Declaration of the Rights of the Child states that all children are entitled to:

- a name and a nationality;
- opportunities to develop fully in conditions of freedom and dignity;
- adequate care, affection and security, including pre-natal care;
- education;
- special treatment, education and care if handicapped; and
- protection against cruelty and neglect.

All intellectually disadvantaged people have the following rights under the Declaration on the Rights of Mentally Retarded Persons:

- proper medical care and therapy;
- economic security;
- education, training, and work and trade union membership;
- a qualified guardian; and
- review of procedures which may deny them these rights.

The Declaration on the Rights of Disabled Persons affords the following rights to disabled people:

- respect;
- family and social life;
- economic security;
- education, training, employment and trade union membership; and
- protection from discriminatory treatment.

The Racial Discrimination Act is based upon the International Convention on the Elimination of All Forms of Racial Discrimination.

The Racial Discrimination Convention provides that people of all races, colours and national or ethnic origins have a right to:

- equal treatment with others under the law;
- equal access to public services and places;
- freedom of thought, conscience and opinion, peaceful assembly and association; and
- work, housing, public health, medical care, social security, education and training.

The Sex Discrimination Act is based in part on the International Convention on the Elimination of All Forms of Discrimination Against Women.

The Sex Discrimination Convention provides for:

- legal equality;
- the legislative prohibition of discrimination against women;
- tribunals to protect the rights of women;
- non-discrimination by public bodies;
- steps to end discrimination;
- the abolition of existing discriminatory legislation; and
- the repeal of discriminatory penal provisions.

The Minister Responsible

The Minister responsible for the Commission for 1983-84 has been the Attorney-General, Senator the Honourable Gareth Evans, Q.C.

The Minister has the following powers under the Human Rights Commission Act 1981:

- (a) to make, vary or revoke an arrangement with a State or the Northern Territory for the performance of functions relating to the promotion of the observance of human rights in various ways; and
- (b) to declare, after consultation with the States and the Northern Territory, an international instrument to be an international instrument relating to human rights and freedoms for the purposes of the Act.

The Minister may also, under section 9 of the Human Rights Commission Act 1981, request the Commission to perform certain functions such as the examination of proposed enactments to ascertain whether they are inconsistent with or contrary to any human rights.

Under the Human Rights Commission Act 1981, section 15, the Attorney-General has the power to issue to the Commission a certificate certifying that the disclosure of certain information or the disclosure of the contents of certain documents would be contrary to the public interest.

Members of the Commission

The Chairman of the Human Rights Commission is Dame Roma Mitchell, who is one of seven part-time Commissioners.

The Deputy Chairman is Mr Peter Bailey, O.B.E., who is the only full-time Commissioner. He has the rank in the Public Service of a Departmental Secretary.

The part-time Commissioners are: Dame Roma, Mrs Eva Geia, Dr Christopher Gilbert and Ms Elizabeth Hastings, whose appointments expire on 30 November 1984, and Associate Professor Manuel Aroney, O.B.E., Professor Peter Boyce and Mrs Norma Ford, whose appointments are due to run until 30 November, 1986. Mr Bailey's appointment also expires on 30 November, 1986.

The Commissioner for Community Relations is Mr Jeremy Long.

Internal Procedures

A manual of procedures for the use of staff and for public perusal for handling F.O.I. requests within the Commission sets out the various steps to be followed at each stage in processing a request or an application for review.

The Commission has a policy of maximum openness consistent with section 34 of the Human Rights Commission Act which provides for non-disclosure of information acquired by the Commission about the affairs of individuals.

Due to the relatively small size of the Commission's staff and the few requests for access received, it has authorised only five persons (four Second Division officers and one Third Division officer) to grant access and only two persons (both Second Division officers) to refuse access under the Freedom of Information Act 1982 (Cwlth).

3. ACTIVITIES OF THE COMMISSIONERS

The decision to set up a Commission comprising in the main part-time Commissioners active in community affairs reflects the need for unique measures to deal with the special nature of human rights issues in Australia.

Together, the Commissioners constitute a body of expertise and knowledge brought together at relatively little cost to the taxpayer. Their meetings, held every five weeks, have led to material being produced and developed in a way not readily achievable in other circumstances. Special procedures have been developed to enable decisions to be taken between Commission meetings.

Each of the members of the Commission has made his or her contribution to its work, and in addition has extended the outreach of the Commission by representing it in many ways in his or her own community. There are few more important areas for the Commission to develop than building effective working relationships with voluntary organisations having concerns in the human rights areas, as defined for the purposes of the Commission. Through them, the Commission can measurably extend its effectiveness and promote support for the cause of human rights in the community.

All the Commissioners have special relationships with large community groups and national organisations. They function as the consultative process by which input from such groups and from individuals reaches the Commission at top level. They also ensure close links with client groups to help develop a keen perception of regional and state needs and attitudes to human rights, so that they are fully understood before major policy decisions are taken.

The part-time Commissioners strengthen the independence of the Commission and reinforce public perceptions of an independent and impartial body. It is important that a body such as the Human Rights Commission should be seen as free from political control, acting to uphold the principles contained in the United Nations conventions and declarations for which the Commission has responsibility in Australia. The Commissioners are based in all parts of Australia, and in rural areas as well as in the major cities. They bring a high level of expertise to their duties in law, education, women's issues, the social sciences, Aboriginal affairs and the problems of the disabled.

Although the Commissioners have the role of exercising a general and independent control over and review of the Commission, each Commissioner is able to take an additional active responsibility for the work of the Commission in areas of particular personal involvement.

Thus the part-time Commissioners have engaged in the investigation of complaints, in conciliation, and in the conduct of inquiries, and have undertaken projects and identified issues which would be appropriate for research work. Thus, they remain in effective contact with the Australian community, and as individuals taking part in the work given to the Commission under its legislative responsibilities, they have ensured that the Commission has not become a remote bureaucracy, isolated and unresponsive.



The Hon. Dame Roma Mitchell. B.E.

The Chairman

The Chairman, Dame Roma Mitchell, had an active year. In September 1983 she attended the Seventh Commonwealth Law Conference in Hong Kong where she presented a paper and took part in a panel discussion on human rights issues. The purpose was to give to the judges, practising lawyers and academic -lawyers of the British Commonwealth information concerning the Australian Human Rights Commission.

After her retirement from the Supreme Court of South Australia on 1 October 1983 she took the opportunity to travel to other States whenever it was appropriate to speak on human rights issues. In October 1983 she delivered the Vancouver Lecture at Albany, addressed the YWCA in Perth on anti-discrimination legislation, addressed the law students and law lecturers at the University of Western Australia on the work of the Human Rights Commission and gave an address to the women lawyers of Perth on the same topic. She visited Geraldton and took part in a conference entitled 'Living in the Eighties' at which she gave an address on the work of the Human Rights Commission and conducted seminars. The Human Rights Commission was host to a reception for local citizens interested in human rights affairs.

The Chairman again visited Western Australia in March when she was the speaker at the Ceremony of Conferring of Degrees at Murdoch University and took the opportunity of speaking on human rights issues. She discussed human rights issues at two other Ceremonies of Conferring of Degrees during the year, one at the University of Adelaide, of which she is Chancellor, and the other at the University of New South Wales.

Before the meeting of the Human Rights Commission in Hobart in November 1983 she addressed a lunch hour meeting of Amnesty International on the work of the Commission and after the close of the Human Rights Commission meeting she remained in Hobart to discuss human rights issues with University law students. She delivered addresses on human rights issues at the National Conference of the Australian Association of Adult Education and the ACROD Convention and delivered the Squibb Lecture to the Royal Australian and New Zealand College of Psychiatrists.

In December 1983 she opened the Human Rights Commission's Exhibition at the Constitutional Museum in Adelaide. In Canberra she addressed the Australian Institute of Public Administration.

On 10 December 1983 she gave an address at a Human Rights Seminar organised under the auspices of Monash University to mark Human Rights Day.

She has addressed a number of Associations in Adelaide and gave the opening address at the New Directions Conference in South Australia at which future leaders were gathered to discuss issues which will be of importance to the State in the next twenty years. She directed their attention to the human rights issues with which they will be concerned. She has undertaken a number of radio and television appearances to explain the work of the Human Rights Commission.

The Deputy Chairman



Mr Peter Bailey O.B.E.

As the only full-time member of the Commission much of the time of the Deputy Chairman, Mr Peter Bailey, was devoted to developing and managing the Office of the Commission. Important influences have therefore been the workloads of the staff and the need to maintain the Commission within the framework of official agencies of the Government.

Another perspective has been the development of co-operative arrangements with the Commissioners of Equal Opportunity in Victoria and South Australia and the President of the Anti-Discrimination Board, New South Wales. No other Federal agency has developed co-operative arrangements of the kind being pioneered by the Commission. They are proving advantageous to the cause of human rights, and have been supported by successive governments.

Responsibilities as Deputy Chairman result in more invitations to give public addresses, appear on television programs and conduct seminars than would be the case for Departmental Secretaries generally. Promotion and the development of public awareness of human rights are a central—some would say the most important—function of the Commission. Accordingly, during the year the Deputy Chairman addressed meetings of non-government organisations such as institutes of international affairs, ethnic organisations, organisations of disabled persons, church groups, women's organisations, and university and college students. He raised a number of issues during those addresses, such as the need for an improved corrective services system, and a gaol, for the A.C.T.; the need for co-operation in human rights among the countries in the South Pacific region; the problems of people suffering from epilepsy and the need for better employment practices in the area. He also raised the question of the attitudes of some universities to such matters as sex discrimination and called for better employment practices.

In addition, the Deputy Chairman was involved in numerous radio and television public affairs programs related to current concerns of the Commission, ranging from the Commission's staff problems in Queensland to corporal punishment in schools, racial defamation, a Bill of Rights and human rights issues in the administration of the Migration Act. He also appeared for the Commission, as noted elsewhere in this Report, to present papers to Senate Select Committees inquiring into conscientious objection to military service and the National Crimes Authority Bill.

Professor Manuel Aroney

Commissioner Aroney's activities for the year reflected general involvement with human rights, and in particular with ethnic and multicultural issues. Commissioner Aroney is a member of the Australian Institute of Multicultural Affairs and of the executive of the Ethnic Communities' Council of New South Wales, and as such he is concerned that the spirit and aspirations of disadvantaged groups identified and collected by these organisations be properly conveyed to the Commission. First-hand



*Professor Manuel
Aroney O.B.E.*

experience in such matters comes from a life-time of association with ethnic groups. The following is a sample of his activities during the past year.

Commissioner Aroney, in September, attended a meeting of the Australian Institute of Multicultural Affairs in Sydney, the Australian Arab Women's Federation and the Committee of Review of the Australian Institute of Multicultural Affairs.

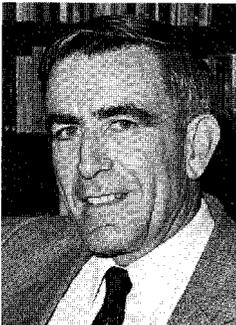
In October he attended the biennial meeting of the Australian Institute of Multicultural Affairs in Melbourne, and in November he delivered a lecture on the Human Rights Commission to a meeting in Sydney of the Doctors Reform Society.

In December he took part in the fifth national conference of the Federation of Ethnic Communities' Councils of Australia in Hobart, and delivered a lecture to the Greek-Orthodox Archdiocese State Youth Conference in Sydney.

In February he addressed a meeting at International House, Sydney University on 'the mass media and the newcomer', met officers of the Commission on Research and Multicultural Issues, and gave interviews to Radio Australia, 5DN Adelaide and Melbourne Radio 3ENs Greek program.

In April he met with members of the Immigration Review Panel, interviewed applicants for employment in the Sydney office, lectured the Workers Educational Association of New South Wales on the role of the Human Rights Commission, human rights legislation and Commonwealth race relations and addressed a meeting of the YWCA, Sydney, on the sex discrimination legislation.

In May he attended a Commonwealth legal aid seminar at the University of New South Wales, took part in an 0/28 panel discussion on racism on campus, held discussions with Mr W. Jegorow, M.B.E., the acting Chairman of the New South Wales Ethnic Affairs Commission, attended a function organised by the newspaper 'Kosmos' and took part in a discussion at the University of New South Wales on racism, prejudice and discrimination in universities.



Professor Peter Boyce

Professor Peter Boyce

Commissioner Boyce continued his close association during the year with the Institute of International Affairs and the Australian Political Studies Association. In November he prepared an article on the Human Rights Commission for the published proceedings of the University of Western Australia's extension seminars on human rights. He gave an interview on human rights legislation to Bob Maumill of Radio 6PR.

In January, in the course of academic research travel he spent four days in Geneva at the United Nations Secretariat and the Australian Permanent Mission, speaking with the director and section heads of the Centre for Human Rights, members of the International Human Rights Commission, and with senior members of non-governmental organisations, such as the International Commission of Jurists and the World Council of Churches.

In April he launched the Amnesty campaign in Western Australia against torture, joined the conciliation team in meeting members of the Aboriginal community at Guildford, and took part in a public forum on the Sex Discrimination Bill at the Wesley Centre in Perth.

In June he chaired a summit of police representatives and Aboriginal leaders at the invitation of the Western Australian Ministers of Police and Aboriginal Affairs.

During the year he gave several public addresses to organisations such as the Federation of University Women, the Karakatta Club, church groups, academic bodies and business groups.



Mrs Norma Ford

Mrs Norma Ford

During the year Commissioner Ford became Chairman of the National Status of Women Committee, while continuing to be an active committee member of the International Federation of Business and Professional Women and a member of the Victorian Premier's Advisory Committee on Women and the Victorian Premier's Equal Opportunity Advisory Council. Throughout the year she continued to liaise with a wide range of groups and organisations with which she is actively associated. She has taken an active part in the Commission's education research projects, addressed meetings of a large number of organisations, and has given public addresses and television and radio interviews as a spokeswoman on Human Rights, both in Australia and overseas.

During the year Commissioner Ford made field trips in Victoria and Western Australia. In October she went with the Commission's conciliation team along the Murray and Goulburn Valleys and in March she accompanied the conciliation team to Kalgoorlie, Esperance and Albany.

During both field trips she held discussions with members of the Aboriginal community and Aboriginal groups and organisations, educational institutions, community groups, municipal authorities and the police and took part in the investigation of complaints.

In November she took part in a meeting of the Aboriginal Task Force on Land Rights and Compensation.

She undertook a large number of speaking engagements, including the Occasional Address at the Conferring of Degrees at the Ballarat College of Advanced Education, and prepared papers which she presented to the Library Association of Australia, to a seminar at Deakin University on future directions in post-secondary education, to a Women's Electoral Lobby seminar in Canberra which she opened and then addressed on the Sex Discrimination Bill, to the Deans of Schools of Education, to Shepparton Business and Professional Women's Association and to a number of women's non-government organisations.

Commissioner Ford addressed four forums on the Sex Discrimination Bill in conjunction with the Office of the Status of Women and officers of the Department of the Attorney-General.

She launched a book for senior students, 'I Can Manage', on opportunities in a multicultural society.

Commissioner Ford held talks and discussions with the Northern Territory Liquor Commissioner, the Disability Resource Centre, REINFORCE, the Commission's State officers in Sydney and Perth and a number of other community organisations, including Aboriginal organisations.

Commissioner Ford attended meetings in Melbourne and Canberra of the Commissioners for Equal Opportunity, has liaised with State Equal Opportunity bodies, and with the Commission's State offices. She also represented the Commission at a number of functions and seminars including one on alternate dispute resolution, on affirmative action conducted by the Australian Institute of Public Affairs, a forum conducted by the Victorian Ethnic Affairs Commission and a seminar in Sydney of women members of the Printing and Kindred Industries Union.

While on an independent overseas study tour to look at provisions for human rights in the United States, Commissioner Ford held talks with senior officials, academics and persons working in the area; attended a conference on equal opportunity held by the women's section of the American Bar Association and spoke at a meeting of practitioners in the area of Human Rights and Equal Opportunity. In Washington she addressed other meetings and gave media interviews. In New York in August she attended the meeting of the United Nations Committee on the Elimination of Discrimination Against Women, and spent several days with the Australian Mission to the United Nations.

Mrs Eva Geia



Mrs Eva Geia

Commissioner Geia has worked for the Aboriginal community for forty years and has served as a focus for the Commission's work in her area. She maintains regular contact with a large number of Aboriginal organisations and brings to the Commission's attention the complaints and problems of Aboriginals as well as their aspirations and needs in the human rights area. She is a member of the National Aboriginal Conference for Qld, centered on Townsville and extending from Tully to Mackay and westwards to Julia Creek. She is also a member of the Aboriginal Development Commission.

Commissioner Geia attended meetings of the Aboriginal Development Commission including those at Aurukun, Cape York and Cairns, and public meetings with representatives of Black Housing Co-operatives in and around Cairns and the Atherton Tableland. She attended an Aboriginal Development Commission meeting in Canberra, meetings of the Co-operative and Community Council on Palm Island, and met staff and members of the Aboriginal Development Commission in Townsville.

She regularly visited Yarrabah and Palm Island. All relevant Commission pamphlets and literature were supplied by her to black organisations.

She regularly visited the local gaol in Townsville, seeing four different prisoners each week to keep close contact with them and

to show care for them. In Brisbane she visited the Boggo Road Gaol to see a Palm Islander who is serving a life sentence there and was the first person to visit him in the past eight years. She was in frequent contact with Commission staff making conciliation visits to the area.

Commissioner Geia presented the prizes in 1983 at the Palm Island State School, and graduation certificates to Aboriginal and Islander students at the Townsville College of Technical and Further Education. She addressed employees of the Public Service Board, and was a guest at the presentation of the Queen's Colours to the 2/4 Battalion, Royal Australian Regiment, by the Governor-General Sir Ninian Stephen, at Lavarack Barracks, Townsville.

Dr Christopher Gilbert

Commissioner Gilbert devoted considerable effort during the year to the establishment of the Commission's office in Brisbane and took a continuing interest in its progress and activities.

Commissioner Gilbert carried out work associated with the Commissioner for Community Relations in October and November. In December he reviewed parts of the ACOSS paper on tax and disability and the Tay monograph of a human rights bibliography.

In February he spoke to the Brisbane Ionian Club on the II Brisbane office of the Human Rights Commission, surveyed sites for the Brisbane office, and chaired a seminar on equal opportunity topics. He gave an interview to the Brisbane *Sunday Sun* on the Commission's Brisbane office. In May he consulted with Ms Jenny Morrison of the Brisbane office and took part in consultations and the answering of inquiries at the Brisbane office. In May he addressed a Brisbane meeting on the Sex Discrimination Act, engaged in consultations with Ms Morrison and with the Secretary of the Brisbane Consultative Committee on Community Relations, Ms Pam Jones and addressed university law students on the Human Rights Commission and human rights.



Ms Elizabeth Hastings

Ms Elizabeth Hastings

Commissioner Hastings has, throughout the year, maintained contact with various Disabled Rights and Disability Resource groups in order to keep them informed of the work and powers of the Commission, and, equally important, to keep herself, and therefore the Commission, informed of the work, priorities and policies of those organisations. The groups with which she has held discussions and consultations include the Disability Resources Centre in Melbourne, the Campaign Against Psychiatric Injustice and Coercion in Melbourne, Disabled Peoples International in W.A., the Paraplegic and Quadriplegic Association of Victoria, the Handicapped Persons' Alliance of N.S.W., and REINFORCE, Melbourne.

All of these groups are run by disabled people for disabled people, and her work with them reflects Ms Hastings' philosophy

that those who are underprivileged and deprived in our society must begin to organise and speak for themselves, to act out of their own knowledge and power rather than having other people act on their behalf. To this end it is vital that knowledge of rights (and responsibilities) be disseminated to as many disadvantaged groups as possible.

With this philosophy in mind Commissioner Hastings has also given lectures to social science, psychology, social work and legal studies students, and to graduate students of Rehabilitation Studies. She has also addressed the annual general meeting of the Council on Intellectual Disability of N.S.W.

Other speaking engagements have included the Victorian Humanists Society and the valedictory address to Mentone Girls Grammar School. She was appointed to the Australian Bicentennial Anniversary Committee on the Involvement of People with Disabilities, was consulted by the Victorian 150th Anniversary Committee, and contributed to discussions with the management of the Victorian Arts Centre regarding access for disabled people.

She has also had discussions with the Victorian Equal Opportunity Board and has been available for consultation on human rights with concerned members of the community.

4. THE OFFICE OF THE COMMISSION

State Offices

The Commission regards the opening of an office for the Commission in Brisbane as a significant development of the year. The Commission had made the establishment of this office a major priority, and both Commissioner Gilbert and the Brisbane Consultative Committee had made several representations to the Commission for the establishment of such a presence in Brisbane. The Attorney-General, Senator Evans, opened the office formally in April 1984 and following upon representations from the Commission offered his support for its endeavour to provide adequate staff. The first head of the Commission's Brisbane office is Ms Jennifer Morrison, a qualified social worker and experienced conciliator, who had previously worked with the Family Court and the Department of Aboriginal Affairs.

The head of the Commission's office in Perth, Mr Keith Hogg, who had been a part-time officer, retired and was replaced in May 1984 by Mr Geoff Perkins, a full-time officer. If resources permit, he will be given a small support staff in the coming year. Mr Bob Pittorino, who managed the Commission's office in Sydney, and previously that of the Commissioner for Community Relations, also retired. He was replaced by Ms Jovanka Secanski.



Senator Gareth Evans opening the Brisbane Office, April 1984

The Commissioners wish to record their appreciation for the work done by Mr Hogg and Mr Pittorino in the cause of human rights in Australia.

The Commission continued to be represented at regular meetings with the Commissioners for Equal Opportunity by the Deputy Chairman, Mr Bailey and by Commissioner Ford. At the meeting which the Commission hosted in Canberra in May, the Victorian Commissioner for Equal Opportunity, Mrs Manes, spoke of the success of the co-operative arrangements between the Commonwealth and the Victorian State Government.

Funding

During the financial year 1983-84 the total vote for the Commission was \$2.454 million. This was made up of \$1.327 million in salaries and \$1.127 million in administrative expenses. Apart from Commissioners, the salaries vote covered 34 full-time staff and 10 part-time staff. The largest items in the Commission's expenses vote were in travelling, information services, building rental and reimbursements to the States.

Staff

During 1983-84, the Minister Assisting the Prime Minister on Public Service Matters, Mr Dawkins, announced changes to traditional public service staff ceilings; these have been replaced by average operational staff levels, which allow greater flexibility in staffing arrangements. The Commission in 1983-84 was allocated an average staffing level of 30 full-time and nine part-time officers. This means that monthly staff figures can vary, but should average out over the year at the designated number. The Commission also took advantage of various Government employment schemes to complement its staff. To date, two National Employment Strategy for Aborigines (NESA) trainees, two Community Employment Program (CEP) trainees, and two Special Youth Employment Training Program (SYETP) trainees have been engaged by the Commission. During the year the Commission also arranged with the Attorney-General's Department to employ one disabled (hearing-impaired) officer, and two other officers who are being retrained after suffering repetitive strain injury.

Negotiations are progressing with the Public Service Board to employ a full-time journalist to produce the increasing volume of printed and audio-visual material from the Commission. Negotiations are also continuing for staff for the Sex Discrimination Commissioner. Arrangements continue with the Attorney-General's Department to incorporate the staff of the National Committee on Discrimination in Employment and Occupation into the Commission.

Despite the addition in 1983-84 of five full-time and three part-time staff members, the workload of the office remains heavy. A chart showing the Commission's organisation and staffing appears in Appendix I.

The Commission has always been sensitive to the need to attract an input from its own staff. One major concern to emerge is industrial democracy, or the participation of staff in decision-making processes affecting them. Guidelines for use of non-sexist language and behaviour were developed during the year. In January two workshops were held—the first was to enable staff to develop views on directions and priorities of the Commission; the second was to enable an exchange of views between staff and Commissioners on communication within the Commission. Further staff workshops were also held in May.

REVIEW OF LEGISLATION AND INQUIRIES

Major Activities

Section 9 of the Human Rights Commission Act provides for the Commission to review Commonwealth legislation for inconsistencies or potential inconsistencies with human rights and to make inquiries in similar circumstances. These reviews and inquiries may be undertaken either on the initiative of the Commission itself, or at the direction of the Attorney-General. Inquiries into legislation affecting freedom of expression and into by-laws on Aboriginal reserves, which both began in 1982-83, continued into 1984. The Commission also began a review of the Migration Act. During the year the Commission identified 28 Commonwealth Acts and 28 A.C.T. Ordinances which warrant review. During 1984-85 the Commission intends to give priority to the following legislation:

- Passports Act 1938
- Defence Forces Discipline Act 1982
- Atomic Energy Act 1953
- Adoption of Children Ordinance 1938-49 (A.C.T.)
- Legal Aid Ordinance 1977 (A.C.T.)

The Observance of Human Rights at the Villawood Migration Detention Centre

The Commission began its first public inquiry, into the observance of human rights at Villawood Migration Detention Centre, in December 1982. The inquiry was conducted by two Commissioners, the Deputy Chairman and Commissioner Ford with the assistance of Mr Michael Willcock and the report of the inquiry was prepared on behalf of the Commission by Commissioner Ford with the assistance of Mr Willcock. The Attorney-General tabled the report in Parliament on 21 September 1983. The inquiry followed a number of complaints about conditions at the Centre.

The final report contained a list of 80 recommendations, many of which had already been acted on or agreed to, some before the inquiry concluded, as a result of comments made during the hearings. They included notification to detainees of their legal rights and the provision of an interviewing room for discussions by detainees with lawyers. The Department of Immigration and Ethnic Affairs and the Australian Federal Police were among the large number of agencies and institutions which made submissions to the Sydney hearings, where undertakings for further improvements were given.

The Statement to the House of the Minister for Immigration and Ethnic Affairs, Mr Stewart West, covered more than 40 of the main recommendations of the report, under the headings of Privacy, Legal and Access Rights of Detainees, Visitors, Messages, Property and Valuables, Recreation Needs and Welfare. The Minister welcomed the report, gave general support to its recommendations and directed implementation of many of them.

The Commission's report further recommended that section 41 of the Migration Act be amended so that it is mandatory for persons in custody to be told of their legal rights.

Review of Migration Act

The Villawood inquiry was a factor leading to the Commission's second public inquiry, that into the Migration Act 1958. The Commission called for public submissions in May

1983 and received 137 written submissions, many from individuals who felt themselves to have been treated harshly.

Public hearings were held in Melbourne on 14 and 15 November, in Sydney on 21 and 22 November, in Adelaide on 7 December, in Perth on 8 and 9 December, in Brisbane on 12 December, and in Canberra on 15 December and 29 February. In Melbourne, the Commissioners sitting were the Chairman, Deputy Chairman and Commissioner Ford. In Sydney, the Deputy Chairman and Commissioner Ford sat on the inquiry. The Chairman sat alone at the Adelaide hearing. The Chairman and Commissioner Boyce sat at the Perth hearings, the Chairman and Commissioner Gilbert at the Brisbane hearing and the Chairman, Deputy Chairman and Commissioner Ford at the Canberra hearings.

The Commission took the view that a full-scale review of the legislation was necessary because of matters brought to its attention at previous inquiries and because of the increasing number of migration-related complaints. The review covered regulations, manuals, instructions and other documents and inquiries were made into related administrative practices of the Department of Immigration and Ethnic Affairs. About 120 witnesses gave evidence at the seven hearings, and further visits were arranged to the Villawood and Maribyrnong Migrant Detention Centres, following upon complaints made concerning these centres to the inquiry.

The public hearings highlighted racial tensions in parts of Sydney and Melbourne over the competition between migrants and Australians for work. It identified racial tension in schools in these areas, which reinforced the representations earlier made to the Commission by Commissioner Manuel Aroney for the Commission to begin research into the question of ethnic prejudice in schools. This group of research projects is referred to under the title of 'The School System and Students from Non-English Speaking Backgrounds'. The inquiry also identified anomalies in the granting of permanent residence and in co-ordination between the home and overseas offices of the Department of Immigration and Ethnic Affairs. Other issues included the elimination of some medical and physical conditions such as epilepsy and deaf mutism for the exclusion of migrants and the provisions in the Act for deporting migrants.

The report of the inquiry is due to be published early in 1985.

By-laws on Aboriginal Reserves

The Commission decided to review Aboriginal Reserve by-laws on the recommendation of Commissioner Ford who made a field trip to several reserves. The examination of the special by-laws for Aboriginal reserves, which earlier applied in most States and Territories but now exist only in Queensland and Western Australia, was carried out with special assistance from Commissioner Ford, particularly with respect to the analysis of the Queensland by-laws.

The Commissioner's review was published in Occasional Paper No. 5. It examines the existing by-laws and concludes that many are acceptable in human rights terms, that some discriminate against the Aboriginal people and that some are inconsistent with or contrary to the human rights specified in the International Covenant on Civil and Political Rights. Other by-laws, while falling short of discrimination, are paternalistic and others are absurd or ridiculous. In their offensively intrusive nature, as well as their selective applicability to residents on reserves, the Queensland by-laws are clearly discriminatory, as is the fact that, in order to live in their preferred place of residence, Aboriginal persons must live under such by-laws. It is hoped the Paper will assist Aboriginal communities in deciding the system they would wish to substitute for the present by-laws.

6. COMPLAINT HANDLING

During the period covered by this report the Human Rights Commission has dealt with a variety of complaints under the procedures established for inquiry into complaints alleging infringements of rights under the Human Rights Commission Act 1981 and the Racial Discrimination Act 1975.

Individuals or groups may complain to the Commission about infringements of civil and political rights, about infringements of rights arising from their status as mentally or physically disabled persons, arising from their status as children, and arising from their race, colour, descent or national or ethnic origin.

When a complaint is received under the Human Rights Commission Act the Commission inquires into it with a view to settling the complaint by conciliation between the parties. The emphasis is upon a process of conciliation whereby officers of the Commission assist the parties to arrive at a mutually acceptable settlement of the matter. Where a settlement cannot be achieved through this process the Human Rights Commission Act provides that the Commission may report to the Minister. The Human Rights Commission Act did not create offences of infringement of rights.

The process of complaint handling by conciliation and inquiry also gives opportunities for community development and education. Contacts made with parties to a matter and members of the community or organisations concerned in or having interests in a matter are important in the spreading of information and the development of awareness about human rights in the community.

The restriction and impairment of the exercise of human rights arise widely from the disadvantages of exclusion and non-integration and from intolerance and misunderstanding among community groups. The Aboriginal communities of Australia suffer most severely from these disadvantages. These problems can be usefully tackled through community development and education.

The carrying out of inquiry and conciliation work in the field is a major vehicle through which community development and education can be achieved. Field work enables the Commission to respond to complaints and community needs throughout Australia on a face to face basis at the community level. The supplementation of the inquiry and conciliation staff has temporarily alleviated the difficulties noted in the previous report in meeting the developing workload of complaint handling. The addition of three temporary staff has enabled coverage of regions of Western Australia and the Northern Territory for the first time in a systematic way by field work.

During the period covered by this report 348 complaints were received under the Human Rights Commission Act and a further 614 under the Racial Discrimination Act.

Complaints about infringements of rights under the Acts related to a wide variety of matters, including complaints against the Commonwealth Government and instrumentalities in relation to immigration and deportation matters, in relation to rights of disabled persons, to access on equal basis to government and community services, and in relation to the rights of persons arrested or imprisoned under Commonwealth laws. Other matters complained about concerned the rights of persons and their families affected by actions taken by the Commonwealth Government and instrumentalities in the interests of national security, and the rights of public servants during the disciplinary

processes and the processes of promotion and appeal. Some of these matters became topics of research projects by the Commission.

Some examples of the complaints handled by the Commission are set out in the following case histories.

Immigration, Deportation and the Family A Fijian electrical technician and his family decided while visiting relatives in Australia that they wished to settle here. The family included a child born in Australia during a previous stay. The technician sought and obtained work in his trade to support his family.

The Immigration authorities detained the technician and informed him that he faced deportation, although his Australian-born child had the right to remain in the country.

The technician lodged a complaint with the HRC under the international instruments providing for the protection of the family and the rights of the child. He stated that he 'wished to settle in Australia for the better future of all my family . . . our Australian born daughter should have better opportunity in her future as she was lucky enough to be born in Australia. To give her that opportunity I thought it would not be fair to leave her with my sister-in-law as we had been thinking of doing'.

The HRC commenced an inquiry into the case and consultations with the Department of Immigration and Ethnic Affairs with a view to promoting understanding of the rights involved and clarifying the requirements of the Department.

Matters arising in the course of the technician's detention, concerning restrictions on detainees observing religious practices relating to prayer and diet, were referred to the Commonwealth Ombudsman. These matters were resolved upon the recommendation of an investigating officer of the Australian Federal Police that the restrictions be lifted.

The process of consultation with the complainant and the Department is continuing in an effort to achieve a common position on the weight to be given to human rights in immigration matters. The communication and co-operation between the Department and the HRC is being extended to other matters of mutual interest.

Staffing a Therapy Centre. A residential training and therapy centre for the disabled in central Australia had difficulties attracting staff due to its isolated location. At a time when the staffing situation was desperate and the closing of the centre was being considered, the centre managed to recruit a suitable qualified worker who was visiting Australia from a European country.

When the worker applied for the residency status necessary to remain and work in Australia she was informed that she would have to return to Europe and make the application from there.

The centre then made representations to local and Federal politicians and to the HRC seeking to retain the worker so as to maintain its service to its clients.

As a result of these representations and of consultations between the Department and the HRC the Minister reviewed the worker's application and granted temporary residence and approval to work.

Discrimination on the Ground of Religion. A Jewish lecturer at a tertiary education institution complained that he had become the victim of a 'hate campaign'. The campaign involved the publication of derogatory caricatures, damage to property and other harassment, and culminated in allegedly trumped-up charges of sexual misconduct being laid against the lecturer with the institute authorities.

The lecturer informed officers of the Commission that he had lodged complaints with the police about the damage to his property and that he intended to defend the charges of misconduct at a hearing before the institute authorities. He asked that officers of the Commission maintain contact with him during this process.

Subsequently the lecturer informed the Commission that all charges against him had been dismissed.

Telephone Services to an Aboriginal Community The Community Council of a large Queensland Aboriginal reserve community approached Telecom Australia and a number of other authorities including the Human Rights Commission about its telephone services. Referring to the 4 telephone lines used by government departments and the 2 public telephones, which serviced the community, the Community Council claimed that it knew of no other town of 700 people in Central Queensland that had such poor communication facilities. As the community was classified as rural under Telecom guidelines, residents faced the prospect of very costly connection fees for private telephones. Also the Community Council was progressively assuming control of a number of municipal functions and improved telephone services were needed so that it could fulfil its responsibilities properly.

During a field trip, HRC officers arranged a meeting between Aboriginal community representatives and Telecom's senior district staff. Ways of resolving the issue, including interim measures, were explored. Subsequently Telecom advised that it had reviewed the matter and had decided to provide an automatic exchange to the community.

Rights of Persons Before and After Arrest. In November 1983, the Women for Survival group set up a protest camp at Pine Gap in the Northern Territory. In the course of the protest, more than 100 of the women were arrested by Australian Federal Police and charged with offences under the Commonwealth Crimes Act. They were then taken into the custody of the Northern Territory Police.

A number of the persons arrested and detained considered that their human rights were violated, in some cases by the Australian Federal Police, but in most cases, by the Northern Territory Police. The Commission received complaints to this effect from forty of the women.

The Human Rights Commission sent two officers to Alice Springs on 16 November 1983 to observe the camp set up by the protesters and the conditions of the Alice Springs Watchhouse. Their observations were recorded in a report to the Commonwealth Attorney-General on 23 November 1983.

In the course of the Commission's subsequent correspondence with a number of government departments, a question emerged as to who were the appropriate respondents to the complaints. The Commission concluded after some time that these were the Commonwealth Attorney-General, the Commonwealth Special Minister of State and the Commissioner of the Northern Territory Police. The Commission also decided that because all the complaints received raised very similar issues, it would initially proceed with its inquiry, by focusing on the issues raised in three of the complaints.

This inquiry is continuing, with the aim of defining the facts and issues up to a point where the conciliation process can begin.

7. THE PROMOTION OF HUMAN RIGHTS

The Commission has responsibility under the Act for promoting awareness and public discussion of human rights, and for undertaking educational programs to promote the observance of human rights.

Teaching for Human Rights

The Commission held a conference in Adelaide in August 1983 on the teaching of human rights, in conjunction with the United Nations Educational, Scientific and Cultural Organisation. The conference divided into two main strands, education in schools and education in tertiary institutions. The report of this conference is due to be published as an Occasional Paper in August 1984.

Education in schools covered issues relating to the implications of human rights for educational policy and administration, such as the rights of children with reference to participation, discipline, avoidance of sexism and racism, and compulsory sport. It also covered methods of teaching and reviewed teaching materials used in Australia and elsewhere.

The second strand divided into three workshops, on medicine, biology, social work and other activities which provide care, on politics, law and administration, and on multicultural education and the humanities.

Information and Education—Aboriginal Awareness

The process of communication is an important aspect of community development. During the year under review the Commission concentrated its resources on specific audiences, including a range of projects aimed at Aboriginal audiences.

Ms Joanne Grant, a National Employment Strategy for Aboriginals (NESA) trainee was appointed to the Commission in January 1984 and proved invaluable in acting as a liaison officer with Aboriginal organisations.

Work is now well in hand in translating the Commission's pamphlet 'The Racial Discrimination Act and You' into a number of Aboriginal languages. Mini-posters have been devised to inform Aboriginals on how to recognise and respond to discrimination in terms of the Racial Discrimination Act. The art-work for the posters is being developed with particular attention to making them relevant to Aboriginal audiences. General human rights posters are also being developed for Aboriginals and material prepared for Aboriginal radio stations.

One result of Commissioner Ford's first field trip among Aboriginal communities was a perception of the need for the production of special pamphlets aimed at specific audiences concerning rights and responsibilities contained in the Racial Discrimination Act. After substantial production and translation difficulties, such pamphlets have now been written for Aborigines, real estate agents and landlords and for the owners of hotels and clubs.

The Commission's current pamphlets are being revised following a two-day seminar given by Professor Eagleson of Sydney University in February 1984 on the writing of government information in plain English.

Newsletter and Publications

The mailing list for the Commission's Newsletter now contains 5000 names. Five of the Commission's basic leaflets have been translated into up to 15 languages, and there is a steady demand for them from neighbourhood centres, Migrant Resource Centres, Citizen's Advice Bureaus and Legal Service Centres.

The Commission is asked for material on multiculturalism and specific cultures, on Aboriginal and legal rights, on anti-discrimination and equality of opportunity matters and on human rights teaching material.

Other publications prepared by the Commission include four Occasional Papers, three Discussion Papers, the eighth and ninth Lalor addresses, a directory of national human rights organisations and a guide to the Sex Discrimination Act.

Teaching Materials

The Commission's kit of materials on teaching for human rights in upper-primary and secondary schools is now complete. It consists of a basic manual 'Teaching for Human Rights: activities for schools' (published by Hodja Educational Resources Co-operative Ltd, 135 Church Street, Richmond, Victoria 3121), three booklets 'Human Rights: a handbook', 'Human Rights for Humankind: racism', and 'Human Rights for Humankind: sexism' and a video-cassette containing two films (one on mental disadvantage, and the other on human rights in the classroom and the school).

It is now planned to mount a national curriculum development project to encourage state and independent school systems to consider these materials, and to adapt and develop them further. The publication of these books amounts to a major achievement in terms of the Commission's legislative commitment to the promotion of human rights and a significant contribution in world terms to human rights education.

Other Promotional Activities

Apart from the activities mentioned above, the Commission has commissioned the production of a general film on human rights and has staged a four panel display at arrivals in Sydney and a 13-panel display at the Constitutional Museum in Adelaide.



Painting the Human Rights Mural at Human Rights Sunday in the Park, December 1983

After consultation with the Australian Journalists' Association and the National Press Club, the Commission decided to present annual Human Rights Media Awards. The first awards are to be made on Human Rights Day, 10 December 1984.

The awards have been established 'to acknowledge the contribution of media workers in furthering an understanding and knowledge of human rights principles as they apply in Australia and the external territories'.

Two awards of \$500 each and a commendation will be made each year for the print and electronic media, with a special commendation in each category for the best runner-up.

The Commission, in co-operation with the Arts Council of the A.C.T., organised a special Human Rights Sunday in the Park in Canberra on 11 December 1983. Some 30 non-government organisations interested in human rights, together with theatrical, musical, dancing and other performing groups, contributed to the theme of *Human Rights: A Fair Go For All*. About 10 000 people attended and it is hoped the event will be the model for similar events in other communities in future years.

8. RESEARCH

The Commission pursues some issues itself while others are contracted to outside specialists. There were eight externally contracted projects during 1983-84. All have been completed, and have been, or will be, published by the Commission. Much of the internal research centered on the rights of people with disabilities. Work has been undertaken on proposals for a 'bill of rights' for people living in institutions, testing the guidelines on the residents of one institution. Work has begun on measures to safeguard the rights of children born with severe mental or physical defects. Consideration is being given to programs of affirmative action to bring more disabled people into the workplace. The examination of the adequacy of mental health services in the A.C.T. is continuing.

Externally Contracted Research

Each externally contracted research project is briefly described below. All projects are summarised in Appendix 3.

Literature Survey and Bibliography. The first in the Commission's monograph series of scholarly research into human rights in Australia is 'Human Rights for Australia: A Survey of Literature and Developments and a Select and Annotated Bibliography of Recent Literature in Australia and Abroad'. This monograph was prepared for the Commission by Professor Alice Erh-Soon Tay of the Department of Jurisprudence at the University of Sydney. Because of its very considerable range, it was completed by Professor Tay with the assistance of a number of scholars eminent in the field of human rights studies.

Much of the literature on human rights today is concerned with the nature and effect of international declarations and covenants, Federal and State legislation, the work of UN organs and regional bodies, and of commissions, boards and tribunals in Australia and elsewhere. The purpose of this Survey is to indicate the areas and issues discussed in the literature, the lines taken, and the legislative and administrative developments that inspire the discussion or exemplify trends. The Survey is thus a review of both literature and developments, for the two go together, each being necessary for a proper understanding of the other. The Survey may be read, therefore, as presenting, *inter alia*, a review of those human rights provisions, declarations and legislative developments since World War II needed to make effective use of the Bibliography with which it concludes.

Disabled People and Social Security and Taxation Law. The Commission received a draft report from the Australian Council of Social Service Inc. (ACOSS) on Federal Taxation and Social Security laws and their administration and effects on people with disabilities, in February 1984. Submissions received by ACOSS in the course of the project revealed objective evidence of the practical difficulties faced in day-to-day living by people with disabilities and identified major areas of concern.

It is expected that the final report will be published in 1985.

Review of Conciliation Activities Under the Racial Discrimination Act 1975. A draft report has been prepared by Professor Patrick Pentony. The report reviews, analyses and assesses the conciliation methods developed under the Racial Discrimination Act in order to try to resolve complaints about unlawful acts of racial discrimination. The final report is intended to be published as the second in the monograph series in 1985.

Epilepsy and Human Rights. A report on Epilepsy and Human Rights as a pioneering study of a 'hidden' disability was prepared for the Commission by Mr Rob Sheehan on behalf of the Australian Council for Rehabilitation of Disabled (ACROD). The report was presented in late stage draft form to a National Symposium, 'Epilepsy '84' held in Sydney in May 1984.

The findings of the report show that prejudice and discrimination regularly intrude into the lives of people with epilepsy. The most commonly mentioned difficulties arose in the areas of employment, education, service provision, immigration, superannuation and life assurance cover and driving restrictions.

Highlighted by the report were the effects of misinformation about epilepsy and the lack of understanding about it in the community and amongst medical staff, including doctors. The special needs of people with epilepsy living in country areas were also noted.

The final report will be published late in 1984. It is hoped that by working through the specific human rights problems associated with epilepsy, the study will provide a model for studies dealing with other 'hidden' disabilities. The Commission will be using the report to identify the specific areas where laws or practices need to be changed to ensure the human rights of people with epilepsy.

Human Rights in Country Towns. Research on the study of access to human rights in country towns continues. It is expected that the report of the study will be published in 1985.

Guardianship Law Survey. A report was prepared for the Commission by Professor Peter Singer of the Centre of Human Bioethics, Monash University, and Dr Terry Carney of the Faculty of Law at Monash University on the ethical and legal issues in guardianship options for intellectually disadvantaged people.

The report is intended to be published in 1985 as the third in the Commission's monograph series.

The Aspirations of Aborigines on Reserves. A report on the current aspirations of Aborigines living at Yarrabah concerning local management and human rights was prepared for the Commission by Ms Barbara Miller, who is deeply involved in Aboriginal affairs in the Cairns district.

The report, which deals with the effect the new Queensland Community Services legislation would have on Aboriginal communities in Queensland, will be published as a discussion paper later in the year.

Internal Research

Racial Defamation. In September 1983 the Commission issued a discussion paper to inform interested persons of the proposals which it was considering for amendments to the Racial Discrimination Act to cover racial defamation. The paper elicited a number of public commentaries on the suggested legislation, commentaries which in their turn contributed to the Commission's fifth report to the Attorney-General, 'Proposal for Amendments to the Racial Discrimination Act to Cover Incitement to Racial Hatred and Racial Defamation', which appeared in November 1983.

In its report the Commission declared itself committed to freedom of expression and addressed itself at length to the implications of its proposed legislation for that fundamental right. Nevertheless, the Commission felt that the question which societies now have to decide is whether to support the right if it is used to advocate the destruction of the rights of another racial group, and whether free rein should continue to be allowed to those who argue for the destruction of a society where everyone has the same human rights. This point is directly taken up in Article 20 of the ICCPR, which makes it clear

that freedom of expression may be restricted where this is necessary to protect the rights of others and provides that 'any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law'.

The proposed amendments would make incitement to racial hatred, and racial defamation, as defined in its report, unlawful, but not criminal offences. The Commission's proposals would exclude from the effects of the amendments the following: the publication or performance of bona fide works of art; genuine academic discussions; straight media reporting of events; and the serious and non-inflammatory discussion of issues of public policy.

In more detail, the amendments proposed by the Commission in its report to Part II of the Racial Discrimination Act, which makes certain acts unlawful (but not offences) were:

- (1) Provision to cover racist statements/propaganda of a serious and damaging kind. Examples include the leaflets placed in letter boxes by extremist organisations nominating certain races as plotting to overthrow the government or public speeches calling for the forcible repatriation of certain ethnic groups. The Commission has received many complaints relating to actions of this kind.
- (2) A second provision to cover racial defamation: i.e. forms of racist statement which in effect defame a person by virtue of his or her membership of a racial group or defame the group itself. Statements which detract from the humanity of people, often by means of unfavourable stereotypes, are as damaging when they slander groups as when the reputations of individuals are attacked. Examples include 'no X has ever done an honest day's work'; or 'lis in this town are a mob of ' alcoholics with prison records'.
- (3) A careful exclusion of certain areas from the scope of the amendments, because freedom of speech should be constrained only in order to deal with significant violations of minorities' rights to be unmolested. Most ethnic jokes would probably not be covered. An isolated epithet such as 'wog bastard' is an example of an excluded area.

Important reasons for incorporating these amendments into the Racial Discrimination Act are the declaratory and educational effects they would have. The amendments would establish that community opinion now holds such statements to be unacceptable and unlawful. Whatever else their impact, they should serve to restrain the statements of persons in public employment. One quarter of all complaints of racial defamation made to the Commissioner for Community Relations have been made against such persons as police, welfare officers and local council employees. The education would come through public discussion and through the conciliation process itself.

Affirmative Action for People with Disabilities. Research on affirmative action for people with disabilities is being undertaken with the object of reviewing current policies and practices in the Australian Public Service and Federal Government programs concerning the employment of people with disabilities and methods of implementing affirmative action programs.

The Commission intends to publish a discussion paper which addresses the issues of affirmative action for people with disabilities, followed by consultation with appropriate organisations.

Children with Major Handicaps. During 1983-84 substantive in-house research was completed for a discussion paper on legal and ethical aspects, including human rights aspects, of the management of children with major handicaps. This paper was undertaken in response to a request from the Australian College of Paediatrics that the Commission actively promote discussion of issues relating to non-intervention in severely impaired

infants, and it is planned that the paper be published in co-operation with the College. It is intended that the paper will:

- examine the rights of severely deformed neonates under the provisions of the ICCPR, the Declaration of the Rights of the Child, the Declaration on the Rights of Disabled Persons and the Declaration on the Rights of Mentally Retarded Persons;
- isolate technical and social factors which have increased the salience of the rights of severely deformed neonates;
- review legal and rights issues arising from recent cases and developments in the U.S., the U.K. and Canada;
- examine evidence from existing surveys of current practice in Australian hospitals with respect to non-intervention in children born with major handicaps; and
- consider the implications of Australian and overseas experience for criminal law review, especially in the A.C.T.

The paper should be available in 1985.

Runaway and Homeless Children. The Commission is in the process of undertaking research into the situation of runaway and homeless children, particularly in the A.C.T. This research will form the basis of its consideration of the draft A.C.T. Child Welfare Ordinance when it is released for comment later in 1984.

Research Planned for 1984-85

The School System and Students from Non-English Speaking Backgrounds. In May 1984, the Commission selected seven studies from among the numerous expressions of interest in this project which it received. The first four studies will variously consider institutional and direct discrimination against students from non-English-speaking backgrounds and their effects on the students; the final three studies are being prepared by students and teachers examining their own institutions and practices and the effects they have:

- In a joint study, the Victorian Ministerial Advisory Committee on Multicultural and Migrant Education, the Ecumenical Migration Centre, the Richmond Community Education Centre and Child Migrant Education Services will produce an action research model for a total school approach to administrative and instructional strategies for responding to problems of prejudice and racism.
- Ms June Factor of the Institute of Early Childhood Development at the Melbourne College of Advanced Education will be studying inter-ethnic conflict on inner-city playgrounds in Fitzroy and Debney Meadows.
- Ms Mary Kalantzis and Mr Bill Cope of the Centre for Multicultural Studies at the University of Wollongong will investigate issues arising from specifically anti-Asian racism in schools in the Wollongong area. They will be considering historical and contextual causes of racism and what teaching strategies may be effective in combating its expression.
- Dr W. M. Bunn/ant of the Faculty of Education, Monash University, will seek to establish whether some schools reduce students' legitimate employment aspirations, and whether any such reduction of aspirations can be found to operate on the grounds of ethnic background and/or gender.
- The students, staff and Council of the Yipirinya School will be reporting on their innovations in curriculum. The school was formed by Aboriginal parents living on the Alice Springs Town Leases in 1978 on the premise that it is necessary to establish curricula based on non-English languages and non-European cultures if children from these cultures are to make use of the cognitive framework and the knowledge that they bring to school and to have the same opportunities as other Australian children to 'learn-to-learn' in their first language.

- The Marian College of West Sunshine in Victoria has 600 students of whom 91 per cent have one or both parents born overseas. The staff and students of the College will report on their negotiated curriculum and the adaptations they have devised to address the needs of their student population.
- Mr Colin Henry and Dr Stephen Kemmis of the School of Education at Deakin University will assist high school students in the Geelong area to engage in action research on the circumstances of their own disadvantage. The Centre will act as a supervisory, administrative and technical resource for students interviewing and forming research groups at the schools they attend.

It is intended that reports from the three final studies will focus on similar issues and be bound together in a single volume.

Western Australian Projects. In March 1984 the Commission, as part of its policy of being more involved in Western Australia, advertised for expressions of interest from individuals and organisations interested in undertaking research into human rights issues in Western Australia. The Commission selected four projects which will be undertaken in 1984-85.

Human Rights and Prostitution Legislation. This study will be conducted by the Council for Civil Liberties in Western Australia and will examine the present policy of containing prostitution and will explore alternatives to that policy as they would affect all members of the community in terms of the human rights involved.

The Commission believes that individuals' rights and freedoms must be given more prominent recognition. Such recognition is necessary to ensure the protection of the rights of individual women; of groups in need of special protection such as children and intellectually disadvantaged people; and of the general public. Therefore, the study will address the question whether legislation to regulate prostitution complies with the rights set out under the Human Rights Commission Act and the Sex Discrimination Act (which will come into effect on 1 August 1984).

A report will be made to the Commission in 1985.

Attitudinal Change Through Positive Visual and Verbal Exemplars. Under this project, the consultant will confer with members of traditional and non-traditional Aboriginal organisations throughout Western Australia.

The outcome is to be a self-esteem kit suitable for Aboriginal students and is aimed at helping both students and teachers. The teacher will be enabled to detect at an early stage possible feelings of inadequacy amongst students who will be given help in developing specific techniques to overcome these.

It is envisaged that students will benefit in a number of ways, including the development of strengths to overcome limitations, and understanding and modification of their feelings of self-worth. In particular, they will be encouraged to recognise the inherent skills and abilities Aboriginal children and adults possess.

The project is to be completed by May 1985.

Aboriginal Community Autonomy and Political Participation. This study will examine Western Australian experience with Aboriginal participation in local administration through incorporated Aboriginal communities and local government authorities.

A report will be prepared for the Commission by June 1985.

Aboriginal Participation in Local Government. The focus of this study is an examination of factors which inhibit Aboriginal involvement in local government.

Consultation will take place between the researchers on this project and the Aboriginal Community Autonomy and Political Participation project to ensure that no unnecessary overlap occurs.

The work will begin in the near future and should be finished by 1985.

9. CONTRIBUTIONS TO LAW REFORM

Part of the Commission's research program is devoted to examining the social background of legislative reform, with a view to contributing to Government committees considering law reform. In 1983-84, the Commission prepared submissions to the House of Representatives Joint Select Committee on Electoral Reform and to the Senate Standing Committee on Constitutional and Legal Affairs, which was considering amendment to the National Service Act 1951 (Cw1th) to permit conscientious objection to particular wars.

On the subject of electoral reform, the Commission gave particular attention to franchise and the registration of voters. It was of the view that prisoners should be entitled to vote as absentee voters for the electorate of their last known address; that sections of the Electoral Act disqualifying people of 'unsound mind' from enrolment should be amended to enable people who are legally competent to vote to exercise that right; that residence qualifications should not operate to disenfranchise migratory or seasonal workers; and that the section of the Act making enrolment optional for Aborigines should be repealed.

In its submission to the Senate Standing Committee considering new conscientious objection provisions, the Commission suggested that such provisions represent an expression of the human right recognised by Article 18 of the ICCPR to 'freedom of thought, conscience and religion', a right which extends from religious to political belief and from conscientious objection to war in general to objection to a particular war or armed conflict.

The Commission also contributed to the consultation on the recommendations of the Committee of Review of the Australian Institute of Multicultural Affairs. While expressing concern about possible areas of overlap between the work of the Commission and that of the proposed new body, the Commission also welcomed the additional resources and expertise which the Committee's recommendations would bring to community education and research in race relations.

In September 1983 the Minister for Social Security, Senator Don Grimes, announced that a review was to be undertaken of the Commonwealth Government's programs of special services for disabled people, particularly those administered by the Department of Social Security. The Commission made a submission to this Handicapped Programs Review proposing a new human rights model of assistance for people with disabilities. This model would comprehend the full range of people with disabilities from those requiring constant care to those who need only some form of supplementary assistance to enable them to live independently in the community. Among the particular issues which the Commission addressed in its submission were: assistance for self-help groups; sheltered employment; employment in the open market; nursing homes; citizen advocacy; and guardianship.

10. CO-OPERATION WITH THE STATES

The year 1983-84 was the first for the full operation of the Commission's co-operative arrangements for complaint handling with the States. The arrangements with Victoria have now been in place for a year and have worked well, both for the Commission and for the Commission's Victorian representative, Mrs Fay Marles.

The Commission records its thanks to Mrs Manes for the able, energetic and effective way she has co-operated in this new venture, and brought it successfully into operation. It also records its appreciation of the co-operative attitude of the Government of Victoria in making the inter-agency arrangement practicable.

During the year the arrangements with Victoria were reviewed and have been the model for discussions with two other States, South Australia and New South Wales.

The Commission's negotiations with the South Australian Government are expected to be completed shortly, when the work of the Commission in South Australia is expected to be taken over by the State Commissioner for Equal Opportunity.

Negotiations with the New South Wales Anti-Discrimination Board for formal co-operative arrangements proceeded during the year. It is hoped they will be completed during 1984-85. The Commission also had discussions with the Attorneys-General of Tasmania and Western Australia.

Report by Victorian Commissioner

The Complaints. The first State to enter co-operative arrangements with the Commonwealth, the Commissioner's office, in its first year of co-operation, handled 202 complaints for the Commonwealth—155 under the Racial Discrimination Act and 47 under the Human Rights Commission Act. Of these **III** complaints were lodged by men, 69 by women, and 22 by couples or groups.

As a result of handling these complaints, the office gained invaluable experience in understanding the discrimination encountered by ethnic minorities in Victoria, and in particular received a steady flow of complaints of deep-seated and severe discrimination suffered by the Aboriginal community. Such complaints involve a far larger investment of time, travel, and community consultation than most other categories of complaint.

The largest single group of complainants—total 43—identified themselves as Australian, with a further 30 identifying themselves as Aboriginal. Some 60 complaints came from persons from Continental Europe (excluding the United Kingdom and Ireland) and a further 21 from persons identifying themselves as of Asian origin.

Many complaints were lodged which were formally outside the jurisdiction of the Racial Discrimination Act because they alleged racial slurs and epithets used in private or neighbourhood disputes. Anti-discrimination laws are not an apt vehicle for resolving such disputes, and an alternative mechanism would be more appropriate. Nevertheless, racial harassment especially in the workplace is a reality, and is the sort of detriment which these laws are intended to remove.

Outcomes. Outcomes of the federal complaints handled during 1983-84 were as follows:

Outside jurisdiction	57
Complaint lapsed	14
Referred elsewhere	16
Not substantiated	39
Resolved in conciliation	49
Still under investigation	27
TOTAL	<hr/> 202

The average time of resolution of all federal complaints was 1.7 months (reflecting the relatively large number that were outside jurisdiction, and therefore closed rapidly). However, the 24 Aboriginal complaints that were resolved in this year took an average of 3.1 months to complete.

Complaints from the Aboriginal Community. Of particular significance during the year were complaints received from the Aboriginal community. While a number of formal written complaints were received, there were far more verbal reports of discriminatory treatment. These included: refusal of services in hotels or discos; the refusal of accommodation; and less favourable treatment from the police than would have been accorded to a non-Aboriginal person in similar circumstances.

It has become clear, however, that Aboriginal people have little expectation that they will gain redress by making formal complaints to Government departments—and with good reason. Accordingly, Aboriginal confidence in what this office, as an arm of the bureaucracy, could be expected to achieve was limited. For these reasons, an alternative approach was sought to dealing with the difficulties of Aboriginal people. Amongst the earliest complaints received were a number from the Shepparton area concerning relationships with the police. Following discussions with the Aboriginal community and the Chief Commissioner of Police, it was decided that this office should assist in setting up a Police/Aboriginal Liaison Committee for the Shepparton area. As a result, regular visits have been made to Shepparton over the last eight months of the current period.

Shortly after the Shepparton committee was set up, the Minister for Police and Emergency Services instituted a Victorian Police/Aboriginal Liaison Committee with representatives from Aboriginal communities through the State.

The Commissioner for Equal Opportunity was made a member of this committee also, and it has now become easier to deal with individual difficulties without the need for a person in a vulnerable position to be personally identified.

The last year has demonstrated the complexity of the problems experienced by Aboriginal people, and the very limited communication and understanding that often exists between Aboriginal and non-Aboriginal members of the community. This has led, on several occasions, to interpretations of the actions of this office by both sectors of the community that have been sufficiently inaccurate to make conciliation impossible.

During the course of the year it also became evident that because of the nature and extent of discrimination experienced by Aboriginals, it was urgent to obtain expertise to deal with it effectively. To this end, a senior conciliator has now been appointed with extensive experience in handling both the employment and training needs of Aboriginal people. As a member of the Aboriginal community herself, she has also brought to the office her extensive networks through the Victorian community, and a level of understanding of the issues and problems that had been missing before.

While I doubt whether this office has made any real inroads yet into the extent to which discrimination is suffered by Aboriginals within Victoria, I am hopeful that the steps we have now taken will lead to a significant advance during the next reporting period.

Administrative Arrangements. The administration of the Commonwealth Statutes in Victoria under the co-operative arrangements has been carefully planned and has operated with surprisingly few difficulties.

In accordance with the agreement all cases have been handled by the Victorian Commissioner unless they have involved international or interstate issues. They have been received in this office either via the Human Rights Commission itself or through direct approach of complainants. Accountability has been maintained through monthly reporting of statistical data. More importantly, there has been ongoing contact between the two offices which has ensured an acceptable level of uniformity in the method of handling complaints and has led to the ready acquisition of the knowledge necessary to perform the new functions. Contact has also involved frequent visits between the two offices and the generation of goodwill between the two staffs.

Delegated responsibilities have extended to the calling of compulsory conferences and on one occasion to requesting the issue of a certificate by the Commissioner for Community Relations.

The advantages of the arrangement have proved considerable to this office in terms of skills and knowledge development and the building of networks. More importantly, it has reduced the confusion for the public that could so easily have developed as a result of overlapping jurisdictions and the creation of new bureaucratic structures.

11. CONSULTATION WITH NON-GOVERNMENT ORGANISATIONS

The Commission held one formal consultation with non-government organisations during the year and met informally with many other non-government organisations. Six of the Commission's 10 meetings were held away from Canberra and on each of these occasions Commissioners met representatives of local organisations.

The formal consultation with non-government organisations was held in Sydney on 30 September 1983, and was attended by 27 national organisations and 23 observers from Federal and State Government Departments. The program covered six areas: sex discrimination, community education for human rights, the rights of aged and disabled people living in institutions, the rights of the child, and human rights and penal reform. Speakers from the non-government bodies presented papers on all topics except penal reform. The Commission wishes to thank the National Council of Women, the United Nations Association of Australia, the Executive Council of Australian Jewry, the Australian Council on the Ageing, the Australian Early Childhood Association, Parents Without Partners, and Parents and Teachers Against Violence in Education for their considerable time and effort in preparing papers and making the consultation successful.

The Commission brought together many individuals and the representatives of interested organisations at the two-day seminar in Adelaide in August 1983 on the teaching of human rights. More than 100 people attended the conference, which was opened by the Attorney-General.

About 100 people attended the annual Lalor Address at the Academy of Science in Canberra on 3 December 1983. The address was given by the former Commissioner for Community Relations, Mr Al Grassby and supporting addresses were given by the former Queensland Senator, Mr Neville Bonner and by Ms Pera Wells of the Department of Foreign Affairs.



Commissioners Hastings and Ford talking with Mr Denys Correll from the Australian Council for the Rehabilitation of the Disabled at the Consultation of Non-Government Organisations held in Sydney, September 1983

12. OTHER ACTIVITIES

Considerable media attention was given to various statements by the Chairman in the renewed debate over immigration policy.

The comments of the Deputy Chairman on a prison for the Australian Capital Territory and the Commission's proposals for legislation in relation to racial defamation generated public discussion.

An officer of the Human Rights Commission, Dr John Hookey, was given leave in the Canberra Children's Court and Court of Petty Sessions to appear in extradition proceedings as *amicus curiae* (friend of the court).

The proceedings related to applications for the extradition from the A.C.T. to Queensland of a breast-fed baby charged as being a neglected child, and his parents who, together with a third person, were charged with the abduction of their elder son.

The applications for intervention as *amicus curiae* were on the basis that the magistrate might be assisted by submissions on relevant human rights law affecting the exercise of his discretion as to whether the applications for extradition should be granted.

The extradition application in respect of the baby was refused. In declining to order the forced extradition of the three adults, the magistrate said that the submissions of Dr Hookey had been very helpful and had been carefully noted.

This case is believed to be the first in which human rights considerations have been taken into account in such a manner in an Australian court.

13. THE SEX DISCRIMINATION ACT

An important part of the Commission's work during the year was devoted to preparations for the coming into operation of the Sex Discrimination Act on 1 August 1984 (it was enacted in April 1984). The Commission prepared a promotion campaign in consultation with the Office of the Status of Women and the Department of the Attorney-General.

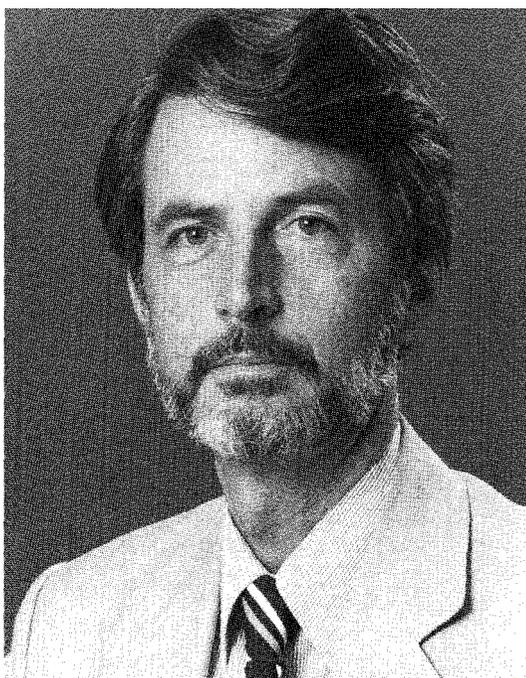
Part of this campaign consisted of public forums around Australia. Members of the Human Rights Commission participated. Commissioner Ford took part in forums in Hobart and in Melbourne whilst the Deputy Chairman, and Commissioners Aroney and Boyce each took part in one in Canberra, Sydney and Perth respectively. The Chairman addressed a meeting in Darwin and Commissioner Ford addressed a seminar in Canberra.

'A Guide to the Commonwealth Sex Discrimination Legislation' was published in March 1984 in collaboration with the Office of the Status of Women and the Department of the Attorney-General, and preparation of other information and promotional material was commenced.

14. REPORT BY THE COMMISSIONER FOR COMMUNITY RELATIONS

Some highlights of the year's work in combating racial discrimination were:

- the staff available to deal with complaints of discrimination was greatly increased by the appointment in July 1983 of the Victorian Equal Opportunity Commissioner and four of the staff as delegates of the Commissioner for Community Relations;
- a local citizen was appointed for the first time to preside at a conciliation conference held in Bundaberg, Queensland, in September;
- the largest amount of money yet paid in settlement of a complaint under the Racial Discrimination Act—a total of \$15 000—was agreed upon at a conciliation conference in Perth in October;
- a field trip by six officers and, for part of the time, two part-time Commissioners and the Commissioner for Community Relations, who visited twenty-four towns in the southern half of Western Australia in March and April, was the first extended field work carried out in that State by the Commission and is planned as the first of a continuing program of such work in Western Australia; and
- a shorter field trip in the Northern Territory in May, involving four officers was similarly planned as the beginning of a continuing program of field work in the Northern Territory.



*Mr Jeremy Long, Commissioner for
Community Relations*

Since 1975 every effort has been made to involve local communities in the process of settling racial discrimination complaints, and representatives of Aboriginal organisations and other citizens have been invited to attend conciliation conferences as participants and as observers. But previous conciliation conferences had all been presided over by the Commissioner for Community Relations, or officers of the Commissioner or of the Human Rights Commission. Mrs Norma Sarra of Bundaberg, who became the first non-staff member to preside at a conciliation conference, had been active in a local Consultative Committee on Community Relations in Bundaberg and had helped officers of the Commission in settling other complaints. Mrs Sarra was assisted in conducting the conference by the Commissioner and staff, and the matter, which involved discrimination against a young Aboriginal woman in employment, was settled successfully.

A few months later, in February, three local Aboriginal citizens were appointed to preside at conciliation conferences when Commission staff visited Cairns to deal with several complaints about discrimination in access to an hotel and two discos. (One of these matters was successfully settled, another conference could not proceed because the respondent, an hotelier, failed to attend and the third was not settled. Certificates were issued in relation to the unresolved matters.)

By working closely with local communities in dealing with problems of racial discrimination, officers of the Commission are able to make constructive use of incidents of discrimination. These first appointments of local people to preside at conciliation conferences mark a further step in this community development work.

This year conciliation staff of the Commission carried out field work in all States and the Northern Territory inquiring into and settling complaints of discrimination, and consulting, advising and helping local people in their efforts to improve community relations. The limited resources available to the Commissioner and to the Commission have not previously allowed any sustained field work to be undertaken except in the eastern States. The increased scope of the work this year was made possible in part by the addition in December 1983 of three temporary conciliators to the team of three experienced conciliators permanently appointed to the Commission's staff.

Responsibility for field activities in Victoria was delegated to the Commissioner for Equal Opportunity and her staff at the beginning of the year. It was possible to limit work in New South Wales, where the State Anti-discrimination Board is active. These changes also helped make it possible to devote more resources to the other States, notably Queensland and Western Australia, where no anti-discrimination laws exist.

Complaints of Discrimination

The total number of complaints of racial discrimination received by the Human Rights Commission this year was significantly higher than last year at 614.

This increase was attributable mainly to a doubling in the number of complaints in Victoria. The number of complaints received from other States and Territories was similar to the numbers received the previous year. The distribution of complaints by States is shown in the table at Appendix 4.

Of the 459 complaints dealt with by the Commission's Canberra office, a total of 398 matters had been resolved by the end of the year. In addition there were 114 complaints not resolved from the previous year: all but six of these matters were resolved in the course of the year.

Racial Discrimination: Victoria

Under the co-operative arrangements between the Commonwealth and the Victorian Governments which came into effect on 1 July 1983, the State Commissioner for Equal Opportunity, Mrs Fay Manes, and her staff of conciliators, with powers delegated by the

Commissioner for Community Relations, conducted inquiries into complaints under the Racial Discrimination Act and sought to settle them. This arrangement, greatly increasing the staff available to deal with complaints in Victoria, and the attendant publicity, resulted in an increase in the number of complaints in that State from 76 received last year to 198 this year. (For details see the Victorian Commissioner's report in Section 10 above.)

Discrimination Against Aboriginal Australians

This year a total of 202 complaints were made about discrimination against Aboriginal Australians. Those complaints represent about one-third of all complaints received, a slightly higher proportion (33 per cent) than last year (31 per cent), and a very much larger proportion of the complaints which proved to relate to acts outlawed by the Racial Discrimination Act.

These figures again underline the extent to which direct discrimination of the kind made unlawful by the Act is essentially something suffered by Aboriginal Australians. This in turn is a reflection of the extent to which Aboriginal citizens tend to be excluded and alienated from the mainstream of Australian life and suffer disadvantage in all aspects of their lives from that exclusion and from the prejudice, lack of understanding and discrimination that go with it. The Commission's staff continue to tackle these problems through community development and educational work linked to the inquiry into and settlement of complaints.

Again, all the conciliation conferences convened during the year to negotiate settlement of complaints involved Aboriginal Australians. Twenty conferences were convened and of these fourteen achieved settlements agreed upon by the parties. The places where conferences were held during the year, and in previous years, are shown in the table at Appendix 6.

It was necessary to issue certificates in the other six matters which were not settled by conciliation.

Complaint Inquiry and Community Development Work in the Field

Field work enabled Commission staff to inquire into and try to settle complaints and to respond to community needs, helping local people to resolve community relations problems. This year work in the field with Aboriginal communities was greatly helped by the addition of Ms Vivienne Hagl to the Commission's Inquiry and Conciliation Branch, under the program administered by the Department of Employment and Industrial Relations as part of the National Employment Strategy for Aboriginals. Field teams worked with Consultative Committees on Community Relations where these have been established. During the year field teams met and worked with members of Consultative Committees in Geraldton, Moree, Cairns, Bundaberg, Townsville, Rockhampton, Brisbane and Hobart.

In early August 1983, a team of three officers visited Tamworth, Inverell, Moree, Boggabilla and Toomelah in northern New South Wales and Goondiwindi and Ipswich in Queensland, returning by way of Woolgoolga and Macksville on the north coast of New South Wales. They dealt with complaints in the N.S.W. towns which included matters involving the State Housing Commission and the Police.

In Queensland, several complaints relating to refusal of service to Aboriginal people in hotels were resolved in discussions between the complainants and the licensees and with the co-operation of field workers from the Aboriginal and Islander Legal Service. In one town parents of Aboriginal students attending the local high school expressed concern about the difficulties their children had with teachers. This had contributed to a high rate of truancy. Officers arranged meetings between parents and staff and efforts were made afterwards to have the responsible authorities appoint an Aboriginal liaison worker.

Two short field trips were made to Tasmania in August and November in an effort to settle a complaint involving a funeral parlour. The visits provided the opportunity for discussions with the Consultative Committee on Community Relations in Hobart and with representatives of the Aboriginal community in Tasmania.

In October a field trip was made to the Murray and Goulburn Valleys. The team comprised two of the Commission's conciliators, a part-time Commissioner and a senior conciliator of the Office of the Commissioner for Equal Opportunity. The team followed up a previous visit when initial inquiries were made into complaints against police and the existence of tensions in Police/Aboriginal relations. Contact was renewed with significant Aboriginal and non-Aboriginal community leaders to whom the Victorian conciliator was introduced.

Field work this year was again concentrated in Queensland. In September a team visited more than 20 towns from Ipswich in the south to Cairns and Kuranda in the north dealing with matters of discrimination and community relations in schools, hotels, clubs, hospitals and on Aboriginal reserves involving police, landlords and real estate agents, employers and State and local government.

A second field trip was made in February 1984 in response to complaints about admission being refused to Aboriginal and Torres Strait Islander people by nightclubs in a far north Queensland city. As a result serious tensions in community relations had developed. The inquiries officers made with the help of the local Consultative Committee, the conciliation conferences presided over by leading Aboriginal citizens and the publicity given to the visit helped to ease these tensions. Officers also inquired into a matter relating to employment conditions of Aboriginal workers in a far north Queensland mining operation and into a complaint about inadequate facilities at a high school in an Aboriginal reserve community. Officers also arranged meetings to help ease tensions which had developed between Aboriginals and police in a small town because of the way police had investigated complaints of noise coming from an Aboriginal property.

Short visits were made to Sydney to hold a compulsory conference in relation to a complaint concerning entry to a Kings Cross bar.

In March and April, a team of officers undertook an extended field trip, beginning in towns in the far south-west of New South Wales and continuing with visits to four towns in South Australia and to Perth and 22 country towns and cities in the southern part of Western Australia, from Carnarvon and Wiluna in the north to Albany and Esperance in the south. During the field trip officers dealt with a number of racial discrimination complaints and community relations issues. One complaint involved the refusal of accommodation to Aboriginal people; 15 complaints involved refusal or limitation of access and service in hotels to Aboriginal people; several matters related to discriminatory treatment of Aboriginal students in schools; several complaints were against police and another concerned the relations between a shire council and a group of Aboriginal fringe dwellers.

In consultation with senior police, officers worked with local police and Aboriginals in each centre to assist with Police/Aboriginal relations.

In May two teams of two officers visited the Northern Territory and worked in the Alice Springs area and in Katherine, Ali Curung and Tennant Creek. The teams contacted Aboriginal communities and Aboriginal organisations in each place and met representatives of community organisations and government agencies including police, local councils and welfare workers.

Aboriginals raised many issues with the field teams, including refusal of service in hotels, alleged discriminatory treatment by police, offensive reporting by newspapers, discrimination in employment by a road-making company and the inadequacy of basic services for fringe-dwelling communities. A complaint about refusal of accommodation at a caravan park was settled during the visit. Another matter of concern was the availability of suitable care for mentally disturbed people in isolated communities in the

Territory. This matter was brought to the attention of officers during a visit to an isolated Aboriginal community where two severely disturbed youths were a threat to other community residents. Officers followed the matter up with Northern Territory authorities after consultation with the community.

The map at Appendix 5 shows the cities and towns visited by staff in the course of field work in 1983-84.

Racial Discrimination Complaints: (Case Studies)

In legislating against racial discrimination Parliament did not create offences but provided for a process of inquiry and settlement of complaints. Outside the context of field work, many complaints are resolved by telephone or letter. The complainant may accept that a complaint is not well-founded, accept an explanation from the respondent or an expression of regret, apology or an undertaking by the respondent. Such complaints might be considered as being resolved by a process of mediation. In these matters officers of the Commission act as intermediaries and open communication between the parties to a complaint.

In the matters where settlement is not achieved by this approach, informal meetings or even a compulsory conference may be convened to settle the matter by conciliation. Conciliation is a means of settling complaints, by the development of understanding between the parties that enables them to settle the matter of the complaint on a mutually acceptable basis. The staff of the Inquiry and Conciliation Branch of the Commission are actively involved in the process but do not determine the basis of settlement as would a judge or arbitrator.

The following examples illustrate the complaints of racial discrimination into which the Commissioner for Community Relations and the Commission's conciliators inquired during the year.

Employment. An Aboriginal from an eastern state successfully applied for a position as a disc jockey at a Perth nightclub. On travelling to Western Australia to take up the position he was told by the nightclub management that he was 'too Aboriginal' and that his contract was terminated. The Aboriginal returned home and complained to the Commission. He stated that the experience had been hurtful for him personally and professionally.

As the complainant and respondents were separated by long distance, endeavours were made to settle the matter by telephone and correspondence, but in the end, two compulsory conferences proved necessary. The matter was settled on the basis of a written apology and a payment of \$15 000 in compensation for the loss of dignity, and offence caused to the complainant. This amount was in addition to \$5000 previously paid to the complainant for the loss of employment he suffered.

In another State a young Aboriginal woman complained that she had been refused employment in a licensed club because of her race. She had been interviewed for the position by the catering contractor who told her that she could start work next day. The next morning the caterer had telephoned to withdraw the offer saying 'they don't employ any dark people at all'. The club caterer had also telephoned a local CES officer about the job vacancy on the same morning and said that the young woman could not be employed because she was black.

The caterer and the president of the club were notified of the complaint and conciliators pursued the matter during their next visit. A compulsory conference was convened, presided over by Mrs Norma Sarra and attended by the Commissioner for Community Relations, conciliators, the complainant and her mother and community representatives as well as the respondents to the complaint. The club president gave an assurance that the club did not have a discriminatory employment policy. The matter was settled with personal apologies to the complainant, the publication of an apology

in the local newspaper, and the employment of the complainant in the position originally offered.

Nationality and National Origin. A teacher, permanently resident in Australia and married to an Australian citizen but retaining United States citizenship, applied for appointment as a temporary teacher at a College of Technical and Further Education in the A.C.T. She was not appointed although she was judged at interview to be the best applicant.

The Commonwealth Teaching Service Act 1972-1973 provided that people who were not British subjects could be appointed to the Service only with the approval of the Minister for Education. The established policy had been to appoint such people when there were no suitable applicants who were British subjects.

The first attempt to appoint this particular teacher failed because the position had not been advertised and it was not possible to give an assurance to the Minister that there were no suitable applicants who were British subjects. The job was advertised. Several applicants were interviewed and this teacher was rated the most suitable. The recommendation was made to the Minister that the second-ranked applicant be appointed because that person was considered capable of doing the job and was a British subject. The Minister approved this appointment. (The complainant obtained copies of the relevant documents under Freedom of Information legislation.)

The complainant argued that she was discriminated against on the basis of her national origin because she was not a British subject. The complaint raised the question whether 'nationality—in this case United States citizenship—could properly be regarded as equivalent to 'national origin'.

During consideration of this issue, it was noted that the Hansard record of the debate on the Racial Discrimination Bill in 1975 showed that a clause allowing distinctions to be made on the basis of nationality or citizenship (as permitted by Article 1.3 of the International Convention) had been deleted. It had been argued that the legislation should outlaw discrimination against any people in Australia and should give all residents, whether citizens or non-citizens, the same protection.

The complaint was put to the Minister who responded that nationality and national origin could not be properly equated and that the decision taken was therefore not unlawful.

The complainant did not want to challenge the validity of the Commonwealth Teaching Service Act using s.10 of the Racial Discrimination Act which guarantees equality before the law. However, it was put to the Minister that the discretion to appoint non-British subjects should, as a matter of policy and in the interests of promoting equal opportunity, be exercised in order to appoint the most suitable candidate to any teaching position.

The Minister's consideration of this proposition was overtaken by introduction into Parliament of a Public Service Reform Bill in April 1984, which among other things amended the Commonwealth Teaching Service Act. The amended legislation makes no reference to British subject status, makes Australian citizenship a qualification for permanent appointment to the Commonwealth Teaching Service, but allows non-citizens to work as temporary teachers.

Hotels and Nighclubs. A complaint was received from an Aboriginal woman in far north Queensland who had been informed by a barman in a hotel that he was under instructions to serve her one drink only and to ask her to leave. A complaint was also received from another aggrieved person and a solicitor on behalf of the woman.

Officers of the Commission discussed the complaint with the licensee of the hotel during a field trip and sought a written response to the complaint. When no response was forthcoming directions were issued to the parties to the complaint to attend compulsory conferences.

The licensee failed to show up and the matter of his non-attendance was referred to the Australian Federal Police for investigation as an offence under the Racial Discrimination Act. The Commissioner for Community Relations also issued the complainants with certificates to enable them to commence civil court action.

Nineteen complaints were also received in the same city against two nightclubs. The complaints related to denial of access to Aboriginals and Torres Strait Islanders even though they met the required standards of dress and behaviour.

Compulsory conferences were convened to deal with the complaints and were presided over by leading members of the local Aboriginal and Islander community. At one conference the parties were able to reach an agreement settling ten complaints. The proprietors of the nightclub published an apology in the local newspaper and donated a sum of money to an Aboriginal youth welfare organisation for the purchase of audio-visual equipment. In the other matter the parties were unable to reach a settlement and the complainants asked the Commissioner for Community Relations to issue certificates to enable civil court action to proceed.

Accommodation. An Aboriginal couple with a young child who had moved into a rented house in Brisbane complained that they were approached by the landlord and the estate agent who asked them to leave. They reportedly offered other accommodation in an area where there were other Aboriginals. Bond money and two weeks' rent had already been paid. The family stayed in the house, but after being served with a notice to quit, decided to leave.

The family complained to the Human Rights Commission and enlisted the help of the local Consultative Committee on Community Relations.

A compulsory conference was convened, and was attended by the landlord, estate agent and Aboriginal couple, officers of the Human Rights Commission and a member of the local Consultative Committee. Understanding was developed about the events which gave rise to the complaint and the matter was settled by the landlord's paying a sum of money to the Aboriginal family as a means of overcoming the hurt and detriment suffered by the family. The Commissioner for Community Relations also made a media release about the difficulties experienced by Aboriginal and Islander people in obtaining rental accommodation. A further conference with the estate agent later resolved the complaint against him on the basis of an apology and an undertaking by him to assist the family to find alternative accommodation.

A complaint was received on behalf of two Aboriginal women concerning an alleged refusal to let accommodation in a country town in Western Australia. The complaint alleged that the women had telephoned in response to an advertisement for a flat in the local paper. They were told that the premises were available for inspection. On arrival they were told that the flat had been let. The women were surprised and later inquired further about the flat. The women were again told that it was vacant. They then identified themselves as the previous applicants.

At an informal meeting between the parties the complainants could not accept that the prejudice of other tenants was justification for their exclusion. The respondents who were of European origin themselves recalled the attitudes they themselves had encountered on arriving in Australia many years ago. The complainants accepted a personal apology as settling the matter.

Police. There were fewer complaints of racial discrimination against members of police forces throughout Australia during the year. The co-operative relations that have been established between the Commission's officers and senior police, particularly in Queensland and Western Australia, where most recent field work has been done enabled a number of matters to be resolved quickly and to the benefit of community relations.

In one country town in Queensland, Aboriginal parents made a complaint that the local police had intimidated their 11-year-old son. The complainants alleged that they

accompanied the boy to the police station in connection with an investigation about damage to a building site and that the police had ordered the parents out. A policeman allegedly said: 'You are going to sign if I have to force you. I don't give a stuff what your parents said'.

A Commission officer contacted the local police and the District Inspector undertook to investigate the matter. The parents and the Inspector met to discuss the complaint. Commission officers arranged the meeting but were not present. The complainants later reported that the meeting had resolved the issue to their satisfaction, and the Inspector reported that the exercise had resulted in good working relationships with Aboriginal community representatives.

Wages on Queensland Aboriginal Reserves

In August 1983, the Commission published a discussion paper on the 'Payment of Award Wages on Aboriginal Reserves, Queensland' noting that award wages were still not being paid to Aboriginal workers on those reserves and setting out the several remedies available under State and Commonwealth law, including the Racial Discrimination Act. Several hundred copies of this paper were circulated in Queensland through the State Branch of the National Aboriginal Conference.

No complaints specifically about the level of wage payments were received during the year. (Complaints were received in May from pre-school workers on one reserve and from Aboriginal police on another about the terms and conditions of their employment. Inquiries into these complaints were started.)

In March 1984, the Commissioner for Community Relations had a meeting with the Minister for Northern Development and Aboriginal and Island Affairs, the Hon. R. C. Katter, in Brisbane and urged that he should have his Department bring the payment of workers on reserves into line with State and Commonwealth law requiring that all workers be paid the appropriate award rates. In April, after the Minister had secured the passage through the State Parliament of the new Community Services legislation for Aboriginal and Torres Strait Islander reserves the Commissioner for Community Relations wrote to him asking whether he planned to ensure that the budgets of the Councils established in the new legislation would provide enough money to allow wages to be paid according to law.

It was understood that the Queensland Minister was seeking adequate funding to allow all employees on reserves to be paid according to law.

Meanwhile meetings of Commonwealth Departments and agencies with an interest in this matter were held in February and in May. Several initiatives were taken after these meetings in an effort to ensure that reserve Councils and communities were aware of the legal requirement to pay workers at award rates and that they could obtain advice on the appropriate rates to be paid.

Public Housing in Western Australia

Many complaints of racial discrimination against Aboriginal people have come to the Human Rights Commission from welfare workers in the Trades and Labour Council in Perth, acting on behalf of Aboriginal applicants to the State Housing Commission for rental accommodation in Western Australia. It was alleged that the Housing Commission's officers apply special tests of eligibility to Aboriginal applicants making it more difficult for them to obtain accommodation. There had also been complaints about the eviction of Aboriginal tenants from housing.

Welfare workers had made representations to the Minister for Housing early in 1983 seeking a review of the Housing Commission's policies and practices as they affect Aboriginal people. A general review of eviction procedures was carried out by a working

group which reported in July 1983 to the Minister recommending changes especially to

appeal and review procedures. The Minister for Housing, the Hon. Keith Wilson, also asked the Commissioner for Community Relations to act as Chairman of a meeting between senior officers of the Housing Commission and the welfare workers to discuss other problems.

This meeting was held on 8 February in Perth and attended by Ms Betsy Buchanan of the Welfare Department of the Trades and Labour Council, Mr Ray Healy and Mr Jim Maloney of the State Housing Commission and Mr Robert Isaacs, Chairman of the Aboriginal Housing Board. Ms Buchanan outlined the general policies and eligibility tests which were thought to discriminate against Aboriginal applicants and all these allegations were fully discussed. After speaking the next day to the Minister about the policies that seemed to discriminate against Aboriginal people, either directly or indirectly the Commissioner wrote to the Minister summarising the issues and making some suggestions about ways in which discrimination might be eliminated from the Commission's procedures and the urgent housing needs of Aboriginal people might be met more expeditiously.

The one plainly discriminatory policy identified in the discussions was the direction that Aboriginal people were considered unsuitable for placement next door to people who were buying their houses. It was suggested that officers might reasonably be alerted to the possible sensitivity of home buyers when deciding on all allocations but that any special reference to Aboriginals should be deleted from staff instructions.

The 'standards test' apparently applied to all applicants had the effect of denying many of the most needy Aboriginal families access to rental housing within their means, because Housing Commission officers looking at their existing accommodation were likely to conclude that they would not be satisfactory tenants, capable of keeping accommodation clean. It was suggested that applicants should not be disqualified from access to public housing by this test, but that the test should be used as a guide in deciding what kind of accommodation would be suitable and what support and help would be needed by particular families.

Officers of the Housing Commission had been required to report on 'compatibility' when considering allocations and it was the Commission's policy to avoid aggregations of particular ethnic groups. It was suggested that there should be no special reference to Aboriginal applicants in this context but that the same criteria should be applied in making all allocations.

It was further suggested that, as well as revising particular directives which were discriminatory or could have discriminatory effects, an instruction might be circulated to staff indicating that priority should be given to providing accommodation for needy Aboriginal families and that special attention should be given to the need to avoid any discrimination on the basis of ethnic or racial origin.

The Minister for Housing later indicated that he had instructed that the Housing Commission's policy paper should be re-drafted, a task which was expected to take some months.

Community Relations

In the first month of the year the major newspapers carried news stories and published letters from readers touching on issues of immigration policy, of overseas students at Australian universities, and on Aboriginal land rights policy.

The Victorian Branch of the RSL was reported in the press as debating motions claiming that Chinese and Vietnamese 'did not assimilate' and calling for a referendum on immigration policy.

A visitor from the Northern Territory was quoted as saying in Melbourne that it would be 'a catastrophe for everyone if the Victorian Land Rights Bill goes through' and talking of disharmony caused by the Aboriginal Land Rights Northern Territory Act 1976 (Cwth).

A group of students at a Sydney university were reported as expressing concern about racist graffiti around the university and bigotry among students prompted by public discussion of the policies on Asian students attending Australian schools and universities.

The then leader of the Opposition in Western Australia had a letter in a national newspaper explaining his view that the State Government's policy of granting Aboriginal citizens rights in land was divisive.

This canvassing of these issues in July 1983 was a prelude to the continuing attention given each of the issues during the year in newspapers and on radio and television.

All these issues had been aired before this and over many years. Immigration policy had been discussed regularly each year at Victorian and Western Australian RSL Conferences for a number of years and Aboriginal land rights policies had been debated strenuously for more than ten years. But the twelve months beginning in July 1983 were notable for the amount of attention given to these issues in the media.

All too often the argument against land rights, and indeed against any special programs of aid for Aboriginal Australians, has been put in terms designed to arouse hostility to Aboriginal people. Equally many critics of Government immigration policies and programs make their case—sometimes deliberately, sometimes carelessly—in ways that are likely to hurt and offend, and to incite hostility towards immigrant Australians of different ethnic and national origins. The tendency of the media to treat issues in terms of conflict and controversy also has a negative effect on public attitudes towards minority groups.

The several public opinion polls taken in the second half of the year indicated that while the majority of Australians believe immigration should be cut back in a period of continuing high unemployment, they also confirm that the Majority accept that it is just and right, as well as being in this country's interests, to maintain an immigration policy that is fair to all applicants, wherever in the world they live and whatever the colour of their skin.

Those who do not accept this and who advocate a return to racially discriminatory immigration procedures had a good airing of their ideas during the year. They may in some measure have relieved their sense of frustration because none of the major political parties have been interested in taking up their cause. But the public assertion of prejudice also had an incalculable but certainly damaging effect on Australians who have come from Asian countries, and especially refugees from Indo-China. These people knew they were the principal targets, not only of the foolish few who continued to disfigure the cities with anti-Asian graffiti, and who circulated defamatory and mischievous verses and hoax letters, but also of the more rational critics of current immigration programs.

The attention given to 'Asian migration' in the press seemed to reach something of a peak in the late summer, immediately before Australia Day and in the month or so after that. There were the familiar calls for a referendum on migration policy, claims that 'multicultural countries' were 'not viable', assertions that British applicants were discriminated against in favour of would-be immigrants from Asian countries and expressions of concern about the number and proportion of immigrants coming from Asia. Then Professor Geoffrey Blainey, Professor of History at Melbourne University, made a strong attack in mid-March on the Government's immigration policy. Professor Blainey asserted that the Government was 'giving powerful preference to Asians' in its immigration policy and that 'the pace of Asian immigration' was well ahead of public opinion and threatened consensus on immigration. The media gave his views a great deal of attention and made him the focus of debate in the next three months.

The attention given in the media to criticism of immigration programs led, in due course, to strong statements by the Minister for Immigration and Ethnic Affairs and by the Prime Minister indicating that the Government was committed to maintaining non-discriminatory immigration policies and its humanitarian approach to the reunion of families and the resettlement of refugees. It also led to heated debate in the Parliament

in May, which served to clear the air and at least give critics of immigration policy some assurance that the issue was not simply being ignored by political leaders.

It is not easy to assess the effects of the media debate on community opinion or behaviour. One survey concluded that, by May, people in Sydney were rather more aware of, and more ready to talk about, immigration issues than they had been only two months before. It seems on the whole improbable that the underlying attitudes of Australians were changed but it was significant, and certainly not helpful, that people may have become more ready than before to air their prejudices.

It is equally difficult to gauge whether the public discussion of immigration issues had any noticeable effects on behaviour, in particular towards immigrants from Indo-China and other parts of Eastern Asia. Minor incidents of violence on the streets or elsewhere are seldom reported in the press. Some Indo-Chinese community organisations indicated that although there had been incidents of violence on the streets and harassment in schools in 1980 and 1981, there had been none for some years and none since the level of public debate had increased. On the other hand, there were disturbing reports of threats and of violence directed against people organising to combat racial prejudice and discrimination in Sydney.

In the present prolonged period of economic recession and high unemployment it seems that people feel more pessimistic and less assured that things are under control. Because job opportunities are seen as limited and competition for them intense, most people see little point in maintaining any sizeable immigration program. At the same time the taxpaying public becomes more critical of government spending on programs to aid immigrant settlement. In this atmosphere, in Australia as well as in many other countries, xenophobia and bigotry have tended to come to the surface. Overt physical violence against minority and ethnic racial groups remained rare, again illustrating that there is a wide gap between private beliefs and attitudes and public behaviour.

The same factors have clearly been influencing the climate of opinion in relation to Aboriginal citizens. In recent years opinion polls have indicated a marked increase in the numbers of people who believe the Government has done enough or too much for Aboriginal people and a matching decrease in the numbers who consider the Government has not done enough from a bare majority (51.5 per cent) in 1981 to less than one-third (30.5 per cent) in 1984. A poll in January 1984 showed that nearly three-quarters of the sample (72.1 per cent) believed Aboriginals should have only the same land rights as other Australians and only some 12 per cent favoured granting more land rights than others have.

Every State except Tasmania has in the past twenty years introduced legislation to confer some special rights in land on Aboriginal people. Yet the prospect of new land rights legislation in Western Australia, of legislation to provide for a consideration of Aboriginal claims to Crown land in Victoria and of national land rights legislation to underpin legislation in the different States seemed to foster strenuous campaigns against any recognition of Aboriginal land rights during the year. These campaigns can do nothing but harm to relations between Aboriginal and other Australians. The campaigns were sometimes based on misunderstandings and misleading rumours about both the aspirations of Aboriginal people and the intentions of State and Federal Governments and made little contribution to rational public consideration of the real issues that need to be resolved when governments consider amending the legislation already in place giving Aboriginal group rights in land.

If Australians generally felt less generous towards the Aboriginal minority and towards newcomers from abroad, and if a few have sought to exploit the situation, it is worth recalling that great numbers of people continued their efforts to help members of these minority groups attain real equality in Australian life. Teachers in schools throughout the country, union officials in the workplace, members of hundreds of community

organisations and countless private citizens in all sorts of different ways continued the work of making Australia a fairer and more just society.

New Commonwealth legislation during the year removed some of the legal inequalities affecting both Aboriginal citizens and immigrants from other countries in the laws relating to citizenship, to enrolment and voting at elections and to employment in the Australian Public Service; and provided for the development and implementation of equal employment opportunity programs in all Commonwealth departments and authorities.

As in previous years, many of the complaints made to the Commission under the Racial Discrimination Act did not relate to infringements of provisions outlawing discrimination. Most of these were taken up as part of the Commission's general responsibility for 'promoting understanding, tolerance and friendship among racial and ethnic groups'. Similarly, much of the work done during field trips by officers to provincial cities and country towns was aimed at improving community relations and involved helping community groups overcome misunderstandings and improve communication between such groups and local authorities.

For example, in a New South Wales country town an atmosphere of distrust and ill-feeling had grown up between local government authorities and the local Aboriginal organisation concerned with housing. The offices of the respective groups were situated on opposite sides of the street, but Council officers talked with a government official in a town over 250 kms away instead of negotiating directly with the local Aboriginal community. For their part, Aboriginal representatives felt pressured and unwelcome in approaching council authorities, and were unable to devote time to the problem because they were reorganising the Aboriginal community groups.

The Council, however, had to continue to carry out its responsibilities and made its own assessment of the needs of the Aboriginal community. The Council drew up a plan for local Aboriginal community developments and also appointed an Aboriginal liaison officer in an effort to improve understanding of these proposals. The Aboriginal people considered that they had not been consulted about the proposals and that Council was seeking to impose its own solution which did not meet the needs of the community. The Council Aboriginal liaison officer was placed in a most difficult position.

Commission officers visited the area in response to a complaint. After separate meetings with Aboriginal representatives and council officers a series of meetings between the Aboriginal representatives and local authorities were arranged. Understanding of the positions of both groups was developed by discussion, and personal contacts between Aboriginal representatives and local authority officers were established. The council liaison officer stated later that he felt as though a great weight had been lifted from him as a result of the discussions.

Officers routinely called on local police during visits to country towns and were often able to help police and Aboriginal communities improve communication. The risks for both groups where Aboriginal/Police relations are allowed to deteriorate were highlighted by the incident at Roebourne, WA., in September 1983 which led to the death of a young Aboriginal man and the later trial and eventual acquittal of the police involved in the incident. This incident provoked widespread concern, demonstrations, claims and counter-claims by representatives of police and Aboriginal organisations and led to constructive action to try to improve relationships.

Generally, however, reports from Aboriginal communities and the observations of officers in the field indicated that developments within police forces and in Aboriginal communities had further improved relationships to the mutual advantage of both police and Aboriginal people. In Western Australia where some media reports during the year suggested there was serious and widespread confrontation between Aboriginals and police, officers found that in most of the towns they visited there was reasonably good communication and no sense of crisis in relationships.

In some places, especially in outback communities, police feel they need to intervene in matters which might more appropriately be handled by social welfare agencies. Where police act outside their strict police responsibilities there are considerable risks for Police/Aboriginal relationships. In these places the pressing need is for more direct face-to-face assistance to Aboriginal communities on a continuing basis and for active, constructive support for government and community agencies confronted daily with the problems communities are experiencing.

15. LOOKING AHEAD

When the Sex Discrimination Act comes into operation on 1 August it will provide a large new challenge for the Commission. It seems likely that complaints under it will double the Commission's contact with the public through the complaint mechanism. It will also bring new problems and new situations. The Commission believes that, although its staff and financial resources will be barely adequate, it is ready to undertake this important new task which involves the whole community in a way that the racial discrimination, and even the human rights legislation, does not.

As will be apparent from the report of the Commissioner for Community Relations, racial discrimination and particularly discrimination against Aborigines is a matter of great concern. At this stage the Commission simply does not have the resources necessary to tackle the problem effectively. The problems are particularly acute across the north of Australia. There are also continuing problems in some centres in New South Wales, Victoria and Western Australia. These too will need careful attention if they are not to blow up into incidents of the kind that engulfed Moree in late 1982.

Other problems in the field of racial discrimination are also likely to have prominence in the coming year. Although there has been some quietening of the debate about immigration from Asian countries, there are still those who would add fuel to what must be regarded as a racially biased attack on some of Australia's new citizens. The Commission regards the subject as a proper matter for debate, but regrets the implications it has had for some of the newer arrivals in Australia. It hopes a more rational approach will develop in the coming year and will do all it can to assist.

An increasing number of complaints is being received by the Commission relating to the deportation or proposed deportation of persons who have overstayed in Australia. The Commission has in preparation reports on the problems of prohibited non-citizens with children born in Australia and on prohibited non-citizens who marry in Australia. It is also considering the issues in a broader context in its review of the Migration Act. It seems likely that the developing awareness of the rights of those persons now called prohibited non-citizens (formerly prohibited immigrants) will lead to further negotiations with the immigration authorities. The Commission looks to a situation in which there is a new expression of the human and other rights of families and Australian-born children.

The Attorney-General has indicated an intention to restructure the Commission to fit it better for the tasks it will perform when the proposed Bill of Rights is enacted and when it becomes responsible for handling cases of employment discrimination arising under ILO Convention 111 which proscribes discrimination in employment and occupation. The Commission has had some contact with the Task Force set up by the Attorney-General to assist him in the human rights area and whose appointment he announced on 26 August 1983 at the Commission's Adelaide seminar on the Teaching of Human Rights, but it has not been invited to participate in the work of the Task Force.

Education and the promotion of general discussion of human rights will be an increasingly important focus for the Commission in the coming year. It now has sufficient experience to develop programs to increase the awareness of human rights in the community. It will have a major task in attempting to have school systems throughout Australia pick up and use its new teaching materials on human rights. It will also need to maintain and extend its involvement in the community generally.

Some encouraging starts are being made in the process of having administrative and legal decisions taken with human rights firmly in mind. This is an area in which the Commission hopes to see greater progress in the coming year as awareness of human rights and their implications extends into the administrative and professional areas.

The Commission looks forward in the coming year to entering into co-operative arrangements with equal opportunity agencies in New South Wales and South Australia. The particular form of co-operative arrangement it has entered into with the Commissioner for Equal Opportunity in Victoria appears to be working well, involving as it does a high level of delegation along with frequent consultation on matters of policy. There are other ways of co-operating, including co-location without delegation of powers. The Commission believes the present method offers great opportunities and benefits and, subject to any decisions by Governments, looks forward to arrangements along the same lines with existing agencies in other States, and with new State agencies as they become established.

The terms of office of half of the members of the Commission expire in December 1984. The Commission believes that the inaugural task will have been faithfully and effectively completed in its first three years of operation. It believes the Commission should not need to undergo much in the way of structural change to meet any new tasks that may be entrusted to it. It has achieved a reasonable balance in the allocation of available resources and in outputs between legislative review, inquiry and conciliation, research, and education and promotion. Because of the high cost of promotional activities, and of the need to develop a clear basis for them, it is in this latter area that the Commission sees the need for greatest development in the next phase. Whether this is associated with the introduction of an Australian Bill of Rights or not, the role of the Commission as promoter and educator will need to be pursued vigorously and with sensitivity if the various institutions—government and private—which set the framework for our society are to become fully aware of the content of human rights and of the importance of observing them at all times.

The task of promoting the observance of human rights is never done. As mentioned earlier, there are some particularly sensitive areas that will need careful attention in the coming year. The Commission believes that the rights which form its charter are proving to be a valuable and reasonably comprehensive statement, that they are becoming increasingly recognised throughout the community, and that the growing number of complaints is evidence that the community sees them as a useful resort. It looks forward to closer working links with the community generally, and with administrative and professional groups. As these working links strengthen, the international statements of rights which it is its statutory responsibility to promote can increasingly be enjoyed by all sections of the community.

APPENDIX 1

Organisational Structure: Human Rights Commission

	<i>Appointment Expiry Date</i>
Chairman:	30/11/84
Deputy Chairman:	30/11/86
Commissioners:	
Dame Roma Mitchell, D.B.E. (S.A.)	30/11/86
Mr P. H. Bailey, O.B.E. (ACT.)	30/11/86
Associate Professor M. J. Aroney, O.B.E. (N.S.W.)	30/11/86
Professor P. J. Boyce (WA.)	30/11/86
Mrs N. C. Ford (Vic.)	30/11/84
Mrs E. Geia (Old)	30/11/84
Dr C. D. Gilbert (Old)	30/11/84
Ms E. Hastings (Vic.)	30/11/84
Commissioner for Community Relations:	6/11/89
Secretary:	
Mr J. P. M. Long	Mr
Legal and Projects Branch (Senior Assistant Secretary):	J. F. Thomson Dr J.
Inquiry and Conciliation Branch (Assistant Secretary):	F. Hookey Mr G. C.
Complaints, Inquiry and Conciliation: Three staff	Wyer Mr J. J. Dickie
Promotion and Information Branch (Assistant Secretary):	(Acting)
State Offices:	
New South Wales	
Victoria	
Western Australia	
Queensland	

APPENDIX 2

Statement of Expenditure 1983-84

	1982-83 Expenditure	1983-84 Appropriation	1983-84 Expenditure
<i>Special Appropriations</i>			
Salaries of Commissioners, including Commissioner for Community Relations	125 462	286 300	219 978
<i>Appropriation Act (No. 1 and No. 5)</i>			
<i>Division 181: Human Rights Commission</i>			
1. Salaries and payments in the nature of salaries	956 518	1 131 000	1 107 494
2. Administrative Expenses	748 246	1 148 500	1 126 764

APPENDIX 3

Externally Contracted Research 1983-84

<i>Amount Researcher</i>	<i>Topic</i>	<i>Date</i>		
		<i>Commenced</i>	<i>Finished</i>	
Professor A. Tay, Sydney University	Survey and Bibliography of Human Rights Research Literature	June 82		6296
ACROD	Epilepsy as a Case Study	May 83	March 84	6208
ACOSS	Social Security, Taxation and the Disabled	Nov 82		
Dr G. Moens, Sydney University	Affirmative Action	Feb 83		5000
Professor P. Singer & Dr T. Carney	The Law of Guardianship	Jan 83	May 84	7037
Two researchers	Aboriginals in Country Towns	Nov 82		4534
Mr P. Pentony	Review of Conciliation Under the Racial Discrimination Act	Sep 82		—
Dr D. Williams	Appraisal of 'Teaching Human Rights: Activities for Schools'	Nov 82	March 83	
Prof. D. Cohen Ms C. Josephs Mr C. Henry	Evaluation of 'Teaching Human Rights: Activities for Schools'	May 83	Oct 83	2250
Ms B. Miller	The Current Aspirations of Aborigines Living at Yarrabah Re Local Management and Human Rights	Feb 84		—
Ms B. Chambers Dr J. Pettman	A Handbook for Adult Educators on Countering Racial Prejudice	Sep 83		2500 per consultant

APPENDIX 4

Complaints received from 1/7/83 to 30/6/84 *HUMAN RIGHTS COMMISSION ACT*

348 complaints received, which can be broken down in the following way:

	<i>No.</i>	
Male	191	55
Female	103	30
Organisation/Group	19	5
Family	30	9
Not known	5	1
<i>By State</i>		
New South Wales	85	24
Victoria	108	31
Queensland	40	12
South Australia	21	6
WeStern Australia	26	7
Tasmania	4	1
Australian Capital Territory	56	16
Northern Territory	3	1
Overseas	5	2
Not known		
<i>By Category</i>		
Medical	17	5
Employment	45	13
Benefits	25	7
Sex Discrimination	25	7
Immigration	41	12
Justice	12	3
Access to Legal Advice	4	1
Family Dispute		
Commonwealth	4	1
State	4	1
Other Civil Laws		
Commonwealth	6	
State	14	
Criminal Law		
Treatment before and after Court	5	1
Arrest	5	1
Appeal	2	1
Prisoners Rights		
Federal	7	2
State	19	6
Incoherent/Outside Sphere	52	15
Other	61	18

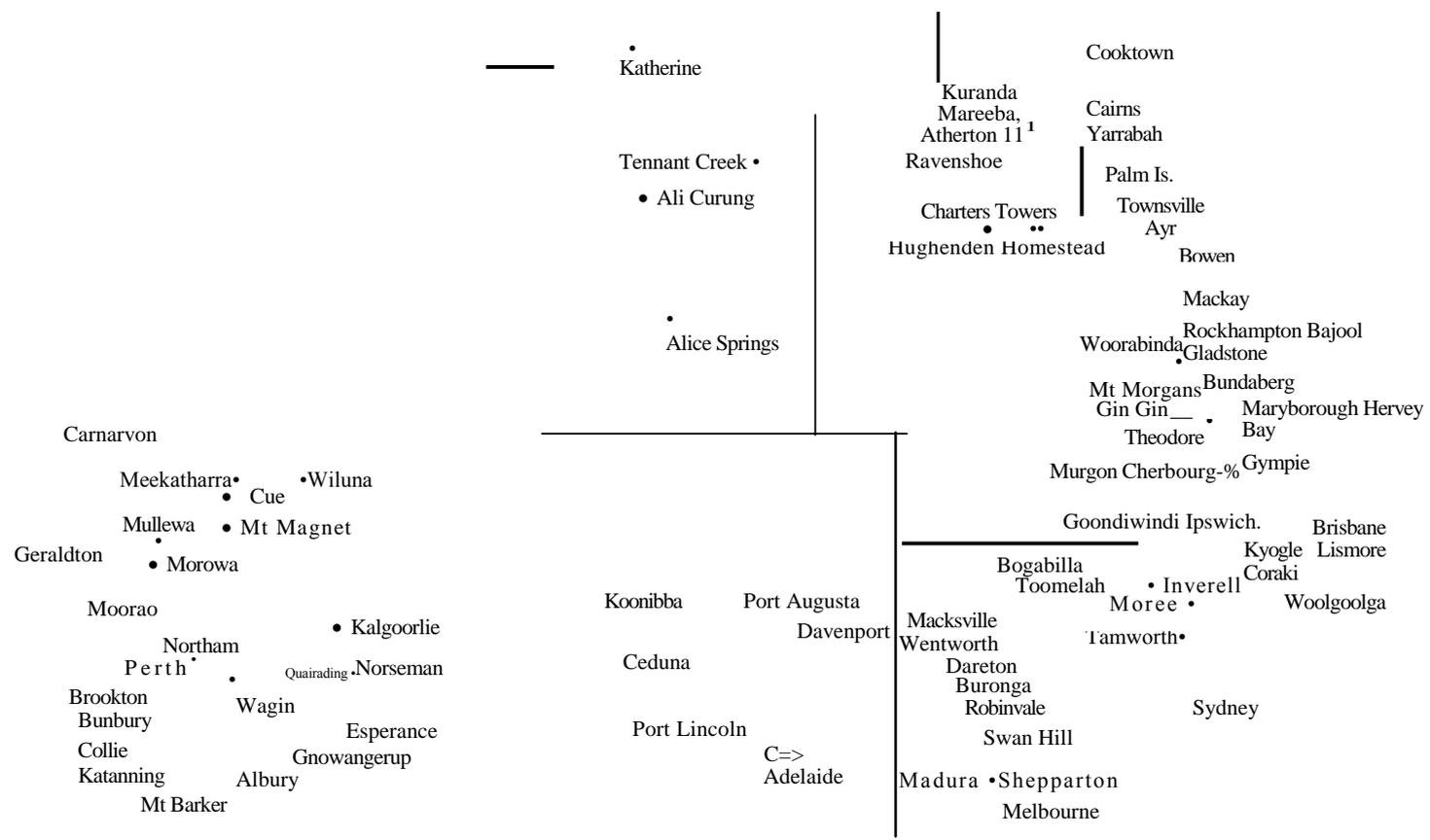
RACIAL DISCRIMINATION ACT

614 complaints were received during the period and these can be represented in the following way:

	<i>No.</i>	
Male	318	52
Female	162	26
Organisation/Group	83	13
Family	35	6
Not Known	14	2
Section 21(I)(b)	2	
<i>By State</i>		
New South Wales	131	21
Victoria	198	32
Queensland	108	18
South Australia	27	4
Western Australia	86	14
Tasmania	8	1
Australian Capital Territory	36	6
Northern Territory	15	2
Not Known	3	
Overseas	2	

33⁰70 of all complaints were by, or on behalf of Aborigines.

Places visited during field trips undertaken by Canberra-based consultants in 1983-84



APPENDIX 6

Compulsory Conferences Convened, and Certificates Issued under the Racial Discrimination Act 1975.

	<i>Compulsory Conferences 31/10/75 to 30/6/83</i>	<i>Certificates Issued 31/10/75 to 30/6/83</i>	<i>Compulsory Conferences 1/7/83 to 30/6/84</i>	<i>Certificates Issued 1/7/83 to 30/6/84</i>
Albany			1	
Armidale	1			
Bairnsdale			1	
Brisbane	4	3	1	
Bundaberg	6		1	
Cairns	3		4	12#
Canberra	2			
Fremantle	1			
Fitzroy Crossing	3			
Gilgandra	1	2*		
Goondiwindi	6			
Hervey Bay	1			
Inverell	3			
Ipswich				
Kempsey	1			
Kunnunurra	1			
Launceston			2	1
Lismore				
Mt Isa	2	4*		
Mt Morgan			1	
Maryborough	1			
Melbourne	1		1	
Mildura			2	1
Moree	6			
Narrabri	1			
Perth			1	
Pingelly	1			
Port Macquarie	1			
Robinvale			1	
Sydney	2	1	1	3*
Tamworth	1			
Taree	2			
Townsville	9	1		
Wyndham	1			
Yarrabah	1			
TOTAL	65	13	20	17

* One matter

Three matters

APPENDIX 7

Publications of the Commission

Reports:

- | | |
|--|----------------|
| 1. The Australian Citizenship Act 1948 | August 1982 |
| 2. Proposed A.C.T. Mental Health Ordinance | October 1982 |
| 3. Testamentary Guardianship in the Australian Capital Territory | April 1983 |
| 4. Human Rights and the Deportation of Convicted Aliens and Immigrants | August 1983 |
| 5. Review of Crimes Act 1914 and Other Crimes Legislation of the Commonwealth | August 1983 |
| 6. The Observance of Human Rights at the Villawood Immigration Detention Centre | September 1983 |
| 7. Proposal for Amendments to Racial Discrimination Act to cover Incitement to Racial Hatred and Racial Defamation | November 1983 |

Occasional Papers:

- | | |
|---|--------------|
| 1. Incitement to Racial Hatred: Issues and Analysis | October 1982 |
| 2. Incitement to Racial Hatred: The International Experience | October 1982 |
| 3. Words That Wound: Proceedings of Conference on Freedom of Expression and Racist Propaganda | March 1983 |
| 4. Compendium of Human Rights Courses in Australian Tertiary Institutions | August 1983 |
| 5. Aboriginal Reserves By-Laws and Human Rights
'A Badge of Exclusion' Epilepsy and Human Rights
(Published as a draft paper in May 1984) | October 1983 |

Miscellaneous:

- | | |
|--|----------------|
| Human Rights, Newsletter of the Commission (No. 5-No. 9) | |
| Human Rights: A Handbook (illustrated booklet for children) | March 1983 |
| Summary of Proceedings of Consultation with National Non-Government Organisations 1983 | September 1983 |
| Human Rights for Human Kind: Racism (illustrated booklet for children) | November 1983 |
| Human Rights for Humankind: Sexism (illustrated booklet for children) | May 1984 |
| 8th Annual Lalor Address on Community Relations | July 1983 |
| A Guide to the Commonwealth Sex Discrimination Legislation | March 1984 |

Leaflets:

- The Human Rights Commission and You (available in 10 community languages)
- The Racial Discrimination Act and You (available in 15 community languages)
- Teaching Human Rights: What Are Human Rights? (illustrated leaflet for children)
- Human Rights (illustrated leaflet for children)

Now Available

- Curriculum Materials: Teaching for Human Rights
by Ralph Pettman, for the Human Rights Commission.
For Information leaflet contact:

Resource Director,
Human Rights Commission,
G.P.O. Box 629,
Canberra A.C.T. 2601
Tel. (062) 43 4122

The Commission has a limited supply of free issue copies of publications. These are available from the Publications Distribution Unit at the above address.

Commission Annual Reports, Reports and Occasional Papers may be purchased from Australian Government Publishing Service (AGPS bookshops in all capital cities, and from Mail Order Sales, AGPS, G.P.O. Box 84, Canberra, A.C.T. 2601.)

Discussion Papers:

- | | |
|---|----------------|
| 1. Corporal Punishment and the Rights of the Child | March 1983 |
| 2. Payment of Award Wages on Aboriginal Reserves in Queensland | August 1983 |
| 3. Proposed Amendments to the Racial Discrimination Act Concerning Racial Defamation | September 1983 |
| 4. Ethical and Legal Issues in Guardianship Options for Intellectually Disadvantaged People | November 1983 |

1983 News Releases

- | | |
|--|-------------------|
| 9. National Aboriginal Week: A Time for Learning | 4 July 1983 |
| 16. Human Rights Commission to monitor Establishment of National Crimes Commission | 8 July 1983 |
| 11. Human Rights Commission to extend deadline for Migration Act Submissions | 19 July 1983 |
| 12. Major conference on Teaching Human Rights | 24 August 1983 |
| 13. Report on Human Rights and Deportation of Convicted Aliens and Immigrant | 25 August 1983 |
| 14. Human Rights Commission Meeting in Adelaide | 29 August 1983 |
| 15. Irish Joke Book | 1 September 1983 |
| 16. Villawood Report Tabled | 22 September 1983 |
| 17. Human Rights Commission Proposes Legislation on Racial Defamation | 27 September 1983 |
| 18. Human Rights Commission Meets in Sydney | 4 October 1983 |
| 19. Crimes Laws Infringe Human Rights | 6 October 1983 |
| 20. Human Rights Commission Inquiry Into Migration Act | 28 October 1983 |
| 21. Record Damages Award for Racial Discrimination | 30 October 1983 |
| 22. Human Rights Commission Welcomes Role in Sex Discrimination Legislation | 30 October 1983 |
| 23. Co-operative Arrangements Discussed With Tasmanian Attorney-General Z4, Commission Approves Final Text of Racial Defamation Report | 3 November 1983 |
| 25. Human Rights Commission Begins Inquiry Into Migration Act | 4 November 1983 |
| 26. Human Rights Commission Begins Inquiry at Alice Springs | 13 November 1983 |
| 27. Protection Sought for Officials Reporting Human Rights Breaches | 15 November 1983 |
| 28. Queensland Should Give Aboriginals Full Rights to Land | 16 November 1983 |
| 29. Human Rights Commission Begins Inquiry Into Alice Springs Allegations | 23 November 1983 |
| 30. Human Rights Commission Brisbane Office Confirmed | 25 November 1983 |
| 31. Annual Lalor Address | 1 December 1983 |
| 32. Human Rights Commission Examining Problems of Persons With Epilepsy | 2 December 1983 |
| 33. Commission Recommends Racial Incitement and Defamation Should Be Unlawful | 6 December 1983 |
| 34. National Human Rights Media Awards | 8 December 1983 |
| | 10 December 1983 |

1984 News Releases

- | | |
|--|------------------|
| 1. Criticism of Racial Amendments Misconceived | 18 January 1984 |
| 2. Deputy Chairman Interviewed by Michael Dodd on Racial Defamation | 18 January 1984 |
| 3. Affirmative Action for Disabled Persons | 27 January 1984 |
| 4. Commission Begins Recruiting for Brisbane Office | 2 February 1984 |
| 5. Commission Intervenes in Racial Discrimination in North Queensland. | 12 February 1984 |
| 6. Authority Should Be Able to Recommend Inquiries | 15 February 1984 |
| 7. Prisoners are the 'Forgotten People' | 15 February 1984 |
| 8. Human Rights Commission to Examine Ethnic Prejudice in Schools | 22 February 1984 |
| 9. Certificates Issued in Cairns Discrimination Complaints | 24 February 1984 |
| 10. A Prison for Canberra | 28 February 1984 |
| 11. Research Project on Aboriginal Aspirations Approved | 13 March 1984 |
| 12. Fair Treatment for Migrants in Public Service Commissioner urges | 21 March 1984 |
| 13. Language May Not be the Biggest Barrier | 23 March 1984 |
| 14. Public Trustee Needed in A.C.T. | 29 March 1984 |
| 15. Commission Condemns Racist Propaganda | 1 April 1984 |
| 16. Racial Taunts Can Lead to Violence | 16 March 1984 |
| 17. Commission to Open Brisbane Office | 5 April 1984 |
| 18. Plight of A.C.T. Mental Patients Deplorable | 10 April 1984 |
| 19. Opening of Commission office will be Watershed. | 12 April 1984 |
| 20. Commission Not Out to Win Popularity Contests | 1 May 1984 |
| 21. Urgent Overhaul of Migration Law Needed | 1 May 1984 |
| 22. Universities Not Impressive in Discrimination Matters | 3 May 1984 |

23. Report Identifies Prejudice and Discrimination Towards Those with Epilepsy	8 May 1984
24. Human Rights Commission to Meet in Alice Springs	8 May 1984
25. Aboriginal Translations Presented to Human Rights Commission	11 May 1984
26. Best Rights Protection in Australia	17 May 1984
27. Human Rights Commission for South Pacific Suggested	22 May 1984
28. Community Services (Aborigines) Act Discriminates Against Aborigines	10 June 1984
29. Freedom of Expression Can Become Instrument of Oppression	11 June 1984
30. Sex Discrimination Commissioner Welcome	28 June 1984