**Discrimination law**

People who are subject to discrimination have a number of options available to them, including:

* Complaints to the Australian Human Rights Commission (**AHRC**), an independent Commonwealth statutory organisation with responsibility for administering five federal laws*.*
* Complaints to the Anti-Discrimination Commission Queensland (**ADCQ**), an independent statutory authority which administers the *Anti-Discrimination Act 1991* and has offices in Brisbane, Rockhampton, Townsville and Cairns.
* Complaints to the Fair Work Ombudsman, who can help people who believe they are being discriminated against at work. The discriminatory adverse action provisions of the *Fair Work Act 2009* are extremely broad in scope, not differentiating between direct or indirect, inadvertent or deliberate discrimination.

Given the complexity of the system, and the number of Queenslanders who face discrimination, it is surprising that it makes up such a small percentage of Queensland CLCs’ work. In 2012-13, ‘discrimination’ accounted for only 0.52% of information activities (209), 0.6% of advices (344), and 1.63% of casework (125). The ADCQ accepted 396 complaints in 2011-12, while the AHRC received 440 complaints from Queensland (of a total of 2,610).

Specialist CLSP funding is provided to Welfare Rights Centre and Cairns CLC (approximately $77,000 each) to provide disability discrimination legal services, and these two centres provide 50% of advices and 39% of casework (noting that QPILCH accounts for 36% of Queensland’s casework).

Meetings with the ADCQ and AHRC in October 2013 suggest that CLCs could most add value in the following areas:

* assisting clients to draft complaints (ADCQ);
* representing clients at conciliation (AHRC);
* providing feedback to clients on offers of settlement (ADCQ); and
* representing clients before QCAT (in 2012-13, of the 372 matters conciliated, 86 were not settled and referred to QCAT).

A meeting of QAILS, Caxton, QPILCH, QAI and WRC on 12 November 2013 suggested the following actions:

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| Action | Time frame | Responsibility | Resources |
| Meet with Legal Aid Queensland to understand their discrimination law practice, and to develop complementary priority areas | November 2013 | **QAILS** | N/A |
| Determine which CLCs are prepared to assist clients with preparing discrimination complaints; provide referral list to ADCQ and AHRC | End 2013 | **QAILS** | N/A |
| Provide webinar training to CLC lawyers on preparing discrimination complaints | April 2013 | **QAILS**/ADCQ | N/A |
| Provide training to pro bono solicitors and barristers in representing people at conciliations | June 2014 | **QPILCH**/ QAILS/ ADCQ/ AHRC/ BAQ | Training venue (pro bono?) |
| Provide training to pro bono solicitors and barristers in representing people at QCAT | June 2014 | **QPILCH**/ QAILS/ ADCQ/ BAQ | Training venue (pro bono?) |
| Develop resource to assist lawyers to provide advice on appropriate settlement outcomes | June 2014 | QAILS | Pro bono support |