



31 January 2018

The Hon. Natasha Fyles  
Attorney General  
GPO Box 3146  
Darwin NT 0801

Dear Minister Fyles,

**RE: The modernisation of the Anti-Discrimination Act NT**

Thank you for your letter regarding the proposed changes to the Anti-Discrimination Act NT. These laws offer important protections for some of the most vulnerable people in our society and uphold the values of respect and fairness; values which underpin how we at Anglicare NT approach our work.

While the discussion paper addresses many aspects of the Act, I would like to provide input on some of the proposed changes.

**Accommodation status**

Anglicare NT supports Territorians who are homeless or at risk of homelessness through our services based in Darwin, Alice Springs, Katherine and Nhulunbuy. This group is particularly prone to unfair treatment and so adding accommodation status to the Anti-Discrimination Act is a most welcome change. Discrimination based on accommodation status can be both systematic and prejudicial. For example, people without a fixed address are not able to readily access vital services such as those at local libraries as they are not eligible for a library card.

Homeless people or those at risk of homelessness find it much more difficult to secure rental properties in the private market. For example, a young person leaving residential out of home care does not have a guardian to act as guarantor like other young people may have and as such are put at a considerable disadvantage. Despite efforts to the contrary, it is still the case that stigma surrounds homeless people and prejudicial assumptions about their personal situations increase the challenges of finding a secure home.

**Socio-economic status**

Similarly to accommodation status, adding protection from discrimination on the basis of socio-economic status would help protect some of the Northern Territory's most vulnerable people. It sends a clear message to the community that people living in low socio-economic areas are entitled to the same level of access to essential goods and services, such as education and housing, as people living elsewhere.

### **Domestic violence**

Including those experiencing domestic violence as an attribute under the Act is a change that Anglicare NT supports. Not only is it essential for victims/survivors of domestic violence to be protected against discriminatory behaviours made against them, it is also important that organisations are also protected when they take positive discriminatory measures such as policies which promote equal opportunity and access. As an organisation, Anglicare NT has proactively included assistance for victims/survivors of domestic violence as outlined in our Human Resources policy; we provide additional paid leave for permanent employees to seek the supports they need without penalty.

Anglicare NT understands that it's not uncommon for victims/survivors of domestic violence to be further burdened with the financial cost of the crime when the perpetrator disappears. The additional costs can be from damages caused to a property or for rent that is now unaffordable on a single income. There may also be issues with utility bills and shared bank accounts. Amending the Act to specifically recognise victims/survivors of domestic violence as a class of persons for discriminatory purposes may help to encourage more organisations in the NT to implement proactive policies like the above.

### **Failure to accommodate a special need**

Anglicare NT agrees with the proposed change to require a practical response for accommodating special needs. Our experience has been that a person with a disability or medical condition is particularly vulnerable when they are at risk of homelessness. Putting the onus on the provider may help to ensure people with a special need are more quickly and suitably accommodated.

### **Representative complaint model**

The Anti-Discrimination Act is designed to protect people; people who may not be trusting of, or confident in, dealing with the mechanisms of law and government. A representative complaint model that allows agencies to act on behalf of a group of people would enable the Anti-Discrimination Commission to more effectively execute its mandate by tackling identified systemic discrimination. The Commission should also make clear through promotion and messaging that victims of discrimination can have a trusted family member or friend advocate on their behalf. This may allow for more individual cases to be brought forward, as it would provide a safe and culturally appropriate way for some people to voice their concerns.

For the reasons outlined above Anglicare NT welcomes the aforementioned changes to modernise the Anti-Discrimination Act.

Yours faithfully,



Mr. David Pugh  
Chief Executive Officer  
Anglicare NT