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**DISCRIMINATION AGAINST
ABORIGINALS IN THE
NORTHERN TERRITORY**

**A Report by
the Commissioner for Community Relations
on complaints of racial discrimination and enquiries
under the Racial Discrimination Act 1975 for the period
31 October 1975 to 10 March 1982**

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COMPLAINTS RECEIVED AND DEALT WITH

The Racial Discrimination Act 1975 came into force on 31 October 1975. Since then the Commissioner for Community Relations has received complaints of racial discrimination against Aboriginals in the Northern Territory. This paper details those complaints and the outcome of action taken in respect to them.

Of the 59 complaints received, 55 have been concluded. They involve 62 complainants, 104 specifically mentioned aggrieved parties. These figures exclude numbers involved when made on behalf of entire Aboriginal communities. Complaints came from 15 towns and communities in the Northern Territory.

The purpose of this paper is to present the factual picture of racial discrimination against Aboriginals as shown in the complaints received. Experience has shown that wherever there is a significant Aboriginal presence then racial discrimination is almost inevitable.

Methods of Complaint Handling

The following methods were used in dealing with complaints:

by telephone

referral to and handled by Consultative Committees on Community Relations

by correspondence from the Commissioner

by Commissioner and officers during field trips

- by other organisations and individuals assisting the Commissioner.

The Nature of Complaints

Complaints of racial discrimination received against Aboriginal people can be divided into the following categories:

- Government agencies and departments

Media

Hotels/motels

Law

Police

Accommodation

Transport

Employment

Community

Basis of Settlement of Complaints

There were 4 main bases of settlement

- action by Community Relations officers and members of the Alice Springs and Darwin Consultative Committees on Community Relations to demonstrate that racial discrimination is unacceptable

- assurances by respondents that racial discrimination was not intended and not practised
- discussion and development of understanding between the parties
- written apology

Of these four groups the most common was the desire of the complainants to have investigations carried out to demonstrate that racial discrimination is unacceptable under the law. In some cases, complaints could have been brought to a more satisfactory settlement if staff and resources had been available for field work.

Field work is essential to combat racial prejudice and racial discrimination. It is the most effective means of educating the community and of settling complaints. It is undertaken whenever possible. Inadequate resources available to the Commissioner for Community Relations have limited field work undertaken in the Northern Territory in the last six years.

In the absence of regular field work by the Office of the Commissioner in the Northern Territory, the Alice Springs and Darwin Consultative Committee on Community Relations have enquired into matters of racial discrimination at the request of the Commissioner.

In other cases the Consultative Committees have made enquiries into matters which have come to their attention directly and have kept the Commissioner for Community Relations informed of progress and eventual outcome.

No compulsory conferences under the Racial Discrimination Act 1975 have been convened in the Northern Territory.

Such conferences are a means of bringing complainants and respondents together to settle complaints. If a matter is unable to be settled by conciliation then a certificate may be issued to complainants to enable the complaint to be pursued through civil court processes.

The Commissioner for Community Relations has not issued any certificates in the Northern Territory.

POLICE

Complaints against police alleged discrimination against Aboriginals and charged that some police officers with adopting the view that the best way to relate to Aboriginals is to be aggressively high handed.

In some instances it has been alleged police have abused their authority and treated Aboriginals harshly.

Experience has indicated that such behaviour by police is sometimes based on fear of Aboriginals.

Particularly in most places police are regarded with some fear by Aboriginals. In one community, an Aboriginal resident trying to impress the Commissioner of Police with the community's desire to prevent the transfer of a police officer stationed in the community said "... is a good bloke. He doesn't come into the cell and kick me in the guts like those (place) coppers".

In one case an Aboriginal complained about the conduct of two police officers who were scrutinizing the occupants of cars at a service station. The police officers were allegedly officious and provocative. One policeman was reported as saying that he had a good mind to smash a flagon of wine he saw in the complainant's car, but "as you are not black fellows I won't". One of the men who was, in fact, Aboriginal and took offence at the remark, and complained.

In another instance it was complained that a police officer had destroyed a number of flagons of wine by shooting at them to impress upon community residents that alcohol should not be brought to the settlement. Some onlookers were injured by flying glass. The same officer also fettered nine Aboriginal youths as a group and assigned them to weed a garden, allegedly striking two of them with a stick he held while supervising their work

ACCOMMODATION

Complaints have been made to the Commissioner for Community Relations about discrimination in accommodation against the State Housing Commission, private landlords, community groups and a caravan park

In one major centre, it was complained that a "citizens' group" had been formed to persuade the Northern Territory Government to abandon a Special Aboriginal Housing Program, designed to overcome the lack of proper housing and community facilities in the town. The program, financed by the Commonwealth through a joint Commonwealth-Northern Territory Agreement initially aimed to build 15 new houses and convert 5 others. A total of 30 Aboriginal families showed interest in the program.

After the "citizens' group" had petitioned the Chief Minister, lobbied Members of the Legislative Assembly and held public meetings the program was reduced to 10 houses. It was not lost on those supporting the program that its success would depend to some extent on the degree of acceptance and tolerance given to new home occupants by their European neighbours.

Material produced by the "citizens' group" made derogatory statements about Aboriginals and contained generalisations characteristic of racist publications. The complainant in this case, who was a leading citizen, charged the group with a grave injustice.

The outcome of the group's activities was to deny to Aboriginals adequate housing and to invite further racial disharmony in the community.

In another case the Housing Commission refused an application by an Aboriginal family for alternative accommodation after neighbours collected a petition complaining about anti-social behaviour and child neglect.

The Housing Commission wrote to the tenants to inform them that if complaints continued they could be requested to terminate the tenancy. The Central Australian Aboriginal Congress advised that the allegation of child abuse was unfounded and that the assumption made by neighbours about a child who was actively crying because of a painful medical condition reflected the negative way that Europeans often regarded Aboriginals who took up residence in their vicinity.

A caravan park manager told a couple that they would have to leave unless they got rid of an Aboriginal girl living with them. He allegedly said that he would not have "tribal Aboriginals" in his park.

EMPLOYMENT

Among the reported instances of discrimination in employment, a Youth Job Centre contacted a cattle station by radio telephone from Darwin to introduce a man who had applied for an advertised vacancy for ringers. The foreman asked if the applicant was Aboriginal or European. Told that the applicant was Aboriginal he said that he would only employ a white person.

In another similar case a cattle station notified the Commonwealth Employment Service of a vacancy for a station cook. A CES officer contacted the station by radio telephone to advise that a suitable person, who was undertaking an industrial skills course which included cooking, was available. It was reported that the manager seemed interested until it was mentioned the applicant was Aboriginal. The CES officer was then told that the station did not employ Aboriginals.

TRANSPORT

The Racial Discrimination Act 1975 prohibits refusal of transport because of race or colour.

A university professor engaged a taxi at an airport; when the driver saw he was accompanied by two Aboriginals he said that he would not take one because he was dirty. The professor regarded this as racial discrimination as he had seen many Europeans in a dirtier condition getting into taxis.

Three Aboriginal women and a child saw an airport bus drive straight past them. The airport was contacted but the airline official said that the

bus driver refused to go back saying "it is not the policy of my bus firm to pick up natives". As a result the women missed their plane.

The Central Australian Aboriginal Legal Aid Service complained on behalf of an Aboriginal who was refused the rental of a four wheel drive vehicle. An employee said "I can't rent it to any blacks on the boss's orders". The manager said that he would not let any vehicles go to settlements "because they will be going on grog runs".

MEDIA

Complaints against the media involved newspapers and magazines which had published derogatory or biased articles against Aboriginals. Complaints were made to the Commissioner for Community Relations because of offence taken and because it was believed that community relations would be harmed by such material. In some cases the articles were both destructive and racist. In some cases complaints were made against newspapers from other States which featured reports on race relations in the Northern Territory. The concern of all the complainants was that articles slandering Aboriginal people harmed community relations. In one case a series of articles in a Melbourne newspaper presented Aboriginal communities and race relations in Central Australia in a most negative and destructive light. Aboriginal leaders protested to the Commissioner for Community Relations about the derogatory nature of the articles and the divisions they caused in the community generally.

In another case, a travel magazine produced a major article on Aboriginals in the Northern Territory. A number of complaints were made of which one said, "the article represents some of the most scurrilous writing ever recorded against Aboriginals that I know of". Other complainants made the point that it was a superficial presentation of a complex problem, showed a grave lack of objectivity and fostered racism.

A cartoon published in a newspaper depicted a street sweeper being used to collect Aboriginals as garbage. The caption read "Our new \$80,000 sweeper would be useful ... in Alice Springs!!"

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

The Commissioner has adopted the practice of forwarding complaints against the media to the editor or proprietor in the interests of community relations. In most cases responses are co-operative and positive and have helped to overcome the offence taken by complainants. Complainants also have recourse to the Australian Press Council.

The representatives of both the print and the electronic media met in the Canberra Community Relations Office on 15 April 1980 and agreed to help in arresting discrimination and prejudice in print.

The following is the text of the statement issued after the conference:

Representatives of Australia's major media organisations met with the Commissioner for Community Relations, Mr Grassby, in Canberra today to discuss ways of avoiding ethnic discrimination in reporting.

The meeting agreed that unfair denigration of individuals and groups because of race, creed or colour was inconsistent with ethical journalism.

The meeting also agreed on procedures to be adopted by the Commissioner in dealing with complaints of ethnic disparagement in various sections of the media.

The meeting commended the Commissioner's Office for the way it had dealt with complaints in the past four years and advised on the streamlining procedures by the Office in the future.

Mr Grassby expressed appreciation of the way newspapers, radio and television stations and their managements throughout Australia had responded to complaints. He stressed the continued need by media to watch carefully their treatment of sensitive community issues.

GOODS AND SERVICES

Complaints have been made to the Commissioner for Community Relations that Aboriginals in the Northern Territory have been charged higher prices for food and drink. Other complaints have related to refusal of service to Aboriginals in restaurants and denial of access to a motel.

In one case a group of 24 persons from a mission went to a restaurant in town. After ordering their meals they discovered that an Aboriginal member of their group had been refused service. They decided to leave but were refused a refund by the management.

HOTELS

Complaints against hotels have involved refusal of service, denial of access and the display of racist material.

One Aboriginal community association complained that a licensee refused Aboriginals access to the bar or service for any drink except in stubbies or cans. On one occasion two Aboriginals were told by the barmaid that she would only serve them if they left the bar and went to a side window.

In another instance, the Chairman of the Northern Land Council and other community leaders complained that offensive racist material was displayed in an hotel. It is reproduced here:

"People with black legs won't be served".

"Whites in the N.T. are only 2nd class citizens - The Abos are demanding we be referred as Europeans not Australians - It is racial discrimination against whites not 'blacks'"

"We will not tolerate
Racialists
Communists
Political Missfits'
They are:
Bob Hawke (Commo)
John Halfpenny (Commo)
Senator Bonner (Stirrer)
Charlie Perkins ^(1/2) Wit Coon)
Ian Viner (Racialist)
We support equal rights *not* extra
rights for blacks -
This is our country as much as any
blacks.
This is a white pub (with a red
roof)"

"If the Abbos want land - they
should buy the 'bastard' the same
as the whites do.
They have no rights to any land
what-so-ever.
If they don't want to 'work' under
our system - 'Let em starve'.
A day's work never hurt anyone."

COMMUNITY ATTITUDES

Complaints relating to biased and bigoted attitudes covered a wide range of people.

An elected representative of the legislature was reported as saying that many Aboriginals had never been and may never be members of the Northern Territory workforce as their backgrounds and place of abode would preclude them. A resolution passed at a conference of the Unemployed Workers Union condemned the specific remark made by the senator "that many Aboriginals do not want to work and thus should not be included in the unemployment figures". The conference passed a further resolution condemning "all attempts to blame Aboriginals for the high unemployment figures in the Northern Territory".

Another complainant on a coach tour through the Northern Territory reported that in general visitors went north with open minds and without strong prejudices against Aboriginal people, and complained that there was virtually no contact with people of the Northern Territory. The main source of information available was from the coach crews. In conversation it was reported that Aboriginals were referred to as "coons", and in other unfavourable terms. As a result, it was claimed, tourists returned with the impression that Aboriginals were a second rate people, not to be associated with.

A taxi driver showing a group of people including overseas tourists places of interest in Alice Springs took the cab through Aboriginal camps. A member of the party complained that the driver gave a running commentary which slandered Aboriginals as alcoholics, lazy and wasting government money.

It was suggested by the complainant that the practice of Aboriginals a tourist spectacle should be officially discouraged.

The Central Land Council complained that comments made by a Member of the Legislative Assembly about Aboriginals amounted to racist

abuse. It was further complained that slanderous attacks on Aboriginal organisations were used to provide a foundation for electoral campaigns.

In 1981 the Commissioner for Community Relations conducted a community education experiment with the aim of drawing attention to the racial prejudice which exists in communities throughout Australia. The results of the programme are contained in a report entitled *A Tale of Two Towns*.

CONSULTATIVE COMMITTEES ON COMMUNITY RELATIONS

Two Consultative Committees on Community Relations have formed in the Northern Territory. Located at Alice Springs and Darwin, they comprise local people who work to the principles embodied in the Racial Discrimination Act 1975 to improve community relations.

Members of Consultative Committees assist the Commissioner for Community Relations with investigations and enquiries into racial discrimination. Members also keep the Commissioner for Community Relations informed of developments in communities relevant to his statutory responsibilities to combat racism.

Consultative Committees are independent bodies which operate informally and without legislative authority. Established on the initiative of the Commissioner for Community Relations, they work to promote tolerance and understanding between different racial and ethnic groups. To achieve this Consultative Committee members use their knowledge of the community they serve to determine how best to overcome racial prejudice and discrimination. The Commissioner and staff are available to Consultative Committees to assist and advise as required.

The presence of Consultative Committees in two major centres of the Northern Territory has enabled more work to be done in the combat of racial discrimination than would have been possible if the Commissioner had to rely solely on the few staff and limited resources available to him in the last six years. By their existence Consultative Committees indicate to their communities at large that racial discrimination is unacceptable and is not to be tolerated.

CONCLUSION

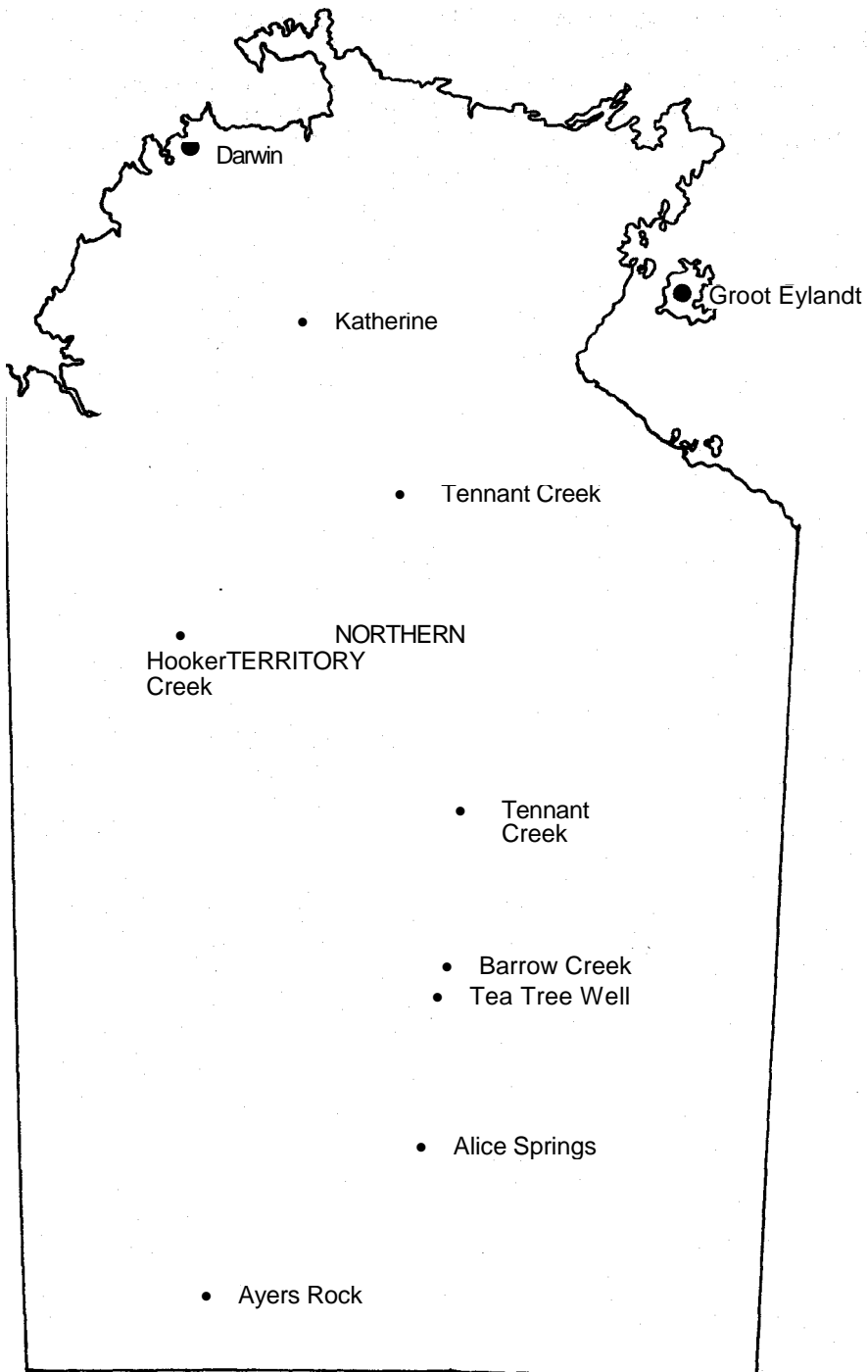
The Commissioner for Community Relations has had inadequate staff and financial resources to fully implement the Racial Discrimination Act 1975 to the extent that racial discrimination and racial prejudice in the Northern Territory requires.

The complaints made to the Commissioner indicate that racial discrimination in the Northern Territory is widespread and covers many aspects of community life.

Commonwealth legislation has enabled the Northern Territory to be counted the most progressive State of the Commonwealth in regard to land rights and commitment to Aboriginal people by government.

Complaints also indicate that the special measures for Aboriginals are resented by some non-Aboriginal people.

The long term solution lies in community education programmes designed to develop greater tolerance and understanding between Aboriginal Australians and Australians of other backgrounds.



- TOWNS FROM WHICH COMPLAINTS RECEIVED

TOWNS AND COMMUNITIES FROM WHICH COMPLAINTS RECEIVED

Alice Springs

Ayers Rock

Darwin

Katherine

Nightcliff (Darwin)

Groote Eylandt

Wanguri (Darwin)

Tennant Creek

Casuarina (Darwin)

Pine Creek (Katherine)

Daly Waters

Lajamanu (Hooker Creek)

Barrow Creek

Tea Tree Well

Mandorah (Darwin)

**A SCHEDULE OF RACIAL DISCRIMINATION
AGAINST ABORIGINALS IN THE NORTHERN TERRITORY**

This schedule contains details of all complaints of
racial discrimination to the Commissioner for
Community Relations in the period
31 October 1975 to 10 March 1982

It also shows the results of the Commissioner's
inquiries and actions

ALICE SPRINGS

79/8525

Hostel

Five senior Aboriginal men travelled from their communities to be present at the closing evidence and addresses in Ayers Rock land claim before the Land Commissioner Mr Justice Toohey. The Central Land Council's solicitor complained on behalf of the men that they were refused entry into a dining room of a government hostel because some of them did not have shoes. The men had been received in the dining room the previous day.

Commonwealth Accommodation and Catering Services Ltd replied that because of climatic conditions in Alice Springs dress standards were minimal with guests required to wear a clean singlet, shorts and thongs.

ALICE SPRINGS

81/7517

Goods and Services

A group of twenty-four people from Santa Teresa went to a restaurant. After ordering a meal they discovered that an Aboriginal member of the group had been refused service. They decided to leave immediately but were refused a refund by the management.

Matter was referred to Alice Springs Consultative Committee on Community Relations which made enquiries. Northern Territory Liquor Commission also pursued action and after a hearing ordered the management to make a public apology.

ALICE SPRINGS

76/5342

Government Department

The Aboriginal Housing Panel complained that the Department of the Northern Territory had frustrated the attempts of an Aboriginal community to establish itself away from a polluted, mosquito infested swamp.

Inquiry by the Commissioner for Community Relations revealed that although there was evidence of misunderstanding between departmental and community representatives, the matter was approaching a satisfactory conclusion.

ALICE SPRINGS

79/8355

Media

A series of articles in a Melbourne newspaper presented Aboriginal communities and race relations in Central Australia in a most negative and destructive light. Aboriginal leaders protested to the Commissioner for Community Relations about the derogatory nature of the articles and the divisions they caused in the community generally.

Commissioner wrote to various organisations and Departments to check the veracity of assertions made in the articles. Inquiry revealed that some statements were inaccurate and misrepresented the position of the Catholic Church, police and health authorities. Articles subsequently printed in the newspaper concerned as well as in other newspapers corrected the statements to some extent and reprinted a more balanced reporting of the situation.

ALICE SPRINGS

78/5171

Accommodation

Housing Commission Northern Territory refused an application by an Aboriginal family for alternative accommodation after neighbours had collected a petition complaining about anti-social behaviour and child neglect. It was further complained that the Housing Commission wrote to the tenants and without giving them an opportunity to state their case informed them they could be requested to terminate the tenancy if complaints continued. Central Australian Aboriginal Congress which made the complaint on behalf of the family, advised that allegation of child abuse was unfounded and that the assumption made by neighbours reflected the negative way Europeans regarded Aboriginals who took up residence in their vicinity.

Housing Commission advised matter had been resolved and that as tenant had agreed to meet requirements of the Tenancy Agreement, no action on the Commission's part was necessary. An assurance was given that Aboriginal tenants would not be evicted on the basis of petitions and that full investigations would always be made into allegations by neighbours.

ALICE SPRINGS

77/5283

Media

Central Land Council complained to the Commissioner for Community Relations that reported comments made by a Member of the Legislative Assembly about Aboriginals were racist abuse. It was further complained that slanderous attacks on Aboriginal organisations were used to provide a foundation for electoral campaigns.

Commissioner for Community Relations advised complainant that the material did not come within the terms of the Racial Discrimination Act 1975 but that he would be prepared to take the matter up with the MLA concerned with a view to encouraging understanding and tolerance between racial groups.

ALICE SPRINGS

79/9156

Housing/Community

Member of the Northern Territory Legislative Assembly complained that a group called Alice Springs Citizens' Association was working to restrict a scheme to provide housing and communal facilities to Aboriginals. It was further complained that the scheme, designed to meet an appalling lack of housing, depended to some extent on the degree of acceptance and tolerance given to new home occupants by European neighbours. The complainant believed the Association's policies and aims were racist and threatened to inflame an already volatile situation.

Commissioner for Community Relations wrote to Association seeking co-operation in the re-establishment of racial harmony in the town. Issue complained of was one Commissioner for Community Relations was aware of in communities throughout Australia and which limited resources has restricted the action taken. A report on the denial of land and housing to Aboriginals has been compiled.

ALICE SPRINGS

75/1042

Restaurant

In two separate incidents Aboriginals who entered a restaurant were refused service and asked to leave. The complainant, who was having a meal in the restaurant at the time, also stated that staff said they had been threatened with dismissal if they served an Aboriginal.

Matter was referred to manageress who advised that no such instruction had been made to staff and that the employee who refused service had been dismissed.

ALICE SPRINGS

77/5260

Goods and Services

A woman travelling on a coach to Ayers Rock complained that another passenger had witnessed an Aboriginal being charged \$1 each for cans of soft drink that normally sold for 40 cents.

Commissioner for Community Relations asked the Department of Aboriginal Affairs to inquire into the matter. As a result the complainant was advised that the store manager flatly denied the allegation and suggested that the tourist had probably observed only part of a transaction. The respondent had also said that she and her family had to live in the country and "were not about to lose trade through overcharging".

ALICE SPRINGS

78/8060

Housing

Tenant complained that landlord ordered him and another person to vacate a house of which he was subtenant because two Aboriginals had stayed there on one occasion.

Matter referred to Alice Springs Consultative Committee on Community Relations which reported that respondent had attempted to have one of the former tenants dismissed from employment. Conference was held by officers on a field trip. The landlord maintained that he had asked the complainants to leave because the terms of the tenancy agreement were breached.

ALICE SPRINGS

81/7680

Government

It was complained that the Northern Territory Government's proposal to build a recreation lake on an already declared Aboriginal sacred site reflected a breakdown of community relations in the community. It was further complained that statements by a Northern Territory Minister concerning Aboriginal sacred sites, housing needs, town leases and general respect and welfare of Aboriginal people amounted to racial discrimination and propaganda which heightened racial tensions.

Commissioner for Community Relations sought information from the complainant concerning representations made and actions taken and how he might help.

ALICE SPRINGS

79/8567

Transport

Central Australian Aboriginal Legal Aid Service complained on behalf of an Aboriginal who was refused the rental of a four wheel drive vehicle. An employee said "I can't rent it to any blacks on the boss' orders". It was also alleged by the manager that he did not let any vehicles go to settlements" because they will be going on grog runs".

Two officers on a field trip made inquiries. Matter could not be pursued because of doubt as to which car hire firm was involved.

ALICE SPRINGS

79/8570

Motel

Central Australian Aboriginal Legal Aid Service complained about a guard dog kept at a motel The manager said that it normally only bit blacks not whites. Complaint also referred to the existence of so-called watch dogs in the town trained to attack Aboriginal people. Complainant also mentioned that it was not possible for Aboriginals to approach police residences near some bush police stations after hours because they were scared of the dogs.

Matter was referred to Office of Assistant Commissioner for Police who advised that that there was insufficient evidence to support the allegations.

ALICE SPRINGS

78/8274

Transport

A taxi driver showing a group of people including overseas tourists places of interest in Alice Springs took the cab through Aboriginal camps. A member of the party complained that the driver gave a running commentary which denigrated Aboriginals as alcoholics, lazy and "waste of government money." It was further suggested that the practice of making disadvantaged Aboriginals a tourist spectacle should be officially discouraged.

Commissioner for Community Relations asked Alice Springs Consultative Committee on Community Relations to approach taxi operators to discuss matters relating to the rights of Aboriginals to privacy in their camps.

ALICE SPRINGS

78/5116

Police

Police called on an Aboriginal family to make inquiries about minor offences. It was complained that the arrival of two police cars outside the house was unwarranted. It was further complained that when a case of assault *against* a member of the same household was reported, police declined to initiate proceedings. Complainant was also concerned that police/Aboriginal relations were adversely affected by such incidents.

Commissioner for Community Relations and Community Relations officers discussed matter with complainant on separate occasions. In civil court proceedings regarding the assault the judge found against the Aboriginal plaintiff.

ALICE SPRINGS

81/7593

Media

Judge of the Northern Territory Supreme Court granted an application by the defendants for a hearing on a charge against a number of Aboriginals of unlawful and malicious wounding with intent to prevent arrest to be heard in Darwin.

Judge's reason for transferring the venue of the trial was local media reporting which he believed prejudiced the prospect of a fair trial.

ALICE SPRINGS

80/7277

Government Department

Member of the Legislative Assembly complained that Telecom Australia had refused to accept two telegrams he wished to send to Aboriginals living on two pastoral properties.

Telecom Australia advised that both telephone connections were leased at normal commercial rates and that neither has an obligation or agreement to carry out any business on Telecom's behalf.

ALICE SPRINGS

76/5337

Transport

Three Aboriginal women and a child saw an airport bus drive straight past them. The airport was contacted but the airline official said that the bus driver refused to go back, saying "it is not the policy of my bus firm to pick up natives". As a result the women missed their plane.

Commissioner for Community Relations obtained the assistance of the Department of Aboriginal Affairs in making an inquiry. Contact made with the manager of the bus company enabled the matter to be finalised and dispelled concern regarding Aboriginal passengers.

AYERS ROCK

76/5342

Hotel

Branch Chairman of the National Aboriginal Conference complained that a hotel at Ayers Rock had banned all Aboriginals.

Commissioner for Community Relations referred matter to Superintendent of Police, Alice Springs for investigation. Complainant subsequently advised that situation which gave rise to complaint had been overcome. Company secretary pointed out that establishment was in fact a motel, not an hotel.

AYERS ROCK

81/7425

Motel

Central Australian Aboriginal Legal Aid Service referred a complaint made by Aboriginals against a motel which refused them access.

Matter was referred to the Assistant Commissioner of Police and the Alice Springs Consultative Committee on Community Relations for investigation. Northern Territory Liquor Commission adjourned a hearing until several people involved in the incident returned from overseas. The Commission conducted a hearing into another matter concerning the same Licensee and ordered him to make a public apology.

AYERS ROCK

76/5927

Hotel

Two Aboriginal students from the Aboriginal Community College (Torrens College of Advanced Education) on a bus tour of central Australia organised as part of their course obtained service in an hotel. Later a group of students were denied access to the hotel. They were told that house guests only could be served. Police were called to the hotel and the students were turned away.

Enquiry into the matter revealed that the Licensee held a private hotel licence that permitted him only to serve house guests. Matter was conveyed to police who upheld that no action could be taken for breach of the Licensing Ordinance because such complaints have to be made within three months.

BARROW CREEK

78/8114

Goods and Services

Central Australian Aboriginal Legal Aid Service made several complaints Mat a roadhouse charged Aboriginals higher prices than non-Aboriginals for beer and food. It was further complained that Aboriginals were refused entry to the bar at the hotel and were served through a small window.

Officers on a field trip discussed complaints with proprietor, who denied the allegations. Absence of information concerning Aboriginal people involved did not enable matters to be pursued further.

DALY WATERS

78/8194

Hotel

Chairman of Northern Land Council and other community leaders complained that offensive racist material was displayed publically in an hotel.

Matter pursued with Commissioner of Police and Chief Magistrate of Licensing Court. Signs were removed from the hotel after Northern Territory authorities intervened.

DARWIN

78/5028

Employment

An Aboriginal requested Commissioner for Community Relations to make an investigation into discrimination against him regarding employment with Department of Aboriginal Affairs.

Details were sought from complainant but these have not been provided.

DARWIN

80/7204

Media

The newspaper made editorial comment on the matter as follows. "Last Saturday, a segment of a cartoon regrettably breached our own definition of offensiveness. It should not have appeared, and nobody is more conscious of that than the editorial executive involved."

A cartoon published in a newspaper depicted a street sweeper being used on Aboriginals. The caption read "Our new \$80,000 sweeper would be useful . . . in Alice Springs!!"

DARWIN

81/7406

Law

Reference was made in Department of Aboriginal Affairs press summary to: *Judge under fire for comments* - "The Chief Justice was accused today of making a racist comment when sentencing an Aboriginal to jail. He said to the defendant, 'You have a good work record, unusually good, if I may say so, for a coloured person' ".

Commissioner for Community Relations decided after assessment of the circumstances and community response that no action was required.

DARWIN

81/7527

Media

In a newspaper article it was reported that there was a large number of teenage dropouts in Darwin and that about 60% of this group were "part-coloured." It was complained that the statement in the report "living in no-man's land between the traditional Aboriginal and white Australian cultures but accepted by neither" was just a cliché and created more tension than necessary.

Managing editor replied that the article was an in depth study and the statement was based on physical observation and collection of statistics, the validity of which could be queried.

DARWIN

78/5089

Transport

A university professor engaged a taxi at an airport; when the driver saw that he was accompanied by two Aboriginals he said that he would not take one because he was dirty. The professor regarded this as racial discrimination as he had seen many Europeans in a dirtier condition getting into taxis.

Commissioner for Community Relations has sought to have the complaint formalized.

DARWIN

79/8477

Community

Senator for the Northern Territory was reported as saying that many Aboriginals registered as unemployed had never been and would never be members of the workforce. Unemployed Workers Union complained to the Commissioner for Community Relations that the Senator's statement was a racist attack on Aboriginal people.

Senator replied that he did not support the use of unemployment benefit to provide subsistence unless it was absolutely necessary. He stated that many Aboriginals supported the idea of funds being made available to their communities through the Community Development Employment Project Scheme in lieu of unemployment benefits for individuals.

DARWIN

78/5043

Media

A newspaper article reported that a magistrate had called tribal elders before him to ask them why a more severe form of punishment had not been carried out on a man placed in their charge.

Commissioner for Community Relations asked the complainant to identify the unlawful act of racial discrimination.

DARWIN

78/5124

Media

Northern Territory Council for Civil Liberties complained to the Commissioner for Community Relations that publicity given in a newspaper article about an Aboriginal girl was a gross breach of privacy. The article gave details of the girl's medical condition and appeared under a large headline "Jull Sung to Death". It was complained that Aboriginal tribal beliefs were ridiculed in the article, and that confidential medical information would not have been divulged had the girl been European.

Commissioner for Community Relations conveyed the matter to Commonwealth Department of Health and editor of the newspaper. After many inquiries from journalists about the condition of the girl in intensive care in hospital, the Medical Superintendent released a press statement to quash rumour that she had been "sung" by providing information about her illness. This had been done after consultation with the girl. The dissemination of ideas based on racial superiority is not unlawful under the Racial Discrimination Act 1975.

DARWIN

79/8546

Media

Newspaper carried the headline "Murder trial: Young blacks are accused". Complainant stated that journalism which emphasised racial aspects was not conducive to good community relations.

Matter was referred to Alice Springs Consultative Committee on Community Relations.

DARWIN (CASUARINA)

81/7561

Media

Branch of a political party complained that an entry in the telephone directory by a car dealer was racist, derogatory and showed a lack of respect to Aboriginals.

Matter was referred to Darwin Consultative Committee on Community Relations which decided that the nature of the cartoon did not warrant any action.

DARWIN

78/5078

Commonwealth Government

It was complained that Australians of non-Aboriginal origin were denied access to certain exclusive parts of Australia and that the Aboriginal owners held mineral rights not enjoyed by other land holders.

about the Aboriginal Land Rights (Northern Territory) Act 1976 and advised complainant that Aboriginals have the same right to control entry to their lands as is available to all private property holders and that the legislation did not provide for Aboriginals to hold mineral rights but the power to negotiate through Land Councils with mining interests. The Racial Discrimination Act 1975 and International Convention on the Elimination of All Forms of Racial Discrimination provide for special measures for certain disadvantaged groups. These measures do not fall within the definition of racial discrimination.

DARWIN

76/5573

Housing

It was complained that Housing Commission criteria for tenants applying for housing discriminated against Aboriginals because of their social development. In one instance after several visits to a camp by housing officers an application was cancelled after assessment was made that the person's domestic standards were not the standards required by the Commission.

Housing Commission responded that it did not discriminate on the basis of race or colour. It advised that its legislation required it to recover all costs incurred. Because of this procedure applied to ensure that tenants were capable of meeting certain criteria Housing Commission advised of efforts to implement programs that would provide a satisfactory solution to those who did not meet existing criteria

Commissioner for Community Relations obtained information from the Department of Aboriginal Affairs

DARWIN

75/700

Accommodation

North Australian Aboriginal Legal Aid Service complained on behalf of an Aboriginal family which had been a long term tenant in government housing. Darwin Reconstruction Commission gave notice that the house was to be demolished and that the family would not be recommended for alternative government accommodation.

Commissioner for Community Relations raised matter with Minister for Northern Development whose office advised that the tenant would retain the tenancy of his present house and that repairs would be effected.

DARWIN (NIGHTCLIFF)

80/7089

Employment

Youth Job Centre contacted a cattle station by radio telephone to introduce a man who had applied for an advertised vacancy for Ringers. It was complained that the foreman asked if the applicant was Aboriginal or European and said that he would only employ a white person.

Manager replied that CES had been contacted concerning vacancies for experienced Plant Operators and Fencers and that any information obtained by Youth Job Centre would have been second hand. He apologised for any misunderstanding and felt that his employee was attempting to stress the need for qualified personnel and not discriminating against Aboriginals.

DARWIN (WANGU RI)

76/5510

Police

An Aboriginal complained about the conduct of two police officers who were scrutinizing the occupants of cars at a service station. It was alleged that the police officers were officious and inciting unlawful behaviour. One policeman commented that he had a good mind to smash a flagon of wine he saw in the complainants car but "as you were not black fellows I won't". One of the men was Aboriginal and took offence.

Commissioner for Community Relations wrote to Commissioner of Police asking that appropriate action be taken.

DARWIN

77/5459

Government

Queensland Department of Aboriginal and Islanders Advancement wrote to the Department of Aboriginal Affairs seeking information on the whereabouts of persons whose names appeared on a list entitled "Missing Aborigines". Complainant questioned the right of either Department to take action of this nature until the reasons why the location of these persons was given.

Matter was referred to Department of Aboriginal Affairs which replied it had received legal advice that each request should be looked at on its merits but that in general, information should not be disclosed unless a reason is given for the request. The Department also advised that regional offices had been issued with appropriate guidelines.

DARWIN

80/7025

General

Complainant wrote expressing concern at the racial discrimination suffered by Aboriginals in the Northern Territory.

Commissioner for Community Relations advised that a Consultative Committee on Community Relations had been established in Darwin and that its function was to enquire into matters of racial discrimination and promote understanding and tolerance among different racial and ethnic groups. Complainant was invited to contact the Consultative Committee.

GENERAL

78/8209

Media

A travel magazine produced a major article on Aboriginals in the Northern Territory. A number of complaints were received, one of which stated, "the article represents some of the most scurrilous writing ever recorded against Aboriginals that I know of". Other complainants made the point that it was a superficial presentation of a complex problem, showed a grave lack of objectivity and fostered racism.

Matter was raised with editor, who did not respond, and Australian Press Council which advised that the editor and ownership of the magazine had changed. Commissioner for Community Relations also raised complaint with Attorney-General particularly as it came within Article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination. Because Australia has reserved its position on Article 4, the dissemination of ideas based on racial superiority and hatred is not unlawful under the Racial Discrimination Act 1975.

GENERAL

81/5162

Government

Member of the Legislative Assembly forwarded material relating to government proposals to deal with public drunkenness as an offence. It was complained that the proposals provided for non-urban Aboriginals to be placed under court order to return to their 'home community' and submit themselves to the control of tribal elders for a year.

Commissioner for Community Relations is enquiring into the matter.

GENERAL

78/8106

Media

It was complained that a poster advertising a seminar in Alice Springs displayed a poem which deprecated Aboriginals.

Organiser responded stating that the intention of poem had been to alert participants of the difficulties that existed in community relations at the seminar's venue.

GENERAL

77/5025

Goods and Services

A visitor to the Northern Territory complained that road houses and general stores along the Stuart Highway served Aboriginals through servery windows while non-Aboriginals were admitted inside the premises.

Commissioner for Community Relations advised that he had received several similar complaints and had taken appropriate action with all concerned.

GENERAL

76/5801

Community

It was complained to the Department of Aboriginal Affairs (Melbourne) that the crew of coach tours in the Northern Territory gave commentaries that were racist and biased against Aboriginals.

Regional Director of Aboriginal Affairs offered to help by pursuing matter further with complainant and coach companies.

GROOTE EYLANDT

79/9284

Government Department/Police

It was complained that young Aboriginals from Groote Eylandt had adopted a second initiation of deliberately committing crime knowing that the consequences would lead to jail.

Commissioner of Police and Department of Community Development advised that there appeared to be no evidence for this as the general trend had been for the community to accept more responsibility for the supervision of its own offenders.

GROOTE EYLANDT

77/5388

Media

President of Community Council complained that an article in a Sydney newspaper contained inaccuracies and was in parts untrue.

General manager of newspaper advised that matter was already resolved to the satisfaction of the Aboriginal community. Article complained of had been written by a contributor. Following complaints a staff reporter went to Groote Eylandt to investigate. A letter was also published which set the facts straight.

KATHERINE

81/5207

Media

It was complained that a newspaper report attributed to a Member of the Legislative Assembly was racist in the extreme and highly prejudicial to good community relations.

Commissioner for Community Relations conveyed matter to respondent whose reply is awaited.

KATHERINE

80/9601

Employment

Cattle station notified Commonwealth Employment Service of a vacancy for a station cook. CES advised that a suitable person for the job was available. When it was mentioned that applicant was part-Aboriginal, CES officer was told that the station did not employ Aboriginals.

Manager of cattle station responded that applicant was not suitable because he had insufficient experience and that there had been between 12 and 15 Aboriginals employed by the station for many years.

LAJAMANU (HOOKER CREEK)

78/5069

Police

A newspaper reported a member of the Northern Territory Legislative Assembly as saying that a police officer destroyed flagons of wine at an Aboriginal settlement with a riot gun, and had tied together a gang of nine Aboriginal youths. Other allegations about misconduct were also made.

Commissioner for Community Relations pursued the matter with the MLA and Commissioner of Police who advised that the policeman pleaded guilty on two departmental charges relating to the incidents and had been disciplined. Subsequently the same police officer appeared on a television program and purported to be linked with the Ku Klux Klan and was dismissed from the Northern Territory Police Force.

MAN DORAH

80/7000

Hotel

Union representative complained that an hotel had a ban on serving Aboriginals.

Complainant subsequently advised that arrangements for access and service at the hotel had been negotiated by Aboriginal elders.

MEDIA

77/5450

It was complained that a national newspaper which published two articles on Aboriginals was either being irresponsible in publishing further false and blatantly racist material from the same author or was pursuing a racist editorial policy.

Executive editor of newspaper company responded that he believed the articles did not breach the Racial Discrimination Act 1975 and the philosophies underlying both the Act and the International Convention on the Elimination of All Forms of Racial Discrimination and that it was the policy of his newspaper to observe the Racial Discrimination Act both literally and in spirit. Commissioner for Community Relations advised newspaper that complainants were concerned that articles reinforced stereotypes of Aboriginals harmful to racial harmony and offensive to Aboriginals and that they could not see how articles were consistent with philosophies underlying Act and the Convention. Discrimination of ideas based on racial superiority and hatred are not unlawful under the Racial Discrimination Act 1975.

NIG HTCLIFF

78/5205

Media

Letter to editor of a popular music newspaper made derogatory and disparaging reference to Aboriginals and their culture.

Matter was referred to newspaper editor in the interests of community relations while recognising that the dissemination of ideas based on racial superiority or hatred is not unlawful under the Racial Discrimination Act 1975.

PINE CREEK (KATHERINE)

78/8031

Hotel

Aboriginal community association complained that a licensee refused Aboriginals access to the bar or service for any drink except in stubbies or cans. On one occasion two Aboriginals were told by the barmaid that she would only serve them if they left the bar and went to a side window.

Commissioner of Police and Northern Territory Liquor Commission investigated the complaint as did Community Relations officers on a field trip. It was concluded that the incident complained of took place but without the licensee's knowledge. The Liquor Commission advised that although no action was warranted the licensee had been made aware of the Commission's close interest in the way he conducted his premises in future.

TEN NANT CREEK

80/7024

Caravan Park

A caravan park manager told a couple that they would have to leave unless they got rid of an Aboriginal girl living with them. He allegedly said that he would not have "tribal Aboriginals" in his park

4 Department of Aboriginal Affairs Area Officer made inquiries on behalf of Commissioner for Community Relations. He advised that manager was threatening eviction of the couple through actions of their own and not as a result of accommodating an Aboriginal girl. Manager agreed to extend their stay until they received a Housing Commission house.

