Racial Prejudice and Discrimination

Edited by Justin Healey

ISSUES IN SOCIETY
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Racial Prejudice and Discrimination is Volume 370 in the ‘Issues in Society’ series of educational resource books. The aim of this series is to offer current, diverse information about important issues in our world, from an Australian perspective.

KEY ISSUES IN THIS TOPIC
Cultural diversity is central to Australia’s national identity, however many Australians regularly experience racism. Racism exists in many forms, including offensive jokes and comments; name-calling and verbal abuse; harassment and intimidation; and media commentary which encourages hostility towards certain groups of people. Racist attitudes are common in the form of unconscious bias, intolerance and prejudice; at its worst, racial discrimination manifests in acts of violence and abuse.

What is the extent of racism in Australia, and what are its causes and impacts? How does racism exclude certain groups of people from full and fair participation in our society?

This book explains people's rights under racial discrimination and hatred laws, and explores ways in which we can all address racist attitudes and behaviours together as one people.

SOURCES OF INFORMATION
Titles in the ‘Issues in Society’ series are individual resource books which provide an overview on a specific subject comprised of facts and opinions.

The information in this resource book is not from any single author, publication or organisation. The unique value of the ‘Issues in Society’ series lies in its diversity of content and perspectives.

The content comes from a wide variety of sources and includes:
- Newspaper reports and opinion pieces
- Website fact sheets
- Magazine and journal articles
- Statistics and surveys
- Government reports
- Literature from special interest groups

CRITICAL EVALUATION
As the information reproduced in this book is from a number of different sources, readers should always be aware of the origin of the text and whether or not the source is likely to be expressing a particular bias or agenda.

It is hoped that, as you read about the many aspects of the issues explored in this book, you will critically evaluate the information presented. In some cases, it is important that you decide whether you are being presented with facts or opinions. Does the writer give a biased or an unbiased report? If an opinion is being expressed, do you agree with the writer?

EXPLORING ISSUES
The ‘Exploring issues’ section at the back of this book features a range of ready-to-use worksheets relating to the articles and issues raised in this book. The activities and exercises in these worksheets are suitable for use by students at middle secondary school level and beyond.

FURTHER RESEARCH
This title offers a useful starting point for those who need convenient access to information about the issues involved. However, it is only a starting point. The ‘Web links’ section at the back of this book contains a list of useful websites which you can access for more reading on the topic.
CULTURAL DIVERSITY IN AUSTRALIA

This feature article extract from the Australian Bureau of Statistics provides an overview of the latest 2011 Census findings on Australia’s overseas-born population. The nation’s cultural diversity can be seen in the variety of languages, religions, ancestries and birthplaces reported by Australians.

COUNTRY OF BIRTH

From colonial times, patterns of migration to Australia have been shaped by historical events and policies both in Australia and other parts of the world. In particular, the successive waves of migration since World War II have contributed to the make up of the overseas-born population in Australia in 2011. Initially most of these migrants were born in countries in North-West Europe and these were then followed by large numbers of migrants born in Southern and Eastern Europe. However, the proportion of the overseas-born population originating from Europe has been in decline in recent years, from 52% in 2001 to 40% in 2011.

In the 1970s, many migrants arrived in Australia from South-East Asia and in recent migration streams a number of Asian countries have made a large contribution. Reflecting this trend, the proportion of migrants born in Asia increased from 24% of the overseas-born population in 2001 to 33% in 2011. The proportion of the overseas-born population arriving from countries outside Europe and Asia has also increased.

In 2011, the United Kingdom was the leading country of birth for the overseas-born population (21%). It was followed by New Zealand (9.1%), China (6.0%), India (5.6%) and Italy (3.5%). The most common countries of birth differed according to when migrants arrived

<table>
<thead>
<tr>
<th>COUNTRY OF BIRTH</th>
<th>PERSONS '000</th>
<th>PROPORTION OF ALL OVERSEAS-BORN %</th>
<th>MEDIAN AGE YEARS</th>
<th>SEX RATIO(a)</th>
</tr>
</thead>
<tbody>
<tr>
<td>United Kingdom</td>
<td>1,101.1</td>
<td>20.8</td>
<td>54</td>
<td>101.7</td>
</tr>
<tr>
<td>New Zealand</td>
<td>483.4</td>
<td>9.1</td>
<td>40</td>
<td>102.8</td>
</tr>
<tr>
<td>China(b)</td>
<td>319.0</td>
<td>6.0</td>
<td>35</td>
<td>79.8</td>
</tr>
<tr>
<td>India</td>
<td>295.4</td>
<td>5.6</td>
<td>31</td>
<td>125.2</td>
</tr>
<tr>
<td>Italy</td>
<td>185.4</td>
<td>3.5</td>
<td>68</td>
<td>104.7</td>
</tr>
<tr>
<td>Vietnam</td>
<td>185.0</td>
<td>3.5</td>
<td>43</td>
<td>84.6</td>
</tr>
<tr>
<td>Philippines</td>
<td>171.2</td>
<td>3.2</td>
<td>39</td>
<td>60.6</td>
</tr>
<tr>
<td>South Africa</td>
<td>145.7</td>
<td>2.8</td>
<td>39</td>
<td>96.9</td>
</tr>
<tr>
<td>Malaysia</td>
<td>116.2</td>
<td>2.2</td>
<td>39</td>
<td>83.5</td>
</tr>
<tr>
<td>Germany</td>
<td>108.0</td>
<td>2.0</td>
<td>62</td>
<td>90.6</td>
</tr>
<tr>
<td>Born elsewhere overseas</td>
<td>2,183.8</td>
<td>41.2</td>
<td>44</td>
<td>95.6</td>
</tr>
<tr>
<td>Total overseas-born</td>
<td>5,294.2</td>
<td>100</td>
<td>45</td>
<td>96.1</td>
</tr>
</tbody>
</table>

(a) Number of males per 100 females.
(b) Excludes Special Administrative Regions and Taiwan Province.

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in Australia. For longer-standing migrants (those who arrived before 2007) almost a quarter were born in the United Kingdom. The top 10 birthplaces for longer-standing migrants included four Asian and four European countries. However, the pattern differed for recent arrivals (those who arrived between 2007 and Census Night in 2011) with India being the leading birthplace for this group (13%). It was closely followed by the United Kingdom (12%), the only European country in the top 10 birthplaces for recent arrivals. Seven of the remaining countries for recent arrivals were Asian.

Recent arrivals make up a large proportion of some population groups in Australia, reflecting the increasing number of people born in Asian countries. Recent arrivals accounted for 47% of the total Indian-born population in Australia and 35% of the total Chinese-born population. In contrast, only 11% of the total United Kingdom-born population were recent arrivals.

**SELECTED COUNTRIES OF BIRTH\(^{(a)}\), PROPORTION OF RECENT ARRIVALS AND LONGER-STANDING MIGRANTS BY BIRTH COUNTRY\(^{(b)}\)**

- **India**
- **United Kingdom**
- **China\(^{(c)}\)**
- **New Zealand**
- **Philippines**
- **South Africa**
- **Malaysia**
- **South Korea\(^{(d)}\)**
- **Vietnam**
- **Sri Lanka**

\(^{(a)}\) Top 10 countries of birth for recent arrivals.
\(^{(b)}\) For example, people born in India accounted for 4% of longer-standing migrants and 13% of recent arrivals.
\(^{(c)}\) Excludes Special Administrative Regions and Taiwan Province.
\(^{(d)}\) Korea, Republic of (South).

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Country of birth groups which increased the most between 2001 and 2011 were India (up 200,000 people), China (176,200) and New Zealand (127,700). The largest decreases were seen in the birth countries of Italy (less 33,300 people), Greece (16,500) and Poland (9,400). These decreases can be attributed to deaths and low current migration levels replenishing these groups.

At the time of the 2011 Census, the median age for Australians counted in the Census was 37 years. Not surprisingly, longer-standing migrants had a much older age profile, with a median age of 50 years. As this group all arrived before 2007, it didn’t include anyone under 5 years of age. Recent arrivals were considerably younger with a median age of 27 years. Their younger age distribution partly reflects criteria for Australian skilled migration visas which require successful applicants, in most cases, to be aged under 50 years.²

Of the leading 10 birthplaces, the oldest median ages were for people born in Italy (68 years), Germany (62 years), and the United Kingdom (54 years), reflecting earlier European migration.

In 2011, there were 98 males per 100 females in Australia (this is known as the sex ratio). The number of males relative to females varied between birthplace groups for the overseas-born population. The groups with the highest sex ratio included Nepal (144 – that is,
144 Nepalese-born men for every 100 Nepalese-born women in Australia), Afghanistan (143) and Pakistan (143). The countries with the lowest ratio of males to females included Japan (47), Thailand (49) and the Russian Federation (60).

Ancestry is not necessarily related to a person’s place of birth but is an indication of the cultural group that they most closely identify with.

ANCESTRY

Ancestry is not necessarily related to a person’s place of birth but is an indication of the cultural group that they most closely identify with. It gives insight into the cultural background of both the Australian-born and overseas-born populations when ancestry differs from country of birth. The 2011 Census asked respondents to provide a maximum of two ancestries with which they most closely identify. As an example, they were asked to consider the origins of their parents and grandparents. Over 300 ancestries were separately identified in the 2011 Census. The most commonly reported were English (36%) and Australian (35%). A further six of the leading ten ancestries reflected the European heritage in Australia with the two remaining ancestries being Chinese (4%) and Indian (2%).

Just under a third (32%) of people who responded to the ancestry question reported two ancestries. Second generation Australians were the generation most likely to report a second ancestry (46%). This may be due to having a strong connection to Australia and also to a parent’s country of birth. Third-plus generation Australians were less likely (36%) to report a second ancestry. As both the respondent and their parents were Australian-born, they may be less likely to have a connection to more than one country. The group least likely to report a second ancestry were first generation Australians (14%).

The vast majority of people who reported an Australian ancestry were born in Australia (98%). For most other ancestries, the majority of people were born either in Australia or the country associated with their ancestry. The European ancestries in the top 10 ancestry groups follow this pattern. For example, 83% of people who reported German ancestry were born in Australia and 10% were born in Germany. Only 7% were born in other countries. This pattern differed for the Asian countries in the top 10 ancestry groups. For example, for those who reported Chinese ancestry, 36% were born in China, 26% in Australia and 38% born in other countries. Of those who reported Indian ancestry, 61% were born in India, 20% in Australia and 19% born in other countries.

RELIGIOUS AFFILIATION

Since the first Census, the majority of Australians have reported an affiliation with a Christian religion. However, there has been a long-term decrease in affiliation to Christianity from 96% in 1911 to 61% in

<table>
<thead>
<tr>
<th>ANCESTRY</th>
<th>Persons(a)</th>
<th>Proportion of total population</th>
<th>Generations in Australia</th>
<th>Also stated another ancestry</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>'000</td>
<td>%</td>
<td>First generation</td>
<td>Second generation</td>
</tr>
<tr>
<td>English</td>
<td>7,238.5</td>
<td>36.1</td>
<td>18.5</td>
<td>20.1</td>
</tr>
<tr>
<td>Australian</td>
<td>7,098.5</td>
<td>35.4</td>
<td>2.0</td>
<td>18.3</td>
</tr>
<tr>
<td>Irish</td>
<td>2,087.8</td>
<td>10.4</td>
<td>12.9</td>
<td>13.9</td>
</tr>
<tr>
<td>Scottish</td>
<td>1,792.6</td>
<td>8.9</td>
<td>17.1</td>
<td>19.1</td>
</tr>
<tr>
<td>Italian</td>
<td>916.1</td>
<td>4.6</td>
<td>24.1</td>
<td>41.0</td>
</tr>
<tr>
<td>German</td>
<td>898.7</td>
<td>4.5</td>
<td>17.3</td>
<td>19.8</td>
</tr>
<tr>
<td>Chinese</td>
<td>866.2</td>
<td>4.3</td>
<td>74.3</td>
<td>21.3</td>
</tr>
<tr>
<td>Indian</td>
<td>390.9</td>
<td>2.0</td>
<td>79.8</td>
<td>18.6</td>
</tr>
<tr>
<td>Greek</td>
<td>378.3</td>
<td>1.9</td>
<td>30.9</td>
<td>44.8</td>
</tr>
<tr>
<td>Dutch</td>
<td>335.5</td>
<td>1.7</td>
<td>32.5</td>
<td>43.3</td>
</tr>
</tbody>
</table>

(a) Table presents collective responses to ancestry question. As some people stated two ancestries, the total persons for all ancestries exceed Australia's total population.

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In the past decade, the proportion of the population reporting an affiliation to a Christian religion decreased from 68% in 2001 to 61% in 2011. This trend was also seen for the two most commonly reported denominations. In 2001, 27% of the population reported an affiliation to Catholicism. This decreased to 25% of the population in 2011. There was a slightly larger decrease for Anglicans from 21% of the population in 2001 to 17% in 2011. Some of the smaller Christian denominations increased over this period – there was an increase for those identifying with Pentecostal from 1.0% of the population in 2001 to 1.1% in 2011. However, the actual number of people reporting this religion increased by one-fifth.

Between 2001 and 2011, the number of people reporting a non-Christian faith increased considerably, from around 0.9 million to 1.5 million, accounting for 7.2% of the total population in 2011 (up from 4.9% in 2001). The most common non-Christian religions in 2011 were Buddhism (accounting for 2.5% of the population), Islam (2.2%) and Hinduism (1.3%). Of these, Hinduism had experienced the fastest growth since 2001, increasing by 189% to 275,500, followed by Islam (increased by 69% to 476,300) and Buddhism (increased by 48% to 529,000 people).

The number of people reporting 'No Religion' also increased strongly, from 15% of the population in 2001 to 22% in 2011. This is most evident amongst younger people, with 28% of people aged 15-34 reporting they had no religious affiliation.

Over half of the overseas-born population (56%) reported a Christian denomination; the two most commonly reported were Catholicism (24%) and Anglicanism (12%). Non-Christian religions were reported by 19% of the overseas-born population, with Buddhism (6.8%), Islam (5.4%) and Hinduism (4.3%) being the most prevalent. The proportion of the overseas-born population who reported 'No religion' was 20%, slightly lower than the level for the Australian population as a whole (22%).

Recent arrivals were less likely than longer-standing migrants to report an affiliation to Catholicism (18% and 26% respectively) and Anglicanism (7% and 15% respectively) when compared to the proportion of overseas-born people aged 15-34 reporting Catholicism (26%) and Anglicanism (13%).
respectively). In contrast, a higher proportion of recent arrivals reported Hinduism (10.0% compared to 3.0%), Islam (8.4% compared to 4.7%) and Buddhism (7.7% compared to 6.6%). These differences reflect the larger number of new arrivals from non-European countries. New arrivals were also more likely than longer-standing migrants to report ‘No Religion’ (24% compared to 19%).

**LANGUAGE**

In 2011, 81% of Australians aged 5 years and over, spoke only English at home while 2% didn’t speak English at all. The most common languages spoken at home (other than English) were Mandarin (1.7%), Italian (1.5%), Arabic (1.4%), Cantonese (1.3%) and Greek (1.3%).

Almost half (49%) of longer-standing migrants and 67% of recent arrivals spoke a language other than English at home. This probably reflects the main countries of birth for these two groups and also the amount of time spent in Australia. However, this doesn’t provide any indication of their ability to speak English. Over half (51%) of longer-standing migrants reported speaking English very well, while 2.6% reported not speaking English at all. For recent arrivals, 43% reported speaking English very well and the proportion who reported not speaking English at all was 3.1%.

First generation Australians had the highest proportion of people who spoke a language other than English at home (53%). It was much lower for second generation Australians (20%) and the third-plus generation (1.6%). The most commonly spoken languages for longer-standing migrants, who spoke a language other than English at home, were Mandarin (4.3%), Cantonese (4.2%), Italian (3.7%) and Vietnamese (3.2%). For recent arrivals, the languages spoken at home varied from those for longer-standing migrants and the overseas-born population as a whole. Just under a third (32.6%) of newly arrived migrants aged 5 years and over spoke only English at home. This was followed by Mandarin (10.8%), Punjabi (3.7%), Hindi (3.3%) and Arabic (3.0%).

**TOP 10 LANGUAGES SPOKEN AT HOME(a)(b)**

<table>
<thead>
<tr>
<th>LANGUAGE SPOKEN AT HOME</th>
<th>Persons '000</th>
<th>Proportion of total population %</th>
<th>Proportion who spoke English very well %</th>
<th>Proportion born in Australia %</th>
</tr>
</thead>
<tbody>
<tr>
<td>English only</td>
<td>15,394.7</td>
<td>80.7</td>
<td></td>
<td>83.8</td>
</tr>
<tr>
<td>Mandarin</td>
<td>319.5</td>
<td>1.7</td>
<td>37.5</td>
<td>9.0</td>
</tr>
<tr>
<td>Italian</td>
<td>295.0</td>
<td>1.5</td>
<td>62.1</td>
<td>43.2</td>
</tr>
<tr>
<td>Arabic</td>
<td>264.4</td>
<td>1.4</td>
<td>61.9</td>
<td>38.5</td>
</tr>
<tr>
<td>Cantonese</td>
<td>254.7</td>
<td>1.3</td>
<td>46.4</td>
<td>19.9</td>
</tr>
<tr>
<td>Greek</td>
<td>243.3</td>
<td>1.3</td>
<td>65.0</td>
<td>54.1</td>
</tr>
<tr>
<td>Vietnamese</td>
<td>219.8</td>
<td>1.2</td>
<td>39.5</td>
<td>27.9</td>
</tr>
<tr>
<td>Spanish</td>
<td>111.4</td>
<td>0.6</td>
<td>62.1</td>
<td>21.9</td>
</tr>
<tr>
<td>Hindi</td>
<td>104.9</td>
<td>0.5</td>
<td>80.2</td>
<td>9.8</td>
</tr>
<tr>
<td>Tagalog</td>
<td>79.0</td>
<td>0.4</td>
<td>66.9</td>
<td>5.9</td>
</tr>
</tbody>
</table>

(a) Excludes persons aged under 5 years.
(b) Proportion of people reporting this language who were born in Australia.
What is multiculturalism?

The term ‘multiculturalism’ has a number of meanings, according to this explanation from the Australian Human Rights Commission

The term ‘multiculturalism’ has a number of meanings, depending on the context in which it is used. For example:

- It is often used to describe the diverse cultural make up of a society. This publication, for instance, sets out a range of facts which demonstrate the diversity and multicultural character of Australia’s population.
- It refers to a set of norms that uphold the right of the individual to retain and enjoy their culture.
- It is the name given to a government policy which seeks to recognise, manage and maximise the benefits of cultural diversity.


The 2011 policy recognises the breadth and diversity of Australian society and reaffirms the Australian Government’s support for a culturally diverse and socially cohesive nation. It highlights the economic and social benefits of diversity, as well as the need to balance the rights and responsibilities of all people who live in Australia.

The People of Australia policy is based on four guiding principles:

- Celebrating and valuing diversity
- Maintaining social cohesion
- Communicating the benefits of Australia’s diversity
- And responding to intolerance and discrimination.

An independent body – the Australian Multicultural Council – was launched in August 2011 to advise the Australian Government on policies and emerging issues.

The Australian Government has committed to implementing a National Anti-Racism Partnership and Strategy to counter racism and discrimination. It will focus on five key areas: research and consultation; education resources; public awareness; youth engagement; and ongoing evaluation.

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ENDNOTES


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30
40
20
10
0

% English only Mandarin Punjabi Hindi Arabic Cantonese Korean Tagalog Vietnamese Nepali

LANGUAGES SPOKEN AT HOME BY RECENT ARRIVALS

(a) Excludes those aged under 5 years.
(b) Arrived between 2007 and Census Night (9 August) 2011.

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Issues in Society | Volume 370

Racial Prejudice and Discrimination
WHY RACISM?

While cultural diversity is central to our national identity, the reality is that too many Australians experience racism, prejudice and discrimination on a regular basis. Racism locks people out of social and economic opportunities. It costs workplaces and our economy and it works against our goal of building fair, inclusive communities. A fact sheet from Racism. It Stops with Me

WHAT IS RACISM?

Racism can take many forms, such as jokes or comments that cause offence or hurt, sometimes unintentionally; name-calling or verbal abuse; harassment or intimidation, or commentary in the media or online that inflames hostility towards certain groups.

At its most serious, racism can result in acts of physical abuse and violence.

Racism can directly or indirectly exclude people from accessing services or participating in employment, education, sport and social activities.

It can also occur at a systemic or institutional level through policies, conditions or practices that disadvantage certain groups.

It often manifests through unconscious bias or prejudice.

On a structural level, racism serves to perpetuate inequalities in access to power, resources and opportunities across racial and ethnic groups.

The belief that a particular race or ethnicity is inferior or superior to others is sometimes used to justify such inequalities.

Under federal law, racial discrimination is defined as:

“A distinction, exclusion, restriction or preference based on race, colour, descent or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of any human right or fundamental freedom in the political, economic, social, cultural or any other field of public life.”

On the face of it, this seems fairly straightforward. However, judging by the complaints we receive under the Racial Discrimination Act, those who perpetrate racist behaviour in public places like workplaces, school and in sport may not be aware that it’s against the law. It’s worth noting that while racism can take many forms, ‘race-hate talk’ such as verbal abuse, racial slurs or name-calling appears to be the most common – with one in five Australians saying they have experienced one of these forms of racism.

HOW PREVALENT IS RACISM?

• Of over 1,500 people who responded to our online survey, two thirds said that they had experienced racism.

• Levels of reported racism have been increasing over the past five years.

• More than one in 20 Australians say they have been physically attacked because of their race.

WHO EXPERIENCES RACISM?

• Racist behaviour, such as name-calling and abuse, can be directed against, and emanate from, members of any racial group. However, some people in Australia are more vulnerable to racism and discrimination, particularly Aboriginal and Torres Strait Islander peoples and people from culturally and linguistically diverse backgrounds.

• A survey by Reconciliation Australia revealed that 71 per cent of the general community acknowledge that Australians hold very high or high levels of prejudice towards Indigenous people. Many Aboriginal and Torres Strait Islander peoples also experience the continuing legacy of racially discriminatory laws and government policies of the past. The consequence of these policies has meant that social and economic disadvantage has continued from one generation to the next.
• Research indicates that people born overseas face higher levels of racism than people from culturally and linguistically diverse backgrounds born in Australia, especially in the workplace. One study found that people with Chinese and Middle Eastern names have to submit over 50 per cent more job applications to receive the same number of interview requests as Anglo-Australian candidates.

EXAMPLES OF COMPLAINTS

The examples below are taken from complaints conciliated by the Australian Human Rights Commission.

Warning: These summaries of complaints in the register reflect the subject matter of complaints received by the commission. The register contains words and descriptions that may offend. The names used in the examples below are fictional.

IN THE WORKPLACE

Alleged racial hatred in employment

Greg, who is indigenous, claimed that his supervisor at the respondent government department made racially derogatory comments in the workplace, including “putrid Abos” and “I’m not scared of any Abo”.

Complaint of race discrimination and racial hatred in employment

Peter, who is of Middle Eastern descent, worked on a contract basis with the respondent manufacturing company. He alleged that his manager made various racially offensive comments in front of his co-workers including calling him “f*cking Arab”, “terrorist” and “bomb chucker”. Peter also claimed that his manager asked him if he was planning to blow up their place of work and whether he sold and used drugs. He said he was asked to take leave and then was not given any further work.

Complaint of race discrimination in employment

Matthew, who is an Aboriginal person, worked for the respondent government department as a maintenance worker. He claimed that his supervisors called him over by whistling instead of using his name, assigned him ‘bad’ jobs (including lining the toilet pits after use), called him a “black c*nt”, used offensive language when speaking to him and described Aboriginal people as lazy and useless people.

Matthew also claimed that when he made an internal complaint about the matter, his employer told him this was part of the work culture and that some of that ‘stuff’ was ‘OK’. Matthew said that he resigned due to the treatment he was subjected to.

Alleged racial discrimination in employment

Chris, who is of Indian national descent, worked on a contract basis with the respondent manufacturing company. He alleged that his manager made various racially offensive comments in front of his co-workers including calling him “f*cking Arab”, “terrorist” and “bomb chucker”. Peter also claimed that his manager asked him if he was planning to blow up their place of work and whether he sold and used drugs. He said he was asked to take leave and then was not given any further work.

Complaint of race discrimination in employment

Matthew, who is an Aboriginal person, worked for the respondent government department as a maintenance worker. He claimed that his supervisors called him over by whistling instead of using his name, assigned him ‘bad’ jobs (including lining the toilet pits after use), called him a “black c*nt”, used offensive language when speaking to him and described Aboriginal people as lazy and useless people.

Matthew also claimed that when he made an internal complaint about the matter, his employer told him this was part of the work culture and that some of that ‘stuff’ was ‘OK’. Matthew said that he resigned due to the treatment he was subjected to.

Alleged racial discrimination in employment

Chris, who is of Indian national
origin, was employed as an engineer with a government agency. He claimed his supervisor said words to the effect that “don’t they teach you how to add up numbers in India?” and that he should be used to drinking dirty water.

Chris also claimed that he was excluded from work social activities and not provided with a speaking role in team meetings due to perceptions about his language skills. Chris said he made a complaint about the alleged conduct to his supervisor’s manager and the agency’s human resources team.

Chris claimed the agency subjected him to delays and breaches of confidentiality during the internal grievance process. Chris also claimed his supervisor bullied him because he made a complaint.

**Offensive language in the workplace**

George, a Maori man working for a building company, claimed that his co-workers used offensive terms, such as “blacks” and “niggers”, in his presence.

He made a complaint to the company director which led to his co-workers refusing to work with him. This led to him being made a casual, and eventually, not being offered any more work by his boss.

**IN EDUCATION**

**Complaint of race discrimination in education**

The complaint was lodged by a father on behalf of his two sons who are 7 and 8 years of age. He claimed that his sons were being bullied at the respondent government school because of their Aboriginality. He claimed that the bullies were not disciplined but when his sons retaliated, they were punished. The complainant claimed that the school principal had not handled the matter appropriately.

**Alleged racial discrimination in education**

A man claimed other students at the public primary school his daughter attended called her a “nigger” to which she responded “f***king nigger”. He claimed the respondent suspended his daughter while only placing the other students in detention, and that his daughter was treated differently because of her race.

**IN HOUSING**

**Complaint of race discrimination in the provision of accommodation**

James, who is indigenous, alleged that the operators of a boarding house refused to provide him with accommodation because of his race. He claimed that the terms of the rental agreement had been pre-arranged; however, when he arrived at the boarding house the caretaker said, “We don’t take anyone who is Aboriginal because there have been problems in the past. This is a management policy”.

**Alleged race discrimination and racial hatred in the provision of accommodation**

William, who is Kenyan, rented a unit from a company through a real estate agency. He claimed that the real estate agent told him that the company wanted him to vacate the property. He said that even though he had negotiated a date on which he would vacate the premises, the company changed the locks on the unit without telling him. As he had nowhere else to go, he had to sleep in a nearby park.

He alleged that the next week when he went to the unit to collect his property, he was racially abused by the company director’s son who said comments such as “Go back to your country you black bastard” and “f*** off you black c***”. He also claimed that his bed and some of his furniture was missing from the unit.

**Allegation of racial hatred by neighbour**

Lilly is of Vietnamese background and is a tenant in public housing. She alleged that since 1998 she has been subjected to racial hatred by her neighbour. The alleged action of the neighbour included saying “Go back to Vietnam”, calling her an animal, mimicking her accent and making rude gestures to her.

Lilly claimed that despite complaints to the department about her neighbour the department failed to take any action to resolve the matter. She alleged that her racial background was also a factor in the department’s failure to resolve her complaint.

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What is racism?
Racism is a combination of attitudes, beliefs and behaviours, including:
- Believing your race is superior to another race
- Offensive or aggressive behaviour towards somebody because of their race
- Believing some groups do not fit in Australia
- Actively avoiding or excluding people from a specific cultural background because you believe they don’t belong, or
- Believing everyone should behave according to certain values which are called ‘national’ but are not.

The alternative view to racism is to understand that everybody has individual characteristics. As humans, we all share differences and similarities, and so people should be treated based on their unique merits rather than their skin colour, nationality, or cultural background.

Racism can be a belief or behaviour by an individual, a group, or an institution. This campaign focuses on racist beliefs and behaviours of individuals.

What is racial discrimination?
Is it different to racism?
Racial discrimination is an extension of racist thoughts or feelings. It is discrimination (i.e. a behaviour or practice) based on a person’s skin colour, cultural heritage or nationality which stops the victim from participating fully in public life. It can take many forms, including exclusion from employment, educational or housing opportunities.

Racial discrimination is illegal in Australia. You can make a complaint if you have been treated unfairly because of your race, colour, descent, national or ethnic origin, or your immigrant status on the Australian Human Rights Commission’s website, www.humanrights.gov.au

Who is a racist?
At some point in our lives, all of us will have thoughts or feelings that are racist. This is because of how pervasive racism is in all societies around the world. Racial discrimination is when these thoughts become actions.

It is important that we educate people about what racism is, the impact it has on people, and how to prevent it. Because we are all implicated in racism, it is better to talk about people engaging in racism than to label someone as a racist.

Australian residents fit into three broad categories:
- 50% of people are positive about cultural diversity
- 40% of people are uncomfortable with or worried about cultural diversity, and
- 10% of people have racist tendencies.

Generally, people who are positive about cultural diversity tend to be younger (under 45), whereas people who are uncomfortable about cultural diversity tend to be older (over 45).

How do I know whether a comment is racist?
A comment is racist if:
- The intention is to hurt or offend another person because of their skin colour, nationality or cultural background, and/or
- A person is offended by a comment about or relating to their skin colour, nationality or cultural background regardless of whether or not the comment was intended to be hurtful or offensive.

Where does racism happen?
Racism can happen anywhere. The Australian Human Rights Commission has a guide about dealing with racism online.

You can make a formal complaint to the Australian Human Rights Commission about racial discrimination if it occurs in public.

If you witness racism in a private space (e.g. at a friend’s house) you should speak up!

How does Australia compare?
Australia fares comparatively well to other countries, with one in ten people holding racist views. People who hold racist views in Australia are a vocal minority who’s opinions are not shared by the majority of Australians.

People who think the people around them share their opinion are more likely to be outspoken, so it is important for you to speak up when you hear a racist comment to assure the perpetrator that their opinion is not shared by others!

What is multiculturalism?
How is it linked to racism?
Generally, multiculturalism means people from many cultures living or working together within an atmosphere of mutual respect.

The opposite of this is assimilation, where people from a dominant culture expect newcomers to live or work with them in exactly the same way. This attitude usually means that one group of people behave as though they are superior to another. This is a form of racism.

When I go overseas on holiday, I am expected to fit in, so why shouldn’t I expect people who come here to ‘fit in’ also?
When you go overseas, you are usually catered to by tourist services which have been set up to ensure you have an enjoyable holiday or business trip. For example, you probably stay in a hotel where the staff speak several...
languages including English. Their concierge (or your guidebook) can advise you about the most appropriate way to behave locally so that you remain safe during your stay.

Likewise, Australians often try to help newcomers feel welcome by pointing out our local customs to help people understand their new environment. Immigrants are often grateful to be living in Australia and will usually do their best to apply our customs and also follow some of the traditions of their country of origin. Australia is a free country that welcomes people from different backgrounds and a great place to live for this reason!

It is also a place with many different ways of life making it very hard to point to one particular Australian ‘way of life’ that everyone should ‘fit’ into. It doesn’t matter whether people are born in Australia or are visiting or emigrating to Australia from another country, everyone has the right to be different so long as they obey the laws of the country they are in.

More importantly, whoever you are and whenever you happen to be and regardless of how well you are ‘fitting’ in, everyone has a right to live their live free from racism.

**Why are only white nations like Australia expected to open their borders?**

Some people believe that only ‘white’ nations are expected to open their borders to immigration while ‘non-white’ nations are not.

People who use this argument refer to ‘white’ nations as those with a white majority like Australia, Canada, United States and United Kingdom while nations in Africa, Asia and the Middle East are ‘non-white’.

This is an argument of convenience, not fact. It’s convenient to ignore that many white people live in countries like Australia, United States and Canada where the indigenous populations were forced to open their borders.

It’s also convenient to ignore that there are many ‘non-white’ countries that have been colonised by ‘white’ people. India, Singapore and Hong Kong are examples of this.

Most convenient is to ignore that many nations – not just ‘white’ nations – allow and welcome immigration from both ‘white’ and ‘non-white’ groups. Among the nations with the highest net migration rate are Qatar, United Arab Emirates, Singapore, Bahrain, and Djibouti – all of which currently accept more immigrants than Australia.

So when we read or hear arguments by racist extremists like this:

*Keep on the attack. Keep demanding from them why ALL and ONLY white nations must go multiracial – because anti-racism is anti-white.*

We know that this is factually incorrect. It tells us more about the person saying this than it does about Australia’s immigration policies! People with this view want to keep the social, economic and political privileges that they believe rightfully belong to white people and ignore the fact that immigration is of great benefit and, in fact, necessary for the prosperity of a country like Australia.


**How can I behave in a culturally respectful way?**

It is impossible to answer this question directly, because there are hundreds of cultures from around the world, and every culture has its own customs. Nobody is an expert on all of these cultures, so it is ok to be ignorant of what is culturally respectful in a specific culture.

If in doubt, the best thing to do is ask whether your behaviour is appropriate and be willing to realise that people are different. If you relax and understand that your way is not the only way, you’re off to a great start.

If you accidentally make a mistake, simply apologise and learn from your mistake. Nobody is perfect!

**Is discriminating against Muslims racist?**

Some people say discriminating against Muslims is racist. Others say it isn’t racist because Islam is a religion, not a race. We think it doesn’t matter either way: discrimination is offensive and illegal.

Debating whether or not discrimination towards Muslims is racist is focusing on a technicality. It avoids the real issue, which is whether we treat people unfairly because of their skin colour, nationality or cultural background or we treat them fairly as unique individuals.

**What can I personally do to help erase racism?**


Get involved in helping All Together Now thrive:

- Make a donation
- Work with us in partnership
- Volunteer
- Or get active in the All Together Now communities on Facebook and Twitter and help us spread the word that racism is unacceptable.

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HOW PREVALENT IS RACISM?

New research, such as the Scanlon Foundation’s 2011 Mapping Social Cohesion Report and the Challenging Racism project, provide valuable information about the perspectives and experiences of everyday Australians in relation to racism and cultural diversity.

According to the Challenging Racism project, while the majority of people (87%) agree that Australia’s cultural diversity is a good thing, around one in ten Australians believe that some races are naturally inferior or superior. Recent Scanlon Foundation research suggests that in Australia there is a “core level of intolerance” numbering at least 10% or 1.5 million of the adult population, with relatively high levels within some regions and demographic segments.

The Challenging Racism project found that many Australians experience racism on a regular basis:
- Approximately 20% have experienced race-hate talk
- Around 11% have experienced race-based exclusion from social activities and/or their workplace
- 6% reported physical attacks based on their race and/or traditional dress.

The 2011 Mapping Social Cohesion Report also found evidence of heightened experience of discrimination:
- When respondents were asked if they had experienced discrimination in the preceding 12 months, 14% in 2011 reported an experience of discrimination because of their ‘skin colour, ethnic origin or religion’, maintaining the 2010 level, but an increase on the 9% in 2007, and 10% in 2009.

- When respondents were asked whether ‘the level of racial prejudice in Australia now is more, less or about the same as it was five years ago’, 37% considered it was at the same level, but those who considered that the level of racial prejudice was higher outnumbered those who considered it to be lower by a ratio of almost 3:1 (43% compared to 14.4%).

A 2006 survey of 4,010 Australians found that most Australians support action against racism, with 85.6% agreeing that something should be done to minimise or fight racism in Australia.

Statistics on the number and type of complaints made under the RDA are available in the Commission’s annual reports. Examples of conciliated complaints are available on the Commission’s conciliation register.

DO SOME MIGRANT GROUPS EXPERIENCE RACISM MORE THAN OTHERS?

Research suggests that ‘settled’ immigrants tend to experience lower levels of racism or racist attitudes than more recent arrivals to Australia. There is also evidence of markedly higher levels of negative feelings towards Muslim Australians.

The Commission’s recent work with Arab and Muslim Australians and African Australians also suggests that these communities are at a higher risk of experiencing discrimination and prejudice.

FIND OUT MORE

Does racial and ethnic discrimination vary across minority groups? Evidence from three experiments; study, conducted by ANU economists Professor Alison Booth and Professor Andrew Leigh from the Research School of Social Sciences (2009).


ENDNOTES

201. K Dunn and J Nelson, note 199.
204. K Dunn and J Nelson, note 199.
205. Scanlon Foundation, note 200.
All five domains of social cohesion are below the 2007 benchmark level. The low point is in the domain of acceptance/rejection, which stood at 68.8 points in 2013, down by almost one-third since 2007.

**Identification with Australia**

The Scanlon Foundation surveys – and other polling over the last 30 years – have consistently found that the vast majority of Australians have a high level of identification with their country, the fundamental prerequisite for any cohesive society. Almost unanimously, Australians express a sense of belonging (92% in 2013, 95% in 2012), indicate pride in the Australian way of life (87%) and believe that its maintenance is important (91%). There has, however, been a marked shift in the proportion indicating that they have a sense of belonging to ‘a great extent’, down from 75% to 65%, while the proportion indicating to ‘a moderate extent’ increased from 21% to 26%.

**Living standards**

The Global Financial crisis has had marginal impact on indicators of financial satisfaction in Australia. In 2007, 74% of respondents indicated that they were ‘very satisfied’ or ‘satisfied’ with their financial circumstances, 73% in 2010 and 71% in 2013.

Nearly nine out of ten respondents (87%) in 2013 indicate that ‘taking all things into consideration’, they are happy with their lives. There has, however, been a negative shift in the proportion indicating the strongest level of agreement: in 2007, 34% indicated that they were ‘very happy’, in 2013 a statistically significant lower 26%.

There continues to be majority endorsement of the view that ‘Australia is a land of economic opportunity where in the long run, hard work brings a better life’. In 2007, 81% of respondents agreed, 82% in 2010 and 82% in 2013. These views are consistent with international indicators, which rank Australia at or near the top of developed countries in terms of living standard, education, health, and quality of life.

There is, however, also consistency in indicators of inequality in Australia. Concern is evident in the survey findings, with 73% of respondents in 2013 agreeing that ‘the gap between those with high incomes and those with low incomes is too large’. 48% of respondents agreed that ‘people living on low incomes in Australia receive enough financial support from the government’, while 42% disagreed.

Sense of pessimism about the future, which had increased between 2007 and 2012, showed a marginal decline in 2013. In response to the question: ‘In three or four years, do you think that your life in Australia will be improved, remain the same or worse?’, there was a statistically significant increase in the proportion answering ‘a little worse’ or ‘much worse’, from 11% in 2007 to 19% in 2012. The 2013 result, 17%, indicated a marginal (but not statistically significant) decline.

**Experience of discrimination**

In 2013 there was a marked increase in reported experience of discrimination. The Scanlon Foundation survey asked: ‘Have you experienced discrimination because of your skin colour, ethnic origin or religion?’ The 2013 survey found the highest level recorded across the six surveys (19%), an increase of seven percentage points over 2012.

There is large variation in the experience of discrimination within sub-groups. Analysis by country of birth indicated highest experience of discrimination by respondents born in Malaysia (45%), India and Sri Lanka (42%), Singapore (41%), Indonesia (39%), and China and Hong Kong (39%).

**Trust and participation**

In 2013, 45% of respondents agreed that ‘most people can be trusted’, which is at the low end of the range of results obtained since 2007. Trust in government is also at a relatively low level. In

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**FAST FACTS**

- The study was compiled by Monash University and backed by philanthropic group the Scanlon Foundation and the Australian Multicultural Foundation.
- This year, 6,000 people were questioned, including 2,300 immigrants who arrived over the past 20 years.
- Reports of discrimination on the basis of race, ethnic origin or religion increased to the highest level since the surveys began in 2007.
- The report found high levels of support for multiculturalism with 84% of those polled saying it was good for Australia – but it revealed the proportion of people who say asylum-seeker boats should be turned back has risen from 23% in 2010 to 33% this year.
- The research found that while Australians regard themselves as “kind, caring and friendly”, new migrants don’t – rating this trait last in a list of what they like most about life in Australia.
- Australia’s immigration intake of 236,000 new arrivals last year compared with a local increase of 158,000 found majority support, although the proportion believing it was too high grew to 42%.
- The highest level of negativity towards immigrants was directed at those from the Middle East.
- 2012/13 Australian Human Rights Commission statistics were similar, year showing there had been a 59% increase on the previous year in racial vilification complaints.
- There was a consistently high level of reported discrimination of about 40% from people born in Asian countries including Malaysia, India, Sri Lanka, Singapore, Indonesia and China.
- In spite of these findings, report author Professor Andrew Markus said the study still showed Australia still remained a socially cohesive nation by international standards.
2009, 48% of respondents indicated that the government in Canberra can be trusted 'almost always' or 'most of the time'. In one of the strongest shifts recorded in the Scanlon Foundation surveys, in 2010 only 31% indicated trust, a fall of 17 percentage points. Since that time there has been further marginal decline, so that in 2013 only 27% indicated trust (4% ‘almost always’, 23% ‘most of the time’).

A new question in the 2013 survey explored levels of institutional trust, with nine organisations or institutions specified. The highest level of trust was in hospitals, police, public schools and employers, followed by trust in the legal system and television news. The lowest level of trust was in trade unions, the federal parliament and political parties. Just 7% of respondents indicated a ‘lot of trust’ in federal parliament and 3% in political parties.

The 2013 survey registered a decline in political participation, but involvement in unpaid voluntary work has remained largely constant, indicated by 46% in 2011, 47% in 2012 and 47% in 2013.

Problems facing Australia

An open-ended question, the first question in the survey, asks respondents ‘What do you think is the most important problem facing Australia today?’ The surveys conducted since 2010 found a large measure of consistency in the indication of key issues: the economy, quality of government and politicians, the environment, asylum and immigration, and social issues, although there has been a change in the relative significance of issues.

The economy has ranked first across the four surveys, specified by 22% of respondents in 2010, 26% in 2011, 36% in 2012 and 33% in 2013.

The second ranked issue, quality of government and politicians, has been specified by 11%-13% across the four surveys. Asylum issues have risen in importance to rank third in 2013, selected by 12% of respondents, a marked increase from 6% in 2010.

Two of the top issues declined in the ranking. Environmental issues, which ranked second in 2010 and 2011 (selected by 15% and 18%), were ranked fifth in 2013, selected by 12% of respondents, a marked increase from 6% in 2010.

Social issues, including family difficulties, child care, drug use, and lack of personal direction, were ranked fourth, selected by 7%.

Immigration

The 2013 survey found a majority of respondents in favour of the current immigration intake (38%) or of the view that it was ‘too low’ (13%). A large minority (42%) considered that the intake was ‘too high’, up from 38% in 2012.

Since 2010, the Scanlon Foundation surveys have asked respondents if their feelings were positive, negative or neutral towards immigrants from specified countries. There has been a consistency of opinion across the four surveys. Indicative of long-term change in Australian opinion, there is now a large measure of acceptance of groups once stigmatised. Less than 5% of respondents have indicated negative feelings towards immigrants from English-speaking countries and continental Europe, less than 15% towards immigrants from Asia. The highest level of negative feeling, at close to 25%, is towards immigrants from the Middle East.

In 2013, respondents were also asked for attitudes towards immigrants from Ethiopia and the Pacific Islands; 16% indicated negative feelings towards Ethiopia, 5% negative towards the Pacific Islands.

Asylum seekers

In 2013, less than one in five respondents agreed that asylum seekers arriving by boat should be eligible for permanent settlement. This finding represents an increase in negative sentiment since 2011.

In a question asked in the last four Scanlon Foundation surveys, respondents were asked for their view concerning ‘policy for dealing with asylum seekers trying to reach Australia by boat’. Four options were specified, with the extremes being ‘their boats should be turned back’ and ‘they should be allowed to apply for permanent residence’.

In 2012 there was almost equal support for the turn back and eligibility for permanent residence options: 23% and 26% respectively, a difference of 3 percentage points. In 2013, 18% supported eligibility for permanent settlement, 33% the turn back option, a difference of 15 percentage points. A total of 77% indicated that boats should be turned back, or arrivals should be detained and deported, or residence should be allowed, but only on a temporary basis.

Analysis of attitudes by eight variables (including gender, age, educational qualification and intended vote) with a total of 30 different categories found that in only two of the categories was support for eligibility for permanent residence above 25%; those intending to vote Greens (69%) and those with a Bachelor or higher level qualification (28%).
Multiculturalism

The 2013 Scanlon Foundation survey asked, for the first time, a series of questions on multiculturalism: whether it ‘has been good for Australia’, its impact on economic development, on the ‘Australian way of life’, on the integration of immigrants, and whether it gives immigrants ‘the same or more opportunities than the Australian born’.

The findings indicate strong levels of support for multiculturalism. Thus 84% of respondents agreed that ‘multiculturalism has been good for Australia’. More than seven out of ten respondents agreed that multiculturalism ‘benefits the economic development of Australia’ (75%) and ‘encourages immigrants to become part of Australian society’ (71%). Close to six out of ten agreed that multiculturalism strengthens the Australian way of life (60%) and gives immigrants the same opportunities as the Australian born (58%). Opinion was only close to evenly divided on the question of whether multiculturalism reduces or increases the problems faced by immigrants.

Positive responses were not restricted to those usually the most favourable to cultural diversity – urban dwellers, highly educated, and young – but were consistently high within segments of the population. The survey findings indicate that multiculturalism – an ambiguous term that individuals interpret in different ways – is established as a strong and supported ‘brand’, one that resonates with the Australian people.

Recent arrivals

In 2013, a survey of people who arrived between the years 1990 and 2010 and who have been resident in Australia for at least three years was undertaken for the Scanlon Foundation. Additional Australian Government funding enabled the total sample to increase to over 2,000.

The objective of the survey was to further understanding of recent arrivals, with regard to their experiences of Australia and the nature of their ongoing contacts with their former home countries.

Governments change rules of immigrant admission, which for many make the gaining of permanent residence a difficult and drawn-out process; but immigrants change the nature of their interactions with Australian society and exercise greater freedom than past generations in determining their experience of settlement. This is particularly evident in findings for the more recent arrivals, those who arrived between 2000-2010.

The survey found that of the more recent arrivals, some 40% indicate that they visit their home country at least once a year. As to be expected, those whose countries of birth are closest geographically to Australia are more likely to visit at least once a year: 45% of those born in China or Hong Kong, 44% India and Sri Lanka, 40% New Zealand, compared with 16% United Kingdom and Ireland.

More than half are in contact with their overseas relatives or friends ‘every day’ or ‘several times a week.’ The most popular means of maintaining contact is through social media, such as Facebook, although Skype, mobile phones, SMS messaging and email are all used frequently.

Close to a third watch television from their former home countries on cable or satellite at least once a week, with the highest proportions amongst immigrants from India and Sri Lanka (51%) and China and Hong Kong (46%). In the extent of their overseas engagement, recent immigrants are differentiated from the total Australian population. Amongst recent arrivals, just one in ten (11%) indicated that they never read news reports on the internet, compared with four in ten (39%) in the national sample.

Recent arrivals were asked what they most liked about life in Australia and were presented with a list of ten attributes. Three attributes proved to be most popular: lifestyle/way or life (24%); standard of living (17%); and freedom, peace, democracy (14%).

A finding of note is that an attribute that Australians like to assign to themselves, a kind, caring and friendly people, was ranked last by immigrants.
When asked ‘how satisfied are you with life in Australia?’, 79% of those who arrived between 2000-2010 indicated that they were ‘very satisfied’ or ‘satisfied’, 85% of those who arrived between 1990-1999. Just 5% of both arrival cohorts indicated that they were dissatisfied.

With regard to patterns of identification, the findings point to significant differences across birthplace groups that defy simple generalisation. Thus, amongst the current four largest immigrant groups, those from India and Sri Lanka indicate the highest levels of concern for personal safety and strongest engagement with overseas relatives and friends, yet also indicate the strongest levels of belonging in Australia.

Respondents were asked how they related to the world – whether they saw themselves as a world citizen, an Australian, a person who identified with his/her country of birth, part of a local community in Australia, a member of a religious group, or ‘just an individual’.

The findings indicate that immigrants are at ease with multiple identities. While religious identity is of importance to only a minority of the recent arrivals (although a majority of some birthplace groups), a majority indicate simultaneous identification with the land of their birth, with Australia, with their local communities, as world citizens – and as individuals.

**Stability and change**

The findings of the Scanlon Foundation surveys since the 2007 benchmark arguably reflect a deteriorating rather than improving situation. This is certainly the indication provided by the Scanlon-Monash Index.

Specifically, there has been:

- Some increase in pessimism about life over the next three to four years
- A marked increase in the reported experience of discrimination, especially amongst Australians of non-English speaking background
- Continuing decline of trust in people and government, concern about the quality of politicians, and some evidence of decline in political participation
- Increasing concern about the economy, from one in five Australians rating it the most important problem facing Australia in 2010 to one in three in 2013
- A hardening of attitudes towards asylum seekers arriving by boat.

Offsetting these negative trends, however, there are continued high levels of:

- Positive identification with Australia (with a marginal decline recorded in 2013)
- Agreement that in Australia there is economic opportunity and reward for hard work
- Satisfaction with financial circumstances
- Stability in provision of voluntary work in the community.

Given that one of the key objectives of the Scanlon Foundation social cohesion research program is to measure Australia’s immigration performance, an important finding is the continuing majority support for immigration. There is consistent endorsement of immigration from the major source countries and for a diverse intake. Further, there are new findings in the 2013 survey of strong support for multiculturalism across the broad spectrum of Australians – and high levels of satisfaction with life in Australia indicated by recent arrivals.

The increase in reported discrimination may seem to be in contradiction with these findings, but the positive findings relate to majority opinion while discrimination stems from the actions of a minority; as the Scanlon Foundation surveying has shown, some 10% of the population harbours strong negative views towards cultural diversity, with higher proportions within specific demographics.

So, based on the six years of research, what can we say about social cohesion in 2013?

First, by Australian and international standards, Australia remains highly cohesive.

Second, life in Australia continues to satisfy the new arrivals, notwithstanding the significant changes in ethnic, cultural and skilled composition – and changes in technology which enable immigrants to maintain daily contact with their friends and relatives and to access a diverse range of media in their former home countries.

Third, the surveys identify major issues warranting government and community attention, notably those relating to issues of personal and institutional trust, experience of discrimination and the perception of immigrants that the Australians they encounter are not friendly and caring.

Given that a key objective of this research program is to provide early warning of threats to social cohesion, it is to be hoped that the developing knowledge provided by the Scanlon Foundation surveys will foster informed debate on the challenges necessarily accompanying the maintenance of a successful large scale immigration program.

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Despite that, the University of Western Sydney research says the majority of Australians believe in diversity and tolerance. The research comes just days after the federal government decided to add the word ‘multicultural’ to one of its minister’s portfolios.

For governments of all persuasions, it’s an issue that just won’t go away. Now, leading-edge research has shed light on what it means to live in multicultural Australia.

A University of Western Sydney report – led by Professor Human Geography and Urban Studies Kevin Dunn – shows the overwhelming number of Aussies are tolerant, egalitarian and open to different cultures.

“A lot of things that people do, that they think are well meaning, are actually quite hurtful or racist.”

But despite this, more than twelve per cent of us admit to being biased.

“Eighty-seven per cent like cultural diversity, they see the benefit of it. Only 6 per cent would argue against that, but one in ten have some really hard attitudes, bad attitudes,” Kevin Dunn said. “They believe races are different from one another – some inferior, some superior, that races should be kept separate. One in ten Australians. That’s quite a lot.”

The Challenging Racism Report found strong geographic links to racism... and a strong correlation between higher education and tolerance.

Malaysian-born performance artist Tiara Shafiq agrees in principle with the report’s findings and claims she’s experienced racism while applying for permanent residency. She says prejudice can manifest itself in subtle ways.

“A lot of things that people do, that they think are well meaning, are actually quite hurtful or racist,” she said. “The people who do them would not ever consider themselves racist.”

The Challenging Racism Report lists a number of initiatives aimed at reducing racism – mainly, facilitating contact between different cultures.

The research comes at a time when Australia is more ethnically diverse than at any other time in its history. Yet a large proportion of people are pro-assimilation. What does this mean for the government’s policy of multiculturalism?

Senator Kate Lundy says the report highlights the community’s overwhelming support for diversity, and a sound rejection of old assimilationist policies.

“I think it shows that we are completely on the right track here in ensuring an updated response to nurturing and celebrating a multicultural Australia,” Lundy said.

But events in Australia’s past like the Cronulla riots and the allegations of racist attacks against Indian students have tarnished Australia’s reputation abroad.

And as attitudes towards multiculturalism soften within our borders, repairing Australia’s image abroad will be the next big challenge.


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Racial Prejudice and Discrimination

Issues in Society | Volume 370

CHALLENGING RACISM REPORT FINDINGS

The 12-year Challenging Racism Project was conducted by leading universities and is the biggest survey ever done on racism in this country. It found:

- Half of Australians harbour anti-Muslim sentiments and a quarter are anti-Semitic.
- One in three Australians admit some level of racist feelings against indigenous people.
- NSW and QLD to be the most racist states, while Victoria was one of the most tolerant.
- Australians are in large part secure with cultural difference. However, there are still pockets of the country that hold on to ‘old-fashioned' racist views.
- Among the 12,512 people surveyed Australia-wide, 48.6% were negative towards Muslims, Asians (23.8%), Indigenous Australians (27.9%), Jews (23.3%) and black Africans (27%).
- 84% of people had seen evidence of racial prejudice.
- Racist hotspots in Australia tended to be in areas that had economic hardship, recent immigration and below-average education levels.
- The survey’s lead researcher Professor Kevin Dunn said while the findings were largely positive, there were still too many Australians who were anxious or uncomfortable with cultural difference, with about one in ten expressing “very problematic views”.
- Prof Dunn said the ongoing racism towards Indigenous Australians was “quite shocking” and blamed stereotyping in politics and the media as one of the main triggers. He said these stereotypes had not been well enough challenged. He said the high levels of anti-Muslim feelings in Australia were an accumulation of international political events, “poorly-informed public debates” and “sensationalist media treatment”.
- In relation to immigration, the survey found more than 40% of respondents believed “Australia is weakened by people of different ethnic origins sticking to their old ways”.
- Prof Dunn said, “About 87% of Australians say that they see cultural diversity as a good thing for society ... and about 86% say they want something done about racism. So that tells me that multiculturalism has worked.”

BACKGROUND

In March 2012, the Australian Human Rights Commission launched a wide-ranging consultation process to stimulate community debate, discussion and input to guide the development of the National Anti-Racism Strategy.

The consultation period ran from 29 March to 11 May 2012. A discussion paper was launched on 29 March to inform and engage the community and other key stakeholders. A summary of the discussion paper was translated into 26 community languages and made available on the national anti-racism strategy website.

The consultation process was advertised:
- By media release on the day of the launch
- On the commission’s website
- In eleven major national daily newspapers on 31 March 2012
- In the National Indigenous Times and Koori Mail on 4 April
- Through radio advertising targeting aboriginal communities in the Northern Territory.

Community members were invited to participate in the consultation process by:
- Attending a public meeting
- Making a formal submission to the discussion paper
- Making an online submission via the website template, and/or
- Completing an online survey.

The online survey is at Appendix A of the report.

HOW DOES RACISM MAKE YOU FEEL?

It creates a divide. Australia is one country but it doesn’t feel like it.

It makes me feel like a second class citizen in Australia, even though I have been living here for 14 years.

It makes me feel less connected to Australia and the Australian community to the point where I find it difficult to identify as Australian.

It makes me feel like I have made the wrong decision to enter this country.

Intimidated, unequal as an Australian, unable to give my best to my adopted country Australia which I now call home.

I have experienced racism all my life in Australia and my response is different according to each circumstance... generally speaking, I feel as though I take less direct action and have accepted the experience as part and parcel of living in Australia.

It makes me feel awful. I feel so much revulsion that I sometimes feel physically ill.

It is a major contributor to the anxiety I experience in everyday life.

Encounters in which I feel racism directed towards me eventually make me question myself and why things have to be this way... I wondered one day what it would be like to be white and how much better my life would probably be. That was a low point.

Racism primarily makes me feel scared. I have been the victim of five racially motivated physical assaults and one sexual assault, which has severely curtailed my ability to participate in public life ...

It makes me feel like I am a lesser human being.

I feel insecure and that I’m not welcome and accepted by the country.

I’m a dark skinned African; racism is not something I experience once or twice in my life. Do I speak up or take action every day – of course not! I’d be exhausted, I’d be fighting every day ...

Upset for the target, angry towards the perpetrator, embarrassed that I do not know how to stop it.

It makes me feel like I am lower than everyone else, an intruder who is not part of this society.

I’m a proud Australian but it does make me cringe. We can do better.
FINDINGS

Survey responses
Two thirds of survey respondents identified having experienced racism.

FIGURE 1: HAVE YOU EVER EXPERIENCED RACISM?

66% Yes
34% No

Nine out of ten respondents said that racism was either an extremely important or a very important issue facing individuals and Australia as a whole.

FIGURE 2: HOW IMPORTANT AN ISSUE IS RACISM IN AUSTRALIA?

75% Extremely important
16% Very important
7% Somewhat important
1% Not very important
1% Not at all important

Around 680 people participated in the consultations. The list of consultation dates and locations is at Appendix B of the report.

The commission received 1,584 online surveys and 80 submissions made using the online submission template. The online surveys were anonymous and the online submissions could be made anonymously.

In addition, 123 formal submissions were received; 82 were made by organisations and 41 by individuals. The list of submissions received is at Appendix C of the report.

Survey respondents identified the five key priority areas for addressing racism as:

1. Schools and higher education
2. The media
3. Government service providers
4. Workplaces
5. The internet.

Submissions
Around 80% of formal submissions supported the need for a national anti-racism strategy.

All of the submissions that did not support the need for a strategy were made by individuals. Some of the recurring themes in these submissions were that multiculturalism has been ineffective; that racism is the result of multiculturalism and migrants should assimilate; and that the incidence of racism in Australia is exaggerated by the media and by government, therefore measures to prevent and reduce racism are not necessary.

This latter theme is exemplified in the following online survey response to the question “How does racism affect the community?”

Nowhere near as much as the media make out. Sure there were some riots at Cronulla. Sure some Aboriginals were killed or even as some say, slaughtered, when whites with a different culture arrived in Australia. However, now we have the opportunity to get along with each other in freedom.

Issues outside of the scope of consultation
Although the consultation process did not seek to cover issues relating to religion, some participants raised concerns about Muslim immigrants, ‘Islamification’ of Australia and the perceived erosion of Christian cultural traditions, often expressed as concerns about potential restrictions on the celebration of Christmas and Easter in schools. These participants generally also said that discrimination against religious groups should clearly remain outside the scope of a National Anti-Racism Strategy.

In contrast, a number of consultation participants strongly recommended that the Strategy pursue the prohibition of religious discrimination under Federal law.

ENDNOTES

WHAT IS RACIAL DISCRIMINATION?

Racial discrimination is when a person is treated less favourably than another person in a similar situation because of their race, colour, descent, national or ethnic origin or immigrant status.

For example, it would be ‘direct discrimination’ if a real estate agent refuses to rent a house to a person because they are of a particular racial background or skin colour.

It is also racial discrimination when there is a rule or policy that is the same for everyone but has an unfair effect on people of a particular race, colour, descent, national or ethnic origin or immigrant status.

This is called ‘indirect discrimination’.

For example, it may be indirect racial discrimination if a company says that employees must not wear hats or other headwear at work, as this is likely to have an unfair effect on people from some racial/ethnic backgrounds.

WHAT IS RACIAL HATRED OR RACIAL VILIFICATION?

Racial hatred (sometimes referred to as racial vilification) is doing something in public – based on the race, colour, national or ethnic origin of a person or group of people – which is likely to offend, insult, humiliate or intimidate.

Examples of racial hatred may include:

- Racially offensive material on the internet, including eforums, blogs, social networking sites and video sharing sites
- Racially offensive comments or images in a newspaper, magazine or other publication, such as a leaflet or flyer
- Racially offensive speeches at a public rally
- Racially abusive comments in a public place, such as a shop, workplace, park, on public transport or at school
- Racially abusive comments at sporting events by players, spectators, coaches or officials.

WHAT DOES THE RACIAL DISCRIMINATION ACT DO?

The Racial Discrimination Act protects you against discrimination in many areas of public life, including:

- Employment – getting a job, terms and conditions of a job, training, promotion, being dismissed
- Education – enrolling or studying in a course at a private or public school, college or university
- Accommodation – renting or buying a house or unit
- Getting or using services – such as banking and insurance services, services provided by government departments, transport or telecommunication services, professional services like those provided by lawyers, doctors or tradespeople, services provided by restaurants, shops or entertainment venues
- Accessing public places – such as parks, government offices, restaurants, hotels or shopping centres.

The Act also protects you if you are harassed because of your race.

WHAT ABOUT DISCRIMINATION AND HARASSMENT AT WORK?

The Racial Discrimination Act covers situations where you feel that, because of your race, you have been:

- Refused employment
- Dismissed
- Denied a promotion, transfer or other employment-related benefits
- Given less favourable terms or conditions of employment
- Denied equal access to training opportunities
- Selected for redundancy
- Harassed.

It doesn’t matter if you are applying for a job, are an apprentice or trainee, on probation, work part-time or...
full-time, or if you are a casual or permanent employee – you are protected by the Act.

The law covers all types of employers, including: the Commonwealth and state governments; the private sector; as well as contract and commission-based work; and recruitment and employment agencies.

Employers have a legal responsibility to take all reasonable steps to prevent racial discrimination and should have policies and programs in place to prevent racial discrimination in the workplace.

**WHEN IS RACIAL HATRED NOT AGAINST THE LAW?**

The Racial Discrimination Act aims to strike a balance between the right to communicate freely (‘freedom of speech’) and the right to live free from racial hatred or vilification.

To strike this balance, the Act outlines some things that are not against the law, provided they are ‘done reasonably and in good faith’ – even if they are done in public.

Under the Act, the things that are not against the law if they are ‘done reasonably and in good faith’ are:

- An artistic work or performance – for example, a play in which racially offensive attitudes are expressed by a character
- A statement, publication, discussion or debate made for genuine academic or scientific purposes – for example, discussing and debating public policy such as immigration, multiculturalism or special measures for particular groups
- Making a fair and accurate report on a matter of public interest – for example, a fair report in a newspaper about racially offensive conduct
- Making a fair comment, if the comment is an expression of a person’s genuine belief.

A woman from El Salvador said she was harassed and bullied by a co-worker during her employment with an organisation.

She said she raised her concerns with management and was told “you are being too emotional – this is because you are from South America”. The woman’s position was subsequently made redundant and she alleged that this constituted racial discrimination.

The organisation acknowledged that the woman had a dispute with a colleague and had complained to management. The organisation denied that comments connected to the woman’s ethnic background were made as alleged. The organisation said the redundancy was due to a genuine restructure.

The complaint was resolved through conciliation with an agreement that the organisation would provide the woman with a Statement of Regret and financial compensation. The organisation also agreed to have staff complete anti-discrimination training within 6 months of the conciliation conference.

**WHAT CAN I DO IF I EXPERIENCE DISCRIMINATION OR RACIAL HATRED?**

You may want to deal with the situation yourself by raising it directly with the person or people involved or with a supervisor, manager or discrimination/harassment contact officer.

**Making a complaint to the Commission**

If this does not resolve the situation, or you do not feel comfortable doing this, you can make a complaint to the Australian Human Rights Commission. You can also have someone such as a solicitor, advocate or trade union representative make a complaint on your behalf.

It does not cost anything to make a complaint to the Commission.

Your complaint needs to be put in writing. The Commission has a complaint form that you can fill in and post or fax to us. Or you can lodge a complaint online at our website. If you are not able to put your complaint in writing, we can help you with this.

The complaint should say what happened, when and where it happened and who was involved. A complaint can be made in any language. If you need a translator or interpreter, we can arrange this for you.

**WHAT WILL HAPPEN WITH MY COMPLAINT?**

When the Commission receives a complaint about something that is covered by the Racial Discrimination Act, the President of the Commission can investigate the complaint and try to resolve it by conciliation.

The Commission is not a court and cannot determine that discrimination has happened. The Commission’s role is to get both sides of the story and help those involved resolve the complaint. Commission staff may contact you to get further information about your complaint.

Generally, the Commission will tell the person or organisation the complaint is against (the respondent) about your complaint and give them a copy of the complaint. The Commission may ask the respondent for specific information or a detailed response to your complaint.

Where appropriate, the Commission will invite you to participate in conciliation. Conciliation is an informal process that allows you and the respondent to talk about the issues and try to find a way to resolve the complaint.

If your complaint is not resolved, or it is discontinued for another reason, you can take your complaint to the Federal Court of Australia or the Federal Magistrates Court.

**WHAT CAN I DO TO PREVENT DISCRIMINATION?**

Everyone has a role to play to help ensure that people from diverse cultures and backgrounds have the same opportunities as other Australians to participate in the political, economic and social life of our communities by letting us know what is happening.

The Commission undertakes a wide range of activities
to build awareness about the rights and responsibilities that individuals and organisations have under the *Racial Discrimination Act*. There is also a major focus on undertaking research and education projects to tackle racism and promote greater understanding between people of different cultures and backgrounds. Projects have included national consultations, conferences, community forums and online forums. The Commission has developed resources to assist sporting organisations and employers respond to and benefit from cultural diversity. Education resources have also been developed for schools and communities. You can find out more about what we’re doing by visiting: www.humanrights.gov.au/racial_discrimination

**National Anti-Racism Partnership and Strategy**

In February 2011, the Commonwealth Government announced Australia’s new multicultural policy, *The People of Australia*. A key component of the policy was the establishment of a new national partnership to develop and implement a comprehensive National Anti-Racism Strategy for Australia. The Race Discrimination Commissioner is leading the development and delivery of the National Anti-Racism Partnership and Strategy, and a Secretariat has been established within the Australian Human Rights Commission.

For more information, please go to: www.humanrights.gov.au/racial_discrimination/NARPS.html

**WHERE CAN I GET MORE INFORMATION?**
The Australian Human Rights Commission’s contact details are:
- **Postal address**
  Australian Human Rights Commission
  GPO Box 5218, Sydney NSW 2001
- **Street address**
  Level 3, 175 Pitt Street, Sydney NSW 2000
  Phone: (02) 9284 9600 or 1300 369 711
  TTY: 1800 620 241 (toll free) Fax: (02) 9284 9611
  Email: communications@humanrights.gov.au
  Website: www.humanrights.gov.au

**Complaints**

Complaint Info line: 1300 656 419 (local call)
Email: complaintsinfo@humanrights.gov.au
Online: You can make a complaint online by going to www.humanrights.gov.au/complaints_information/online_form/index.html

- If you need an Auslan interpreter, the Commission can arrange this for you.
- If you are blind or have a vision impairment, the Commission can provide information in alternative formats on request.

**Other contact points for racial hatred complaints**

If you are concerned about offensive media stories, broadcasts or online content, you can complain to the Australian Communications and Media Authority (ACMA); the Advertising Standards Board for advertisements; or the Australian Press Council for newspaper stories.

You can also complain to the Editor or Manager of the particular media organisation involved.

If you are concerned about offensive behaviour by neighbours, you can approach a Community Justice Centre to help resolve the problem, or the Department of Housing if you live in public housing.

If you are threatened with violence or violently attacked you should go to the police.

**General legal advice**

If you are thinking about making a complaint, you might also want to consider obtaining legal advice or contacting your trade union.

There are community legal services that can provide free advice about discrimination and harassment. Contact details for your closest community legal centre can be found at www.naclc.org.au/directory

A Kenyan man was told by a real estate company that he was required to vacate the premises he rented from them.

He claimed that, even though he had negotiated a date on which he would vacate the premises, the company changed the locks on the unit without telling him. He also claimed that when he went to the unit to collect his property, he was racially abused by the company director’s family member.

The company agreed that it had changed the locks on the unit but said that it only did this because the man’s rent was in arrears. The company director’s family member also denied racially abusing the man.

The complaint was conciliated, with the individual family member agreeing to pay the man financial compensation and attend anti-discrimination training.
What is cyber-racism?

Racism is a term used to describe:

• A belief that some races are inherently superior to others
• A belief that some groups of people are different and do not ‘fit’ into the ‘Australian way of life’
• Aggressive, abusive or offensive behaviour towards members of other races based on those beliefs.

Cyber-racism can take many forms, ranging from abusive language to discriminatory treatment to violence motivated by race. When racism happens in the cyber-world it is known as cyber-racism. On the internet, cyber-racism can take the form of a website itself, its written content, its images, blogs, videos and online comments. Additionally, racist comments, images or language in text messages, on social networking sites or in emails are also examples of cyber-racism.

How prevalent is cyber-racism?

Each year, the Commission receives a number of complaints about racial hatred on the internet.

The internet has changed the ways in which people communicate, enabling ideas and images to spread quickly between large numbers of people all over the world. While this increased freedom of information-sharing has usually been used in a positive way, in some cases it has also been used to disseminate content that is offensive, threatening, violent and abusive.

In fact, internationally, the number internet and social networking sites devoted to racism, hate and militancy has been found to be on the increase.¹

Why is cyber-racism a human rights issue?

All people have the right to live without fear of harassment or intimidation, in circumstances which enable them to reach their fullest potential.² People also have a right to be protected from physical, psychological, and sexual abuse, including racism and discrimination.³

The enjoyment of these and other rights can be negatively impacted upon by racist or otherwise offensive, abusive or threatening ideas. Similarly, when the

<table>
<thead>
<tr>
<th>Where the offensive material is found</th>
<th>How to report it</th>
<th>What happens next</th>
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<tbody>
<tr>
<td><strong>An internet website</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Contact the Australian Communication and Media Authority (ACMA).</td>
<td>The ACMA will investigate whether the material is prohibited content under the Broadcasting Services Act 1992.</td>
<td></td>
</tr>
<tr>
<td>Complain to the Australian Human Rights Commission.</td>
<td>The Commission will investigate whether the Racial Discrimination Act 1975 applies to the material and, where it can, will help you resolve your concerns.</td>
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<tr>
<td>For serious complaints (for example, threats of violence) contact the Police by phoning 131 444. This is a national police assistance line which allows you to report crime over the phone.</td>
<td>It may be a criminal offence to publish the material on the internet if it is offensive, harassing or threatening. Most State and Territory Police services have special units working on computer crime and they may be able to help you further.</td>
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<tr>
<td><strong>YouTube</strong></td>
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<tr>
<td>Flag inappropriate videos. Report text comments to the YouTube team through the Help &amp; Safety Tool.</td>
<td>More information is available about what YouTube does with content that is hateful or that harasses or bullies at YouTube Help.</td>
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<tr>
<td><strong>SOCIAL NETWORKING SITES</strong></td>
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<tr>
<td>Facebook</td>
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<td>Click the ‘report’ tab which appears alongside the content. You can also report abuse on Facebook through the Security Help Centre.</td>
<td>A Facebook administrator will investigate whether the content should remain on the site or whether the user violates the Statement of Rights and Responsibilities.</td>
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<tr>
<td><strong>MySpace</strong></td>
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</tr>
<tr>
<td>Click the ‘report abuse’ link found at the bottom of the profile.</td>
<td>More information is available at MySpace Help.</td>
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<tr>
<td><strong>Bebo</strong></td>
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<tr>
<td>Go to the user’s profile and click the ‘report abuse’ tab under their profile picture. To flag a specific photo, video or gadget to Bebo staff, simply click the link Report Abuse located below the content.</td>
<td>Bebo will review all reports of abuse, issue conduct warnings and cancel the membership of anyone found to be violating the member conduct policies. The user does not find out who reported them.</td>
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<tr>
<td><strong>MSN</strong></td>
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<tr>
<td>Go to the Help menu and click ‘report abuse’. You will be directed to fill out your email details and the abuser’s email, and detail the type of abuse. You will also be asked to provide some evidence of their behaviour.</td>
<td>MSN administrators will look into the report and possibly delete the offending person’s account.</td>
<td></td>
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<tr>
<td><strong>Formspring</strong></td>
<td></td>
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</tr>
<tr>
<td>(spring.me) Fill out and submit a Support Ticket.</td>
<td>Formspring (spring.me) staff will notify you they have received your report and will respond to your request.</td>
<td></td>
</tr>
<tr>
<td><strong>Twitter</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>You can submit a Support Ticket.</td>
<td>More information is available at the Twitter Help Centre.</td>
<td></td>
</tr>
</tbody>
</table>

¹ This e-book is subject to the terms and conditions of a non-exclusive and non-transferable SITE LICENCE AGREEMENT between THE SPINNEY PRESS and: Trinity College, East Perth, library@trinity.wa.edu.au
internet is used ‘for purposes contrary to respect for human values, equality, non-discrimination, respect for others and tolerance’, it can also affect the enjoyment of a person’s rights.4

What can I do if I identify an instance of cyber-racism? Where will it get me?

There are a number of different organisations to which you can report inappropriate material. These organisations are set out in the table on the previous page.

It is a good idea to keep a record of the offensive material, whether by taking screen captures or by copying the content into a Word document. There are also some instant messaging programs available that have an inbuilt option which automatically saves conversations.

What is the Australian Human Rights Commission doing on cyber-racism?

The Commission believes that violence, harassment and bullying are issues that profoundly affect the lives of thousands of Australians everyday. For this reason, ‘tackling violence, harassment and bullying’ is one of our priority themes.

With the proliferation of new communications technologies and the dramatic increase in use of the internet and social networking sites, new arenas have been created in which harassment and bullying can take place. The Commission has taken steps to identify these issues and to address them with policy solutions.

For instance, on 27 April 2010, the Commission and the Internet Industry Association co-hosted a one-day summit on cyber-racism. More than 50 people attended the meeting, the purpose of which was to gain a better understanding of cyber-racism. One of the objectives identified by the various participants from government, industry and non-profit organisations was to work towards harnessing the positive potential of the internet, social media and social marketing to educate the community about racism.

The Commission also investigates complaints with a view to conciliating them.

To this end, the Commission helps to resolve complaints from people alleging racial hatred on the internet. In one example, a complainant advised the Commission of video footage, which had been loaded on a file sharing website, showing an incident involving a Pakistani woman. The complainant said that a site user had posted very derogatory comments about Pakistani people in response to the video footage. The comments included "f**king rag heads" and "Silly sh*t smelling Pakis, they need to F**ck off home.” When the Commission contacted the file sharing website about the complaint, the site removed the comments posed by the user and suspended the user from accessing the site. The complainant advised the Commission that he was satisfied with the prompt action taken by the website.

Racism, of course, is not confined to the online environment. Therefore the Commission’s work in relation to racism also extends beyond cyber-racism. The Commission believes that promoting understanding of the impacts of racism in our communities can contribute to reducing the incidence of racially motivated violence, harassment and bullying. The Commission undertakes a wide range of activities to address racism. Among them is a research project entitled the Challenging Racism Project in which the Commission is a partner. The Challenging Racism Project aims to map racist attitudes and experiences of racism across Australia and to identify appropriate responses.5 The report from this project is due in early 2011.

Similarly, violence, harassment and bullying are not confined to racially motivated conduct. The Commission is also planning and undertaking a wide range of activities to address violence, harassment and bullying. For instance, in 2011 the Commission will launch a new initiative aimed at empowering young people to stand up to bullying. It will emphasise the role bystanders should play in responding to bullying conduct.

Details of the Commission’s activities are set out in the Commission Plan 2010-2012, Our agenda, and the 2009-2010 Annual Report. Both documents are available online from www.humanrights.gov.au

Where can I get more information?

An Australian Government initiative which is designed to keep children and families safe online is the Cyber-safety Help Button. The button is a free application available from the website of the Department of Communications. Once downloaded, it sits on the computer desktop or within the taskbar. The button is a one-stop shop for cyber-safety information and help. The button is available for download from www.communications.gov.au

The following organisations may also be able to assist you with information:

- Australian Communication and Media Authority, www.acma.gov.au
- Internet Industry Association, www.iia.net.au

ENDNOTES

2. UDHR (A.26(2)), ICESCR (A.13) and CROC (A.29(1)(d)); ICESCR A.12(2), CERD A.5(e)(i).
3. UDHR (A.7), ICCPR (A.26), CERD, CEDAW, CROC (A.2).
5. The project is led by Professor Kevin Dunn at the University of Western Sydney.
COMPLAINTS UNDER THE RACIAL DISCRIMINATION ACT
A GUIDE FROM THE AUSTRALIAN HUMAN RIGHTS COMMISSION

What is the Racial Discrimination Act?
The Racial Discrimination Act 1975 (Cth) (the RDA) makes it against the law to treat you unfairly because of your race, colour, descent, national or ethnic origin or immigrant status. The RDA also makes racial hatred against the law.

When can this law be used?
You can use the RDA to get fair treatment in many areas of public life such as:
- Employment – getting a job, terms and conditions of a job, training, promotion, being dismissed.
- Education – enrolling or studying in a course at a private or public school, college or university.
- Accommodation – renting or buying a house or unit.
- Getting or using services – such as banking or insurance services, services provided by government departments, transport or telecommunications services, professional services like those provided by lawyers, doctors or tradespeople, services provided by restaurants, shops or entertainment venues.
- Accessing public places – such as parks, government offices, restaurants, hotels or shopping centres.

What is racial discrimination?
Racial discrimination happens when a person is treated less favourably than another person in a similar situation because of their race, colour, descent, national or ethnic origin or immigrant status. For example, it would be ‘direct discrimination’ if a real estate agent refuses to rent a house to a person because they are of a particular racial background or skin colour.

Racial discrimination also happens when there is a rule or policy that is the same for everyone but has an unfair effect on people of a particular race, colour, descent, national or ethnic origin or immigrant status. This is called ‘indirect discrimination’. For example, it may be indirect discrimination if a company says that employees must not wear hats or other headwear at work, as this is likely to have an unfair effect on people from some racial/ethnic backgrounds.

What is racial hatred?
It is against the law to do something in public based on the race, colour, national or ethnic origin of a person or group of people which is likely to offend, insult, humiliate or intimidate.

Examples of racial hatred may include:
- Racially offensive material on the internet, including eforums, blogs, social networking sites and video sharing sites
- Racially offensive comments or images in a newspaper, magazine or other publication such as a leaflet or flyer
- Racially offensive speeches at a public rally
- Racially abusive comments in a public place, such as a shop, workplace, park, on public transport or at school
- Racially abusive comments at sporting events by players, spectators, coaches or officials.

When is offensive behaviour based on race not against the law?
The RDA aims to strike a balance between the right to communicate freely (‘freedom of speech’) and the right to live free from racial hatred.

The RDA says that the following things are not against the law if they are “done reasonably and in good faith” in:
- An artistic work or performance – for example, a play in which racially offensive attitudes are expressed by a character.
- A statement, publication, discussion or debate made for genuine academic or scientific purposes – for example, discussing and debating public policy such as immigration, multiculturalism or special measures for particular groups.
- Making a fair and accurate report on a matter of public interest – for example, a fair report in a newspaper about racially offensive conduct.
- Making a fair comment, if the comment is an expression of a person’s genuine belief.

What can I do if I experience discrimination or racial hatred?
You may want to deal with the situation yourself by raising it directly with the person or people involved.

If direct contact does not resolve the situation, or you do not feel comfortable doing this, you can make a complaint to the Australian Human Rights Commission. You can also have someone such as a solicitor, advocate or trade union make a complaint on your behalf.

It does not cost anything to make a complaint to the Commission.

Your complaint needs to be put in writing. The Commission has a complaint form that you can fill in and post or fax to us or you can lodge a complaint online at our website. If you are not able to put your complaint in writing, we can help you with this.

The complaint should say what happened, when and where it happened and who was involved.

A complaint can be made in any language. If you need a translator or interpreter, the Commission can arrange this for you.

What will happen with my complaint?
When the Commission receives a complaint about
something that is covered by the RDA, the President of the Commission can investigate the complaint and try to resolve it by conciliation. The Commission is not a court and cannot determine that discrimination has happened. The Commission’s role is to get both sides of the story and help those involved resolve the complaint.

Commission staff may contact you to get further information about your complaint.

Generally, the Commission will tell the person or organisation the complaint is against (the respondent) about your complaint and give them a copy of the complaint. The Commission may ask the respondent for specific information or a detailed response to your complaint.

Where appropriate, the Commission will invite you to participate in conciliation. Conciliation is an informal process that allows you and the respondent to talk about the issues and try to find a way to resolve the complaint.

If your complaint is not resolved or it is discontinued for another reason, you can take your complaint to the Federal Court of Australia or the Federal Magistrates Court.

Where can I get more information?
The Australian Human Rights Commission’s contact details are:

**Telephone**
Complaint Info line: 1300 656 419 (local call)
TTY: 1800 620 241 (toll free) Fax: (02) 9284 9611

**Post**
Australian Human Rights Commission
GPO Box 5218
Sydney NSW 2001

**Online**
Email: complaintsinfo@humanrights.gov.au
Website: www.humanrights.gov.au

You can make a complaint online by going to www.humanrights.gov.au/complaints/lodge-complaint

If you are deaf or hearing impaired you can contact us by TTY on 1800 620 241. If you need an Auslan interpreter, the Commission can arrange this for you.

If you are blind or have a vision impairment, the Commission can provide information in alternative formats on request.

**Other contact points for racial hatred complaints**
If you are concerned about offensive media stories, broadcasts or online content, you can complain to the Australian Communications and Media Authority (ACMA); the Advertising Standards Board for advertisements; or the Australian Press Council for newspaper stories. You can also complain to the Editor or Manager of the media organisation.

If you are concerned about offensive behaviour by neighbours, you can approach a Community Justice Centre to help resolve the problem, or the Department of Housing if you live in public housing.

If you are threatened with violence or violently attacked you should go to the police.

**General legal advice**
If you are thinking about making a complaint, you might also want to consider obtaining legal advice or contacting your trade union. There are community legal services that can provide free advice about discrimination and harassment. Contact details for your closest community legal centre can be found at www.naclc.org.au/directory

**DISCLAIMER**
This information is only intended as a guide. It is not a substitute for legal advice.

Complaints under the Racial Discrimination Act (Fact sheet).
Everyone has the right to think or believe what they want. But treating people unfairly because of where they come from or the colour of their skin is never okay.

A lot of the time, it’s against the law. The Racial Discrimination Act 1975 is Australia’s first anti-discrimination law. It aims to promote equality between people of different backgrounds.

The law protects everyone in Australia from unfair treatment on the basis of their race, including: colour, descent, national or ethnic origin and immigrant status.

It covers different areas of everyday life, including:
- Education
- Going to public places
- Buying goods or using services
- Employment
- Renting or buying a place to live.

The Racial Discrimination Act also protects us from racial hatred.

This happens when someone does something in public that offends, insults, humiliates or intimidates people because of their racial background. It could include yelling comments, making speeches, putting up signs or handing out flyers, as well as material published online.

There are also laws in every Australian state and territory to protect people from racial discrimination.

**Resolving complaints**

In 2011-12, the Australian Human Rights Commission received 477 complaints from people about racial discrimination and racial hatred (18% of all complaints received). We also received over 2,250 enquiries.

The Australian Human Rights Commission resolves complaints through a process called conciliation. This is where the people involved in a complaint talk through the issues with someone impartial and settle the matter on their own terms.

The Australian Human Rights Commission received a complaint about a page on a social networking site that had offensive comments and pictures about Aboriginal people. The complaint was resolved when the social networking site agreed to block access to the page in Australia.

Conciliation is a very successful way to resolve complaints. It also helps people to better understand the issues and to come up with solutions that they can all agree on. This could include an apology, getting a job back, being paid compensation or changing a policy.

If a complaint can’t be resolved through conciliation, the person who has been discriminated against can choose to go to court.

A Maori man who worked for a building company complained to his boss about his co-workers. He said they used offensive terms, such as ‘blacks’ and ‘niggers’.

After that his co-workers refused to work with him. This led to him being made a casual, and eventually, not being offered any more work.

Through conciliation, his employer agreed to pay financial compensation, provide him with a written reference and arrange anti-discrimination training for staff.

Too often people don’t report incidents of racism or discrimination. Some people don’t know where to go. Others don’t bother because they think nothing will happen.

**Don’t let racism go unchallenged**

- If racism happens to you, find out what you can do in the ‘What can you do?’ fact sheet.
- If you see racism happening at school, in public or online, stand up to it. There’s lots of safe ways that you can help. Find out more in the ‘What you can do?’ fact sheet.

You can also contact us to discuss a situation and talk through your options. We can help you make a complaint if that’s what you want to do. For more information about making a complaint, go to: [www.humanrights.gov.au/complaints-under-racial-discrimination-act](http://www.humanrights.gov.au/complaints-under-racial-discrimination-act) or phone 1300 656 419.

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Australian Human Rights Commission.


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**WHAT DOES THE LAW SAY?**

**RACISM. IT STOPS WITH ME** EXPLAINS YOUR LEGAL RIGHTS

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Racial Prejudice and Discrimination

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Issues in Society | Volume 370
PROTECTING AGAINST RACIAL (OR RELIGIOUS) VILIFICATION

This Right Now article by Simon Rice OAM focuses on an ongoing challenge to Australian society: race and discrimination

Australia is obliged under international human rights law to prohibit incitement to racial hatred (Article 20 of the International Covenant on Civil and Political Rights). The Commonwealth, every state, and the ACT (but not the Northern Territory) make racial vilification at least ‘unlawful’, and at times a criminal offence.

In such laws the words ‘racial’ and ‘race’ are used not for a pseudo-scientific purpose, but as shorthand for the many ways that a person’s own and perceived identity turns on personal attributes such as their physical appearance, where they were born and raised, their culture, and their traditions. As a result, ‘racial’ vilification laws protect against hateful conduct that occurs because of, for example, a person’s nationality, ethnicity and culture.

Australia’s vilification laws are, however, a hotch-potch of differences, in terminology, legal tests and procedures depending on where in Australia the conduct occurs, what the conduct is, and what the basis for conduct is. The usual test for racial vilification in the states and the ACT is inciting hatred towards, serious contempt for or severe ridicule of someone because of their race. But the federal law sets a lower threshold, prohibiting conduct that is done because of a person’s race and is reasonably likely to offend, insult, humiliate or intimidate them.

Race or religion?

Whatever the terminology or legal tests, all vilification laws take the same approach in that they categorise people’s attributes: the question that the law usually asks is “what was the reason for the conduct”, and if the answer is “race” then the conduct could be unlawful. But categorising people’s attributes is not as simple as the law assumes, and separating a person’s race from religion does not reflect the way in which, say, Jews or Sikhs usually see themselves. Nor does it reflect the daily experience of many people in Australia, whose race is assumed to indicate their religion.

Even though people may keep their own racial and religious identities separate, others’ perceptions of them can be different. This has commonly been the case for people of Arabic appearance since the bombings in the United States on 11 September 2001: on the basis of their Arabic appearance they are assumed to be Muslim. In these circumstances the law’s determination to categorise people is often inadequate to the task of dealing with the complex and nuanced reasons for people’s behaviour.

From a technical legal perspective there is an upside to this. Few Australian jurisdictions prohibit religious vilification, but almost all prohibit racial vilification; if a complaint is made about conduct that was because of a person’s religion/race, it can be dealt with and recorded as a ‘racial vilification’ complaint. In this way the abusive treatment of a Muslim can be addressed and resolved even if – as is usually the case in Australia – the law does not cover religious vilification.

But this pragmatic blurring of law’s race/religion distinction runs up against the problem of law’s strict categories when a complaint has to go to litigation. Unlike the agency that receives and tries to resolve the complaint, a court or tribunal will have to categorise the complaint, and will have to decide if the reason for the vilifying conduct was a person’s race, religion, neither or both.

Race and religion?

One response to law’s current inability to deal with this blurring of the race/religion distinction might be to ensure that wherever there is protection for racial vilification there is as well protection for religious vilification. An immediate problem with this, however, is that some Australian parliaments have been stubbornly resistant to enacting religious vilification laws. Such laws exist only in Queensland, Tasmania and Victoria, and in recent years NSW, SA and WA have explicitly rejected legislating in this way and the Commonwealth has made no move to do so.

Another problem with legislating against religious vilification in a way that simply copies racial vilification...
laws is that to do so would entrench law’s categorisation of conduct, and would require a person to make the ‘correct’ complaint of either racial or religious vilification, and risk getting it wrong.

An alternative is the approach in NSW and Tasmania, where race and religion are joined in the term “ethnoro-religious”. But the term has not been defined, and although it is accepted that the term covers Jews and Sikhs, it is not clear whether the term covers, for example, Christians, Muslims or Buddhists. It probably doesn’t, because a Christian, Muslim or Buddhist is not ordinarily assumed to be of any particular ‘race’ in the way that racial and religious identity can conflate for Jews and Sikhs.

A further alternative is for vilification laws to recognise ‘intersectionality’, and to allow a person to complain of conduct which is, or appears to be, based on multiple characteristics. Recent submissions to a Commonwealth inquiry into anti-discrimination laws promote this approach. But it runs up against the same reluctance to legislate against religious vilification at all.

**Free speech**

This reluctance is hard to explain as a matter of principle, and may be a largely political view – elected governments seem more concerned about electoral (and commentators’) backlash than about establishing benchmarks for respectful, human rights compliant behaviour. The feared backlash would be based in large part on a claim for ‘freedom of expression’ (popularly called ‘free speech’), but that term is commonly – perhaps wilfully for some – misunderstood.

Anti-vilification laws are indeed a constraint on freedom of expression. But constraints on freedom of expression are unremarkable, and most of them come down to the classic libertarian ‘harm’ principle: “As soon as any part of a person’s conduct affects prejudicially the interests of others, society has jurisdiction over it” (John Stuart Mill). Freedom of expression in Article 19 of the Universal Declaration of Human Rights is similarly limited: Article 29 recognises limits on a person’s freedom in order to secure respect for the rights and freedoms of others.

Put simply, freedom of expression is limited to the extent that it does not harm others, and this leads to a balancing exercise, in law and policy, between the human right of free expression and the obligation to not cause harm.

This balancing exercise is reflected in, for example, long-accepted defamation laws that limit free speech so as not to harm another’s reputation, and criminal laws that limit free speech so as not to incite a crime. Religious vilification laws are another such limitation, and they operate quite narrowly: they operate only when it is an abuse of a person because of their religion, and there remains unlimited freedom to express views on a religion itself. (Mr Bolt ran into this problem under the federal racial vilification laws: he was free to comment on the issue of racial identity, but not to attack a person because of their race.)

The narrow focus of religious vilification laws allows doctrinal debates to rage on, as long as people are not, themselves, vilified for their faith.

**New laws?**

The blurring of a race/religion distinction – or, to put it another way, an increased willingness to make assumptions about a person’s religion because of their race – has led to an increase in complaints of both racial and religious vilification.

In some form, and in some relationship with racial vilification laws, laws to prohibit religious vilification are a necessary step towards protecting people against hostile conduct based on the (perceived) intersectionality of their race and religion. It seems that it will take unusual courage these days for a government to legislate, and to take the same stand against religious vilification as has already been taken against racial vilification.

Whether the States and Territories pass such laws is a matter of politics and will. The Commonwealth government is in a different position, because it has clear and unfulfilled obligations under the International Covenant on Civil and Political Rights. Not only has Australia not legislated against religious vilification, its obligations in relation to racial vilification remain unfulfilled; despite a promise to the United Nations of over 30 years standing, Australia still has not criminalised racial hatred as required by the Convention for the Elimination of All Forms of Racial Discrimination.

It is possible that the Commonwealth government will enact a new ‘consolidated’ discrimination law in the next year or so. This presents an opportunity for Australia to give full effect to its international human rights obligations by allowing debate on issues of race and religions to flourish, within the ‘harm’ limitation of preventing race and/or religious vilification.

Simon Rice OAM is Director of Law Reform and Social Justice at the ANU College of Law. Simon is a former judicial member of the NSW Administrative Decisions Tribunal (Equal Opportunity Division), and a former President of Australian Lawyers for Human Rights. He is a co-author of Rees, Lindsay and Rice Anti-Discrimination Law in Australia Federation Press 2008, and McBeth, Nolan and Rice The International law of human rights, Oxford University Press, 2011.

CHAPTER 2
Addressing racial prejudice

Anti-racism strategy: what we will do

The National Anti-Racism Strategy seeks to combat racism by promoting a clear understanding in the Australian community of what racism is and how it can be prevented and reduced. It will implement the following high-level actions to generate progress on the Strategy’s three objectives.

**Objective 1: Create awareness of racism and its effects on individuals and the broader community**
- Launch and implement a campaign to create public awareness of racism and what we can do about it.
- Identify and work with champions who will promote the objectives of the Strategy and activities to combat racism in identified priority settings.
- Support and promote research on the prevalence of racism in areas of public life to increase awareness of its economic and social impacts.

**Objective 2: Identify, promote and build on good practice initiatives to prevent and reduce racism**
- Align with and reinforce policies and legal protections that promote respect and equality for Australians of all racial, ethnic and cultural backgrounds.
- Establish a clearinghouse of resources which demonstrate good practice in preventing and reducing racism, with a specific focus on young people.
- Work with stakeholders in identified priority settings to support and promote good practice initiatives to address systemic racism.
- Build partnerships with all levels of government and non-government organisations to support and promote good practice initiatives working in our priority areas to address systemic racism at national, state and local levels.

**Objective 3: Empower communities and individuals to take action to prevent and reduce racism and to seek redress when it occurs**
- Identify and promote resources to support individuals and communities to respond effectively to interpersonal and systemic racism.
- Identify and promote information to individuals and communities at particular risk of racism to strengthen their access to legal protections.

**Implementing the strategy to achieve success**

To ensure its success, the National Anti-Racism Strategy will be implemented in a staged process over a three-year period.

**From July 2012:** We will launch and implement a public awareness campaign on what racism looks like and what we can do about it. Over the course of the year we will focus on building community awareness of racism, promoting research into its economic and social costs and identifying how we can most effectively support and complement other existing initiatives that prevent and reduce racism and promote respect and equality.

**From July 2013:** One of our key activities will be to establish a clearinghouse of anti-racism education resources which will, in part, draw on material gathered from research conducted in the previous year. We will also begin collating good practice resources to support individuals and communities to take action against racism. In addition, we will begin collaborating with organisations using the materials we have collected and developed, we will work with our supporters to build the capacity of individuals and communities to respond effectively to racism in all its forms. The members of the National Anti-Racism Strategy Partnership will work collaboratively to implement the Strategy. At the conclusion of the three years, the progress and outcomes of the Strategy will be assessed and evaluated.

**Building partnerships to achieve our goals**

Taking action against racism is in everyone’s interest. By working together, we can change things for the better. That is why the National Anti-Racism Strategy centres on building close partnerships with individuals and organisations from all parts of the Australian community.

Our aim is to draw together a wide variety of supporters in the following priority settings:
- Schools and higher education
- The media
- Government service provision
- Workplaces
- Online, and
- Sport.

Our supporters will help to implement the Strategy by identifying examples of good practice in the sectors where they work, by encouraging others to take action against racism and by using their influence to shape attitudes and opinions.

How should we discuss racism in Australia?

A ‘RIGHT NOW’ ARTICLE BY PRISCILLA BRICE-WELLER AND YIN PARADIES

Anyone living in Australia who keeps up with current affairs would have noticed a recent increase in the amount of discussion around racism in both mainstream and social media.

Everything has been covered from statements by politicians to slip-ups by sportspeople, through to the bigger questions about racism in Australia, including:

“Is Australia a racist country?”
(Yes and no, some people have racist attitudes and some people don’t)

“Is Australia more or less racist than other countries?”
(It isn’t a competition; racism is rife throughout the world. Australia is more tolerant than many countries but less so than some)

“Should [public figure] be sacked for racism?”
(Yes, but shouldn’t we be asking why our public figures are engaging in racism in the first place?)

Such questions waft up like a bad smell at any mention of racism. Initially they are healthy questions for a country to ask itself – it shows that people are willing to self-reflect and learn from their collective mistakes. But they don’t really aid people’s self-understanding. Nor does it progress the debate about racism in Australia or encourage people to act, because it avoids the true complexity of racism in a multicultural country such as Australia.

Instead, we need a renewed commitment to a ‘fair go’ for all Australians; an inspiring vision of the sort of country we could become, including an inclusive form of national identity; and unflinching recognition that racial prejudice is a harsh reality in Australia. People’s values and views on cultural diversity determine which approaches will work best for them.

Most Australians would agree that the desire for a ‘fair go’ or equality for all is a shared national goal. Some of us have become cynical of clichéd terms such as ‘mateship’ and ‘fair go’, but the sentiment remains. This sentiment is shared by the fifty per cent of Australians who are positive about cultural diversity.

Most people who believe in the merits of multiculturalism are not confident discussing issues of race, racism or anti-racism. Some cope with this by avoiding the ‘R’ word altogether, others use political correctness as a crutch to avoid robust discussion, and yet others become angry and blame politicians, the media – anyone else but themselves – for the racism in this country.

Organisations like All Together Now and the Victorian Health Promotion Foundation (VicHealth) are working to help people understand the harsh reality of racism in Australia, while at the same time promoting the confidence and ability to take action to combat racism. This work is based on the fact that racism is not an insurmountable problem, especially if the majority of people are prepared to act!

To progress debate about racism in Australia among people who are positive about cultural diversity, try starting a discussion with one of these questions:

• “What are the subtleties of racism?”
• “What effect does racism have on individuals and society?”
• “Rather than solely focusing on addressing inequality, how can we tackle racism as an underlying cause?”
• “What can we do as individuals to prevent racism?”

The other half of Australians – the forty per cent who are at best ambivalent about cultural diversity and the ten per cent or so who are openly racist – tend to deny that racism exists. They are invested in maintaining the status quo (although, it is important to note that not all individuals with these attitudes are Anglo-Australians, nor do all Anglo-Australians share these attitudes).

One may recognise people in this group as those that start sentences with “I’m not racist, but ...” and proclaim that those who think multiculturalism and diversity benefit Australia are, in fact, anti-white and anti-free speech (ironically trying to suppress a valid form of free speech).

People in this group need to be provoked into action.
to reduce or cease their destructive behaviour. The most effective conversation that can ensure this happens is for somebody to empathetically but firmly disagree with any person they witness saying something racist (providing it is safe for them to do so). This can include dispelling false beliefs and pointing out inconsistencies (such as the free speech example on the previous page). Australian research shows that people with racist attitudes partly justify their behaviour by overestimating those around them who share their view. So, honest and forthright disagreement is vital to changing attitudes and improving behaviour.

Again this is why it is important for bystanders to stand up and act – without timely and direct intervention the racist behaviour will continue.

Acting is more effective for those who know the person engaging in racist behaviour, or if they are from the same cultural background as the perpetrator. Try starting with one of these:

- “It’s not funny, nobody is laughing. Why did you say that?”
- “I thought you believed in a fair go! Why do you say that?”
- “It makes me uncomfortable to hear you say that, what do you really mean?”

There is an opportunity right now, while racism is being discussed widely in Australian society, to move towards more constructive self-reflection on this topic. Ultimately, this is what will lead to action and create new social norms of respect and inclusion for all.

Changing the conversation requires action from individuals, business, government and community sector organisations alike. To this end the Australian Human Rights Commission is currently undertaking a national consultation which will result in a National Anti-Racism Partnership and Strategy, due to be launched later this year.

Added to this is a remarkably small number of community sector organisations running underfunded and under-supported anti-racism programs. This work is vital in promoting the prevention of racism because unlike government initiatives, NGOs are able to promote courageous messages that get to the heart of the matter. While this work is generally evidence-based and effective, it is a drop in the ocean compared with what could be achieved if more philanthropists and foundations, large corporations and the media industry added their support.

It is only through collective and creative strategies that we can progress the discussion and debate about racism in Australia. Let each of us take seriously our personal responsibility to create constructive conversations about racism in Australian society.

Priscilla Brice-Weller is the Founder and Managing Director of All Together Now, the only national not-for-profit organisation working solely to address racism in Australia. Please see www.alltogethernow.org.au for further information about All Together Now’s work.

Yin Paradies is a non-executive Director at All Together Now and Senior Research Fellow at the University of Melbourne. He is an international expert in the social, economic and health impacts of racism as well as anti-racism theory, policy and practice.

RACISM EXISTS IN AUSTRALIA
– ARE WE DOING ENOUGH TO ADDRESS IT?

This is an edited speech from Helen Szoke, who at the time of writing was Australia’s Race Discrimination Commissioner

Racism exists in Australia

We know this is a fact. Our own complaints at the Australian Human Rights Commission (AHRC) tell us that.

It is also identified in research. National data from the Challenging Racism Project was released in 2011 and gave us information about the prevalence of racism and attitudes about racism.

We know from this research that Aboriginal and Torres Strait Islander peoples continue to experience high levels of racism, across multiple settings: in relation to contact with police and seeking housing their experiences of racism were four times that of non-Aboriginal Australians.

Similarly, in 2008 other research found that 27 per cent of Aboriginal and Torres Strait Islander peoples over the age of 15 reported experiencing discrimination in the preceding 12 months; in particular by the general public, in law and justice settings and in employment. Further recent research has found that three out of four Aboriginal and Torres Strait Islander peoples regularly experienced race discrimination when accessing primary health care, and that racism and cultural barriers led to some Aboriginal and Torres Strait Islander peoples not being diagnosed and treated for disease in its early stages, when treatment is most effective.

More generally, the Challenging Racism research resulted in the following findings:

- Around 85 per cent of respondents believe that racism is a current issue in Australia
- Around 20 per cent of respondents had experienced forms of race-hate talk (verbal abuse, name-calling, racial slurs, offensive gestures etc)
- Around 11 per cent of respondents identified as having experienced race-based exclusion from their workplaces and/or social activities
- 7 per cent of respondents identified as having experienced unfair treatment based on their race
- 6 per cent of respondents reported that they had experienced physical attacks based on their race.

Alarmingly, some research indicates a significant increase in racism over recent years: the Scanlon Foundation’s Mapping Social Cohesion 2011 Report found that in 2010 there was a marked increase in reported racial discrimination, and that this increased reporting was maintained in the 2011 survey. Disturbingly, this research also highlighted the lack of awareness of most Australians about the issues faced by our First Nations peoples.

What is racism?

So the evidence says that racism exists in Australia.

This should not surprise us as racism is to be found in every society on earth in different forms.

The central issues are what racism is and how it impacts in the Australian context. My concern is that while the data suggests that racism does exist, we do not have much of a community dialogue about how racism manifests and the harm that it causes.

Without such understanding, it is difficult to see how we can move forward to eradicate racism.

Racism takes many forms. In general, it is a belief that a particular race or ethnicity is inferior or superior to others. Racial discrimination involves any act where a person is treated unfairly or vilified because of their race, colour, descent, national or ethnic origin, religion or belief. Racism impacts directly on the full enjoyment of individual’s human rights, in particular the right to equality.
Racism is experienced across a spectrum. It may occur in a passive way by excluding people socially or by being indifferent to their views and experiences.

Racism may take the form of prejudice and stereotyping of different groups in our community; in name calling, taunting or insults; or in actively and directly excluding or discriminating against people from services or opportunities on the basis of their race, colour, descent, national or ethnic origin, religion or belief; for example, in relation to employment opportunities, access to education, or participation in sport.

**Ultimately, racism is a denial of human relationship**

It can manifest through commentary or drawings in the media, speeches at public rallies or assemblies and abuse on the internet – including in e-forums, blogs and on social networking sites.

Sometimes racism can be reflected in not telling the history of an event or the experience of a group of people in our country.

In its most serious manifestation, racism can be repressed. Racism can be demonstrated in behaviours and activities that embody hate, abuse and violence – particularly experienced by groups who are visibly different as a result of their cultural or religious dress, their skin colour or their physical appearance.

Just as other forms of discrimination may relate to a number of attributes, so will the experience of racism. Racism may compound the experience of discrimination of a woman, who is treated less favourably on the basis of her race and her gender – or an older person, who is discriminated against on the basis of their skin colour and their age.

On occasions, racism can occur more systematically, as when people with overseas skills and work experience are overlooked for employment, or when job applicants without overseas skills and work experience are overlooked for employment, with overseas skills and work experience.

For example, when people are treated less favourably on the basis of their skin colour and their age.

Racism may be racist, but..."

Ultimately, racism is a denial of human relationship. Yet for many people it remains almost invisible, unnoticed except when violence is involved. Those who do not experience it often fail to understand how profoundly offensive it is.

**Racism is bad for us**

There is also significant research that demonstrates the damage that racism causes to individuals and society as a whole. Racism undermines social cohesion within the community. To ensure social inclusion, individuals need the opportunity to “secure a job; access services; connect with family, friends, work, personal interests and local community; deal with personal crisis; and have their voices heard.”

Racism towards any individual or community undermines the achievement of each of these goals.

Racism also impacts adversely on the development of Australia as a multicultural society. If we conceive multiculturalism as a set of norms or principles in which the human rights of all are respected, protected and promoted, then the adverse impacts on groups in the community who may be treated less favourably on the basis of their race, colour, national or ethnic origin or religious belief is obvious.

Multiculturalism supports the ideals of a democratic society in which every person is free and equal in dignity and rights. Racism undermines these very foundations.

**We have a unique opportunity at the moment to get our settings as a country right – Constitutional reform, legislative reform and a national campaign to address racism.**

**Current opportunities to strengthen our response to racism**

Right now, we are at an interesting juncture.

There are three key initiatives playing out at a national level which address racism – the consolidation of Commonwealth Anti-Discrimination Laws, the development of a National Anti-Racism Strategy and the discussion about whether or not we need Constitutional reform to recognise Aboriginal and Torres Strait Islanders in our Constitution.

The possibility of Constitutional reform, legislative reform and awareness raising: a powerful trifecta that we need to harness in order to continue to promote and support the cultural diversity and social cohesion of Australia as a country.

**Constitutional reform**

It is interesting how little most Australians know about our Constitution. This is in contrast with countries like South Africa, where every person was given a copy of the Constitution when it was adopted in 1996.

In late 2010 the Prime Minister established an Expert Panel to look at possible Constitutional reform to recognise Aboriginal and Torres Strait Islander people formally in the constitution. The report and recommendations arising from the Expert Panel’s extensive consultative process was handed to the Prime Minister on 19 January this year.

The Panel’s report reminds us that two sections of the Constitution still enable the Commonwealth Government to make laws that discriminate on the basis of race: section 25 and the ‘race power’ in section 51 (xxvi).

Section 25 allows State laws to disqualify people of a particular race
from voting at State elections. Such a provision has no place in a modern democracy like Australia.

Section 51 (xxvi) allows the Commonwealth Parliament to make special laws for people of a particular race. There are examples where this has been relied upon in order to introduce laws that negatively discriminate against Aboriginal and Torres Strait Islander peoples.

The Expert Panel has recommended that these two provisions be repealed.

The Panel has recommended that a new section 51A be inserted in the Constitution that explicitly respects and acknowledges Aboriginal and Torres Strait Islander peoples and promotes the advancement of those peoples.

The Expert Panel has also recommended the insertion of a new section 127A, prohibiting the Commonwealth, and States and Territories, from making laws that discriminate on the basis of race, colour or ethnic or national origin, but permitting laws or measures which aim to overcome disadvantage, ameliorate the effects of past discrimination, or protect the cultures, languages or heritage of any group.

A further new section 127A proposes the recognition of Aboriginal and Torres Strait Islander languages as the ‘original Australian languages’, whilst acknowledging that English is the national language of Australia.

My Commission has supported these recommendations. Obviously, we have a long way to go before we come to a referendum on these issues. But it is incumbent on us all to think about these issues, to know what they really mean, to raise them in our dinner party discussions, in our sporting activities, at our work, to dispel the myths that will inevitably fly around in the media and be promoted by people who do not understand or accept how important it is to ensure racial equality and recognition of our First Nations peoples.

Even the best anti-discrimination law will in itself only be part of an effective and comprehensive strategy to eliminate racial discrimination and promote equality.

Consolidation of Commonwealth Anti-Discrimination Laws

The project to consolidate Australia’s anti-discrimination laws into a single Act was announced by the Australian Government in April 2010 as a key component of Australia’s Human Rights framework.

The Commission has welcomed this project, as we consider that discrimination law can be made easier to understand, comply with, and where necessary to enforce. The consolidation process offers an opportunity to not only embrace the stronger features of the RDA (including its broad human rights-based approach to the areas of public life it covers in section 9 and its general equality before the law provision in section 10), but also address some of its deficiencies. If we were to ask what would improve the current legislative regime, there are two key responses: reviewing who can act and how people or organisations can act to enhance racial equality under the Act and enhancing the current compliance framework.

To take the first issue: all Commonwealth discrimination laws include capacity for complaints by or on behalf of persons aggrieved by discrimination, leading to investigation and dispute resolution functions for the Commission.

The Commission views complaints as an important part of a compliance framework directed to achieving the objectives of the legislation, in addition to providing a means of access to justice.

The Commission considers that the consolidation process offers opportunities to consider measures for improved access to justice for people and organisations seeking to assert rights, and for increased certainty for people and organisations seeking to comply with their responsibilities.

One set of issues about access to justice is presented by the fact that capacity to take action at the Federal Court or Federal Magistrates Court stage is more restricted than at the Commission stage. A complaint to the Commission can be made by any person or organisation on behalf of a person aggrieved by discrimination, and the Commission itself has power to launch its own inquiries into human rights and discrimination issues.

But at the court stage, complaints can only be made by a person or persons aggrieved – not by representative or advocacy organisations in their own right or by the Commission or other bodies seeking to enforce the law.

There are of course issues to consider about how a body which provides an impartial complaint handling service could have an advocacy role, and we look forward
to further discussion of those issues.

In terms of compliance provisions, there are a range of mechanisms provided (although not consistently across grounds) in various anti-discrimination Acts for achievement of their objects. The present review of these Acts provides an opportunity for consideration of possible improvements in the compliance framework for Commonwealth discrimination law to ensure that it meets, or better meets, the goals of efficiency and effectiveness in promoting the objectives of the legislation.

I want to emphasise that even the best anti-discrimination law will in itself only be part of an effective and comprehensive strategy to eliminate racial discrimination and promote equality. Parties to the International Convention on the Elimination of Racial Discrimination undertake a much wider range of obligations than simply enacting legislative prohibitions against racial discrimination.

The development of a National Anti-Racism Strategy

Finally, I want to address a key initiative that I have direct responsibility for: the development of a National Anti-Racism Strategy.

This is very much linked to multiculturalism. The need for a strategy had been clearly articulated by the Australian Multicultural Advisory Council to the Government in April 2010. This advice was taken up in February 2011, when the establishment of a national partnership to develop and implement a National Anti-Racism Strategy for Australia was announced as a key component of Australia’s new multicultural policy, The People of Australia.

The Government’s intention is that the National Anti-Racism Partnership will draw on the existing expertise on anti-racism and multicultural matters across three government departments – the Department of Immigration and Citizenship, the Attorney-General’s Department and the Department of Families, Housing, Community Services and Indigenous Affairs – together with the Australian Multicultural Council and the Australian Human Rights Commission. The National Congress of Australia’s First Peoples and the Federation of Ethnic Communities’ Councils of Australia (FECCA) also participate in the Partnership as non-government representatives.

This membership of the Partnership makes clear that while the National Anti-Racism Strategy was born in the multicultural context, we are looking at its development through a broader focus – encapsulating both the experience of Australia’s Aboriginal and Torres Strait Islanders and our culturally, linguistically and religiously diverse communities.

The Partnership has been tasked with designing, developing and implementing the Strategy, with five key areas of effort:

- Research and consultation
- Education resources
- Public awareness
- Youth engagement
- Ongoing evaluation

It is anticipated that the Strategy will be drafted by 30 June 2012 and implemented over three years, 2012-2015.

The aim of the National Anti-Racism Partnership and Strategy is to promote a clear understanding in the Australian community of what racism is, and how it can be prevented and reduced.

We are looking at three broad objectives – to create awareness of racism and its impact, to build on good practice to prevent it and reduce it and to build capacity for people to address it.

If I return to my earlier description of racism, it amounts to a denial of human relationship. The implication of this is that racism is a matter for all of us – not just those who are targeted or suffer directly from it.

A National Anti-Racism Strategy is about making Australia a racism-free zone and articulating what role each of us have in achieving this. So it requires all of us to play a part – by not perpetrating racist actions ourselves, by not passively standing by while others perpetrate such actions and by committing ourselves to the notion that the ‘fair go’ is for everyone in our society and not restricted according to race, national or ethnic or religious background or some historical precedent.

Conclusion

We have a unique opportunity at the moment to get our settings as a country right – Constitutional reform, legislative reform and a national campaign to address racism. This complements our policy as a multicultural country, and other initiatives in play.

But there is a challenge in this for all of us. We share a common humanity, and we all have a role in respecting the right of all to enjoy it equally, with dignity and with the same opportunities to thrive.

This is an edited version of a speech given at Queensland University of Technology, Brisbane, on 16 February 2012.

Dr Helen Szoke was the Australian Human Rights Commission’s Race Discrimination Commissioner (2011-2013).

Dr Ozdowski is Director, Equity and Diversity at the University of Western Sydney and Hon. Professor in the Centre of Peace and Conflict Studies at Sydney University. As the Australian Human Rights Commissioner (2000-05) he conducted the ground-breaking ‘National Inquiry into Children in Immigration Detention ‘A last resort?’ and the National Inquiry into Mental Health Services ‘Not for Service.’

Dr Ozdowski’s lifelong commitment to multiculturalism and human rights was recognised by an Order of Australia Medal and an honorary doctorate from RMIT.

The pathbreaking 1966 International Convention on the Elimination of All Forms of Racial Discrimination 1966 was ratified by Australia on 30 September 1975. The convention implemented an important idea, once simply expressed by Muhammad Ali, that “[h]ating people because of their colour is wrong. And it doesn’t matter which colour does the hating. It’s just plain wrong”. The convention committed Australia in international law to the elimination of all forms of racial discrimination and to promoting understanding among all races. Australia was also required to criminalise the incitement of racial hatred, to ensure judicial remedies for acts of racial discrimination, and to engage in public education to promote understanding and tolerance.

The Australian Parliament passed soon after the Racial Discrimination Act 1975 (RDA) to implement the convention domestically. The passing of RDA was a crowning moment of a long process to dismantle the racist policies of the past. The Act made racial discrimination unlawful in Australia and overrode inconsistent State and Territory legislation. In addition, the Office of Community Relations was created and Al Grassby, the former Whitlam Immigration Minister, was appointed as the first Federal Commissioner for Community Relations.

Article 1 of the Convention defines ‘racial discrimination’ as:

... any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.

A very similar definition of racial discrimination may be found in RDA. According to RDA, discrimination occurs when someone is treated less fairly than someone else in a similar situation because of their race, colour, descent or national or ethnic origin. Racial discrimination can also occur when a policy or rule appears to treat everyone in the same way but actually has an unfair effect on more people of a particular race, colour, descent or national or ethnic origin than others. RDA outlawed racial discrimination in the public sphere and in particular in areas such as employment, housing or accommodation, provision of goods and services, access to places and facilities for use by the public, advertising...
and joining a trade union. In addition, in October 1995, Australia introduced the Racial Hatred Act to prohibit offensive behaviour based on racial vilification.

The RDA is indeed a very important legislation, considering that Australia has no Bill of Rights guaranteeing civil liberties and that the Australian Constitution is silent in relation to numerous civil rights that are well recognised in the constitutions of other Western democracies. For example, the Constitution does not guarantee the fundamental freedoms such as the freedom of association, freedom of movement, freedom of peaceful assembly, freedom of thought, belief and opinion, and freedom from arbitrary arrest or detention; the right to a fair trial or due process; or equality of all persons in Australia before the law.

Looking back, our history was not always been prejudice-free. Contemporary Australia began as a white settlement in a land inhibited by indigenous people. The clash at the frontier between the Aboriginal population and white settlers was often cruel, hateful and has left long-lasting consequences for all of us. It is not a well-known fact that the British authorities were urging an accommodation between Aboriginal and white Australians, but it was rejected by the settlers.

Other conflict developed along ethnic and religious lines. The settlers imported into Australia the conflict between the Protestant English and Irish Catholics. Old prejudices and hatreds did not finish with the British-Irish settlement of 1922 but flourished in Australia until early post-war years before they started to wane away. During the second half of the 19th century the Chinese mining population suffered from racial resentment on the mining fields. The First World War has seen the establishment of internment camps for German and Italian settlers. The mandate of the League of Nations, established in 1920, was compromised by Australia’s led fight to defeat racial equality amendment to the League of Nations Covenant.

Examination of our legal history indicates that our laws and political institutions reflected our prejudices and fears. As early as the 1860s, the Australian colonies had passed restrictive legislation directed specifically at Chinese immigrants. The Federation movement was firmly driven by our anti-Asian prejudice and fear of foreign invasion. According to some sources, the addition of a US-style bill of rights was rejected because it would mandate equality of people of different races.

In fact, the Australian Constitution contains the so-called ‘the race power’ section (s 51(xxvi)) granting the Federal Parliament power to make special laws for people of any race. It was initially legislated to “regulate the affairs of the people of coloured or inferior races who are in the Commonwealth”, but recently it was used to exempt the Northern Territory National Emergency Response Bill 2007 from the RDA. When the Hindmarsh Island Bridge Case (Kartinyeri-1998) was being argued before the High Court, the Commonwealth Solicitor-General agreed with Justice Kirby’s incredulous question, whether: ‘Under the ‘race power’ of our Constitution, Nuremberg-style race laws

or South African apartheid laws, if enacted by our federal parliament, would be binding?’ The Solicitor-General confirmed such laws would be binding.

The new Federal Parliament quickly established controls over immigration to maintain Australia’s ‘British character’. The first act of Parliament was the Immigration Restriction Act 1901 which established the ‘White Australia policy’ and the famous dictation test to be taken at discretion of immigration officials in any European language. The Pacific Island Labourers Bill was passed shortly after. And again, the British authorities made it clear that a race-based immigration policy would run “contrary to the general conceptions of equality which have ever been the guiding principle of British rule throughout the Empire”.

Two years later the Parliament legislated for The Naturalisation Act 1903 which talked about British subjects and did not mention Australian citizenship per se. It also established that Asians and other non-Europeans were to be denied right to apply for naturalisation and that resident non-European males were not allowed to bring wives to Australia. In fact until 1948 we all were British subjects and there was no Australian citizenship per se. Only The Nationality and Citizenship Act 1948 created a new status of Australian Citizen in addition to that of British Subject and until 1984 UK citizens living in Australia were able to vote in Australian elections without acquiring the Australian Citizenship.

“No one is born hating another person because of the colour of his skin, or his background, or his religion. People must learn to hate, and if they can learn to hate, they can be taught to love, for love comes more naturally to the human heart than its opposite.”

Nelson Mandela

Looking at the contemporary Australia, it needs to be acknowledged that it was significantly changed from the Australia of the past. During the Second World War, Australia was nearly invaded by Japanese who flattened Darwin and attacked Sydney. The old cry ‘populate or perish’ won new currency and mass migration started. Since 1945, some 7 million people from many countries have settled in Australia. Our population jumped from 7 to over 22 million almost overnight. In 2009, about 25.6 per cent of the estimated resident population of Australia comprised those born overseas.

A host of important legal changes were made to advance racial equality. Today laws forbid racial and other forms of discrimination and protect freedom of religion. Today’s immigration laws underwent massive changes initiated by the Menzies government’s Migration Act 1958, that abolished the ‘dictation test’, and the Holt government’s watershed Migration
Act 1966, that effectively dismantled the White Australia policy.

Holt also called the 1967 Referendum that removed the discriminatory clause in the Australian Constitution which excluded Aboriginal Australians from being counted in the census. There is also a host of other Federal and State anti-discrimination legislation.

As a result, Australia today is a vibrant, multiethnic society with a high degree of cohesion and a high level of inter-ethnic marriage. For example, according to the 2006 Australian Census, a majority of Indigenous Australians partnered with non-Indigenous Australians, and a majority of third generation Australians of non-English-speaking background had partnered with persons of different ethnic origin (the majority partnered with persons of Australian or Anglo-Celtic background). Most of us believe in a prosperous and tolerant Australia where, as Abraham Lincoln said, “achievement has no colour”.

Nevertheless, there have been contemporary incidents of racism in Australia that have taken many different forms – from abusive language or discriminatory treatment to violence, simply on the basis of someone’s ‘race’ or colour. For example, Pauline Hanson was widely accused of racism after she stated that Australia was in danger of being swamped by Asians, and that these immigrants “have their own culture and religion, form ghettos and do not assimilate”.

In 2005 there were a series of racially motivated confrontations between White and Lebanese youth that started around a beachfront suburb Cronulla and continued in the following nights as retaliatory violent assaults and large gatherings of protesters in several other Sydney suburbs, and an unprecedented police lock-down of Sydney beaches. In 2009 protests were conducted in Melbourne by Indian students and wide-scale media coverage in India alleged that a series of robberies and assaults against Indian students should be ascribed to racism in Australia. In the aftermath of these attacks, other investigations alleged racist elements in the Victorian police force.

So, what is the level of racism in contemporary Australia? Is our anti-discrimination legislation sufficient to deal with instances of racial discrimination? How do we compare with other countries?

The public opinion research suggests that only 11 per cent of Australians are racists or think that not all races of people are equal. This is recognised by a vast majority of us (87 per cent) who agree that there is racial prejudice in Australia. The response to these questions also depends upon who you are. People who belong to majority groupings and hold positions of wealth and power would more often argue that there is no racism in contemporary Australia. For example, the former Prime Ministers of Australia stated that “I do not accept that there is underlying racism in this country” (John Howard) and that “I do not believe that racism is at work in Australia” (Kevin Rudd).

On the other hand, those Australians who belong to visible minorities or represent powerless communities are more likely to claim that Australia is a racist society indeed. For example, Aboriginal Reverend Aunty Alex Gater is of the view that, “We all know that racism is alive and well”. The same view was expressed by Colin Markham, former NSW parliamentary Secretary for Indigenous affairs who also said, “We all know that racism is alive and well”.

To me, 11 per cent being racists in Australia is much too much, although I would agree with those suggesting that there could be more racists in some other societies and that Australia has good legislation in place and plenty of good will to oppose any form of racism. Having said that, we need also to acknowledge that there are existing pockets of racist behaviour and attitudes.

Looking towards the future, the educational work to combat racism must continue with vigour in Australia. It must continue to mitigate the existing pockets of racism and prejudice and it must continue to develop non-racism amongst new generations of Australians. It is necessary to emphasise in our education and role modelling the supremacy of the egalitarian dream, a dream of society where racism has no place. In fact, the future of multicultural Australia, which is so important to many of us, will be undermined if racial discrimination is allowed to survive. Multiculturalism is about respect, inclusion and above all about equality for all of us. This simple truth needs to be transferred to new generations of Australians.

Allow me to finish with a quotation from Nelson Mandela:

“No one is born hating another person because of the colour of his skin, or his background, or his religion. People must learn to hate, and if they can learn to hate, they can be taught to love, for love comes more naturally to the human heart than its opposite.”

Freedom of speech is alive and well in Australia but, with respect to Voltaire, we will not defend to the death those who abuse this right by vilifying others on the ground of race, writes president of the Australian Human Rights Commission, Gillian Triggs.

Recent events have stimulated an important public discussion about the limits to free speech in Australia. Visiting Dutch politician Geert Wilders is a very controversial figure. Yet the Immigration Minister granted him a visa to speak about his views on Islam, offensive though they may be to many. This amply demonstrates that freedom of speech is flourishing in this country.

In stark contrast, Malaysia imposed a travel ban on Senator Xenaphon, presumably because of his speeches on the need for free elections in that country.

Recently however, there have been instances of racial abuse on public transport in Melbourne and Sydney and debate about the provisions in the exposure draft of the Human Rights and Anti-Discrimination Bill relating to conduct that insults or offends.

It has long been recognised that the right to free speech comes with special responsibilities. Article 19 of the International Covenant on Civil and Political Rights says that “advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence” should be prohibited by law. A prohibition on racial hatred has long provided a legitimate restriction on free speech.

On any comparison, Australia is one of the most free countries in the world. Yet, while we have legislation on many human rights we do not have legislation to protect the right to freedom of speech. Courts have to rely on common law and an implied right to freedom of political communication.

The Australian Human Rights Commission has long argued for legislation to give effect to the International Covenant on Civil and Political Rights, including the right to freedom of expression. Paradoxically, it is those who argue for stronger protection for freedom of speech who are among the most vociferous opponents of a charter of rights. While all comparable common law countries have human rights acts, Australia is at risk of being isolated from legal protections taken for granted in Britain, Canada, New Zealand, Europe and the US.

While Australia has legislation on many human rights we do not have legislation to protect the right to freedom of speech.

Many of these commentators have been particularly concerned with the 1995 law making racial vilification an offence under the Racial Discrimination Act. The offence applies to conduct likely to “offend, insult, intimidate” a person on the grounds of race.

At first blush, this appears to set the threshold for vilification at a low level of ‘merely’ offending and insulting and critics say such a threshold has a chilling effect on freedom of speech. But in the few cases of racial vilification that have come before our courts, judges have set the bar high, requiring speech to be profoundly insulting or offensive before it is caught by the legislation.

One example was Jones v Toven, which concerned material published on the internet that cast doubt on whether the Holocaust occurred and implied that Jewish people offended by such denials were of limited intelligence or driven by financial gain. Outside of Israel, the Australian Jewish community has the highest percentage of Holocaust survivors in the world. The judge concluded the material would make Jewish Australians feel that they had been treated contemptuously, disrespectfully and offensively.

Most people would agree that this type of hate speech has no place in Australia and that the use of the Racial Discrimination Act provisions to condemn its expression was perfectly reasonable.

Before going to court, all complaints under anti-discrimination law must come to the AHRC, where an attempt is made to conciliate matters. Of the more than 17,000 inquiries or complaints made to the commission each year, on average, we receive only three complaints about a breach of freedom of speech or political opinion.

It should therefore be clear that not only does the restriction on freedom of speech created by the racial vilification law apply in only the most egregious of cases, but that the offence is rarely prosecuted.

By contrast, there is a worrying trend regarding allegations of racial vilification. The commission received 120 complaints in 2012 compared with 50 in 2008.

In short, Australians do not fear that their right to freedom of speech is at risk. They are justly concerned that they and their families will be racially abused in a public place. It is at this point that the balance needs to be found between the right to say whatever you please, and the right not to be vilified on the grounds of your skin colour.

Freedom of speech is a fragile flower that must be protected vigorously by each new generation. However, modern society, including Australia, will continue to grapple with the complex task of balancing this right with other freedoms.

Professor Gillian Triggs is the president of the Australian Human Rights Commission.

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How best to tackle racism, Australian style

We can confront this scourge from a position of strength, comfortable in our own skin, writes Tim Soutphommasane

Whenever I’m asked about my cultural identity, I answer that I’m a first-generation Australian, of Chinese and Lao heritage. It’s a mouthful, but it’s the most accurate description I can think of.

I’m a new Australian, in the sense that my family doesn’t have deep roots in this country. We can’t lay claim to having generations who have lived here; citizenship for me wasn’t a birthright. And while I’m proud to be an Australian, I don’t believe that this must mean renouncing my ancestral background.

For most of my generation, there is nothing controversial about this. We’ve reached a point where most agree there’s no single authentic way that you can be Australian. It’s one of the strengths of our society that people can be comfortable in their own skin. For the most part, people aren’t made to feel ashamed of their origins.

We don’t always recognise there is such broad public acceptance of our cultural reality. But there is. And so, tomorrow, when I begin my first day as Race Discrimination Commissioner, I will do so with cautious optimism.

This isn’t to deny that there remains a lot to do in confronting and combating racism. We should be under no illusions.

According to the Challenging Racism Project, about 20 per cent of Australians have experienced forms of race hate talk (for instance, racial slurs or verbal abuse). About 11 per cent of Australians report that they have experienced exclusion from their workplaces or social activities based on their racial background. And Aboriginal and Torres Strait Islander Australians continue to experience much higher rates of racism than the rest of our population.

Such findings lead some to believe that Australia is essentially racist as a country. That would be the wrong conclusion. Australians should be confident that we can tackle racism from a position of strength.

We have made much progress in this area. Decades ago, it may have been commonly assumed that some races were superior to others; few would have bathed an eyelid at racial abuse in public places. Today, things are much different. Old attitudes have largely given way to more progressive sensibilities.

But the challenge of combating racism is no longer confined to fighting old-fashioned bigotry. Because racism isn’t always violent. And it doesn’t have to be motivated by fear or hate. Quite often, the harm caused by prejudice comes from casual racism.

We all know the sort of racism I’m talking about. After something has been said or done, someone will explain it was all just a harmless bit of fun or an expression of an irreverent Aussie sense of humour. There may be a denial that the rules of civility have been breached. The defence usually runs along the following lines: “C’mon, mate, harden up. It’s just a joke. Don’t take yourself so seriously. Get off your soapbox.”

Yet, when it involves abuse or vilification, any charge of racism isn’t made lightly. It’s not about restricting free speech. Nor is it a case of simply making a fuss. Just ask anyone who has been called a nigger or gook or towelhead. Ask anyone who has been physically attacked because of their race. They would say they’d rather that nothing happened at all in the first place.

Indeed, the most serious harm of racism doesn’t reside in it causing offence or hurting someone’s feelings. It’s ultimately about the denial of respect and equality. Racism’s harm lies in how it reduces its targets to second-class citizens, and how it empowers perpetrators to humiliate others.

Not everyone agrees with this view. Some believe the problem of racism to be overstated or exaggerated. Yet this is more often than not the view of those who grew up during a different time. Could this mean that it’s time for a generational shift in our thinking about racism? To recognise that countering racism is about defending values of fairness and equality? To recognise that racism needn’t always be overt for it to count as harmful? To recognise that racism is as much about impact as it is about intention?

If all this is to happen, it can’t be through legislation alone. Changing attitudes doesn’t occur overnight or through compulsion. It requires good citizens to do their part, not least with casual episodes of racism.

This isn’t easy stuff. We’re talking about questioning people’s behaviour. It can be daunting to start that first conversation with family, friends and colleagues – to get them to see racism from a different perspective.

There is something fundamental at stake, though. It’s not about how the rest of the world judges us, but about how we should judge ourselves. A country that likes to celebrate its ethos of a fair go would be hypocritical not to extend it to all its citizens and residents. We’ve come too far to start being sheepish about calling out racism when we see it.

If all this sounds like hard work, then it’s only fitting. After all, who ever thought that social progress was meant to be easy?

This was Tim Soutphommasane’s last regular column for The Sydney Morning Herald newspaper. He is now Race Discrimination Commissioner at the Australian Human Rights Commission.

While racism cannot be entirely eradicated from society, it is time that onlookers confronted acts of public racism as a matter of civic responsibility, writes Amelia Johns.

In response to a number of highly publicised events where people from minority religious, ethnic or other cultural backgrounds have been approached on public transport and subjected to a tirade of racist abuse in Melbourne, columnist Tim Soutphommasane wrote in The Age earlier this month that while racism cannot be entirely eradicated from society, it is time that onlookers confronted acts of public racism as a matter of civic responsibility.

In particular, he pointed out that some of the most harmful long-term effects of racism on individuals is not the hate-filled intent of the minority who engage in racial abuse. Though such experiences are rightly terrifying, the real harm is caused by the silence of the majority, who do nothing to stand up for victims but instead look away. The effect of this for the abuser is a sense of entitlement that they are representing the majority view. For the victim, it is a feeling that the majority somehow condone these acts, or at the very least are unmoved by them.

In the events depicted by Soutphommasane – including a recent verbal attack on a French tourist on a Frankston-line bus – the majority of passengers captured on mobile phone footage did not challenge the perpetrator, but merely watched on. The more recent case of a woman who racially abused a man of African background on a Melbourne train, however – telling him that her grandfather had gone to war to keep the country free of people like him – was met with a very different response. Instead of remaining silent, a large number of angry passengers confronted the woman, rejecting the version of Australia that she claimed to represent and supporting the victim.

The exchange, which was captured on mobile phone and later distributed through mainstream media outlets shows the woman’s surprise when her views are loudly denounced by the majority, including by a man who tells her: “if this is your country then I don’t want to live here”. The victim of the abuse later claimed that it was “beautiful” that the train stood up for him and supported his right to travel freely through the city without being subjected to racial abuse.

So, what does this tell us about racism in Melbourne, and how does this reflect on the ‘silent majority’? Firstly, we can no longer assume that the ‘majority’ belong to a dominant ethnic or cultural heritage. Rather, the people that we sit next to on public transport more often than not come from a wide range of ethnic, religious and cultural backgrounds. The natural outcome of this is that for the perpetrators of racial abuse and violence, they can no longer seek the cover of the silent majority.

Also, the majority is silent no longer. This has a lot to do with the access that people now have to camera phones and social media channels, meaning that incidents of racial abuse and violence in public space are no longer visible only to the few who are present in that time and place. Instead, these instances are broadcast to a mass audience that is increasingly angry and vocal about such incidents and the way it portrays Australia as a reflection of ourselves and to other nations.

Thinking positively, incidents such as these can often lead to much needed debate about the kind of Australians we want to be, and the kind of country we want to live in. Much to the surprise of the woman on the train, the majority didn’t support her version of Australia – one that she claims her grandfather fought to protect.

As Anzac Day approaches, it is a good reminder that the kind of jingoism, racism and xenophobia that this day unfortunately inspires for some does not represent the majority view. Instead, we should be heartened that this woman while projecting her own racist and exclusionary version of Australia was shouted down by the majority. The actions of this new majority, who refused to remain silent when confronted with racism, contribute to the building of new legacies, inclusive of all Australians.

Amelia Johns is Research Fellow at the Centre for Citizenship and Globalisation at Deakin University.
RACISM HAS A LONG HISTORY
WE MUST ALL UNDERSTAND

Non-indigenous Australia may not see why calling Adam Goodes an ‘ape’ is a racist slur, but it is important that we all understand the offence stems from a long history of racial discrimination, observes Noah Riseman.

Yesterday a close acquaintance asked me why calling Adam Goodes an ‘ape’ was a racist slur. He is a highly educated person, and he is not the only person who asked me this. The fact that so many people do not understand raises several other questions, and it is important that we as Australians have an open discussion.

The reason why calling an Aboriginal person an ‘ape’ constitutes racial vilification has long historical roots. When Europeans began exploring Africa in the mid-1400s, they developed justifications for European superiority over other races.

Early on was the concept of the Great Chain of Being, which was a theological hierarchical explanation for all of existence. God was on top, angels and demons next, then humans (men above women), then animals, plants and finally minerals. European scholars asserted that non-white people were lower on the Great Chain of Being, sitting somewhere between humans and animals.

When European explorers and settlers encountered Aboriginal people from the 1600s-1800s, they often said that Aboriginal people were not humans but were actually animals – like apes or monkeys. Such ideas justified not only European superiority, but also massacres, other forms of abuse and stealing the land.

The year 1859 brought us Charles Darwin’s theory of evolution. From the late 1800s, scientists and then anthropologists argued that Aboriginal people were a missing link in evolution – a step between monkeys and humans – and many argued that Aboriginal people were scientifically closer to apes than humans. From the late 1800s these ideas morphed into Social Darwinism and the belief that Aboriginal people were a dying race.

The 1930s ushered in concerns about the rise of Aboriginal people of mixed descent, ideas of blood quanta, the notion of biologically absorbing Aboriginal people, and of course the Stolen Generations. You get the picture. Much of the ‘race science’ popular in Australia was similar to what Adolf Hitler was espousing in Nazi Germany.

So what does this mean? It means that Aboriginal and Torres Strait Islander people have a long history of being compared to apes. That is why Aboriginal and Torres Strait Islander people do not like being called apes and it is a racist slur.

This is not just about indigenous people. Remember in 2008 when Andrew Symonds was offended because the visiting Indian cricket team called him a monkey? Such ideas have impacted on all non-European peoples around the world.

But let’s return to the specific incident involving Adam Goodes at the footy. Let’s give the girl benefit of the doubt that she did not know that calling an Aboriginal person an ape was racist. Why was she never taught that? Sadly I am not surprised, given that most of the students I meet in first year at university have not learned this history. This raises another question: why did nobody else in the crowd intervene? This links to the big question: why did it take Adam Goodes to be the one to stand up to this behaviour? Why must the burden fall on Aboriginal and Torres Strait Islander people and other racial minorities to challenge vilification?

Adam Goodes has handled this with so much dignity – I am amazed that any human being could be so upstanding through all the media furore. He has been compassionate, forgiving and tried to turn this into a learning opportunity. Goodes has accepted the girl’s apology and he has posed the wider questions that I just listed. Even if she did not realise that what she said was racist, it still hurt Adam Goodes, and that is a point that needs to be remembered. It is easy for us non-indigenous people to say “oh but she didn’t mean it so let it go”. Why not ask Aboriginal or Torres Strait Islander people how it feels?

Adam Goodes has had to live with racism his entire life, just like other Aboriginal and Torres Strait Islander Australians and other racial minorities (now Afro-Brazilian Harry O’Brien is speaking publicly about it). They are the ones who have to deal with it, and clearly it hurts. It is the year 2013 and it is about time that we say that Aboriginal and Torres Strait Islander people – as well as all other racial and ethnic groups – have the right not to have to cop racial vilification because someone was ignorant. But let us take that ignorance and educate – and that is absolutely what Adam Goodes and others are advocating.

Most of the media has been mature through this entire situation. They have not vilified the girl and have focused on Adam Goodes’ feelings and his compassion. This is a beautiful opportunity for education for the girl, all school kids and for the wider public. I am glad my friend asked the question he did; I think more people who do not understand the inappropriateness of the girl’s comment should ask ‘why’ and instead of dismissing the answers, just listen. Most importantly, they should listen to the Aboriginal and Torres Strait Islander people themselves.

Dr Noah Riseman is a Senior Lecturer in History at the Australian Catholic University in Melbourne, specialising in Aboriginal and Torres Strait Islander history.

There they are on the Bridging Visa to nowhere, waiting for nothing, as nothing continues on. Like an unending scene in Samuel Beckett’s absurdist play, Waiting for Godot.

They are the people seeking asylum, who wait for salvation. In empty derelict houses with little or no furniture, denied work rights and living on $217 per week. The no advantage policy is manufacturing a new class of poor.

The refugees coming by boat have been demonised since the Howard years as queue jumpers and illegal border violators.

This is all courtesy of a distorted Asylum Seeker policy, which has sunk lower than the leaky boats that brought these hapless people to our shores. They have been dubbed the accidental underclass but like the collateral damage of civilian deaths in Iraq and Afghanistan, wilful blindness does not bestow innocence or prevent the repercussions and suffering.

Granting the poisoned chalice of release into the community to people who have been through war or persecution, dislocation and separation from home and family, without sufficient resources or work rights, must have predictable outcomes. If this is not punishment of the victims it is certainly not compassion in their suffering. For many it could be the last straw.

After prolonged trauma and despite ongoing resilience, such a horrific reception, from a nation that professes to enshrine human rights, could prove to be the breaking point. We are signatories to the Convention relating to the Status of Refugees. These people are not illegal. They are entitled to come to our shores asking for help.

But the refugees coming by boat have been demonised since the Howard years as queue jumpers and illegal border violators. While both these accusations have been exposed as absurd fabrications designed to malign a whole class of people, the slur has taken hold in the collective Australian psyche. If these are not the seeds and crop of racism and its aftermath then we can rest easy. But we cannot rest, because the treatment of asylum seekers over the past decade has been a black mark on our history.

And I like many others have heard this all before. I was employed as a psychologist in the remote Woomera Detention Centre and remember the lies and denigration against the dark skinned refugees presumed to be Muslim and the painful recollections of the incarcerated refugees. I and others felt the only ethical action was to speak out to the media.

When the plight of these people was exposed many said that they were aghast at the revealed truth. We didn’t know. How could this be happening? Now a decade later the persecution of these people is being repeated. As I wrote in an article, published in the Fairfax Media in 2009, “it’s déjà vu as these people cry for help.”

And it’s also déjà vu, regarding the treatment of indigenous people in Australia.

In a week where we have lost a brilliant indigenous activist, the front man to Yothu Yindi at an age that reflects the shorter lifespan of our first peoples, are we still failing to recognise the deep impacts on Aboriginal people of European settlement in Australia and in effect saying they should just move on? Indigenous people live at least 10 years less than non-indigenous
people. We are failing to close the gap in life expectancy and on many indicators of wellbeing. Indigenous children have twice the death rate of non-indigenous children. Tragically Australia’s Aboriginal children have the highest rate of suicide in the world.

Racism wounds deeply and in fact can destroy lives.

Meanwhile, a nationwide debate has ensued over so called casual racism. The most recent example being that of the insult hurled at footballer Adam Goodes by a 13 year old girl. The fact that everyone understood the deep penetration of an accusation of being called an ‘ape’ reveals that we all know racist shorthand. But as though to mock the entire debate and Goodes’s gracious forgiveness of the young girl, football personality Eddie McGuire added injury to insult. He joked that Goodes could perhaps do the publicity for the show King Kong.

There has been a major uproar, despite a bit of boys will be boys response to the ever popular Eddie. Some commentators have implied this is a storm in a tea cup and just the good old Aussie joking way. The Australian reported the mother had said, that the young girl had been greeted as a hero at school, and that the kids were all joking around and calling each other apes. Lesson not learned, by family and friends either, it seems. While it is not helpful to stigmatise or punish this girl, it is clearly missing the point to see her as a hero.

And the point is that racism wounds deeply and in fact can destroy lives. When allowed to grow rampant it can provide the underpinnings of genocide as we have seen in war-torn countries, where ethnic hostilities have been fanned politically.

In terms of indigenous people we have barely begun to heal the wounds of invasion, genocide, denied history and failure to close the disadvantage gap.

On February 13th 2008 an official and moving apology to the stolen generation was graciously offered by the then Prime Minister Kevin Rudd. It had been a long time coming.

But with wounds so old and vast, the pain can be readily summoned with a word uttered so publically. So too can the insensitive follow-up jokes by the casual racist come as if automatically waiting for an occasion such as this.

But just as we hopefully are responding more rapidly, publically and compassionately to Adam Goodes, we are manufacturing another dirty little epoch, regarding refugees, for which a later Prime Minister will need to apologise. Racism, discrimination, entrenched disadvantage are shameful kith and kin. They abide together fostering the soul destroying prejudice that can be even more ghastly in its consequences than the physical hardship that is endured.

Many of the asylum seekers who have been used as an example to “deter others from getting on leaky boats” will become the Australian citizens of tomorrow.

Many of the asylum seekers who have been used as an example to “deter others from getting on leaky boats” will become the Australian citizens of tomorrow. Their children will grow into members of our community. Any damage done to them we do unto ourselves. We already owe them a profound apology.

Lyn Bender is a psychologist in private practice. She is a former manager of Lifeline Melbourne and is working on her first novel.

We’ve all been there. You see or hear something racist and you want to say or do something but you’re not sure how to go about it.

It takes guts to stand up to racism – but you should never put your physical safety at risk. There are plenty of things you can do to make a difference that don’t involve confrontation.

If you’re on the receiving end of racism, you could ...

Say something if it feels okay to do so. It doesn’t have to be aggressive or abusive. In fact, it’s often more effective if it’s not. Here are some ideas suggested by young people.

“What you just said is really offensive and rude.”

“Please, have some respect for yourself and for others.”

Say nothing. Sometimes people just want to provoke you and get a reaction. Walking away may defuse the situation.

Report it. Call the police on 000 if you feel threatened or unsafe at any time.

Online: Most social media sites have policies for dealing with offensive material. For example Facebook allows you to report content that breaches its terms of use. You can get more information about cybersafety here, www.cybersmart.gov.au/Teens.aspx

At school: Talk to a teacher, counsellor or student welfare officer.

On public transport: Let the bus driver or station guard know what’s going on.


Talk to someone. Get advice and support from friends, teachers or parents.

“I spoke to my teacher about what happened to me. He couldn’t help me too much, but I felt much better when someone was willing to hear and believe what I had experienced”.

– Rob, 15

Make a complaint. The Australian Human Rights Commission can investigate and resolve complaints where people have been treated unfairly, harassed or abused because of their race. Our complaints process is free and confidential. You can also contact us to discuss an issue and talk through your options. For more information go to: www.humanrights.gov.au/complaints-information

If you see racism towards someone else ...

Back them up. You don’t have to get involved in the situation – just showing your support would make a difference.
• Go and sit or stand next to them. Ask them if they’re okay
• Send the victim a message of support through Facebook, Twitter, SMS or email
• Check out backmeup.somethingincommon.gov.au to see videos made by young people across Australia showing how to support someone dealing with cyberbullying.

Say something if it feels ok to do so. Check out this YouTube video for ideas for what to say: http://youtu.be/b0Ti-gkJiXc

Report it. If the person who is experiencing the abuse needs help, you could help them report it to the police or a person in charge. You could also support them to make a complaint to the Australian Human Rights Commission. For more information go to: www.humanrights.gov.au/complaints-information

Encourage the victim to get support. There are some great organisations that offer support in dealing with difficult situations, like Kids Helpline and ReachOut.com

Take your own stand.
• Upload your photo to our supporter gallery and share it with your family and friends at: http://itstopswithme.humanrights.gov.au/it-stops-with-me/individual-supporters
• Ask your school or sports club if you can put up a campaign poster. You can download your poster here: http://itstopswithme.humanrights.gov.au/it-stops-with-me/resources

TYPES OF ANTI-RACISM INITIATIVES

AN EDITED LIST OF WAYS TO TACKLE RACISM FROM THE ANTI-RACISM PROJECT BASED AT THE UNIVERSITY OF WESTERN SYDNEY

1. Celebrations of cultural diversity

Local government areas or townships can host vibrant cultural festivals and fairs as a means of publicly championing the benefits of cultural diversity. These types of events should send a clear message that the broader community is shared by people of a range of backgrounds, and that everyone – despite their race, culture or religion – is welcomed and accepted.

With the limited, occasional nature of these events, a concern is that they can exoticise cultural difference and position non-Anglo cultures as a curiosity for Anglo enjoyment. They can also affirm minority views that Anglo-Australian homogeneity is the norm, while cultural diversity is the exception.

These concerns need to be kept in mind when using celebratory-type events and be used in concert with other anti-racism initiatives.

2. Provide accurate information to dispel ‘false beliefs’

Providing accurate information on cultural groups, behaviours and traditions can be a useful way of dispelling any ‘false beliefs’ that may exist within a community. Research has suggested that accurate information decreases acceptance of such beliefs. However, while false beliefs are dispelled, in many instances, prejudice remained high. Thus, providing accurate information is not a stand-alone activity and be used in concert with other anti-racism initiatives.

3. Engage local residents in conversations and consultations

Run workshops which encourage members of the community to discuss issues of racism and cultural prejudice. The aim should not be to talk ‘at’ people, but rather to engage people in a conversation where they are able to freely discuss the drivers of prejudice.

In these conversations and consultations, it is essential that sensitivities be taken into account. A key priority is that mutual respect is encouraged during workshops – there is no ‘right’ or ‘wrong’ answer and individuals or groups should not be identified as racists.

Such events will be important for developing a sense of the social context for the attitudes, opinions and beliefs in a community.

4. Leverage emotions

A way of reducing prejudice is to leverage people’s emotions. The general idea is to encourage people to feel empathy for other people – to see the world from other people’s perspectives, or to take the time to ‘walk in someone else’s shoes’.

This strategy or suggestion needs to be carefully planned, and take into account the cultural context of the region. For example, the target groups in each region are likely to determine the emotion that will work best and why.

5. Identify positive commonalities and diversities

Some research has worked with participants to identify the ways in people of diverse cultural backgrounds have similarities and common interests. It is important for ‘positive’ commonalities to be emphasised. There is a risk that identifying differences may draw attention to the ‘negative differences’ that are often portrayed in media.

There is however the risk that identifying the commonalities between races or cultures will reinforce a homogeneity towards Anglo Australians – the belief that minority groups need to ‘be like us to fit in’.

6. Social and cultural context

When addressing the existence of racism, it is important to consider the specific location and geographic variations of each region. In particular, it is important to be mindful of the social and cultural context in which attitudes, opinions, beliefs and prejudices form, as well as the differing needs of particular localities in delivering anti-racism strategies and suggestions.

7. Highlight contradictions and inconsistencies in false beliefs, prejudices and values

The purpose of this strategy is to draw attention to the inconsistencies in a person’s values and prejudices. For example, for people who have egalitarian values but high levels of prejudice, it is important to draw attention
to these contradictions and inconsistencies.

When following this suggestion/strategy, it is important to keep in mind that people with contradictory beliefs are often able to rationalise it – for example, they are able to explain why some ethnic groups are acceptable and others are not.

8. Evaluation
When implementing any anti-racism strategies or initiatives, it is important to conduct full evaluations of their effectiveness, as well as to conceive of the impacts of the initiatives in a broad way. For example, there could be changes in the levels of public awareness of a region, there could be important policy changes, or increases in the number of local lobbyists or activists.

9. Articulate consensuses and social norms
Social norms are considerably powerful and can legitimise poor attitudes. There is mounting evidence that telling people that their views were not consensually shared can help to reduce prejudice. There is also evidence that spreading the word that the majority of people oppose racism can increase anti-racist views.

Prejudiced individuals are more likely to overestimate their level of support from the ‘community’, so being told that ‘this is not the case’ appears to be useful in reducing prejudice.

10. Cross-cultural contact
This strategy encourages individuals to have contact with members of cultural groups for which they have some disdain, a fear or stereotyping.

To assist this strategy, participants need to hear and discuss issues and cultures of different groups. The use of DVDs may be useful in providing information about particular groups prior to contact, rather than confronting these differences in a workshop environment.

This strategy or suggestion needs to be carefully planned and managed as contact may not necessarily lead to positive attitudes. For example, increased tensions may result if a group is late or does not say thank you, etc.

11. Describing self and group identities
This strategy encourages individuals to identify their own identity and cultural biases. This includes the identification of what being Australian means to them, and determining whether or not they are inclusive in developing that identity. This strategy would also interrogate ‘white privilege’ and use it as a strategy to increase people’s awareness of the ‘blind privilege’ that comes with being ‘Anglo-Australian’.

This strategy or suggestion needs to be carefully planned, and take into account the cultural context of the region.

12. Addressing the use of language in maintaining and regulating relationships
This strategy seeks to address those people who use certain language which stereotypes or denigrates any minority groups. The aim is to find a place for positive talk within the popular Australian discourse, and to discourage ‘humour’ which can be potentially harmful or hurtful.

This strategy may be met with some opposition as racist talk, such as calling someone a slang name for their cultural group or telling racist jokes, is a common occurrence. Humour has an important social function and any public rebuttal of these jokes may cause a person to lose their social standing.

13. Identifying functions of participants attitudes and prejudices
This strategy seeks to identify the source and function of attitudes. For example, political rhetoric of asylum seekers as ‘queue jumpers’ is a source, and the function may be that a person feels this is a value violation, i.e. that ‘queue jumpers’ take away spots for ‘genuine refugees’.

It is also important to draw on people’s own experiences as well as identifying the origin of such attitudes.
14. Addressing prejudice through socio-demographics
A thorough understanding of socio-demographics is important for developing anti-racism strategies. For example, the knowledge that prejudicial attitudes are higher in men with right-wing political views and less formal education may be useful when developing strategies that target this specific section of the community.

15. Gender of target person
The existence of negative attitudes towards certain genders in certain out-groups is important for developing anti-racism strategies. For example, Middle Eastern men have reported more discrimination in various settings than Middle Eastern women. Although Muslim women bear a good deal of the brunt of anti-Islamic racism, especially those wearing hijab. Likewise, there are more negative attitudes towards Muslim men.

16. Religious beliefs
Often religion has become a surrogate for race and therefore religious beliefs can impact on attitudes towards different groups. (For example, those of Middle Eastern appearance are automatically considered Muslim.) This is harder to deal with and may require assistance from religious institutions. Alternatively, in some countries those with stronger levels of religiosity have been found to be more tolerant of religious minorities, more so than those who were nominally religious or atheist. Leveraging this ‘good faith’ for inter-faith dialogue can be very productive.

17. Personality and individual differences
An interesting point to keep in mind, is that personality types can correlate with prejudicial attitudes. For example, those who believe in right-wing authoritarianism are likely to have low self-esteem (if they don’t feel good about themselves, they won’t like other people). On the other hand though, some studies have found no correlation between the two. Although, people who hold prejudice about one group are more likely to be prejudiced against another.

18. Respect/acknowledgement
Formally acknowledging the traditional owners of the land can be an effective means of reducing tension and antipathy towards Indigenous Australians.

19. Experiences of positive cross-cultural contact
A good starting point for workshops may be discussions of the positive experiences of tolerance. Encourage participants to reflect on the positive contact they may have had with people of other cultural backgrounds in the local area.

20. Everyday anti-racism
A good deal of everyday racism occurs within public places, such as on the street, at sporting events or in workplace lunchrooms and school yards. Victims of racism are especially wounded by everyday racism if members of the public neglect to intervene on their behalf — if people stand by and don’t do anything. Encouraging citizens to bear witness against everyday racism can have the opposite effect, affirming the sense of victims that people see them as fellow citizens who are worthy of peer support. Everyday anti-racism is about asking citizens to take responsibility for what happens in public space, and helping them to do so. Bystanders need to feel empowered and safe to stand up for their fellow citizens who are being racially victimised.

21. Addressing racism structurally/institutionally
Complex factors contribute to race-based discrimination and supporting diversity. Efforts to reduce discrimination also need to be targeted within organisational, community and broader societal structures. This approach emphasises the need for many different types of action and also highlights the value of working at multiple levels and across settings.

22. Increasing organisational accountability
Increasing organisational accountability is important for achieving changes in social norms and for reducing inequalities in power and resources within organisations. ‘Organisation’ can include workplaces, providers of services (e.g. schools, libraries, health services, local governments, banks), and formal structures for a community of interest (e.g. a sports club).

23. Using social marketing and media
A broad range of media can be used in anti-discrimination and pro-diversity initiatives, including television, radio, print, the internet and the arts. Communications and social marketing strategies can raise awareness of race-based discrimination, impact directly on attitudes and behaviours, and contribute to the development and strengthening of positive social norms.

WORKSHEETS AND ACTIVITIES

The Exploring Issues section comprises a range of ready-to-use worksheets featuring activities which relate to facts and views raised in this book.

The exercises presented in these worksheets are suitable for use by students at middle secondary school level and beyond. Some of the activities may be explored either individually or as a group.

As the information in this book is compiled from a number of different sources, readers are prompted to consider the origin of the text and to critically evaluate the questions presented.

Is the information cited from a primary or secondary source? Are you being presented with facts or opinions?

Is there any evidence of a particular bias or agenda? What are your own views after having explored the issues?

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Brainstorm, individually or as a group, to find out what you know about racial prejudice and discrimination.

1. What is racism, and why is it against the law?

2. What is multiculturalism?

3. What is cyber-racism, and who does it affect?

4. What is racial vilification, and what are some examples?
Complete the following activity on a separate sheet of paper if more space is required.

Consider the following statement. Do you agree or disagree with the statement? Write a brief essay, including at least three examples, to back up your view.

“Racism deprives the Australian community of the opportunity to fully celebrate and embrace cultural diversity as an asset to this nation.”
Complete the following activity on a separate sheet of paper if more space is required.

Form small groups to discuss the following three key objectives from the National Anti-Racism Strategy, launched in August 2012. Provide two examples for each objective of effective strategies which Australians could use to tackle racism.

**Objective 1: Create awareness of racism and its effects on individuals and the broader community**

_____________________________________________________________________________________

_____________________________________________________________________________________

_____________________________________________________________________________________

_____________________________________________________________________________________

Objective 2: Identify, promote and build on good practice initiatives to prevent and reduce racism

_____________________________________________________________________________________

_____________________________________________________________________________________

_____________________________________________________________________________________

_____________________________________________________________________________________

Objective 3: Empower communities and individuals to take action to prevent and reduce racism and to see redress when it occurs

_____________________________________________________________________________________

_____________________________________________________________________________________

_____________________________________________________________________________________

_____________________________________________________________________________________
Complete the following multiple choice questionnaire by circling your preferred responses. The answers are at the end of the next page.

1. In what year was the Racial Discrimination Act passed by the Australian Government?
   a. 1901
   b. 1925
   c. 1967
   d. 1975
   e. 1995
   f. 2005

2. In what year was the law introduced making racial vilification an offence under the Racial Discrimination Act?
   a. 1901
   b. 1925
   c. 1967
   d. 1975
   e. 1995
   f. 2005

3. In what year was the International Convention on the Elimination of All Forms of Racial Discrimination ratified by Australia?
   a. 1901
   b. 1925
   c. 1967
   d. 1975
   e. 1995
   f. 2005

4. In what year did the referendum take place to remove the discriminatory clause in the Australian Constitution which excluded Aboriginal Australians from being counted in the census?
   a. 1901
   b. 1925
   c. 1967
   d. 1975
   e. 1995
   f. 2005

5. In what year was the Immigration Restriction Act introduced in Australia?
   a. 1901
   b. 1925
   c. 1967
   d. 1975
   e. 1995
   f. 2005
6. Which of the following, when presented as racially offensive or abusive acts, are classified as racial hatred or vilification? (select all that may apply)

a. Comments in the workplace
b. Comments written on eforums and blogs
c. Comments or images in a newspaper, magazine or other publication, such as leaflets or flyers
d. Comments at sporting events by spectators
e. Graffiti in a public place
f. Comments on public transport
g. Speeches at a public rally
h. Material posted on social networking sites (e.g. Facebook and Twitter) and video sharing sites (e.g. YouTube)
i. Comments at school
j. Comments at sporting events by players, coaches or officials
k. All of the above

MULTIPLE CHOICE ANSWERS
1 2 3 4 5 6 7 8 9 10
In 2011, the United Kingdom was the leading country of birth for the overseas-born population (21%) in Australia. It was followed by New Zealand (9.1%), China (6.6%), India (5.6%) and Italy (3.5%) (ABS, Reflecting a Nation: Stories from the 2011 Census). (p.1)

Ancestry is not necessarily related to a person's place of birth but is an indication of the cultural group that they most closely identify with. (p.4)

In the past decade, the proportion of the population reporting an affiliation to a Christian religion decreased from 68% in 2001 to 61% in 2011 (ABS, Reflecting a Nation: Stories from the 2011 Census). (p.5)

In 2011, 81% of Australians aged 5 years and over, spoke only English at home while 2% didn't speak English at all (ABS, Reflecting a Nation: Stories from the 2011 Census). (p.6)

The Australian Government launched The People of Australia – Australia’s Multicultural Policy in February 2011. (pp. 7, 23, 37)

More than 1 in 20 Australians say they have been physically attacked because of their race (AHRC, Why Racism?). (p.8)

A survey by Reconciliation Australia revealed that 71% of the general community acknowledge that Australians hold very high or high levels of prejudice towards indigenous people. (p.8)

A study found that people with Chinese and Middle Eastern names have to submit over 50% more job applications to receive the same number of interview requests as Anglo-Australian candidates (AHRC, Why Racism?). (p.9)

Australian residents fit into three broad categories: 50% of people are positive about cultural diversity; 40% of people are uncomfortable with or worried about cultural diversity; and 10% of people have racist tendencies (All Together Now. Frequently Asked Questions). (p.11)

Some people believe that only ‘white’ nations are expected to open their borders to immigration while ‘non-white’ nations are not. People who use this argument refer to ‘white’ nations as those with a white majority like Australia, Canada, United States and United Kingdom while nations in Africa, Asia and the Middle East are ‘non-white’ (All Together Now. Frequently Asked Questions). (p.12)

The Challenging Racism project found, while the majority of people (87%) agree that Australia’s cultural diversity is a good thing, around 1 in 10 Australians believe that some races are naturally inferior or superior. (pp. 13, 18, 40)

Approximately 20% of Australians have experienced race-hate talk, around 11% have experienced race-based exclusion from social activities and/or their workplace, and 6% reported physical attacks based on their race and/or traditional dress (AHRC, Face the Facts). (p.13)

There is a large variation in the experience of discrimination within sub-groups. Analysis by country of birth indicated highest experience of discrimination by respondents born in Malaysia (45%), India and Sri Lanka (42%), Singapore (41%), Indonesia (39%), and China and Hong Kong (39%) (Markus, A. Mapping Social Cohesion 2013: National Report). (p.14)

Australia's immigration intake of 236,000 new arrivals in 2012 compared with a local increase of 158,000 found majority support, although the proportion believing it was too high grew to 42% (Markus, A. Mapping Social Cohesion 2013: National Report). (p.14)

Australian Human Rights Commission statistics showed there had been a 59% increase on the previous year in racial vilification complaints in 2012-2013. (p.14)

Among 12,512 people surveyed Australia-wide, 48.6% were negative towards Muslims, Asians (23.8%), Indigenous Australians (27.9%), Jews (23.3%) and black Africans (27%) (UWS. Challenging Racism). (p.18)

Employers have a legal responsibility to take all reasonable steps to prevent racial discrimination and should have policies and programs in place to prevent racial discrimination in the workplace. (p.22)

On the internet, cyber-racism can take the form of a website itself, its written content, its images, blogs, videos and online comments. Additionally, racist comments, images or language in text messages, on social networking sites or in emails are also examples of cyber-racism. (p.24)

The Racial Discrimination Act 1975 (Cth) (the RDA) makes it against the law to treat you unfairly because of your race, colour, descent, national or ethnic origin or immigrant status. The RDA also makes racial hatred against the law. (pp. 26, 28)

In 2011-12, the Australian Human Rights Commission received 477 complaints from people about racial discrimination and racial hatred (18% of all complaints received). (p.28)

Australia is obliged under international human rights law to prohibit incitement to racial hatred (Article 20, International Covenant on Civil and Political Rights). (p.29)

Research shows that people with racist attitudes partly justify their behaviour by overestimating those around them who share their view (Brice-Weller, P and Paradies, Y. How Should We Discuss Racism in Australia?). (p.33)

In 2008, research found that 27% of Aboriginal and Torres Strait Islander peoples over the age of 15 reported experiencing discrimination in the preceding 12 months (Szoke, H. Racism Exists in Australia – Are We Doing Enough to Address It?). (p.34)

According to the Challenging Racism Project, Aboriginal and Torres Strait Islander Australians experience much higher rates of racism than the rest of the population. (p.42)

Australia’s Aboriginal children have the highest rate of suicide in the world (Bender, L. We’re not racist, just trying to stop the boats). (p.46)

A good deal of everyday racism occurs within public places, such as on the street, at sporting events or in workplace lunchrooms and school yards. (p.50)
GLOSSARY

Assimilation
Assimilation is the altering of one culture's social characteristics to conform to those of another, usually the dominant or majority group.

Colourism
A form of prejudice or discrimination when people are treated differently based on their skin colour.

Cultural diversity
A description of a society composed of people from many different cultural and linguistic groups.

Cultural identity
A person's sense of self-identity related to their notion of belonging to a particular cultural or ethnic group.

Cyber-racism
Racism that happens in an online or electronic environment, which generates racial hatred in the virtual as well as the real world.

Direct racial discrimination
Direct or overt racial discrimination occurs when one person or group of people receives less favourable treatment than another person or group in the same position would have received on the grounds of their race, colour, descent or national or ethnic origin.

Ethnic cleansing
Practice of forcibly killing or removing a group of people from an area so that the people who remain all belong to the same group – so that the area becomes 'ethnically pure'.

Ethnic community
In Australia, this term is commonly applied to certain migrant groups from language backgrounds other than English (Culturally and Linguistically Diverse (CALD) backgrounds) and their Australian-born descendants who form a connected community.

Ethnic group
A group of people, racially or historically related, having a common and distinctive culture.

Ethnicity
The identity of groups based on shared characteristics such as language, culture, history or geographic origin.

Ethnocentrism
The tendency to judge all other cultures by the norms and standards of one's own culture; the belief in the inherent superiority of one's own group and culture accompanied by feelings of contempt for other groups and cultures.

Genocide
The planned extermination of a national or racial group.

Immigrant
An immigrant (or migrant) is someone born outside Australia but who is now permanently resident in Australia.

Individual racism
The expression of racist attitudes or behaviours by individuals.

Institutional racism
Also called systemic racism, it occurs when institutions e.g. governments, legal, medical and education systems and businesses, discriminate against groups of people based on race, colour, ethnicity or national origin. Institutional racial discrimination often occurs when the apparently non-discriminatory actions of the dominant culture effectively end up excluding or marginalising minority cultures.

Integration
Defined as fitting into mainstream society on an equitable basis but without necessarily abandoning distinctive cultural traits.

Invisible racism
Racism that is not obvious, such as an employer looking through a list of job applicants and deciding not to interview people with an Asian-sounding name.

Minority group
A term used to describe any group of people which is disadvantaged, underprivileged, excluded, discriminated against or exploited.

Multiculturalism
Australian multiculturalism is a term which recognises and celebrates Australia's cultural diversity. It accepts and respects the right of all Australians to express and share their individual cultural heritage within an overriding commitment to Australia and the basic structures and values of Australian democracy.

Race
A group of people connected by common descent. Despite having no biological basis, the idea of distinct races still exists as a social construct.

Racial harassment
Behaviour that offends, humiliates or intimidates and that targets a person or group because of their race.

Racial hatred (or vilification)
A public act based on the race, colour, national or ethnic origin of a person or group of people which is likely to offend, insult, humiliate or intimidate, e.g. racist speeches, public abuse and posters.

Racism
The belief that human races have distinctive characteristics which determine their respective cultures, and which usually involve the idea that one's own race is superior and therefore has the right to rule or dominate others. It also includes offensive or aggressive behaviour to members of another race stemming from such a belief, and which can constitute a policy or system of government and society based on it.

Xenophobia
The fear or hatred of foreigners or of their politics or culture.
Websites with further information on the topic

All Together Now  http://alltogethernow.org.au
Amnesty International Australia  www.amnesty.org.au
Anti-Discrimination Board of New South Wales  www.antidiscrimination.lawlink.nsw.gov.au
Australian Human Rights Commission  www.humanrights.gov.au
Australian Multicultural Foundation  www.amf.net.au
Department of Foreign Affairs and Trade  www.dfat.gov.au
Department of Immigration and Border Protection  www.immi.gov.au
Equal Opportunity Commission of South Australia  www.eoc.sa.gov.au
Equal Opportunity Commission of Western Australia  www.equalopportunity.wa.gov.au
Federation of Ethnic Communities’ Councils of Australia  www.fecca.org.au
ACT Human Rights Commission  www.hrc.act.gov.au
Making Multicultural Australia  www.multiculturalaustralia.edu.au
Office of the Anti-Discrimination Commissioner (Tasmania)  www.antidiscrimination.tas.gov.au
Play by the Rules: Racism in Sport  www.playbytherules.net.au/component/content/article/81-links/1245-racism-in-sport
Racism. It stops with me  http://itstopswithme.humanrights.gov.au

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