

Data for change:

A national approach to anti-racism data (Scoping Report)

October 2026



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Acknowledgements

The Australian Human Rights Commission (Commission) acknowledges the Traditional Custodians of the land, sea, waterways, and sky throughout Australia and pays respect to Aboriginal and Torres Strait Islander Elders past and present.

The Commission acknowledges that Aboriginal and Torres Strait Islander people have been speaking to their experiences of forcible displacement, disadvantage, and discrimination since 1788. This data on historical and ongoing racial injustices, rooted in settler colonialism, continues to be shared by First Peoples through truth-telling. However, data about Aboriginal and Torres Strait Islander communities has been, and often continues to be, collected, managed, and reported in racist, deficit-based ways by the state and non-Indigenous actors. The Commission therefore recognises that any future action on data about First Peoples must fully embed their right to self-determination and be grounded in their strengths, knowledges, and aspirations.

This report was prepared by the Race Discrimination Team at the Commission, including Lubna Sherieff, Rachel Law, Jade Jamieson, Saranya Kundasamy, Moira Tirtha, Rosalie Atie, Catherine Duff, and Giridharan Sivaraman.

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Scoping Report

October 2026

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Commissioner's foreword

We often think of data as something beyond debate and politics, a true record of reality. But the truth is far from that. Data has never been neutral nor objective. The choice of what to measure, how to categorise it, how to analyse it, and how to use and act on it has always reflected existing power dynamics. Different ways of collecting and using data can mean that some groups are 'seen' or identified in datasets while others and their experiences are misrepresented or made invisible. Even when social norms are changing, databases can also remain years behind how communities want to be identified and represented.

But data can also be an important tool for change.

When collected and used properly, data can help elevate and expose topics that have been ignored, silenced, or overlooked, and drive change. Data can also be an important tool that allows communities with lived experience to design and lead initiatives that meaningfully reflect their needs and priorities.

Australia needs a national, long-term approach to collecting data on racism that embeds First Peoples' self-determination and takes a human rights-based approach.

Stronger data on racism can enable analysis of education, employment, health, and other socioeconomic outcomes for racialised communities, and provide the evidence base for targeted initiatives to address racism in its interpersonal and structural forms across society. With stronger data, we can measure progress on anti-racism programs, policies, and initiatives and hold governments, institutions, and other decision-makers to account for racism.

Two years ago, we launched the National Anti-Racism Framework, a roadmap for governments, business, and community organisations to address all forms of racism in Australia. It was based on consistent evidence

from communities that racism remains entrenched in Australia's systems, structures, and institutions since colonisation. Since then, racism has only continued to rise. We see this in the devastating testimony of racialised communities online, in the media, in new research, and in government inquiries. We see this in the growing number of Aboriginal deaths in custody. We see it in dangerous anti-immigrant, anti-Indigenous rhetoric that also fuels neo-Nazi rallies on our streets.

But racism continues to be treated by many as an anomaly, an outlier, something to be outright dismissed or denied, or something that we still need to prove exists. This is despite the weight of evidence, dating from 1788, from people with lived experience of racism that clearly tells us otherwise.

There are some gaps in existing data that we do need to fill, but we do not need to collect more data to prove racism exists. We already know it does. Rather, we need a stronger data ecosystem that makes inequality visible, holds institutions to account, and gives communities greater agency over their data to drive real change.

Our work has found that Australia lacks a coordinated and consistent approach to collecting and using data on racism. Part of the reason is because Australia is reluctant to explicitly name and confront racism. Data on race and racism has been obscured by approaches to understanding difference through framings of 'culture' or shallow understandings of 'diversity', which have erased the ongoing effect of race in our lives.

This has led to a failure to routinely collect consistent and comprehensive data across settings such as workplaces, education, media and the arts, health, the legal and justice system, housing, and online spaces. While data on interpersonal racism is important, there is limited data on racism in its institutional and structural forms.



Inconsistent or ad-hoc data on intersectional forms of racism also masks inequalities and prevents us from taking nuanced, tailored action. A lack of longitudinal data limits our understanding of racism over time, including its intergenerational impacts. Data on hate crimes and racial vilification as it impacts different communities is inconsistent or ad-hoc.

We also have limited data on perpetrators of racism, and on responses to and the personal impacts of racism. Only a few mechanisms are Indigenous-led and support self-determination for Aboriginal and Torres Strait Islander people. Failing to embed Indigenous self-determination and sovereignty over data reproduces historical harms. There are also gaps in data collected by human rights and anti-discrimination bodies, and work, health, and safety bodies. Community third-party reporting mechanisms do important, trusted work on data collection but are underresourced to provide support to targets and witnesses of racism.

We have also found that the current government standards on Aboriginal and Torres Strait Islander identity and cultural and linguistic diversity are not fit-for-purpose and need urgent reform.

There is a clear need for national reform and leadership to consolidate data collection across states and territories.

It is time for change.

Change first happens with truth-telling.

The collection of data about race specifically has a deeply problematic history in Australia, both for Aboriginal and Torres Strait Islander people and other communities that experience racism. For most of Australia's history, data on racial identity was collected (mainly in the Australian Census) to isolate, separate, and subjugate communities based on disproved concepts of race. Information

on a person's race was collected to remove Aboriginal children from their families as part of a concerted effort by the state to erase Aboriginal identity. It was collected to ensure that people who were deemed not 'white' could not cross shores to enter these lands. Australia's history of data collection on race is chequered with examples of how data has not been used for the collective good of eliminating racism, but rather to perpetuate it.

In addition to a history of data used for racist endeavours, we have a history of underreporting or lack of data collected on racism to identify systemic problems. Compounding Australia's problem with confronting racism are the many experiences of racism that have not been formally reported to or recorded by complaints agencies, authorities, and community reporting registers. Our systems of data collection lack nuance to understand or explain the institutional barriers posed by racism. For example, we can only estimate how many migrants do not have their skills recognised or decide not to access health services because of a lack of interpreters. Communities are then silenced and sidelined.

A national approach to anti-racism data must first recognise how data on race and racism has been collected harmfully, to ensure that historical wrongs are not repeated and to allow a new approach where racialised communities have agency over how data about them is created.

There are many opportunities to change the way we collect and use data. This report is a singular contribution to that opportunity. It marks the first time that widespread evidence and debate on data reform for anti-racist purposes have been brought together in a single place. In this Report, we envision that a more nuanced, community-centred approach that supports the self-determined aspirations of First Peoples as the first step to reshaping our relationship to data. Communities that

experience racism should be resourced and supported to co-design a national approach to anti-racism data. Restoring trust between government and communities targeted by racism is a core part of this approach, which also means addressing the significant structural and personal barriers to reporting racism. Speaking about racism or challenging racist assumptions can be traumatising and therefore our approach must be holistic and incorporate methods to reduce harm such as providing psychological and legal support after reporting incidents of racism.

We do need to be careful and considered in our reform. Data on race and racism is incredibly complex and requires deep community input.

A human rights-based approach to reform that also prioritises transparency and shared-decision-making can help us navigate the contested nature of racial identity and ensure data reflects the nuances of people's experiences and is therefore meaningful. Prioritising shared decision-making and responsibility with communities can also ensure data collected on racism across society leaves no one behind and give us the strongest evidence base for targeted action.

A new approach to anti-racism data must be strengths-based, comprehensive, and prioritise the needs of communities targeted by racism throughout the data lifecycle. Only then can it make a meaningful contribution to anti-racism efforts.

However, only collecting more data isn't the solution to racism. As we have seen during the Voice Referendum and recently in anti-migrant rhetoric, data on race can be weaponised by bad-faith actors to push racist, harmful narratives.

Fundamentally, an anti-racist approach to data requires broader accountability and commitment to change. We need to actively use data to address racial injustice. This requires a widespread commitment to changing our unfair systems, led by communities and supported by governments, businesses, and other institutions. It means improving racial literacy and the capacity of

institutions and systems to address racism and build a fairer society for us all.

Decision-makers must listen to and respond to the racism data we collect for communities to keep reporting or otherwise sharing their experiences of racism. Communities must be able to trust that their data will result in a meaningful difference in their lives. If not, constant data collection exercises will be extractive and lead to fatigue, disengagement, or deep distrust.

An anti-racist approach to data is worth the effort. It is a critical foundation block in building a better society, one where leaders and institutions are more transparent and accountable for their actions. A society where fairness and equality are not just ideals but a lived reality for everyone, irrespective of racial identity, class, gender, age or disability. It is an aspiration worth aiming for.

On behalf of the Race Discrimination Team, I thank everyone that contributed to this report, including the many individual experts, civil society and community organisations, and government agencies that provided advice at various stages of this work. This report is built on the many years of community consultation that formed the basis of the National Anti-Racism Framework. I thank racialised communities in Australia for trusting us with their knowledge, aspirations, and stories. Thank you as well to the various staff at the Australian Human Rights Commission who also lent their expertise to this report.



Giridharan Sivaraman
Race Discrimination
Commissioner

Executive summary

Australia does not consistently nor comprehensively collect data on the nature, extent, and impact of racism across our society.

This report proposes a national approach to **anti-racism data**: data that is collected, used and governed for the purpose of eliminating racism. Data that is focused on community needs and aspirations. It argues that anti-racism data must:

- be grounded in truth-telling about Australia's history and the role data has played in racial inequality
- uphold First Peoples' sovereignty and right to self-determination
- adopt a human rights-based approach to data collection, use and governance, including participation and co-design, self-identification, transparency, privacy, and accountability
- take an intersectional approach
- take a trauma-informed approach.

Purpose of this report

This report is a **scoping report**.

It does not seek to provide definitive answers to every issue relating to race, ethnicity, and racism data in Australia. Nor does it propose a complete national data framework. Many of the issues explored in this report are contested, complex, and require deeper consultation with Aboriginal and Torres Strait Islander people and other racialised communities.

Instead, this report:

- examines Australia's current approaches to collecting data about race, ethnicity, and racism
- identifies key gaps, limitations, and opportunities for reform

- proposes principles for a national anti-racism data approach
- recommends practical actions to lay the foundations for future work, including the development of a National Anti-Racism Data Plan
- provides a basis for further engagement and co-design with communities, governments, researchers and practitioners.

Many of the recommendations reaffirm and build on recommendations contained in the National Anti-Racism Framework, reflecting the critical role that data plays in implementation, monitoring, evaluation, and accountability.

What this report found

The report finds that Australia currently lacks a coordinated and comprehensive approach to collecting and using data on race and racism.

While valuable data exists, there are substantial gaps in both population and racism (or incident) data. Australia does not routinely collect sufficiently detailed information about race and ethnicity, and racism data remains fragmented, inconsistent and limited across many settings, including workplaces, education, health, housing, legal and justice systems, and online environments. Existing approaches also frequently fail to support Indigenous Data Sovereignty and Indigenous Data Governance and do not always take an intersectional lens.

The report also finds that Australia's existing approaches to race and ethnicity data are shaped by a complex history based on disproved ideas of race. Since colonisation, data (including in the Australian Census) has often been used to classify, manage, and control Aboriginal and Torres Strait Islander

people and other racialised communities. Understanding this history through truth-telling is essential if future data systems are to avoid reproducing the harms of the past.

At the same time, data can be a powerful tool for change. Used appropriately, it can expose inequalities, support advocacy, enable community leadership, measure impact, and strengthen accountability for anti-racism action.

How to use this report

Readers may wish to engage with different sections depending on their interests or responsibilities.

If you are interested in...	See...
Understanding what anti-racism data is and why it matters	Sections 2 and 9
Australia's history of race and ethnicity data collection	Sections 3 and 4
Aboriginal and Torres Strait Islander identity and data reform	Section 5 and 3
Indigenous Data Sovereignty and Indigenous Data Governance	Section 7
Taking a human rights-based approach to data	Section 8
Reforming ethnicity and cultural diversity data standards	Sections 6 and 3
Current gaps in racism data across sectors	Section 9
Racial profiling and policing data	Section 10
Barriers to reporting racism and ways to address them	Section 11
Monitoring, evaluation and accountability	Section 12
Recommendations for future action	Executive Summary and relevant chapters

Foundations for future action

The report's central recommendation is the development of a **National Anti-Racism Data Plan** to coordinate national efforts on collecting, using and governing anti-racism data across Australia. The Plan would provide the mechanism for deeper consultation, co-design, and implementation of many of the actions proposed throughout this report.

The report also recommends:

- reviewing standards relating to Aboriginal and Torres Strait Islander identity
- embedding Indigenous Data Sovereignty and Indigenous Data Governance across data systems
- reviewing national cultural diversity and ethnicity data standards
- strengthening the collection of racism data across sectors through a human rights-based approach
- improving reporting pathways and support services
- strengthening accountability mechanisms through monitoring, evaluation, and learning.

Looking ahead

This report is intended as a starting point rather than an endpoint.

The next stage of this work should focus on meaningful consultation and co-design with Aboriginal and Torres Strait Islander people and other racialised communities to develop a National Anti-Racism Data Plan and build the long-term foundations of a national anti-racism data ecosystem.

Ultimately, data should not be collected for its own sake. Anti-racism data is only meaningful when it leads to accountability, informs systems change based- action, supports self-determination, and contributes to the elimination of racism in Australia.

Recommendations

For Australia's data landscape to lead to meaningful change in racism, we need transformative reform. The guiding principles and approaches below allow us to understand racism through a systemic, intersectional, nuanced, and community-centred lens, with Aboriginal and Torres Strait Islander sovereignty and truth telling at its core. These principles are the foundations on which to build robust systems for anti-racist data and transformative change in the long term.

- Respecting Aboriginal and Torres Strait Islander people's **right to self-determination** by upholding **Indigenous Data Governance** (respect for the protocols and rules that Aboriginal and Torres Strait Islander communities set for how their data is collected, stored, used, and shared) and **Indigenous Data Sovereignty** (protecting the right of Aboriginal and Torres Strait Islander communities to control their own data and its use, ensuring it aligns with their cultural values and priorities)¹²
- **Human rights**: a human rights-based approach informed by the principles of participation of all racialised communities, transparency in data practices, disaggregated data taking an intersectional lens, accountability resulting

in meaningful change, protection of individual privacy, and racialised people self-defining their data

- **Shared decision-making**: co-design in the design, collection, use, management, and evaluation of data that sees racialised communities being centred in all parts of the data lifecycle
- **Shared responsibility**: recognition and active minimisation of the colonial load that communities with lived experience of racism, particularly Aboriginal and Torres Strait Islander people, bear when leading and supporting anti-racism action
- **Strong accountability**: monitoring, evaluation, and learning processes that are informed by communities with lived experience of racism, remain responsive to their evolving experiences throughout the lifecycle of anti-racism initiatives, and result in systems change.

Notes on understanding the recommendations

The Commission reiterates its call for full implementation of the 63 recommendations contained in the National Anti-Racism Framework ('**Framework**').

Collecting stronger data on racism is only one part of the pathway to eliminating racism across Australia. Government commitment to anti-racism action must be holistic and demonstrated by ongoing and adequate investments into anti-racism action, including the existing and new initiatives outlined in the Framework. The 16 recommendations below are largely drawn from the Framework. New, additional recommendations are based on findings from this Report and more recent recommendations made by other Commissioners.

When the recommendations refer to the 'Australian Government', this indicates the Commonwealth Government. References to 'Australian governments' indicate the shared responsibility of the Commonwealth and state and territory governments, including commitment to work with local governments where appropriate.

Recommendation 1: A National Anti-Racism Data Plan

The Australian Government should adopt and fund a National Anti-Racism Data Plan (**'the Plan'**) that outlines a national approach to collecting, using, and managing data on experiences, reports, and impacts of racism across states and territories and local jurisdictions. To achieve this, the Australian Government should fund the Australian Human Rights Commission to:

- a. establish an advisory group comprising anti-racism data experts or practitioners from Aboriginal and Torres Strait Islander and other racialised communities, and representatives from government agencies to oversee the Plan
- b. inform and develop the substance of the Plan on the advice of the advisory group
- c. lead consultations with communities, academics, relevant peak organisations, and data experts to inform the priorities, outcomes, and other details of the Plan
- d. ensure findings or outcomes from the recommendations below (including those related to government data standards) are incorporated into the Plan.

Recommendation 59 of the National Anti-Racism Framework (modified)

Recommendation 2: Review government data standards on Aboriginal and Torres Strait Islander identity

The Australian Government should resource the Australian Bureau of Statistics and National Indigenous Affairs Agency to review the Standard Indigenous Question following the advice from Aboriginal and Torres Strait Islander data experts, leaders, and community members. Subject to the needs and priorities of Aboriginal and Torres Strait Islander representatives, consideration should be given to shifting to identity-centred approaches and enabling the sharing of specific group affiliations.

Recommendation 3: Embedding Indigenous Data Sovereignty and Indigenous Data Governance

The Australian Government should implement binding data-sharing and governance agreements across all levels of government that uphold Indigenous Data Sovereignty principles. The agreements should ensure accountability to Aboriginal and Torres Strait Islander communities through measures informed by, and agreed to by, communities themselves.

Subject to the priorities of Aboriginal and Torres Strait Islander peoples, this could include implementing relevant recommendations from the Productivity Commission's Closing the Gap Review (2024), such as explicitly recognising Indigenous Data Sovereignty in the National Agreement on Closing the Gap and establishing a Bureau of Indigenous Data.

Recommendation 12 of the Aboriginal and Torres Strait Islander Social Justice Commissioner's *A Fair and Just Future for First Peoples: Social Justice Report* (2025), with an additional suggestion from the Race Discrimination Commissioner

Recommendation 4: Review government data standards related to ethnicity

The Australian Government should review the Australian Standards for the Classification for Cultural and Ethnic Groups and the Standards for Statistics on Cultural and Language Diversity and develop new standards on the collection of administrative data about racial/ethnic identity by adequately funding:

- a. the Australian Human Rights Commission to lead independent consultations on community understandings of race and ethnicity, with supporting research.
- b. the Australian Bureau of Statistics to revise the data standards, informed by the research in (a) and from other relevant stakeholders.

Outcomes from these processes should inform whether a question on racial/ethnic identity should be introduced into future Australian Censuses. This may involve the establishment and funding of a Working Group, convened by the Australia Bureau of Statistics and as part of work under the National Anti-Racism Data Plan, to develop a question.

Recommendation 63 of the National Anti-Racism Framework

Recommendation 5: Enable a stronger intersectional focus in workplace equality data

The *Workplace Gender Equality Act 2012* (Cth) should be amended to drive safer, more inclusive workplaces by requiring data collection on the experiences of workers with disability and those from LGBTIQ+, First Nations, and culturally and racially marginalised backgrounds. This includes collecting data on race/ethnicity, language, and migration status and should be informed by outcomes from Recommendation 4 on reform of government ethnicity data standards.

Recommendation 4 of the Sex Discrimination Commissioner's *Speaking from Experience* Report (2025), with an additional suggestion from the Race Discrimination Commissioner

Recommendation 6: Routine national surveys on racism

The Australian Government and relevant non-government organisations should commit to collecting data about experiences of racism, including systemic and structural racism, in ongoing national surveys. The Australian Government should provide appropriate funding where necessary to relevant agencies and non-government organisations to collect this data.

Recommendation 60 of the National Anti-Racism Framework

Recommendation 7: Fund community or third-party reporting mechanisms to collect data

Australian governments should commit ongoing and adequate funding to existing and prospective third-party reporting mechanisms to collect data on racism as it impacts different racialised communities, and to establish or strengthen initiatives, including providing support services (e.g. psychological and legal support) to targets or witnesses of racism.

Organisations should be supported to establish psychological support services for targets of racism, including in-person and telehealth options, in-person counselling, and support groups, with specialised training for mental health professionals.

Recommendation 62 of the National Anti-Racism Framework (modified)

Recommendation 8: Support the capacity of regulatory bodies to collect intersectional data

The Australian Human Rights Commission, state and territory anti-discrimination bodies, and work, health and safety agencies should collect intersectional data under their respective mandates. The Australian Human Rights Commission should be tasked to work in partnership with these bodies to develop a coordinated approach with advice from experts with lived experience on racism on collecting disaggregated data on complaints and reports. This should include information on race/ethnicity and racism in employment settings.

Australian governments should appropriately resource these bodies to collect and report on this data.

Recommendation 61 of the National Anti-Racism Framework (modified)

Recommendation 9: Workplaces actively collect stronger data for anti-racism purposes

Noting the need for the Australian Government to review and develop new national standards on the collection of administrative data about race/ethnic identity (Recommendation 4), medium and large employers should routinely collect workplace data on:

- reporting and complaints statistics and the prevalence of discrimination, victimisation, and harassment (disaggregating First Peoples and other racialised staff)
- employee views on safety (e.g. on wellbeing, cultural safety, and stress)
- racial backgrounds of staff (by anonymous survey)
- racial backgrounds of leadership
- any trends in pay inequalities based on race/ethnicity
- promotions and other benefits based on race/ethnicity
- work segregation based on race/ethnicity
- data on who has left the organisation (disaggregated by race/ethnicity)
- views/information on workplace racism from exit interviews.

Workplaces should align these data practices with the principles of Indigenous Data Governance and a human rights-based approach to data.

This recommendation is drawn from the Victorian Equal Opportunity & Human Rights Commission's Guidelines on race discrimination in the workplace (2024)

Recommendation 10: Develop consistent national standards for reporting racism at work

Australian governments should fund the Australian Human Rights Commission to convene a national council of relevant organisations to develop nationally consistent standards for the reporting of experiences of racism and racial discrimination in the workplace.

Recommendation 25 of the National Anti-Racism Framework

Recommendation 11: Improve reporting pathways across educational settings

Australian governments and education providers (early childhood to tertiary) should co-design with community experts a nationally consistent, effective, comprehensive, and culturally safe mechanism for students, staff, families, and communities to safely and without fear of repercussions report experiences of racism across educational settings and improve accountability, support, and redress services.

Higher education providers should implement the newer threshold standards of the *Higher Education Standards Framework (Threshold Standards) Instrument 2021* and otherwise consider addressing barriers to reporting raised in this report.

Recommendation 31 of the National Anti-Racism Framework (modified)

Recommendation 12: Address barriers to reporting racism

Australian governments, alongside police, relevant complaints-handling mechanisms, and non-government organisations, should implement co-ordinated strategies to address personal and structural barriers to reporting experiences of racism. This involves:

- establishing public awareness campaigns on racism, rights, existing reporting pathways, and support services. This includes developing best practice guidelines on reporting pathways and support for people experiencing racism
- strengthening existing reporting pathways and support services for communities experiencing racism
- establishing alternative, community-led anti-racism services for those requiring more tailored or nuanced support
- improving anti-racism support in local spaces, e.g. in schools, workplaces, shopping centres, and public transport.

Recommendation 44 of the National Anti-Racism Framework (modified)

Recommendation 13: Workplaces implement specific strategies to improve reporting and complaints policies

Small, medium, and large employers should review existing workplace reporting and complaints policies and adopt Minimum Standard 4 from the Victorian Equal Opportunity and Human Rights Commission's *Guidelines on racial discrimination in the workplace*. This includes ensuring reporting and complaints procedures are target-centred, anti-racist, confidential,

impartial and fair, accessible, flexible, timely, transparent and accountable, and continuously improved.

This recommendation is drawn from the Victorian Equal Opportunity & Human Rights Commission's Guidelines on race discrimination in the workplace (2024)

Recommendation 14: Establish a racial profiling data monitoring scheme

Australian governments should require, through law and policy reform, that police officers who initiate a stop, search, or move-on direction collect data on 'officer-perceived ethnicity.' Information collected should include reasons for the law enforcement action and the outcome of the encounter. This data should be de-identified and made available to an external independent agency or research body for monitoring and quarterly public reporting.

This recommendation is drawn from research completed by the Police Stop Data Working Group (2016)

Recommendation 15: Collect data on other experiences with the justice system

Australian governments should support comprehensive, community-led data collection consistent with the principles of Indigenous Data Sovereignty on interactions with the justice system, including arrests, outcomes of justice, and the experiences of individuals within court processes. This is to be completed alongside work implementing Recommendation 1 on a National Anti-Racism Data Plan.

Recommendation 45 of the National Anti-Racism Framework (modified)

Recommendation 16: Establish a community-led monitoring, evaluation, and learning framework

The Australian Government should fund the Australian Human Rights Commission to co-design, with communities that experience racism, a Monitoring, Evaluation, and Learning Framework ('**MEL Framework**') that operates for the lifespan of the National Anti-Racism Framework.

The MEL Framework should complement accountability mechanisms under the National Agreement on Closing the Gap. An independent organisation should then be procured, with guidance from the Race Discrimination Commissioner and the Aboriginal and Torres Strait Islander Social Justice Commissioner, to undertake the monitoring, evaluation, and learning based on insights and experiences from Aboriginal and Torres Strait Islander and other racialised communities.

Recommendation 7 of the National Anti-Racism Framework



Note on terminology and content



We recognise that labels or terminology can be both empowering and disempowering for individuals and communities. There is no one term that can capture varied lived experiences.

Aboriginal and Torres Strait Islander, First Peoples, and Indigenous

The terms Aboriginal and Torres Strait Islander people and First Peoples are primarily and interchangeably used in this Report. 'Indigenous' is used in the context of Indigenous Data Sovereignty, when referring to external research that uses this term, and in select instances when referring to binaries between groups. Definitions and acceptance of all these terms vary, and community members may not always identify with these terms.

Race and ethnicity

We recognise that 'race' and 'ethnicity' are social constructs and that their definitions overlap and are often contested. We use 'race' to mean a tool of power that has a real, powerful effect in shaping people's lives. Although race is a social construct, with scientific consensus that there are no biological or genealogical differences between groups of people based on race, social constructs still influence thoughts and behaviour and materially affect people's lives. Ideas of race (and ideas that are racist) were foundational to the development of many of today's laws, cultures and societies, with certain racial identities perceived and positioned as superior to others. These ideas continue to have influence and cause real harm.

'Ethnicity' and 'ethnic group' are used to describe a group of people with shared attributes, such as cultural traditions, geographic origin, language, religion, and minority status. Although race and ethnicity are different concepts, ethnicity is often used in the same way as race, particularly in data settings. We therefore use these terms interchangeably in this Report to recognise their common role in defining and categorising groups.

Racialised

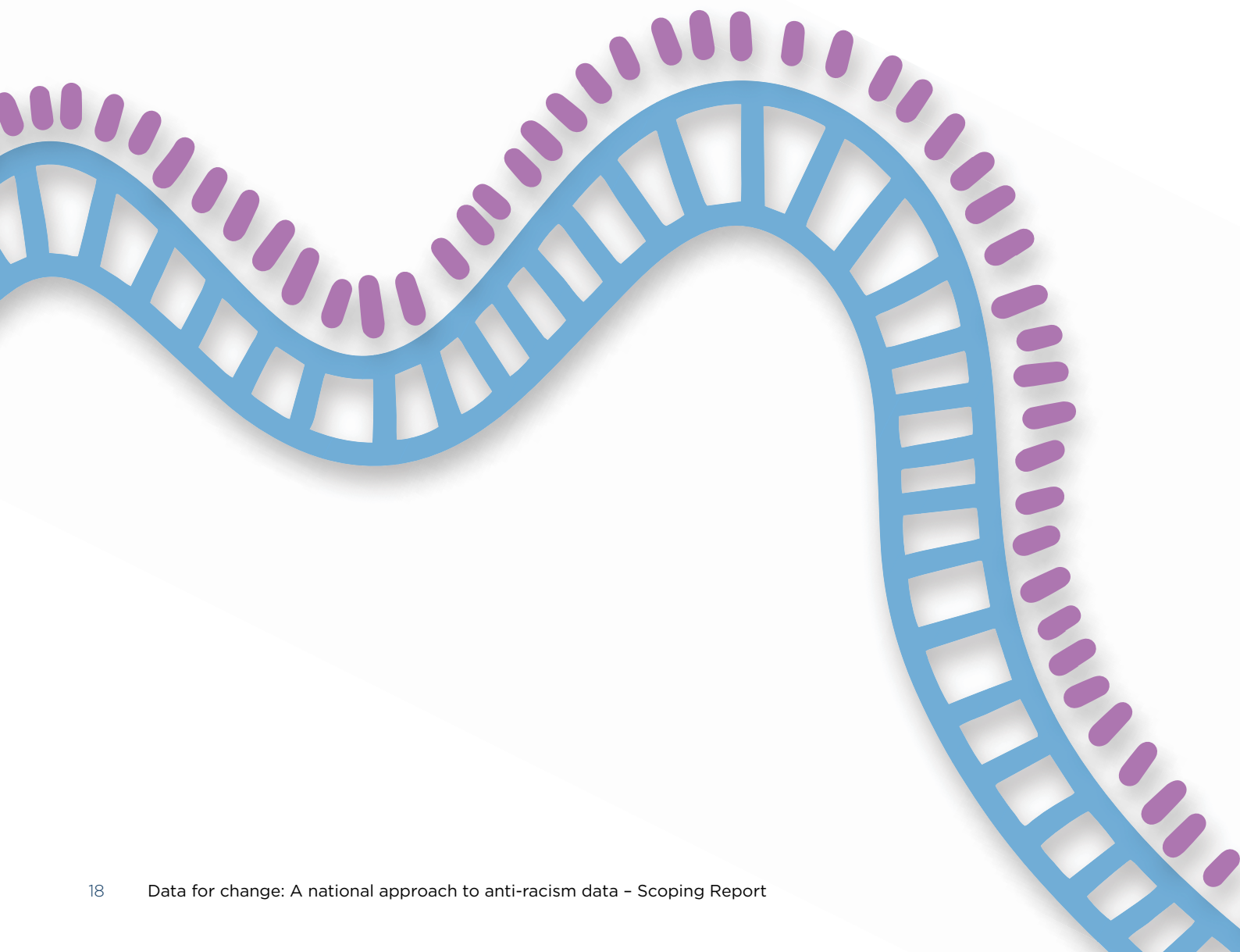
We use 'racialised' to refer to communities that experience the negative harms and traumas of racialisation. We do not use 'racialised' as a label to define or identify individuals or communities. Rather, we use it to demonstrate how racism operates by racialising certain groups of people negatively to maintain the dominance of groups racialised as white. People who are negatively racialised experience injustice due to false beliefs about race. We recognise that 'racialised' and 'negatively racialised' can also be inaccessible terms and may not resonate with all the communities they are used to describe. This report also frequently refers to 'other racialised communities'. We acknowledge that this may further contribute to how communities are 'Othered' and apologise for offence caused.

Other

We have only used terms such as 'culturally and linguistically diverse', 'culturally and racially marginalised, or 'multicultural communities' when citing research or other material that uses these terms. We acknowledge that many individuals and communities may not identify with these terms.

We support the right of all individuals to define and express their identities on their own terms, and we strive to use language that is respectful, strengths-based, and grounded in lived experience.

This Report contains descriptions of experiences of racism that could be distressing and traumatic for some people, particularly people with lived experience of racism. If needed, you may wish to seek support from [formal support services](#).



1 Introduction

1.1 Outline of report

Drawing from the extensive and invaluable work on racism data by various individual experts, community organisations, and other civil society organisations in the last two decades, *Data for change: A national approach to anti-racism data* (“**Report**”) explores the importance of a comprehensive, national approach to anti-racism data that embeds the right to self-determination for First Peoples on this continent and that takes a human rights-based approach.

This Report examines:

- existing approaches to the collection of data relating to race and racism nationally and on a state and territory level, led by governments and non-government groups
- the lack of strong, comprehensive, and consistent data on the experiences of First Peoples and other racialised communities in existing data collection approaches and its implications
- principles and standards that should be embedded in any national approach to anti-racism data
- recommendations for developing and implementing a national approach to anti-racism data in Australia.

1.2 Background to the National Anti-Racism Framework and this report

In 2021, the Australian Human Rights Commission (**‘the Commission’** or **‘we’**) called for the development of a National Anti-Racism Framework that would act as a long-term, central reference point for

anti-racism action by governments, businesses, and civil society.

From March 2021 to April 2022, we undertook consultations with peak and community organisations, service providers, government departments and agencies, experts, and community members. 100 consultations were undertaken with approximately 300 organisations. We partnered with community peaks and organisations as well as government departments to conduct 10 community consultations across the nation and received 164 submissions. We released a National Anti-Racism Framework Scoping Report in December 2022.

During this initial scoping phase, we heard from participants about the importance of a comprehensive and national approach to data collection on the prevalence, nature, and impacts of racism to provide the groundwork for anti-racism action.

We heard that data is an important means of raising awareness about the existence, extent, and severity of racism. Data was described as an important advocacy tool that brings visibility to racist experiences. Participants said that data plays a major role in influencing policy and service delivery and is critical to securing appropriate resources and funding to address racism. Data was also seen as a powerful source of self-expression, giving Aboriginal and Torres Strait Islander and other racialised people autonomy in the way their experiences are documented.

Consultations with data experts during the initial scoping phase emphasised the importance of strengthening data infrastructure, cultural safety in data collection, and embedding Indigenous Data Sovereignty. Experts also highlighted the importance of longitudinal and qualitative data and data governance in relation to emerging technologies.

In October 2022, the Australian Government committed \$7.5 million over four years to the Commission's national anti-racism work. This included research and activities to finalise the National Anti-Racism Framework and to maintain our national anti-racism campaign.

Additionally, extensive community consultations about a National Anti-Racism Framework were undertaken in 2023 – 2024 with Aboriginal and Torres Strait Islander and multicultural communities across Australia. Led by First Nations Collective Consulting and the Federation of Ethnic Communities' Council of Australia, these consultations again heard from participants about the importance of racism data for monitoring, evaluation, and accountability purposes. Aboriginal and Torres Strait Islander participants said improved data reporting is important to better understand the prevalence of racism in systems and institutions at local, state, and national levels, and noted the importance of Indigenous Data Sovereignty and Indigenous Data Governance.³ Multicultural communities recommended the government develop better systems to collect data on and monitor racism.⁴

A report prepared by PwC Indigenous Consulting (now Yamagigu Consulting) and the Jumbunna Institute for Indigenous Education and Research for the Commission on existing government anti-racism programs and policies similarly found that, despite some efforts, there is a sizeable gap in data on racism at the local level in Australia, which presents a significant barrier to monitoring, evaluation, and developing appropriate local solutions.⁵ Non-government stakeholders observed that limited racism data leads to a lack of funding or resources for meaningful community-facing anti-racism work.⁶ This research further noted community barriers to reporting racism, observing that without a cohesive, community-focused campaign to create awareness of, and comfort with, the process of reporting racism, it is unlikely that a dataset will accurately capture the extent of racism in Australia.⁷

This Report aims to embed critical feedback we received in the initial scoping phase from all communities:

- the experiences of First Peoples must be central to all anti-racism action and inform all strategies across national outcome areas
- the National Anti-Racism Framework must acknowledge and address settler colonialism and its ongoing impacts on Aboriginal and Torres Strait Islander communities, and
- the National Anti-Racism Framework must also reflect a nuanced understanding of racism that prioritises the needs of communities with lived experience of racism and other intersecting forms of discrimination.

In this report, we propose '**anti-racism data**' as a term to describe ideal practices around data that do not reproduce racist logics and instead embed Indigenous self-determination and sovereignty, and human rights principles. This means data is collected, used, and managed for anti-racism purposes,⁸ or in other words, for the purposes of eliminating racism.

Approaching anti-racism data requires care, given the distinct data interests of different people and communities, and the contested nature of different concepts and data approaches. In this Report, we do not necessarily provide conclusive answers on many of the topics we discuss. We instead aim to provide a foundation for an anti-racist approach to data. Although we acknowledge many would prefer us to provide definitive answers to the various issues raised in this Report, taking a human rights-based approach that prioritises participation and co-design means we cannot do that until we are fully informed of the needs and aspirations of all racialised communities across Australia.

The next stage of this work must meaningfully engage all racialised communities in the co-design of a national approach through the development of a National Anti-Racism Data Plan. The Australian Government should fund the Australian Human Rights Commission to enable the Race Discrimination Commissioner to lead this work, in line with advice from anti-racism data experts and practitioners,

government agencies, relevant independent statutory bodies, and civil society organisations.

Scope of this report

Population, administrative, and complaints data

This Report primarily focuses on population and administrative data (mainly collected by governments and service providers), and complaints data about race and racism (including related concepts of ethnicity, nationality, migration status, and religion). We are mainly concerned with data about racism itself and how race intersects with other forms of oppression to heighten inequality.

Population data

The Australian Bureau of Statistics defines a population as any complete group with at least one characteristic in common.⁹ This Report uses population data to mean the information collected about different characteristics of the Australian population, such as their ethnicity, age, geographic location, and occupation. In Australia, the official government standards for collecting population data often overlap with those for administrative data collection across government and non-government sectors. We therefore discuss their data standards interchangeably throughout the Report, and particularly in **Sections 5 and 6**.

We have dedicated significant attention to this data as it helps us understand structural racism, such as racial profiling of First Peoples and other racialised communities by police. Limiting our understandings of racism to data on interpersonal racism, such as harassment, microaggressions, and slurs, means that we can fail to address its structural roots. Population

and administrative data may not be immediately clear in revealing structural racism, but its interpretation and analysis can connect outcomes to root causes, such as the impact of colonisation and intergenerational trauma on the health of Aboriginal and Torres Strait Islander peoples health and wellbeing.

Administrative data

Administrative data is data collected and maintained by government and non-government organisations during the delivery of programs or services to the public. It includes data collected when people interact with a service, such as their country of birth, language spoken at home, age, disability, and gender.

Incident data

Incident data refers to information collected on occurrence(s) of racism as experienced or witnessed by a person in settings such as public transport, workplaces, and schools. It can be collected with specific reference to a form or type of racism (e.g., antisemitism or Islamophobia) or collected under broader categories such as 'online hate' or a general 'racial discrimination' category (e.g., being unfairly treated due to race or ethnicity). It includes data on both 'complaints' and 'reports'.

Complaints refer to formal requests or allegations made to an external body that requires follow-up action (e.g., to a body such as the Australian Human Rights Commission).¹⁰ Reports include informal concerns or allegations, often made by a witness or bystander, that may not require follow-up action.¹¹ Incident data is often collected and analysed for specific or

one-off experiences of interpersonal racism and sometimes do not reflect ongoing experiences of structural and institutional racism.

For the purposes of this Report, these three types of data are collectively referred to as '**anti-racism data**' (or 'racism data' when discussing existing data) and are only distinguished when necessary. Each of these forms of data highlights different aspects of racism and should be used to support tailored approaches and solutions.

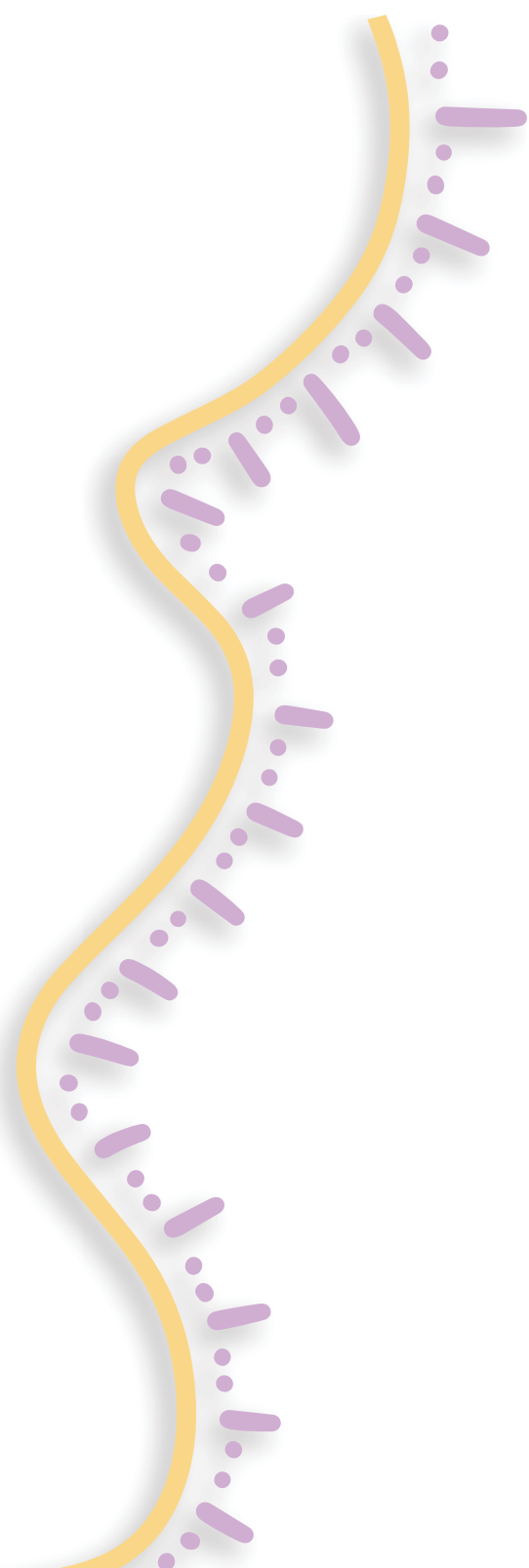
Limits of scope

This Report mainly focuses on data collected at the federal level. State, territory, and local data, while necessary for a comprehensive approach to anti-racism data in Australia, have not been considered in the same depth due to limited resources. State, territory, and local level data are fundamental for the effective design and implementation of anti-racism initiatives, given their more immediate impact, and should be given dedicated attention in future policymaking.

The scope of this Report is also generally limited to ongoing or routine data collection on race and racism (for example, the Scanlon Foundation's annual *Mapping Social Cohesion* survey, regular government surveys such as the *Household, Income and Labour Dynamics in Australia* survey, and current reporting initiatives by community organisations), rather than ad-hoc collections or initiatives that have been completed. A few non-routine or past initiatives, as well as some academic studies, have been considered due to their importance in reflecting the experiences of different racialised communities, or because they highlight significant gaps in more routine initiatives.

Data from 'new technologies', including artificial intelligence and digital communications technologies (e.g., information and communication technology, connected devices and the Internet of Things, and virtual reality) have not been considered in depth, although we recognise their

connections with systemic racism. The *Human Rights and Technology Final Report 2021*, led by former Human Rights Commissioner Edward Santow, has considered some of the human rights concerns of these new technologies, including racial discrimination.¹² The Commission may consider these technologies and their impacts from a dedicated anti-racist perspective in the future.



Voice referendum normalised racism towards Indigenous Australians, report finds

The Guardian, 6 March 2025

A 'single architecture of exploitation': new data reveals systematic underpayment of migrant workers

SBS News, 8 May 2022

'Isolated and traumatised' workers subject to racist slurs call for employers to do more to stamp out bullying and harassment

ABC News, 14 November 2022

'Racial profiling' - Indigenous people make up more than half of strip searches by WA Police

National Indigenous Times, 25 June 2026

Taunts, harassment and assaults: landmark report finds racism at Australian universities is 'systemic'

The Guardian, 17 February 2026

Plea to fix 'broken system' as NT reveals child prison population entirely Indigenous

The Guardian, 27 June 2018

'No safe space in society': new UN report reveals the extent of systemic racism faced by people of African descent in Australia

The Conversation, 6 October 2023

Nearly 20 per cent of Chinese Australians threatened or attacked because of their ethnicity, survey finds

SBS News, 3 March 2021

UNSW academic subjected to Nazi salutes in class, antisemitism commission hears

The Guardian, 13 July 2026

2 Introducing ‘anti-racism data’

- Data is not and has never been neutral, objective, nor free from bias. Historically, data has been used to surveil and control racialised communities and has often been designed, used, and managed with little input from the communities it concerns. Data can reinforce inequalities.
- Data, when collected and used properly, can help elevate and expose topics that have been ignored, silenced, or overlooked due to a lack of evidence or knowledge about their existence.
- For the purposes of the National Anti-Racism Framework, we need stronger data to provide evidence-based understandings of racism for targeted anti-racist actions; to monitor, evaluate, and learn from its progress; and to ensure accountability of decision-makers for preventing or addressing racism.
- ‘Anti-racism data’ is a term to describe ideal, intersectional data practices that embed self-determination and data sovereignty for First Peoples, and for all racialised communities, human rights principles such as participation, disaggregation, self-identification, transparency, privacy, and accountability. This approach explicitly centres anti-racism – the elimination of racism – as both the purpose and end goal for data collection.

2.1 Reconsidering the neutrality of ‘data’

Data is information that tells a story. Data is often presented in numbers (a quantitative form), but also include words, images, and symbols (a qualitative form). Data can be collected by us or from us, sometimes without our knowledge and consent. Sometimes, data is only considered ‘data’ if it has been produced through formal processes such as surveys. Data reveals aspects of our reality that can then be used in storytelling, reasoning, analysis, and decision-making.

Once social phenomena are labelled as ‘data’, it is easy to then see them as ‘social facts’.¹³ Data is often immediately accepted as objective and straightforward.

But data is not, and has never been, neutral, objective, or free from bias. Data is the product of subjective decisions that have always been shaped by historical contexts, social structures, and political agendas. Humans are involved in almost every aspect of the data lifecycle, from deciding what data are collected and from whom, how data is collected, to presenting, understanding, and sharing that data. As the Ada Lovelace Institute observes, we are constantly in the process of constructing data, which means our relationship with it is dynamic and often unequal.¹⁴ In practice, this means that what appears to be neutral or objective choices about the data prioritised and collected by society actually reflects existing power dynamics.¹⁵

Data does more than reflect our reality - data also influences the way we understand our world and each other.¹⁶ Not only do we make certain choices about what data are important enough to collect, we also categorise and analyse according to dominant social and cultural norms. Different ways of categorising or organising data can mean that some groups are ‘seen’ or identified in data

while others are misrepresented or made invisible. And even when these norms are changing, databases can also remain years behind newer ideas on how communities want to be identified or represented.⁴

We also use data to craft a story that matches our understanding of the world.¹⁷ Even the design, interpretation, and discussion of data reflect power dynamics. For example, some data is automatically accepted as credible while other datasets are seen as contentious. Data on the experiences of some groups may receive more prominent media coverage than those of other groups. Often, communities also have little input in how data about their lives are collected, managed, and shared, which can lead to deficit-based narratives. Indicators and the data they draw from also reflect bias. Although indicators are usually seen as objective, their traditional use to quantify complex and diverse circumstances can create biased or simplistic explanations of the issues they measure.¹⁸

Globally, data has historically been used by governments as a tool for surveillance, control, exclusion, and profiling of racialised communities in settler colonial societies. While outside this Report's scope, digital platforms and other corporations also share in this power today, often to extractive ends.¹⁹

As will be discussed in this Report, data on race in Australia has been used in ways that has had a significant, and generally harmful, effect in structuring our social and political realities, particularly for First Peoples.

Population data (i.e. national data collected through a census) in particular has played a powerful role in defining Australia's image of itself by mapping social and economic trends such as education levels, mortality, labour market figures, income dynamics, birth rates, and age and gender distributions.²⁰

Statistically-based narratives, framed by colonialism, have been used to rationalise the dispossession and marginalisation of Indigenous peoples globally, and even question the right of Indigenous peoples to be Indigenous.²¹ These concepts or discourses continue to have impacts. Numbers operate as 'mechanisms of unequal power relations' defining the identity of First Peoples and what they can and cannot be through a

deficit lens.²² Many national statistical systems deny the human rights and worldviews of Indigenous peoples through the creation and primacy of data that is inherently biased and not reflective of Indigenous worldviews, experiences, or priorities.²³ This data is used by governments, statistical agencies, and researchers in analysis and decision-making, playing a subtle yet significant role in shaping broader societal understandings of First Peoples, communities, lands, resources, and cultures.²⁴ This exploitation, misinterpretation, and misuse of Indigenous data is commonplace, with First Peoples being blamed for experiencing inequities rather than acknowledging that many outcomes are the result of longstanding and current racial injustices.²⁵

However, data can also be an important tool for resisting erasure and addressing injustice. Data can help identify inequalities between groups and elevate the distinct needs of different groups. For example, data disaggregated by gender has been used to demonstrate structural disadvantages between genders, such as the gender pay gap.²⁶ Data can also recognise groups that have historically been made invisible' in society, such as trans and gender diverse people.²⁷ In this way, data has symbolic power and can also lead to material change that comes with being represented in datasets.

Data, when collected and used properly, can help elevate and expose topics that have been ignored, silenced, or overlooked due to a lack of evidence about their existence.²⁸ Data can also be an important tool that allows communities with lived experience to design and lead nuanced anti-racist work that meaningfully reflects their needs and priorities.

Race and/or ethnicity data at a population level would enable analysis of education, employment, health, and other socioeconomic outcomes for racialised communities, and provide the foundational data for understanding racism across sectors and issues. Incident data on different forms of racism as it is experienced across communities in different settings is also essential to affirming experiences and designing strong responses to racism.

In Australia, data that allows us to understand the full nature, extent, and impact of racism across our society are not consistently nor comprehensively available. Without strong data, it can be difficult to measure progress on programs, policies, and initiatives and to hold governments, institutions, and other decision-makers to account for racism.

For the purposes of a National Anti-Racism Framework, we need stronger anti-racism data to:

- provide evidence-based understandings of racism, including racial disparities, to better target anti-racism initiatives
- monitor, evaluate, and learn from progress of the Framework, including to determine whether programs, policies, and initiatives designed under the Framework are effectively eliminating racism, and
- ensure accountability of decision-makers to prevent or eliminate racism.

But data about race and racism serve its purpose only if it results in accountability and change. It can multiply or amplify harm if it is misused, for example, to reinforce racist claims about racialised groups. For this reason, anti-racism data must sit within broader systems change such recommendations set out in the National Anti-Racism Framework that aim to build racial literacy and embed accountability across institutions.

2.2 Reorienting data for anti-racism purposes

Recognising the potential for data on race and racism to be weaponised against racialised communities and cause significant harm, we believe Australia cannot engage in a national approach to data about race and racism without first recognising, as a matter of truth-telling, how structural racism can shape the data lifecycle. Any future action on data, by both government and non-government actors, must be explicitly situated within the principles of anti-racism.

Similarly to the Centre for Resilient and Inclusive Societies, we orient our approach as ‘data for anti-racism’.²⁹ In other words, the collection, management, and use of data should each serve anti-racist purposes. Orienting an approach to data within this framing can mitigate or reduce the harms that many historical and current data practices have inflicted on racialised communities.

We propose the use of ‘**anti-racism data**’ as a term to describe ideal, intersectional data practices that also embed self-determination and data sovereignty for First Peoples and human rights principles, such as participation, disaggregation of data to highlight intersectional experiences, self-identification, transparency, privacy, and accountability.

This approach explicitly centres anti-racism – the elimination of racism – as both the purpose and end goal for relevant data collection.³⁰ It involves transforming how we approach data about race and racism, including how it is constructed, managed, owned and used. It means recognising the colonial legacies of harm in relation to data collection about communities with lived experience of racism,³¹ and pro-actively ensuring data processes centre their needs and interests.

Normalising this approach in discussions about data in Australia may be contentious, given the general aversion to using the explicit language of race and racism. A recent Commission-funded report into existing government anti-racism programs, policies, and initiatives found there is a reluctance across government to use the term ‘racism’.³² Often, data on racism has been obscured by approaches to understanding difference through framings such as ‘culture’ or shallow understandings of ‘diversity’, which have erased the ongoing effect of race in our lives. But if many areas of government, as key decision-makers, struggle to use the term ‘racism’, the path to anti-racism data will be difficult. Throughout this report, we intentionally name race and racism, because this language is essential to understanding our relationship with this data and confronting racism.

3 Approaching racial classifications in a data context

- Both race and ethnicity are social constructs, associated with a range of biological, social, and cultural variables. Although these terms should not be used interchangeably, we generally use ‘race/ethnicity’ in this Report to recognise their overlapping, contested meanings. We do this to recognise their common role in classifying and categorising groups.
- Race and ethnicity will continue to defy our best efforts to establish coherent definitions over time, particularly when it comes to constructing categories. There is no right way to decide how data about all racialised groups should be collected and categorised.
- Data about Aboriginal and Torres Strait Islander people should be distinct from data on other racialised groups in Australia. Aboriginal and Torres Strait Islander identity reflects an enduring sovereignty and connection to Country that remains fundamental to the unique experience of being the First Peoples of Australia.

3.1 Defining race and ethnicity

Understanding race

Race is a social construct. Scientifically, there is no basis for dividing people into racial categories. In 1997, sociologist Stuart Hall described race as a ‘floating’ or ‘sliding signifier’. The meaning of race shifts depending on historical and political contexts and geography, but its overall role is to justify

social hierarchies.³³ As a European invention used to justify colonisation, race has been used to organise and classify the world based on physical features such as skin colour, hair type, and facial features.³⁴

The *International Convention on the Elimination of All Forms of Racial Discrimination* (1965) and the *Racial Discrimination Act 1975* (Cth) do not define race.

Race in countries like Australia often operates to preserve the power and privilege of people seen or categorised as ‘white’. In Australia, this often means Anglo-Celtic and some European cultures, values, and communities exert social and political power over other groups. Since race is socially constructed, its meaning and the position assigned to groups within the racial hierarchy is always contested. People seen as ‘white’ and people who are seen as racially inferior ‘Others’ can change depending on the context, often reflecting and affecting the social, political, ideological, and economic struggles between groups at any point in time.³⁵ So, what race means in one place at one time, is not always what it means in another place at another point in history.³⁶

Although the scientific or biological basis for race has been discredited (there is in fact more genealogical variation within groups than between them), race is still assumed by many parts of the population to represent real differences between groups of people.³⁷ It has come to embody a series of assumptions that subconsciously affect our thoughts and behaviours, and which have been incorporated into our social and political institutions.³⁸ The acceptance that race can be used to distinguish groups from one another has led to the presence of racism. Racism is a form of power, or a process, that creates inequitable outcomes for people justified by racial categorisations.³⁹

In this sense, race continues to be ‘real’. It is the ‘centrepiece of a hierarchical system that produces differences.’⁴⁰ Race continues to be defined and enforced through a process of *racialisation*, where individuals are divided into racial categories according to historically and culturally specific, human-created criteria. In other words, race is a tool used to construct categories or classifications of groups that justify racist power imbalances and social hierarchies.

Understanding ethnicity

The concept of ethnicity has been described as much of a ‘sliding signifier’ as race and is equally as contested.⁴¹ Until the late 19th and early 20th century, the concept of ethnicity was linked to race, people, and nation, with this ambiguity remaining today.⁴²

It is used to mean commonalities in groups rooted in ‘cultural’ features, such as shared languages and history, and specific customs, traditions, and beliefs, while also drawing on features such as common ancestry.⁴³

Race has been said to be ‘socially defined, but on the basis of physical criteria’, while ethnicity is seen as ‘socially defined, but on the basis of cultural criteria.’⁴⁴

Ethnicity is often distinguished from race because it is something people ‘choose’ to self-identify with, rather than it being ascribed to them. Popular understandings of race place varying emphasis on biological innateness or essentialism, cultural attributes, and identity. Biological essentialism, in practice, implies that a person’s race is determined by their parents’ race and that their race can be identified by phenotypic markers such as hair texture, eye shape, and skin colour.⁴⁵ In this approach, a person’s race is inherited or determined by their ancestry, and identification of their race by that person and others is obvious.⁴⁶ In contrast, relying on cultural attributes such as language spoken and religious affiliations to distinguish subgroups implies that ethnicity is a socially-acquired characteristic. Since cultural attributes are often linked to country of birth, this approach often means national origins or

political affiliations act as the primary means of distinguishing between groups.⁴⁷

3.2 Commission’s approach to race and racial categorisations

Issues with racial classifications and the census

We need to be careful that data methods such as the national population census do not reinforce the false belief that there is a real scientific or biological difference between groups based on race.

Categories such as those used in the census do not merely reflect social reality, they shape it. Assigning people into single, fixed categories oversimplifies identities and forces us to see the world as made up of distinct groups rather than see our links between each other as complex or context-specific (e.g. in terms of our geography or social relationships with each other).⁴⁸

Racial classifications are rooted in a racist, colonial history, both in Australia and globally (see **Section 4.2**). In former European colonies including Australia, racism has often been informed by census and similar data. Census data was also weaponised in European countries like Nazi Germany against Jews and other minorities.⁴⁹

In many societies, people who see themselves or are seen as ‘white’ can change over time, in part depending on how they are treated by the society around them. This could apply to migrants from parts of Europe to Australia. Some people who see themselves as white assume that they are ‘race-neutral’ and that only those who are part of a racial minority group have a race.⁵⁰ Alternatively some may see themselves as superior because they are white. What is important is analysing whether systems and institutions are designed and operate to be less inclusive for those not seen as white.

Both in Australia and globally, census categories continue to be heavily contested and resisted. Census categories do not necessarily reflect the dynamic nature of identity, and many administrative definitions may not be meaningful to the very people or groups they aim to represent.⁵¹ When categories are imposed from ‘above’ (e.g. by governments), they can be rejected by communities. However, racial categories reclaimed or created by communities themselves can equally be an important form of self-identification and resistance.⁵²

Although the categories we use to differentiate each other along racial lines are imprecise, and often arbitrary, they are not meaningless.⁵³ Approaching the collection of data about the racial identities of people in Australia requires care and sensitivity. It requires being clear on what we are measuring and how, and ensuring categories or labels are informed by affected communities themselves. Importantly, it also involves being conscious of the histories of race and its continued impact on groups, rather than avoiding direct conversations about race and racism altogether.

Importance of talking about race as part of racism and anti-racism

In taking an anti-racist approach to data, we are cautious about the risk of using ethnicity to avoid conversations about race. Erasing racial language does not necessarily remove its presence in structures of power.⁵⁴ Some have argued that the dominant use of ethnicity and culture (as opposed to race) has been a way for policymakers to mask and/or deny the power of race.⁵⁵

In many settings, ethnicity is seen to be a less historically loaded term that avoids the negative connotations of race and has been favoured by many as an alternative approach to discussing group difference. But ethnicity, if used as a euphemism for ‘race’, can act as another way of essentialising and naturalising difference.⁵⁶ Some people have argued that even categorising distinct

groups based on ethnic difference leads us to racial distinctions that we have sought to eradicate.⁵⁷ In Western nations for example, a person is more likely to refer to their ‘nation’ for themselves (‘I am Australian’) and ‘ethnic’ for immigrant groups, as demonstrated in the frequently used term ‘ethnic minorities.’⁵⁸ The term ‘ethnic minority’ frames ‘white’ as the majority and default, and positions others as abnormal or peripheral.

Abandoning the language of race does not necessarily remove its ongoing effects. Although the emergence of concepts such as ‘culture’ and ‘ethnicity’ has happened in parallel with the demise of race, it has not been accompanied by a decrease in racism.⁵⁹ A denial of race and racism through the use of the language of ‘ethnicity’ and ‘culture’ has led to an inability to openly engage with race, its roots in modern European political thought, and its consequences for individual lives.⁶⁰ Concepts such as ethnicity and nationality can erase the real history and effect of race that enable hierarchies, and do not properly account for processes of racialisation and dehumanisation that are central to many colonial contexts.⁶¹

As a practical example, the 2017 Race Disparity Audit conducted by the United Kingdom has been criticised for its preference in using ethnicity in favour of race, as a more ‘palatable term’ in its analysis of inequality between groups.⁶² In the context of this audit, concerns were raised about a pattern of ‘de-racialisation’ by the UK Government, in which:

- race is replaced by ethnicity, making racism as a cause less visible
- ethnicity acts as an indiscriminate descriptor, sometimes acting to depersonalise or problematise ethnic groups, or is phrased to suggest a causality between identity and disparities. In other words, the people responsible for the disparities are those experiencing racism
- there is a lack of consistency or an absence in naming the specific groups experiencing unequal disparities.

- there are limited references to acts of discrimination, prejudice, and the violence of racism (whether interpersonal, institutional, or structural) as the cause of racial disparities
- there are few or no references to who is responsible for changing racial disparities or the actions (e.g. anti-racism measures) required to overcome the disparities.⁶³

For others, speaking only about racism may be safer and less threatening than speaking about race. But treating race and racism as separate also implies that race is a neutral category that is simply tainted by acts of racism and overlooks that there is no racism without race.⁶⁴ Understanding race as merely a socially constructed phenomenon without a real effect may be wishful thinking.⁶⁵

Our position on approaching race and racial classifications in anti-racism data

Both race and ethnicity are social constructs, associated with a range of biological, social, and cultural variables. Although these terms generally should not be used interchangeably, we use race/ethnicity in this Report to recognise their overlapping, contested meanings and draw attention to their common role in categorising groups.

The census sends a message on the types of information deemed valid and worth collecting, as well as the personal characteristics seen as culturally important.⁶⁶ Many advocates are concerned that migrant status, language, country of birth, and ancestry are not meaningful proxies for measuring discrimination based on race/ethnicity, but we acknowledge concerns about re-introducing problematic ways of classifying people based on false ideas of group difference.

We should be cautious about reinforcing race as a category or classification system. However, using the term race is fundamental to taking a more nuanced, anti-racist approach to data as it supports a more systemic and structural analysis of racism.

There is no universal method or measurement to collecting data based on socially constructed distinctions. Race and ethnicity will continue to defy our best efforts to establish coherent or neatly distinct definitions over time, particularly when it comes to constructing categories.⁶⁷ There is no right way to decide how data about all racialised groups should be categorised.

We believe this data remains important to collect because, despite its contradictions, the concept of race continues to play a crucial role in structuring and representing our realities.⁶⁸ While race may not be ‘real’ in a biological sense, ‘race is indeed real as a social category with definite social consequences’ and we therefore ‘cannot dismiss race as a legitimate category of social analysis by simply stating that race is not real.’⁶⁹ So long as race and racism continue to shape real outcomes for certain communities over others, data on these structural inequalities are important to collect to inform anti-racism initiatives.

Collecting data on the fluid and dynamic nature of racial and ethnic identity even if it is difficult, is still worthwhile. There is value in understanding how people define and assert identities for themselves, how they come to assign them to others, and the role that state authorities play in these collective identity processes.⁷⁰

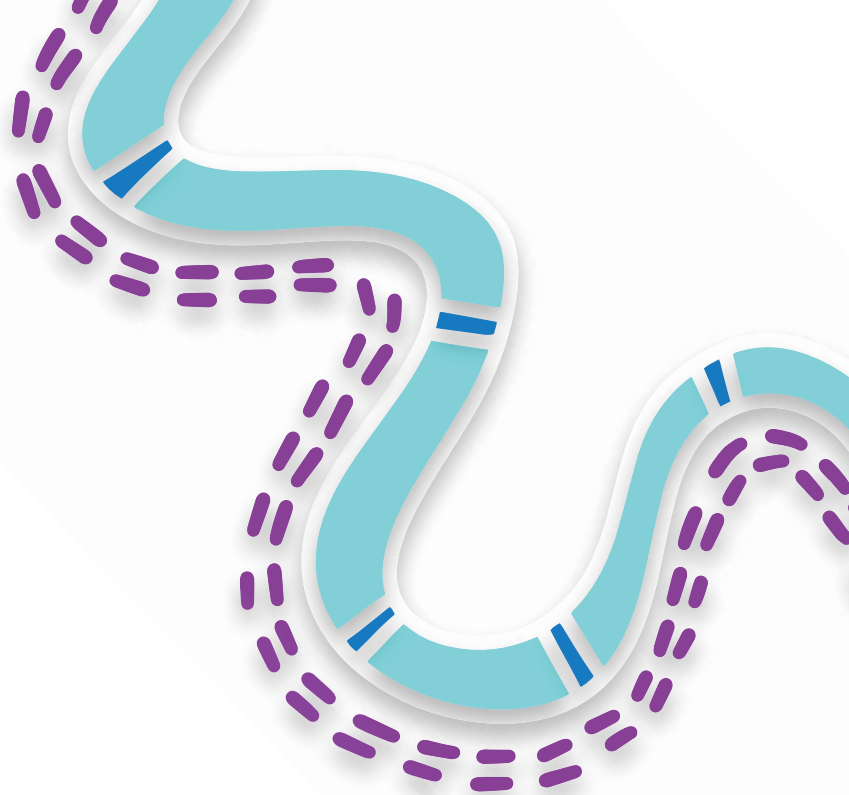
We also need to remember that race/ethnicity is not a flat, innate variable that can be controlled and that is also divorced from historical, social, and political contexts. A person’s race/ethnicity is not the reason for inequalities they may experience based on that identity. Rather, it is the broader interconnected systems of oppression such as racism, classism, sexism, ableism, and ageism that create inequalities.⁷¹

Distinguishing Aboriginal and Torres Strait Islander people and other racialised communities

Although Australia, institutionally, may see Indigenous peoples as a race, it is distinct to how many Aboriginal and Torres Strait Islander people think of themselves as nations, communities, and other organised socio-political units.⁷² First Peoples are 'constantly translating' between being treated as nations, races and peoples, but predominantly treated by governments as a disadvantaged racial minority.⁷³

In this Report, we distinguish the identities and experiences of Aboriginal and Torres Strait Islander people and other settler migrant communities that also face racism in Australia. Although there are connections between the concepts of Indigeneity and ethnicity, and both overlap with race, we believe demographic data about First Peoples should be distinct to other data about racialised groups in Australia.

As Distinguished Professor Aileen Moreton-Robinson says, First Peoples' sense of belonging is tied to an inalienable, ancestral relationship to this land, or Country.⁷⁴ Colonisation did not destroy this relationship to Country.⁷⁵ This is a unique position that cannot be shared with settlers, including migrants, in Australia.⁷⁶ Although many settler migrants in Australia may also be indigenous to their own lands and have similar colonial experiences, their identity and experiences of racism in Australia are still distinct to those of First Peoples. First Peoples are the original inhabitants of the lands that form Australia and have had their sovereignty and territory appropriated by settler colonialism,⁷⁷ which shapes a unique experience of racism.



4 History of race data collection in Australia

- In Australia, colonisation and race-based thinking have informed official approaches to how data about Aboriginal and Torres Strait Islander people and other racialised people have been defined, collected, and used.
- Since 1788, government policies of protectionism, assimilation, self-management or self-determination, reconciliation, multiculturalism, closing the gap, and social cohesion have shaped the experiences of racialised communities as well as government data standards. These have generally reflected problematic racial classification systems.
- Although racial classifications have largely been discredited, they continue to have a real effect today. A national approach to anti-racism data must first recognise this history to ensure that historical wrongs are not repeated or unknowingly reproduced and to allow new approaches where racialised communities have agency over how data about them is created.

4.1 Embedding truth-telling in anti-racism data

'Societies that do not know and face up to the truth about their histories are likely to repeat the mistakes of the past. If we are to find the right pathway forward, the facts about Australia's past and continuing mistreatment of our [First] [P]eoples must be fully incorporated into Australia's national narrative.'⁷⁸

Australian Human Rights Commission, Wiyi Yani U Thangani (Women's Voices): Securing Our Rights, Securing Our Future (Report, 2020)

Throughout the development of the National Anti-Racism Framework, we consistently heard from all communities that truth-telling about Australia's settler colonial history, and its ongoing impacts, is foundational to anti-racism action.

Australia's lack of data on racism can be partly explained by its historical and ongoing reluctance to explicitly recognise and confront issues about race and racism.

This section outlines Australia's approach to the collection of population and administrative data on race since 1788, paying close attention to official state policies of exclusion, control, and management. This is contextualised within broader global history about the use of racial classifications in colonial contexts since the 16th century. In Australia, colonisation has informed government approaches to how data about Aboriginal and Torres Strait Islander people and other racialised people are defined and collected. Settler colonialism is not merely a historical event; it is a continuous structure or process,⁷⁹ and Australia's historical approach to race data continues to shape data collection and identity construction.

Although many racial classification systems have been discredited, they still have a real effect today. Any national approach to anti-racism data must first recognise this history to ensure that historical wrongs are not repeated or unknowingly reproduced, and to encourage a new approach where racialised communities have agency over how data about them is created.

Some of the historical material quoted below contains original terminology and content that are racist, or otherwise discriminatory and offensive, and may be distressing to

Aboriginal and Torres Strait Islander readers. We have chosen to truthfully relay harmful historical practices and dominant attitudes at the time, and recognise and apologise for the harm this causes. This language does not represent the views of the Commission.

We appreciate that many government policies towards racialised communities do not always fit neatly into set years or periods, with traces of many harmful policies remaining across the years. We also acknowledge that the events set out below do not capture the full history of race and racism in Australia.



4.2 Australia's history of official data collection about race

Global origins of race and the census

The modern concept of race as a form of categorising different groups was invented during the eighteenth and nineteenth centuries, coinciding with European colonisation of the 'New World'.⁸⁰ During the Enlightenment era, many theorists dedicated themselves to classifying groups of people. Race was conceived as a biological concept, a belief that people from different groups were biologically different and could be classified into a hierarchy based on 'scientific criteria'.⁸¹ One of the eras' most notable theorists, Carl Linnaeus divided people into groups: European (White), American (Red), Asian (Yellow) and African (Black). His work laid the foundation for scientific racism in the nineteenth and early twentieth centuries, including the eugenics movement.⁸²

Race was the foundational ideology used by colonial states to justify the brutal enslavement of people from Africa in the Atlantic Slave Trade and the dispossession and destruction of Indigenous peoples globally.⁸³ Colonialism operated based on the denial of colonised peoples' political rights and therefore required a clear distinction between settlers and Indigenous populations.⁸⁴

As modern states also took form in the 17th century and nationalism emerged leaders became interested in capturing their populations at an aggregate level.⁸⁵ According to political historian Benedict Anderson, the census became one of the tools used by states to establish a national identity by counting and categorising its population according to shared characteristics.⁸⁶ The task of dividing populations into separable categories inevitably intersected with separating populations into racial categories.⁸⁷ Race was used to distinguish Europeans from groups considered as socially-culturally inferior *others*.⁸⁸ In practice, the census and its racial classification system became a way to define and control entire populations.

Since time immemorial

Prior to colonisation, more than 500 distinct Aboriginal and Torres Strait Islander nations inhabited and cared for the continent now known as Australia, each with distinct languages, customs, and kinship systems. Each of these peoples have a unique history, a unique historical and contemporary affiliation to Country, and a unique cultural identity.⁸⁹

1788 – 1800s: British colonisation, violent dispossession, and policies of 'protectionism'

In 1788, British colonisers landed in Australia and established a penal colony, claiming around half of Australia for Britain. Several decades later Britain claimed the entire continent which eventually became the nation of Australia in 1901. Britain's claims relied on the legal myth that Australia was *terra nullius* or land belonging to no one. The colonisers established the colonies that formed Australia by taking land from Aboriginal and Torres Strait Islander people, denying their rights of ownership, and forcing them onto missions and reserves. Colonisers committed genocidal acts including massacres, systematic child removal, and suppressing language and culture.

One of the first tasks that settlers undertook was to define, with as much precision as possible, who was Aboriginal.⁹⁰ Settlers pushed the narratives that First Peoples were a 'doomed race' that would 'fade away' until the continent was populated only by people of European origin.⁹¹ Racial classifications based on pseudo-scientific reasoning created a hierarchy where First Peoples were seen as a 'primitive people' and inferior to 'civilised' Europeans, who were at the top of the global racial hierarchy.⁹²

Before Federation in 1901, the state colonies were responsible for their own censuses. Each colony defined Aboriginal status through 'blood quantum' definitions of identity, beginning with the introduction of 'half-caste' in New South Wales in 1839 and extending across all colonies, states, and territories as they came into existence.⁹³ Aboriginal identity was quantified through racist categorisations such as 'whole-blood', 'full-blood', 'half-blood', 'half-caste', 'quarter-caste', 'quadroon', and 'octoroon'.⁹⁴ These distinctions were generally based on the official census collectors' subjective perceptions of skin colour.⁹⁵

Policies of segregation, separation, absorption, and assimilation sought to hasten the disappearance of First Peoples.⁹⁶ 'Full-blood' Aboriginal people were isolated on reserves, under the belief that mixing the 'full-blood' Aboriginal and white populations could not occur and soon all 'part-Aboriginal' people could be assimilated into the general population.⁹⁷ From the late 19th century, most First Peoples were confined to reserves, privately owned pastoral stations, and missions under the control of managers and missionaries appointed by the government.⁹⁸ In the name of 'protection,' First Peoples' everyday lives were subjected to near-total control, including their movement, right to marry, employment, and decisions over their children's upbringing.⁹⁹

Historian John McCorquodale observes that no less than 67 identifiable classifications, descriptions, or definitions have been used by Australian governments to describe Aboriginal and Torres Strait Islander people from the time of invasion to present.¹⁰⁰ With these arbitrary classifications, a 'new species of legal creature was created and sustained as a separate class, subject to separate laws and separately administered.'¹⁰¹

1900s – 1930s: Federation and White Australia

In the 20th century, Australia entered a new era of colonial settlement and plans began for a united, federated nation. Racial attitudes continued to influence how Australia imagined this new nation.¹⁰²

Mainstream attitudes towards non-British migrants reflected the socioeconomic conditions of the time.¹⁰³ In the 1850s, the search for gold had attracted immigrants from various regions globally, including Chinese migrants. The arrival of Chinese migrants was not welcomed by colonists, and they were 'treated viciously' as a community with a distinct appearance, culture, and language.¹⁰⁴ The anxiety towards Chinese immigration resulted in laws from 1888 that controlled immigration, not only for Chinese communities but also for South Pacific Islander people brought to Queensland as indentured labourers to work on sugar plantations.¹⁰⁵

Nationalism in 19th century Australia developed alongside a desire to exclude 'coloured races' from the national space.¹⁰⁶ People of a non-white 'race' were seen to be incompatible with Australia's white national identity and therefore excluded from national belonging.¹⁰⁷ These attitudes were reflected during parliamentary debates before Federation about who should be included and excluded, and how the new Federation would imagine its national character culturally and politically.¹⁰⁸

With Federation in 1901, conversations also began about a national census. The Australian Constitution was drafted to include section 127, which said 'aboriginal natives shall not be counted' when 'reckoning the number of the people of the Commonwealth, or of a State or any part of the Commonwealth.' Commonwealth authorities interpreted this section as forbidding them from including 'full blood' Aboriginal people in the national count.¹⁰⁹ The lack of debate at the constitutional debates before Federation on this exclusion reflected the belief that First Peoples were a 'dying race' and would have no role or place in the future of the country.¹¹⁰

At this time, the *Immigration Restriction Act 1901* was also introduced to restrict the entry of non-white people and allow the deportation of 'undesirable aliens', i.e. non-British and non-Europeans.¹¹¹ The *Pacific Island Labourers Act 1901* was passed to expedite the deportation of Pacific Islander people while the *Naturalisation Act 1903* established conditions that allowed Europeans to gain Australian citizenship.¹¹² Together, these three Acts established the legal framework that is known as the White Australia Policy.

During the formal years of the White Australia Policy (1901-1973), eight national censuses were conducted by the Commonwealth Bureau of Census and Statistics and included an explicit race or racial origin question.¹¹³ Australian Censuses from 1911-1966 required respondents to explicitly state their race, and where race was mixed, to specify the proportion of each, continuing the practice of blood quantum-based classification. Responses were placed into two broad categories: 'full blood' European and 'non-European'. The non-European population was captured in counts such as 'Aboriginal', 'Arab', 'African', 'Asiatic Jew', 'Chinese', 'Filipino', 'Japanese', 'Syrian' or 'Other', and further divided into full blood or half-caste categories.¹¹⁴ 'European' in these censuses were used to describe 'white-skinned' individuals from mostly Europe and America and elsewhere while non-white people were mainly contained to the 'Non-European' category.¹¹⁵

Aboriginal people were only counted to be excluded from the overall population count, with definitions of who was Aboriginal remaining arbitrary.¹¹⁶ Aboriginal people were counted *only* if they were accessible to official census collectors; all those not enumerated were assumed to be 'full bloods' and their number was estimated.¹¹⁷ Where Aboriginal people were included in the Commonwealth's figures on 'half-castes', others were counted as Europeans if census collectors deemed them to be 'less than half castes'.¹¹⁸ Counting of Torres Strait Islander peoples varied, sometimes being counted as 'Aboriginal natives' and therefore excluded

from the national count. For example, the 1947 Australian Census included Torres Strait Islander peoples under the 'Polynesian' category, which meant they were included in the national population count under this separate race category¹¹⁹ but were in a separate category by the next 1954 Australian Census.¹²⁰

1940s – 1960s: Policies of assimilation and continued effects of the White Australia Policy

In the late 1930s, when it became clear the 'Aboriginal race' had not become extinct and that the 'Aboriginal problem' would continue to haunt White Australia, the government formalised the systematic assimilation of First Peoples, through the forced removal of children from their families.¹²¹

Race-based concepts of eugenics and economics were the foundation for child removal. Firstly, there was universal acceptance among politicians, medical scientists, and anthropologists that eugenics could be used as a method to 'breed' out First Peoples through biological absorption.¹²² Secondly, as the mixed descent population increased, the federal government had to provide for their welfare, education, and employment.¹²³ Unless mixed descent people were integrated into the economy, their growing numbers would (supposedly) burden the government and create social and economic problems.¹²⁴ Known as the Stolen Generations, 'removal was pursued as a national project based on miscegenation and the notion of keeping Australia a white nation', with an additional desire for cheap labour.¹²⁵ First Peoples were classified based on their colour and phenotype, with the removal targeting children of mixed descent.¹²⁶ This practice continued until the 1970s, with continued intergenerational impacts today.

As a result of the White Australia Policy and policies of assimilation, Australia's population became 'progressively whiter' during this time.¹²⁷ For First Peoples, assimilation also

meant the outlawing of Aboriginal languages, cultural practices and rituals, and traditional and customary law and the enforced displacement of people from their birthlands and confinement to missions.¹²⁸ 'Whiteness' became the criterion for migrant selection to preserve the dominance of Australia's Anglo-Celtic majority and guarantee entry of only the most assimilable migrants.¹²⁹

However, the threat of population decline after the World Wars did see the federal government reluctantly commit to post-war mass migration.¹³⁰ Between 1945 and the early 1960s, assimilation also underpinned government migrant settlement policy during post-war immigration. For racialised migrant groups, assimilation demanded they divest themselves of any cultural practices seen as unacceptable to a monocultural, Anglo-centric Australia.¹³¹ State institutions and services were designed solely for the benefit of English-speaking people, and in daily life, people were discriminated against for speaking a language other than English or simply for being different to the white norm.¹³²

The White Australia Policy also led to the deportation of South Sea Islander people and prevented people from Asia, Africa, and the Pacific Islands from entering Australia.¹³³ For Australian South Sea Islander people who remained (generally because of marriage to people from other groups, such as First Peoples), most of their lives were controlled through legislation.¹³⁴

The 1967 Referendum and global anti-racism struggles

By the mid-20th century, the link between race and nationhood began to weaken as the meaning of race shifted away from biological essentialism and the concept that nation and race are tied. It shifted towards the belief that race and ethnicity are culturally and socially defined, and therefore contextually specific.¹³⁵ Globally, the end of the Nazi regime in Germany, apartheid in South Africa, Jim Crow segregation, and the collapse of colonialism resulted in the scientific or biological concept of race becoming discredited.¹³⁶ These civil

rights movements also brought anti-racism to the forefront of social justice struggles.¹³⁷

In 1948, the *Universal Declaration of Human Rights* was adopted by the newly established United Nations, marking a milestone in progress on human rights. References to race, which had been a practice in the League of Nations, were replaced by references to 'ethnicity' in United Nations materials.¹³⁸ A language for difference that drew on ideas of ethnicity, origins, and heritage was proposed by anthropologists and formalised by structures such as the United Nations Educational, Scientific and Cultural Organisation (**UNESCO**).¹³⁹ In 1950, a UNESCO panel declared race was not a biological fact but a social myth, and recommended that ethnicity instead be used as a more accurate descriptor of difference.¹⁴⁰ In 1965, the United Nations also adopted the *International Convention on the Elimination of all Forms of Racial Discrimination*, marking another significant milestone in global action to eliminate racial discrimination and racist ideas and practices. A year later in 1966, the United Nations also ratified important conventions on political, cultural, social, and economic rights which further supported global decolonisation and civil rights discourse.¹⁴¹

But even amidst this global shift, the Australian Government still insisted on a White Australia.¹⁴² Despite UNESCO arguing strongly against the use of such racial categorisation in public policy, Australian census designers continued to conflate race with national descent.¹⁴³ The 1966 Australian Census asked respondents to state their race and provided a table of races gathered from 1933 to 1966, with Europeans placed in one single category and another category including Australians of all European descent. A further non-European category consisted of Aboriginal people and a small number of other races based on a blended and inconsistent approach of country of birth, ethnicity, and ancestry.¹⁴⁴ The distinction between 'half-castes' and 'full bloods' continued to vary depending on the wording of specific questions in the census but reliance on blood-quantum remained as a defining characteristic.

1970s – mid-1990s: Policies of self-management or self-determination and settlement focus within multiculturalism

However, a change in direction was inevitable and Australia's restrictive, racist policies soon put the Australian Government in a morally indefensible position both domestically and internationally.¹⁴⁵ With human rights a key focus of the United Nations, Australia's treatment of Aboriginal and Torres Strait Islander people, including the policy of assimilation and forcible removal of children, became difficult to defend internationally.¹⁴⁶

As a result of sustained advocacy and activism by Aboriginal and Torres Islander people,¹⁴⁷ policies of 'self-management' or 'self-determination' replaced assimilation in the 1970s. The policy of self-management involved the administration and management of communities and organisations, while self-determination implied Indigenous control over policy and decision-making.¹⁴⁸ Aileen Moreton-Robinson observes that although it is often said self-determination was the dominant policy framework of the early 1970s, a closer analysis of government processes and practices reveals self-management was the policy in practice.¹⁴⁹

The landmark 1967 Referendum led to the repeal of section 127 of the Australian Constitution, which meant that Aboriginal and Torres Strait Islander peoples would be counted as part of the total count of the national population in the census. But as Kalinda Griffiths and James Smith note, it was only through the moral imperative expressed in this poll by non-Indigenous voters that enabled the recognition of Aboriginal and Torres Strait Islander people in the official Australian picture.¹⁵⁰

These events contributed to a shift from definitions of race towards defining Aboriginality by descent, self-identification, and community recognition.¹⁵¹ At this time, the White Australia Policy was also being phased out. In 1973, Australia adopted an official policy of 'multiculturalism' following

increasing global migration from non-Western European countries, post-war decolonisation, and domestic economic growth.¹⁵²

In 1971, the Australian Bureau of Statistics (**ABS**) sought to minimise census officials' influence on the 'enumeration of race' and increase the impact of respondents' discretion.¹⁵³ At the time, the United Nations Working Group on Indigenous Populations and a range of other mechanisms recommended self-identification as an approach, or one that was no longer defined by public administrators.¹⁵⁴ The ABS soon abandoned the 'biological' or blood-quantum concept of race in favour of self-identification. The 1971 Australian Census dropped 'race' for the first time. Instead, respondents were asked their 'racial origin', with options including European, Aboriginal, Torres Strait Islander (for the first time), and 'other'.¹⁵⁵ Questions continued to be asked about a respondent's country of birth (including of their parents), nationality, and religion.

Australia soon passed the *Racial Discrimination Act 1975* following its ratification of the *International Convention on the Elimination of All Forms of Racial Discrimination*, which further cemented a retreat from race-based categories as well as race-based legislation.¹⁵⁶ Discriminatory legislation designed for Aboriginal and Torres Strait Islander people was revoked and an Indigenous land rights discourse emerged with the establishment of the *Aboriginal Land Rights (Northern Territory) Act 1976* (Cth), enabling the granting of land claims in the Northern Territory.¹⁵⁷ The Whitlam Government also announced that race or colour would no longer be a basis for immigration control.¹⁵⁸

The move from assimilation to integration and then to multiculturalism encouraged a shift from the language of race to one of ethnicity and culture.¹⁵⁹ James Jupp notes that even though 'race had been abandoned as an official distinguishing factor [in Australia's immigration policy], language became a central concern' of difference for the rising number of non-Europeans settling in Australia in the 1960s-70s.¹⁶⁰

Language was seen as the core of diversity, or as the basis for 'ethnic groups', along with census data on country of birth (which has been collected in all Australian Censuses since 1846).¹⁶¹ Although multicultural policies recognised the growing diversity of society (and its positive value), they also contributed to a form of assimilation where governments aimed to help non-English speaking migrants become well-adjusted 'productive' members of society as soon as possible.¹⁶² Policies were developed for those of non-English speaking background and their locally born children. These were based on a 'deficit' approach, i.e. those who were not fluent in English needed to compensate for 'barriers' that prevented their full social participation.¹⁶³ Around this time, the term 'non-English-speaking background (**NESB**) people' emerged as a broad descriptor for people who did not use English as their first language. In practice, it often had negative connotations.¹⁶⁴

In 1978, the Australian Government also adopted a three-part definition of Aboriginal and Torres Strait Islander identity based on descent, self-identification, and community acceptance. The definition stated '[a]n Aboriginal or Torres Strait Islander is a person of Aboriginal or Torres Strait Islander descent who identifies as an Aboriginal or Torres Strait Islander and is accepted as such by the community in which he/she is associated.'¹⁶⁵

The 1981 Australian Census marked the first time that 'racial' was not used in the question of origin.¹⁶⁶ 'Ethnicity' (as the Australian Government used the term) was instead measured through proxies such as country of birth, resident/visitor status, citizenship (nationality), country of birth of parents, language (mother tongue, languages regularly used, proficiency in English, and all languages spoken), and religion. The only 'racial' origin question survived in a question asking about Aboriginal or Torres Strait Islander 'origin'.

1990s – mid-2000s: Policies of reconciliation and continued multiculturalism

In the 1990s, 'reconciliation' emerged as an official policy. The *Royal Commission into Aboriginal Deaths in Custody* called for (amongst other systemic reform) a process of national reconciliation. The Australian Government established several Indigenous institutions, indicating another shift from exclusion, which peaked with the overturning of *terra nullius* in the *Mabo* land rights case and the subsequent passing of the *Native Title Act 1993* (Cth).

By the 1986 Australian Census, the demand for 'ethnicity' data had also taken on a stronger 'multicultural direction'.¹⁶⁷ Multiculturalism of the late 1970s and early 1980s was mainly focused on ensuring the easy transition of immigrants into Australian society, limiting and reducing prejudice, developing access and equity in the provision of public services, and encouraging non-English speaking people to maintain their language and culture.¹⁶⁸ It remained a welfare, education, and settlement programme for immigrants, and not a nationwide attempt to change society.¹⁶⁹

In 1982, the ABS' Population Census Ethnicity Committee (**ABS Committee**) received submissions from ethnic groups that sought data for the formulation, planning, and delivery of services run by such groups, particularly in the areas of education, health, welfare, electoral procedures, language, anti-discrimination, and equal opportunity.¹⁷⁰ The ABS sought to determine how to measure both subjective and objective elements of racialised group identity, including how people self-identified and how groups could be categorised based on shared social and cultural attributes.¹⁷¹

The ABS Committee ultimately concluded that ethnicity involved ancestry, personal identity, and group recognition.¹⁷² It acknowledged the need to move away from a race-based question and towards the inclusion of surrogate measures of ethnicity (e.g. the range of questions currently used in

the Australian Census) or a direct question on ancestry.¹⁷³ A self-perceived ethnicity question was viewed as too subjective and therefore inadequate to capture an individual's 'ethnic origins'.¹⁷⁴ As Liz Allen notes, the ABS Committee chose simplicity over accuracy and the final 1986 Australian Census question asked about a person's ancestry and presented six example options: Greek, English, Indian, Armenian, Aboriginal, and Chinese.¹⁷⁵ The ancestry question was initially intended to measure ethnicity through an individual's origins instead of their subjective perceptions of their ethnic backgrounds - the instructions for answering the question therefore guided Australians towards considering their grandparents' generation as the benchmark for determining their origins.¹⁷⁶

However, it became clear that respondents were still confused about the question's intent, particularly for those whose families had lived in Australia for several generations.¹⁷⁷

The ABS discontinued the ancestry question after the 1986 Australian Census (i.e. in the 1991 and 1996 Australian Censuses).

The ABS cited the high costs involved in processing the data and the data itself being underutilised,¹⁷⁸ as well as concerns that the concept of ancestry was not appropriately and consistently understood at all.¹⁷⁹

Mid-2000s – present: Policies of closing the gap and social cohesion

By the late 1990s, the policy of multiculturalism faced criticism from multiple directions. Anti-immigration and anti-multicultural policies resonated amongst parts of the Australian population frustrated by globalisation, neoliberal economic policies, and rapid social change.¹⁸⁰ But despite almost fifteen years of heated public debate, multiculturalism was affirmed by the Howard Government as government policy in 1999.¹⁸¹ Under the previous Hawke-Keating Government, multiculturalism focused on a person's right to equal treatment and to expressing their identity

and being accepted as Australian without having to assimilate.¹⁸² Under the Howard Government, multiculturalism focused more on emphasising national identity and community harmony.¹⁸³ This approach has been criticised for paying more attention to 'cosmetic changes' at the level of culture than to structural factors of racism.¹⁸⁴

In 1996, the Howard Government had acknowledged the issues associated with the term NESB and agreed that it and its acronym be dropped, where possible, from official communications.¹⁸⁵ It was deemed an 'oversimplified indicator of disadvantage' and the government instead sought to develop a more accurate, effective, and consistent measure of diversity to improve service program delivery.¹⁸⁶ The ABS' Cultural and Language Indicators Study (CLIP) considered the type of data necessary to replace NESB measurements and provide a way for cultural and language diversity to be better built into the strategic planning and reporting processes for program or service delivery.¹⁸⁷ The study was not intended to recommend a single key measure of cultural and language diversity to replace NESB, nor to propose an alternative acronym. Rather, it was apparent that the measurement of cultural and language diversity, and related advantages or disadvantages, required a combination of variables which produces a range of data about personal background.¹⁸⁸

In April 1999, the Australian Government endorsed a new data standard for 'cultural and linguistic diversity'.¹⁸⁹ Race or ethnicity would be measured through variables that reflect social attributes, such as country of birth (including of parents), ancestry, languages spoken at home, proficiency of spoken English, Indigenous status, religion, year of arrival in Australia.¹⁹⁰

Following the September 2001 terror attacks and the War on Terror, multiculturalism became concerned with managing the threats to national security and social cohesion that were allegedly presented by cultural minorities, particularly Australian Muslims.¹⁹¹ Government immigration policy in the 2000s therefore shifted to a reduced commitment to multiculturalism, a harsher detention

policy for people seeking asylum, and the growth of temporary intake.¹⁹² The ancestry question reappeared in the 2001 Australian Census. The ABS said that responses to this question should be paired with questions on birthplaces of parents to produce acceptable quality data.¹⁹³

In the 2000s, the Howard Government also adopted a policy of 'practical reconciliation' involving mutual obligation contracts with Aboriginal and Torres Strait Islander communities. The Australian Government's closure of the Aboriginal and Torres Strait Islander Commission and amendments to the *Native Title Act 1993* were seen to be the end of an Indigenous rights-based policy consistent with international human rights covenants and the beginning of a focus on 'practical measures' to alleviate Indigenous disadvantage.¹⁹⁴

The 1996 Australian Census replaced the three-part definition of Aboriginal and Torres Strait Islander identity (introduced in 1978) to the 'Standard Indigenous Question' that asks 'Are you of Aboriginal or Torres Strait Islander origin? For persons of both Aboriginal and Torres Strait Islander origin please mark both 'Yes' boxes.' It was the first census that allowed origins to be recorded as both Aboriginal and Torres Strait Islander (only one or the other could be recorded before this).¹⁹⁵ The Australian Government approach to identifying Aboriginal and/or Torres Strait Islander peoples has largely remained the same to date, being framed solely in terms of 'descent' and 'origin' and without the community element.¹⁹⁶

In 2008, the Coalition of Australian Governments committed to 'closing the gap' in health and wellbeing outcomes between Aboriginal and Torres Strait Islander peoples and non-Indigenous Australians. Known as the 'Closing the Gap' policy or agreement, the Australian Government aimed to ensure the full participation of Aboriginal and Torres Strait Islander peoples and their representative bodies in decision-making on their health.¹⁹⁷ Human rights indicators with benchmarks and targets to address inequality, including through recognition of culturally appropriate measures and participation were

introduced. This was a fundamental shift in the way First Peoples' health issues were addressed and led to co-design and the co-leadership of Closing the Gap by the Coalition of Aboriginal Peaks. Despite this close involvement and leadership of Aboriginal and Torres Strait Islander bodies, some (including Indigenous data experts) have described the Closing the Gap framework as continuing colonisation and assimilation through its top-down approach, its positioning of First Peoples as needing to be 'brought up' to non-Indigenous socioeconomic standards, and the production of deficit-based data about communities.¹⁹⁸

In 2019, for the first time, Australian governments shared decision-making with Aboriginal and Torres Strait Islander peak representatives to develop a new National Agreement on Closing the Gap. The aim was to shift from the top-down approach and ensure Aboriginal and Torres Strait Islander representatives could directly shape policies and programs affecting their lives.¹⁹⁹ However, a 2024 review of the National Agreement by the Productivity Commission found the shared decision-making with First Peoples did not appear to have been adopted in wider practice beyond formal partnerships.²⁰⁰ It also observed that there was a much greater effort needed to achieve the ultimate goal of enabling self-determination.²⁰¹

In 2023, the referendum for a constitutionally-enshrined Indigenous Voice to Parliament saw deeply polarising, racist debates and sentiment on race and constitutional change play out nationally. While several state or territory-based truth and treaty processes were then abandoned, other states and territories have continued with individual actions. For example, Australia's first formal and independent truth-telling process, the Yoorrook Justice Commission, investigated historical and ongoing injustices against First Peoples in Victoria since colonisation. It recommended the Victorian Government commit funding and resources to facilitate and embed Indigenous Data Sovereignty across the state.²⁰² In 2024, South Australia became the first state to legislate a First Peoples Voice to Parliament²⁰³ and Victoria

later became the first to introduce a state-wide treaty.²⁰⁴ However, the Australian Government's reluctance to commit to truth and treaty processes on a national scale continues to hamper the recognition of First Peoples' right to self-determination.

For other racialised communities, social cohesion policies have also been continued by subsequent governments since their introduction in the 2000s. These policies have often been explicitly and implicitly linked to governments' countering violent extremism objectives²⁰⁵ and largely focused on the management and governance of differences between racialised groups.

Although it appears that Australia's data standards have simply sought to avoid the issue of race and ethnicity altogether in recent years, this does not mean their issues, including their role in obscuring racism, cease to exist.²⁰⁶

2026 Census review

Census questions about race in Australia continue to be challenged by racialised communities. A review of the 2026 Australian Census considered introducing a direct question on ethnic identity.²⁰⁷ Other topics considered in the review included Aboriginal and Torres Strait Islander cultural identity (which was also considered for the 2021 Australian Census review), as well as testing a change in wording to the religious affiliation question with the option for write-in boxes for all responses.²⁰⁸ The ABS had received feedback during the reviews for the 2021 and 2026 Censuses that there was a need to provide more insight into the diversity of Aboriginal and Torres Strait Islander people and their connections with specific communities, nations, and clans/language groups. The ABS also heard feedback that this question could help improve the quality, relevance, and utility of the current census data on Aboriginal and Torres Strait Islander origin.²⁰⁹

Despite these calls, the 2026 Australian Census review concluded that a question on Aboriginal and Torres Strait Islander cultural identity could not be fully implemented by 2026, as a statistical standard and classification would need to be developed in partnership with Aboriginal and Torres Strait Islander people.²¹⁰ The religious affiliation question would remain unchanged.²¹¹

The review also concluded that an ethnic identity question would not proceed. The ABS cited issues with testing multiple concepts around ethnic identity, including 'ethnic group/s', 'cultural background', 'ethnic and cultural heritage', and 'the culture you belong to'.²¹² Initial testing by the ABS indicated that the public is unlikely to have a consistent understanding of the meaning of ethnic identity, as well the difference between ethnic identity and ancestry.²¹³ The ABS determined that collecting both ethnic identity and ancestry on the same form was not feasible for the 2026 Australian Census. Instead, more than two responses to the ancestry question would be allowed.

A 2025 minor review of the Australian Standard Classification of Cultural and Ethnic Groups did hear concerns on the need to revise the standard broadly, to investigate its current structure and the appropriate placement of cultural and ethnic groups.²¹⁴

At the time of this report's publication, there are still ongoing issues with current data standards on Aboriginal and Torres Strait Islander identity and race/ethnicity. Racial classifications continue to be resisted or challenged by communities. **Sections 5 and 6** discuss these issues further and make recommendations for reform.

5 Population and administrative data: Indigenous identity

- Subjected to racist classification systems since colonisation, Aboriginal and Torres Strait Islander people have been asserting the right to name themselves and reclaim political identities associated with the hundreds of nations that were disrupted by colonisation.
- Existing approaches to defining Indigenous status are contested, generally due to a focus on origin, descent, and ‘proving authenticity’ rather than identity-centred approaches that also capture First Peoples’ diverse and nuanced identities.
- Robust Indigenous Data that reflects Aboriginal and Torres Strait Islander people’s priorities, interests, and needs is crucial for enabling self-determination. A shift towards Indigenous Data Sovereignty involves First Peoples defining their own identities and leading all data-related decision-making.
- First Peoples should set the priorities of any reform of existing government data standards.

label. Cultural identity gives people a sense of belonging to each other and to Country and supports spiritual, physical, and emotional wellbeing.²¹⁶

Aboriginal and Torres Strait Islander identity can be a contentious issue in Australia. Not only are there issues with asking questions on Indigenous identity at all, but it also raises important questions about who should define Aboriginal and Torres Strait Islander identity, how questions are asked, how the data is presented, and whether the data reflects the true realities of Aboriginal and Torres Strait Islander people.²¹⁷

In Australia, various government policies of forced relocation, removal, racial classification, and assimilation have disrupted kinship systems, interrupted transmissions of culture and language, and continue to shape how Aboriginal and Torres Strait Islander people understand, reclaim, or negotiate their identity today.²¹⁸ Aboriginal and Torres Strait Islander peoples’ identity has been affected by colonisation, cultural loss, disconnection from Country, and fragmentation of identity caused by decades of racist and discriminatory policies.²¹⁹ But, as Larissa Behrendt writes, the experiences of First Peoples and:

‘their tenacity in claiming Indigenous identity in the face of racist and assimilationist policies, is testament to the fundamental and central role identity plays in their lives.’²²⁰

5.1 The importance of identity for First Peoples

In recent consultations led by the Aboriginal and Torres Strait Islander Social Justice Commissioner Katie Kiss, identity was a consistent theme raised by communities. Across the country, Aboriginal and Torres Strait Islander people expressed a sense of pride in and drew strength from their culture, identity and spirit.²¹⁵ Aboriginal and Torres Strait Islander people shared that cultural identity carries deeper meaning than just a

Although government definitions of Indigeneity have changed over time, Aboriginal and Torres Strait Islander people have largely not been part of decision-making about these processes.²²¹ This contradicts the right of Aboriginal and Torres Strait Islander people to self-determine their own identity.

5.2 Introducing Indigenous Data Sovereignty and Governance

A core part of the right to self-determination involves Aboriginal and Torres Strait Islander people having the right to determine and define their Aboriginal identity and lead decision-making on their data.²²² Article 33 of the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP) provides that Indigenous peoples have ‘the right to determine their own identity or membership in accordance with their customs and traditions.’ Applying the principles of UNDRIP in an anti-racist approach to data requires the leadership of First Peoples in deciding how their identities are defined and captured in government standards.

We believe that current government standards on Aboriginal and Torres Strait Islander identity need reform to better reflect the interests and priorities of First Peoples. This will require embedding Indigenous Data Sovereignty across Australia, by moving away from extractive, government-controlled data systems to data approaches in which Aboriginal and Torres Strait Islander people exercise authority over what information is collected, how it is used, and what it means.²²³

To rebuild trust in government data processes, Australia needs to go beyond government consultations with advisory groups or community outreach.²²⁴ First Peoples should be leading all aspects of the data lifecycle – including the design, dissemination, interpretation, and use of data for and about Aboriginal and Torres Strait Islander people. This also requires building the capability and functioning of Indigenous Data stewardship into national data governance processes.²²⁵

Below, we have explored some current issues in population and administrative data standards on Aboriginal and Torres Strait Islander identity. These issues are not intended to be instructive. First Peoples should set the priorities of any reform of existing government data standards. We only suggest consideration be given to the issues

below. **Section 7** of this Report discusses Indigenous Data Sovereignty and Governance in more detail, including how its application in Australia can address some of these issues.

The Maiam nayri Wingara Indigenous Data Sovereignty Collective in Australia defines Indigenous Data, Indigenous Data Sovereignty, and Indigenous Data Governance as:

Indigenous Data: ‘information or knowledge, in any format or medium, which is about and may affect Indigenous peoples both collectively and individually.’

Indigenous Data Sovereignty: ‘the right of Indigenous peoples to exercise ownership over Indigenous data. Ownership of data can be expressed through the creation, collection, access, analysis, interpretation, management, dissemination and reuse of Indigenous data’.

Indigenous Data Governance: ‘the right of Indigenous peoples to autonomously decide what, how and why Indigenous Data are collected, accessed and used. It ensures that data on or about Indigenous peoples reflects our priorities, values, cultures, worldviews and diversity.’²²⁶

5.3 Understanding Indigeneity

Indigeneity under international law

There is no single, universal definition of Indigenous peoples under international law. The UNDRIP intentionally does not provide one since a core part of the Indigenous right to self-determination is the right to self-identification, i.e. the right to determine identity or membership according to customs and traditions, free from external influence.²²⁷

However, the former UN Special Rapporteur on the Prevention of Discrimination and Protection of Minorities, José Martínez Cobo, did develop a working definition in the 1980s:

‘Indigenous communities, peoples and nations are those which, having a historical continuity with pre-invasion and pre-colonial societies that developed on their territories, consider themselves distinct from other sectors of the societies now prevailing on those territories, or parts of them. They form at present non-dominant sectors of society and are determined to preserve, develop and transmit to future generations their ancestral territories, and their ethnic identity, as the basis of their continued existence as peoples, in accordance with their own cultural patterns, social institutions and legal system.’²²⁸

According to the Special Rapporteur, this historical continuity may include occupation of all or part of ancestral lands, common ancestry with the original occupants of these lands, shared culture, shared language, residence on certain parts of the country or in parts of the world, and other relevant factors.²²⁹ Most significantly, the Special Rapporteur affirms that an Indigenous person is one who belongs to an Indigenous population through self-identification as Indigenous, and is also recognised and accepted by this population as one of its members – which ‘preserves for these communities the sovereign right and power to decide who belongs to them, without external interference.’²³⁰

Current government approaches to capturing Aboriginal and Torres Strait Islander status

The Australian Bureau of Statistics’ (ABS) Standards for Statistics on Cultural and Language Diversity includes an indicator for Indigenous Status. Since 1978, the Australian Government has adopted a three-part definition of Aboriginality, based on

descent, self-identification, and community acceptance.²³¹ This definition states ‘An Aboriginal or Torres Strait Islander is a person of Aboriginal and Torres Strait Islander descent who identifies as an Aboriginal or Torres Strait Islander and is accepted as such by the community in which he or she lives.’²³²

This three-step identification process has been described as somewhat onerous and is not used by the ABS in the census or surveys, by health, social, or educational service providers, or by births, deaths, and marriage registries.²³³ Instead, the ABS’ Standard Indigenous Question (**SIQ**) draws upon this definition but without the community acceptance element, asking ‘Are you of Aboriginal and Torres Strait Islander origin?’ and with accepted responses as ‘No’, ‘Yes, Aboriginal’, ‘Yes, Torres Strait Islander or both.’²³⁴

5.4 Addressing current issues with data collection about Aboriginal and Torres Strait Islander identity

The Centre for Indigenous People and Work has observed that while the three-part definition is widely used in policy, research, and institutional settings, it is only a starting point for understanding identity and does not capture its full social, cultural, or lived meaning.²³⁵

Colonial undertones of ‘proving authenticity’

Aboriginal and Torres Strait Islander identity continues to be contested and scrutinised, with debates on what counts as an ‘authentic Aboriginal identity’ still occurring within and outside communities. These debates can be distressing and exhausting, often leading to anxiety and self-doubt amongst First Peoples who are forced to defend their identity.²³⁶ This has important implications for any reform to existing data standards.

Many non-Indigenous people still perpetuate distinctions between Aboriginal and Torres Strait Islander peoples that reflect the blood quantum dichotomy of the past (See **Section 4**). As Larissa Behrendt notes, despite a diverse cultural make-up, Indigenous people in contemporary Australian society are often perceived as either ‘relics of the past’ or if less than ‘full-blood’, as ‘inauthentic and devoid of culture.’²³⁷ Indigenous people living in urban areas such as cities are seen to not be ‘real’ Indigenous people.²³⁸

Alongside these stereotypes, harmful assessments of authenticity based on skin colour continue to exist. Being ‘too pale’ or not being ‘dark-skinned enough’ is part of a ‘historical fracturing that manifests as lateral racism within communities.’²³⁹ As the *Wiyi Yani U Thangani (Women’s Voices)* report notes, this is ‘reinforced by stereotypes in the media and government structures that only a dark-skinned traditional person is an “authentic” Aboriginal and Torres Strait Islander that is worth engaging with.’²⁴⁰

In recent consultations led by the Aboriginal and Torres Strait Islander Social Justice Commissioner, participants raised concerns about individuals falsely claiming an Aboriginal or Torres Strait Islander identity. This was seen as harmful because it undermines the lived experiences, rights, and voices of First Peoples.²⁴¹ Others spoke about people claiming to belong to Aboriginal and/or Torres Strait Islander communities without practising culture or being connected to community, which misrepresents community perspectives and damages cultural integrity and trust.²⁴²

Debates around the legitimacy of lighter-skinned Aboriginal and Torres Strait Islander people claiming Indigenous identity are still associated with the pursuit of perceived government benefits.²⁴³ A key example includes comments made by commentator Andrew Bolt in 2009, that light-skinned Aboriginal people were not genuinely Aboriginal and were only pretending to be so to access certain benefits. These comments were later found to breach the racial vilification provisions of the *Racial Discrimination Act 1975*.²⁴⁴ The recent Voice

Referendum also saw the use of racist tropes against First Peoples, including questioning of who are ‘real’ Aboriginal people, comments on the negative impacts of miscegenation and multiculturalism, and frequent myths and stereotypes about government funding and on ‘white’ First Peoples.²⁴⁵ These external discourses are extremely harmful, denying Aboriginal and Torres Strait Islander people full control over their identity.

The *Wiyi Yani U Thangani (Women’s Voices)* project heard about the lateral violence and questioning of identity that arise with the native title process and administration of successful native title determinations. It noted that despite the importance of recognition that comes with native title, its current process and the criteria by which the legal system measures connection can be ‘traumatic and socially destructive’ for native title claimants.²⁴⁶

Recent consultations with First Peoples led by the Aboriginal and Torres Strait Islander Social Justice Commissioner heard there is inconsistency in how identity is defined and recognised.²⁴⁷ Communities have noted that when there is no shared understanding of who is counted, or how identity is verified, confusion and unfairness follow.²⁴⁸ Some people miss out on support they genuinely need while others benefit without the same cultural ties.²⁴⁹ Concerns were also raised about the identity experiences of Stolen Generations survivors and their descendants.²⁵⁰ Community members shared that these people may have lost records or knowledge of their family, language, or Country, but that does not make them less Indigenous.²⁵¹ Instead, community members called for identity processes to be flexible enough to recognise this history and the harm caused by past government policies. At the same time, many stressed the need for strong, culturally grounded identity checks that are led by community, not just government systems.²⁵²

Aboriginal and Torres Strait Islander communities have also said service providers and government agencies need better training and tools to respectfully ask people about their identity.²⁵³ Communities have

called for strict and consistent rules around Aboriginal and Torres Strait Islander identity – not to exclude those with genuine ties, but to ensure cultural integrity and that culture is not diluted or exploited.²⁵⁴ Without clear and fair identity processes, the voices of First Peoples are at risk of being drowned out, ignored, or replaced.²⁵⁵

How First Peoples understand and determine group membership, including the criterion of community recognition and acceptance, are nuanced and complex. Discussion on this issue, including about any reform to this part of the three-part definition, should be determined by First Peoples, in line with the UNDRIP.

Navigating other nuanced aspects of identity

The Centre for Indigenous People and Work notes that there is substantial diversity in how Aboriginal and Torres Strait Islander identity is understood and expressed across Australia, shaped by differences in nations, language groups, communities, geographies, family histories, and generational experiences.²⁵⁶

Its *Gari Yala 2 (Speak the Truth)* research has found that experiences of Aboriginal and/or Torres Strait Islander workers sharing their Indigenous background at work was ‘rarely uncomplicated.’²⁵⁷ Over 86% of respondents to its recent survey felt it was important to self-identify as an Aboriginal and/or Torres Strait Islander person in the workplace.²⁵⁸

It also heard:

- once identity is known, many workers experienced a rapid increase in unpaid, emotionally-demanding labour
- many reported having their identity questioned or challenged, particularly those who are fair-skinned
- some experienced racism after sharing their identity
- many chose not to share their identity at work as doing so could negatively impact their career

- some non-Indigenous colleagues would question their competence and merit after learning about their identity
- for many, identity disclosure is a requirement of their role and not a choice
- sharing identity at work allowed them to educate non-Indigenous colleagues and challenge stereotypes and misinformation
- sharing identity at work created connections with other Aboriginal and/or Torres Strait Islander workers and therefore greater cultural safety
- some shared identity at work to be role models for younger generations.²⁵⁹

The survey also found that in workplace contexts, older generations that directly experienced policies of protection, assimilation, and forced removal often learned that concealing identity was necessary for safety.²⁶⁰ Although social change in recent decades has led to greater willingness to share identity, many younger Aboriginal and Torres Strait Islander people report navigating different constraints, expressing concerns about foregrounding identity or entering identified roles where this can limit career progression, invite tokenism, or create expectations of unpaid cultural labour.²⁶¹

In consultations for the *Wiyi Yani U Thangani (Women's Voices)* project, Aboriginal and Torres Strait Islander women and girls similarly described feeling like they had no choice but to hide their ancestry to avoid discrimination by the State.²⁶² Others described how internalisation of racist beliefs towards Aboriginal and Torres Strait Islander people specifically made them ashamed and want to hide their identity.²⁶³ Many participants also spoke about their experiences of growing up in the system and not knowing about or having any means of maintaining culture or connections with their family. Young women in the consultations spoke of their frustrations with the system and what this meant for their identity, with some describing tensions within families and having to choose between their ‘black’ and ‘white’ sides.²⁶⁴

Capturing the diverse, nuanced identities of Indigenous peoples

A core component of a human rights-based approach to data is self-identification, i.e. the ability for people to express their identities on their own terms (see **Section 8.3**).

We recommend any review to the Standard Indigenous Question consider options that allow First Peoples to self-identify according to specific group affiliation.

Before colonisation, more than 500 Aboriginal and Torres Strait Islander nations existed with their own distinct cultures, traditions, languages, belief systems, and historical and contemporary relationship to Country.²⁶⁵ Although Aboriginal and Torres Strait Islander peoples are not homogenous, they tend to be named and categorised by governments as a singular group.²⁶⁶ The terms used to describe First Peoples – such as Aboriginal, Torres Strait Islander, Indian, Native Hawaiian, Māori, and even Indigenous – are not always what Indigenous peoples call themselves.²⁶⁷ As outlined in **Section 4.2** of this Report, these terms are Western constructs that have been used by governments to collectively describe, define, categorise, and manage First Peoples on an individual and collective basis for the development of (often exclusionary and racist) policies.²⁶⁸ First Peoples are not homogenous, with significant demographic, social, and cultural differences existing within and across populations.²⁶⁹

Criteria for Indigenous identity are often shifting and based on external ideas of what it means to be Indigenous, instead of being self-defined by First Peoples themselves.²⁷⁰ Aboriginal and Torres Strait Islander peoples have been grouped together for statistical reasons and convenience but they are not the same. Current data methods (including their collection and interpretation) fail to recognise diverse social, cultural, and historical identities and realities.²⁷¹ This approach has limited utility for many Aboriginal and Torres Strait Islander organisations, groups, or people who would prefer to create their own standards.²⁷²

Data reform on how Indigenous identity should be captured must observe cultural protocols and take a holistic approach. Naming or processes for understanding identity are complex and require care and nuance, as there is no one-size-fits-all solution.

For many Aboriginal and Torres Strait Islander people, group identity is understood to be an intricate part of personal identity.²⁷³ Larissa Behrendt observes that the ‘complexities of identity and self-expression are intertwined with the protection of Indigenous rights.’²⁷⁴

She writes:

‘Indigenous people share a cultural heritage but they also share the experience of colonisation. These shared experiences (socialisation, heritage, history) validate and provide an enclave of inclusion and solidarity, detached from the wider community. These experiences – both negative as a result to discrimination and poor self-image and positive due to the re-affirmation of the Indigenous community and the pride in their history and cultural heritage – become defining aspects of Indigenous self-identity.’²⁷⁵

Some Aboriginal and Torres Strait Islander people prefer general or collective terms to express their identity, such as ‘Aboriginal’, ‘Indigenous’, and Torres Strait Islander’.²⁷⁶ However these terms have also been criticised for homogenising the diversity of Aboriginal and Torres Strait Islander peoples under a single label.²⁷⁷ Terms such as ‘Aboriginal’ can exclude Torres Strait Islander people who are also Indigenous to Australia, but not Aboriginal.²⁷⁸ As the Centre for Indigenous People and Work notes, some Aboriginal and/or Torres Strait Islander people do not like being referred to as Indigenous, as it is frequently used as a catch-all category, particularly in government and institutional contexts, that risks flattening or erasing the significant diversity of Aboriginal and Torres Strait Islander peoples, nations, and lived experiences.²⁷⁹

Others may prefer 'Indigenous' because it symbolises a global collaboration and recognition of the status of Indigenous peoples worldwide.²⁸⁰ But although the term also includes Torres Strait Islander peoples, it can also further homogenise different people by including a larger and more diverse grouping of peoples.²⁸¹ 'Black', 'Blak', and 'Blackfullas' are terms commonly used by communities themselves (often in the context of political resistance) but generally avoided by non-Indigenous institutions and media.²⁸² 'First Nations', a term borrowed from Canada, has become popular in recent years²⁸³ but is also seen as inappropriate for the Australian context. Adding 'Australian' in a term such as 'Aboriginal Australian' is contentious, due to questions over Australia's alleged legitimacy as a sovereign nation (which involves a denial of Indigenous sovereignty).²⁸⁴

Many Aboriginal and/or Torres Strait Islander people instead prefer to be known by their specific group or clan names.²⁸⁵ Luke Pearson notes that finding the 'most appropriate' term to refer to Aboriginal and Torres Strait Islander peoples will never be entirely resolved, largely because of a widespread refusal to accept and use the hundreds of names of nations that exist on this continent.²⁸⁶

Australia's approach to asking about Indigenous identity has been criticised as minimalist compared to Canada and Aotearoa New Zealand, which attempt to capture current identification, past ancestral connection, and specific tribal information in government data processes.²⁸⁷ For example, the 2021 Canadian Census asked, 'Is this person First Nations, Métis or Inuk (Inuit)?' and additionally asked about nation/band membership. The 2023 Aotearoa New Zealand Census asked which ethnic group the person belongs to, whether they are a Māori descendant, as well as the name(s) and region(s) of their tribe(s).

The Australian Productivity Commission has previously acknowledged that 'government-held data that cannot be disaggregated at the community level or capture mob affiliation will often be ill-suited to support decision-making at the local level.'²⁸⁸

There are examples of strong practice domestically. The *Gari Yala (Speak the truth)* survey contains a question that asks Aboriginal and/or Torres Strait Islander respondents to self-identify:

'(If you know) Which Aboriginal or Torres Strait Islander group(s) do you identify with? This might be a tribal group, language group, clan, mission, regional group, or some other group'.²⁸⁹

There is potential for harm by asking specific questions about group affiliations, as many Aboriginal and Torres Strait Islander people have been disconnected from their Country, language, and nation group due to colonisation and the forced removal of children from families and communities.²⁹⁰ Asking about group affiliation when it is not known may risk re-traumatising people who live with trauma of separation and may also be struggling to trace their lineage.²⁹¹

Consideration should be given to how multiple group-specific identities can be expressed and coded reliably. The removal of First Peoples from Country and onto missions and reserves meant that people from different nations or groups were forced together in new locations. Their descendants may connect to or identify with multiple Aboriginal and/or Torres Strait Islander nations, language groups, or clans, depending on their family heritage and the origins of different ancestors. There are also many variations in how nation, clan, or group names are spelt. Before colonisation, First Peoples primarily maintained languages orally, which means that there are now multiple and contested English spelling variations of specific groups. This may result in data that is practically difficult to compare or code.

Further consultations led by First Peoples, including testing, are required to assess the appropriateness of adopting a similar, additional question on group-specific identity into the current data standard for use in places such as the Australian Census.

Shifting to identity-centred questions, not origin

There have been criticisms of the current Standard Indigenous Question for its emphasis on origin or descent rather than identification.²⁹² Some experts argue that the question's framing of being Indigenous 'as simply being a descendent of an Indigenous person or peoples does not accord with citizenship and membership conventions of Indigenous communities.'²⁹³ Specifically, a question around the concept of origin is a 'matter of fact', and not of choice.²⁹⁴

An ABS-led review of the Standard Indigenous Question in 2014 found that the origin question was 'fit for purpose' with strong support from data users. The government had concerns about the level of time and resources that would be needed to create a new question, and that a change to the question would lead to a break in time series data.²⁹⁵ However, the origin question was recognised as materially different to the one on identity.²⁹⁶ Despite strong support from Aboriginal and Torres Strait Islander stakeholders for an identity-focused question, the review kept the 'origin' question.²⁹⁷

There are arguments that a focus on identity would more closely align the Australian Census and related surveys with the three-part definition of Indigeneity which requires ancestry, identification, and community recognition.²⁹⁸ One study with Aboriginal and Torres Strait Islander people found that an identity question had a deeper meaning that reflected an individual's personal journey, nature of being, and pride in their cultural identity.²⁹⁹ A person's identity was said to be interconnected with cultural dimensions of spirituality, language, tradition, and a sense of belonging to family, community, and Country that went far beyond merely having an ancestral link as the origin question implies.³⁰⁰

Experts have suggested asking:

‘Do you identify as an Aboriginal and/or a Torres Strait Islander person?’

This would be accompanied by further identity-related questions such as:

‘Do you identify with an Aboriginal or Torres Strait Islander First Nation?’

and/or

‘Do you identify with an Aboriginal or Torres Strait Islander language group?’³⁰¹

Respondents should then be allowed to list any affiliations.

This kind of population data could better engage with the complex realities of Indigenous peoples, and in the hands of Aboriginal and Torres Strait Islander organisations and communities, support systems of governance to assess wellbeing, set appropriate policy parameters, and enable effective resource allocation.³⁰²

5.5 Addressing data quality issues

Creating more value in data through a redesigned question for the purpose of the Australian Census may be insufficient as a sole measure. There remain serious issues with the Australian Census' accessibility (i.e. understanding of it and how and when to complete it) and availability (some Aboriginal and Torres Strait Islander communities face barriers due to remoteness).³⁰³ There are also concerns that there is a 'significant and consistent Indigenous undercount' through the incorrect compiling of data and/or the non-completion of the Indigenous identifier question.³⁰⁴ Non-participation in the census by First Peoples, although difficult to measure, is seen to be driven by a perception from Indigenous people that the census has little relevance and value.³⁰⁵ Some see it as a 'tick-a-box exercise that does little to recognise and progress the complex identities, voices, needs and aspirations of Indigenous peoples and communities.'³⁰⁶

One study has found that census participation by First Peoples can be inconsistent, with some who had previously completed a census no longer doing so again because they experienced no benefit from completing a previous census.³⁰⁷ Others also felt that census information could be used against them.³⁰⁸ Many had spent their lives under government control (e.g. through forcible removal as children from their families and incarceration as children and then as adults) and were therefore reluctant to participate in voluntary government processes such as the census.³⁰⁹

Addressing this trust deficit requires a fundamental change in the power dynamics of data processes. Anti-racism data must result in accountability to First Nations communities, i.e. data must lead to real, material change.

Recommendation 2

The Australian Government should resource the Australian Bureau of Statistics and National Indigenous Affairs Agency to review the Standard Indigenous Question following the advice from Aboriginal and Torres Strait Islander data experts, leaders, and community members. Subject to the needs and priorities of Aboriginal and Torres Strait Islander representatives, consideration should be given to shifting to identity-centred approaches and enabling the sharing of specific group affiliations.



6 Population and administrative data: ethnicity

- Australia's current approach to collecting data on race/ethnicity through 'proxies' such as ancestry, country of birth, and linguistic diversity is not fit-for-purpose. Although important, these proxy measures do not always capture racialised identities and often obscure the real effects of structural racism.
- Proxy questions are also not aligned with the principle of self-identification in a human rights-based approach to data, which prioritises the right of racialised people to define their identity on their own terms.
- The Australian Bureau of Statistics should review its existing standards for cultural and ethnic classifications in consultation with racialised communities to move away from broad and homogenous categories such as 'culturally and linguistically diverse' and adopt categories that reflect communities' identities and varied lived experiences.

6.1 Australia's overall approach to data collection about race/ethnicity

Like other colonial nations transformed by migration, Australia is now 'superdiverse' which makes the data we collect about different groups more complex.³¹⁰ Being superdiverse means there is increased diversity between groups based on ethnicity, religion, culture, languages, citizenship, and migration histories, but also diversity *within* these groups where everyone has different life experiences based on factors such as

class, gender, age, and legal status.³¹¹

This 'diversification of diversity' means neatly distinguishing between groups is not that straightforward.³¹²

As discussed in **Section 3**, race and ethnicity are both social constructs. Ethnicity overlaps with race, culture, and nationality. In most policy and data settings, terms such as 'ethnicity' or 'culture' are preferred over 'race' when naming non-white, although they arguably have no real practical difference in delineating between groups. None of these terms, including different labels for groups, can be neatly defined, which raises difficult questions about what data on racialised peoples can (or should) be captured in Australia and how this can be done.

Australia's current approach

The Australian Bureau of Statistics (**ABS**) defines 'ethnicity' as the 'shared identity or similarity of a group of people on the basis of one or more distinguishing characteristics.' These characteristics include shared history, geographic origins, language, religion, or cultural traditions. It also includes minority status (understood as a sense of being oppressed) or 'being racially conspicuous'.³¹³

Although the ABS does define 'ethnicity', Australia does not currently collect direct data on race or ethnicity, apart from Indigenous status.

Instead, the ABS' Standards on Cultural and Linguistic Diversity (**ABS CALD Standards**) are the key government standards that primarily collect data about 'cultural and linguistic diversity' through 'proxies.' These proxies are set out in the Minimum Core set of indicators, comprising:

- Country of birth
- Main language other than English spoken at home

- Proficiency in spoken English
- Indigenous status.

The full set also includes indicators such as ancestry, country of parents' birth, religious affiliation, and year of arrival in Australia.³¹⁴

The Australian Standard Classification of Cultural and Ethnic Groups (**ASCCEG**) is the key standard used to classify data collected from responses to the ancestry question. This standard and its related issues are discussed at **Section 6.3**.

6.2 Limitations of government standards on 'cultural and linguistic diversity'

Questions such as ancestry, country of birth, and linguistic diversity can assist in identifying racialised peoples or capturing areas of discrimination, but they are not fit-for-purpose when used as sole measures for capturing race/ethnicity.

Although 'objective,' these proxies are simplistic and cannot properly capture racialised identities and the ongoing power of race and racism as it affects different communities. Proxy questions are also not aligned with the principle of self-identification within a human rights-based approach to data, which prioritises the right of racialised people to define their identity on their own terms (See **Section 8.3**). In other words, proxy questions should not be used to infer race/ethnicity.

However, we are not recommending that these separate 'proxy' indicators in the ABS CALD Standards should be abandoned. Rather, introducing a new, additional question on ethnicity could provide a stronger and more meaningful measure of identity, and a stronger way of measuring the effects of structural racism.

Broad, homogenous groupings erase and deny the real impact of race and racism

The term 'culturally and linguistically diverse' has faced increasing criticism in recent years from communities with lived experience of racism, primarily because its collective, homogenising approach flattens identities that are multi-faceted and complex.³¹⁵ It also erases and denies the ongoing effect of race and racism in shaping people's identities and experiences. Firstly, the term and approach makes 'whiteness', including being Anglo-Celtic, the dominant norm or default, while all other identities are 'Othered' and designated as 'different' or 'diverse.' Technically, all groups have a 'race' (as racism continues to operate in Australia and racialises all groups) or are 'culturally or linguistically diverse', yet this term and approach reinforces racial hierarchies between white and non-white groups.

The broad 'culturally and linguistically diverse' framing also conceals disparities in socioeconomic status, education, health, and wellbeing across populations.³¹⁶ While some advocates argue that collective terms such as this increase the statistical power of the group, it actually obscures the distinct needs and experiences of groups captured within the broader group. For example, a refugee in Australia may have different health outcomes to a person who has settled in Australia on a permanent skilled visa, and yet both are considered interchangeable under the 'culturally and linguistically diverse' framing.³¹⁷ It fails to consider cultural factors and the health and wellbeing needs of forcibly displaced people, including impacts of trauma and stigma, the lack of culturally appropriate care, language difficulties, and other grounds of discrimination such as disability status.³¹⁸ It also obscures the effects of differences in socio-economic status or class on outcomes. In 2024, the Centre for Multicultural Youth heard from one youth worker that Australian data practices regularly fail to capture young people who experienced racialised disadvantage and marginalisation because 'all multicultural young people are lumped

together in these overarching categories, and they are invisible.³¹⁹

In health settings, broad aggregations of groups can lead to false assumptions and the inadequate allocation of resources.³²⁰ Often, racial health gaps are not accounted for in the appropriateness of clinical interventions, needs, and patient preferences.³²¹

For example, government data from the COVID-19 pandemic showed that the disease burden, testing rates, and vaccination uptakes disproportionately affected, and interventions were disparate, across racialised communities.³²² The death rate amongst overseas-born Australians was three times higher than Australian-born people, with the highest numbers recorded for migrants from the Middle East.³²³ In contrast, death rates for Sub-Saharan African-born Australians was among the lowest, along with North-East Asian-born Australians, United Kingdom and Ireland-born Australians, and other North-West European-born Australians.³²⁴ Broad aggregations of cultural groups can be misleading and conflate different experiences. For example, the label 'Middle East' can homogenise people of different racial/ethnic backgrounds."³²⁵

The focus on culture and language to understand difference also minimises the ongoing effect of race and structural racism in shaping people's identities and realities.

Section 3.2 observes that 'culture' is often used as a more palatable way to avoid talking about race. In data, the focus on 'culture' avoids a focus on how racism, not culture, is the reason for inequality. There are similar issues to understanding linguistic diversity as a 'barrier rather than an asset.'³²⁶ A focus on language difference can also see relevant communities as the source of their disadvantage and a problem to 'fix'. The onus is placed on communities rather than social determinants of health (e.g. socioeconomic status, education, employment, and housing) that are rooted in structural racism.³²⁷

This problematic approach to understanding and discussing group difference is discussed further in **Section 8.3**.

Limitations of 'country of birth'

Country of birth is not always an accurate measure of race/ethnicity for many people. Although country of birth is often the only question asked in surveys or other data practices and relied upon for an understanding of 'racial diversity,' it does not necessarily capture everyone who experiences racism based on their identity. For example, it does not always capture second- or third-generation migrants, particularly if they were born in Australia and identify as speaking English at home. This not only includes the growing population of people who are Australian-born with migrant parents from a variety of ethnic backgrounds, but also includes, for example, an ethnic Chinese person born in Singapore, Indonesia, or Malaysia, ethnic Indians born in countries such as Fiji, the United Kingdom, or Uganda, and forcibly displaced people born in countries other than their homeland.³²⁸

Country of birth questions can force people to self-identify in a way that erases key aspects of their racialised identity. And as the UN Economic Commission for Europe has pointed out, nationality-based data is a weak indicator for ethnicity due to differences in naturalisation policies between countries, as well as for Indigenous peoples.³²⁹ Country of birth questions in Australia can be misleading and leave 'no statistical trace' of any non-white heritage beyond any relevant ancestry answers.³³⁰ When relied upon as a sole measure for race/ethnicity, it also obscures inequalities that can occur due to racialised factors such as skin colour and religion.

Limitations of 'ancestry' responses

It is not clear which marker of identity a person should prioritise when declaring their ancestry, out of nationality, country of birth, preferred language, religion, surname or kinship group name, 'race', or anything similar (such as citizenship).³³¹ Many people may also not strongly identify with their ancestry, meaning this question can simply duplicate the 'country of birth' question and fail to provide any relevant information on racialised identity.³³²

In recent research conducted by the Centre for Multicultural Youth, many young people said that when services asked them about their cultural background or identity, it was often unclear what was being asked of them out of their culture, ethnicity, ancestry, or race.³³³

Determining what ‘ancestry’ means is difficult based on the list of examples provided alongside the question in the Australian Census form, which previously asked people to provide up to two answers (the 2026 Census allowed up to four responses).³³⁴ Recent census forms explicitly listed the categories ‘English’, ‘Irish’, ‘Scottish’, ‘Italian’, ‘German’, ‘Chinese’, ‘Aboriginal’, ‘Torres Strait Islander’, and ‘Australian’, the last of which allows respondents to opt out of reporting their origins as overseas. Respondents can alternatively write in any other applicable answer (that is then coded according to the ASCCEG).

Write-in responses to ‘Other ancestry’ are likely influenced by the examples listed in the form.³³⁵ In the 2021 Australian Census form, ‘Other ancestry’ included examples such as ‘Hmong’ (an ethnic identity that does not correspond to a single-associated nationality) and ‘Australian South Sea Islander’ (a geographical term that captures a range of ethnicities).³³⁶ Amrita Malhi observes that respondents can declare national (e.g. ‘Pakistani’, ‘Indonesian’, or ‘South African’), religious (e.g. ‘Sikh’), or ethnic labels (e.g. ‘Tamil’).³³⁷ This means it can be difficult to disaggregate non-white from white South Africans, and ‘nor is there a reason for Bangladeshi British respondents not to enter “British” or for people born in New Zealand with grandparents from Vanuatu not to write “New Zealand” instead of ni-Vanuatu.’³³⁸

The ancestry question also does not allow the identification of ethnicity beyond one or two generations.³³⁹ Census results for ‘Australian’ responses do not generally distinguish between descendants of early settlers, second-generation or long-resident immigrants, or first-generation Australians with overseas-born parents.³⁴⁰ The numbers for ‘Other ancestry’ are likely to be understated because those responding ‘Australian’ might originate from anywhere.³⁴¹ In the past, the ABS has itself noted that the

ancestry question did not ‘provide additional information about the ethnic origin for the majority of non-English speaking ethnic groups...[nor] on the ethnic origins of third and subsequent generations of Australians.’³⁴²

The ‘Australian’ response option in the ancestry question also raises important tensions about Australian identity and what it means to be ‘Australian’, given Australia’s diversity or superdiversity. ‘Australian’ can be taken to mean ‘white’, or at least a blend of different ancestries, usually Anglo-Celtic or other European ancestries.³⁴³ Past research has found that most Aboriginal and Torres Strait Islander people report their ancestry as Aboriginal and/or Torres Strait Islander rather than Australian, and non-Indigenous people had a higher rate of responding as ‘Australian’ to the ancestry question than the Aboriginal population.³⁴⁴ Many First Peoples may reject ‘Australian’ labels because of its colonial implications. Aileen Moreton-Robinson says ‘Australianness’ may be a vision imposed by settlers that denies and erases Indigenous sovereignty and self-determination.³⁴⁵

Preferences can also vary across other racialised communities. For people who have migrated or recently been stateless, Australian residency or citizenship can symbolise acceptance into a new community and a newfound identity. For those born in Australia but with mixed ancestries, ‘Australian’ may be one of their many identities and perhaps placed lower on a ‘hierarchical’ scale (i.e. if asked to, they would first provide other identities before declaring ‘Australian’). For some racialised people, the Australian label may represent assimilation into white culture or values.³⁴⁶

Other research indicates that not including ‘Australian’ as a response option may mean people are forced to choose an identity that they do not strongly identify with, which then inflates relevant race/ethnicity data.³⁴⁷ For example, a person who has Chinese ancestry but has lived in Australia for at least four generations may prefer to identify as ‘Australian’ and not ethnically Chinese.

We have also heard that the use of ancestry to determine race/ethnicity can also be problematic as it can reinforce a biological belief about race. Biological essentialism

implies that a person's race is determined by their parent's race, and that it can be identified by phenotypic markers such as hair texture, eye shape, and skin colour. In this approach, a person's race is inherited or determined by ancestry, which is problematic given race is a social construct (See [Section 3.1](#)).³⁴⁸

Limitations of language spoken at home

Collecting data about language, whether main language or language spoken at home, also has its limitations in capturing race/ethnicity. Questions on language proficiency can enable analysis on how cultures are sustained through language, the importance of ancestral language learning for inter-generational connections, and the survival of mainly oral languages.³⁴⁹ Colonisation has led to the ongoing loss of many Aboriginal and Torres Strait Islander languages, as remaining speakers pass away. Australia has one of the highest rates of language loss in the world.³⁵⁰ Questions on language also support understandings of linguistic discrimination or marginalisation (i.e. discrimination based on perceptions of one's English competency or 'ethnic accent').³⁵¹

However, not all racialised people speak another language or speak a language other than English at home, and it is therefore unreliable as a proxy for race/ethnicity.

Language proficiency can also be a shared cultural trait amongst different groups of racialised people and therefore mask differences when understanding racialisation. For example, two different people may speak German, however one family has German origins (being 'white') while the other may have mixed heritage (e.g. Somalian-German, being 'Black'). Both groups would report German language proficiency but are likely to have vastly different experiences of racism.

Research has also pointed out that 'at home' is an outdated concept due to the existence of many non-traditional (single or shared) and international households.³⁵² This research has instead suggested using

'language of everyday conversations', as used in the Aotearoa New Zealand census and in the Australian *Housing, Income and Labor Dynamics* survey. Asking about everyday conversations is more likely to capture employees who are second- or third-generation migrants, skilled first-generation immigrants fluent in English, or others whose everyday social interactions require multiple languages.³⁵³

Inconsistency in the use or application of existing standards

Although the ABS recommends that the Minimum Core Set of variables be collected in all administrative and service provision settings where information on cultural and language diversity is required, it does not mandate any of them.³⁵⁴ The ABS only provides guidance on implementing the standard while also acknowledging that many government statistical collections do not measure this data as a primary focus.³⁵⁵ The Federation of Ethnic Communities' Councils of Australia (**FECCA**) has found that in Annual Reports on government services and in the Australian Institute of Health and Welfare's datasets, administrative data on 'cultural and linguistic diversity' is not collected consistently with the ABS Standards. For example, the Australian Institute of Health and Welfare's datasets only use 'country or birth' and/or a language indicator.³⁵⁶ This makes it difficult to measure the effectiveness of programs that aim to address racial inequalities.³⁵⁷

The Centre for Multicultural Youth has observed that the 'lack of a universal definition for CALD has led to its common misappropriation in general use.'³⁵⁸ In 2023, the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability also found that there is limited data on 'the prevalence of disability among culturally and linguistically diverse communities', suggesting that this was due to 'varying definitions of cultural and linguistic diversity and of disability'.³⁵⁹ The

National Disability Insurance Agency (**NDIA**) told the Royal Commission that (at 31 December 2022), 9.2% of National Disability Insurance Scheme (NDIS) participants are from culturally and linguistically diverse backgrounds, although they comprise 19% of the community.³⁶⁰

The NDIA suggested that it was 'likely culturally and linguistically diverse participants are joining the NDIS but have not been identified as CALD in the data collected, rather than a number of CALD people with disability not currently being in the NDIS.'³⁶¹

Inconsistent government data collection means health issues for racialised communities are underestimated or based on false assumptions, which widens health inequities and leads to poor resource allocation.³⁶² During COVID-19, except for an Aboriginal and Torres Strait Islander indicator, no other measures of race/ethnicity were required to be reported at the national level to the National Notifiable Diseases Surveillance System.³⁶³ This has been described as a 'serious omission,' since this data would have been essential to inform targeted public health initiatives and messaging to different communities, for research, and to improve national capacity to respond to future disease outbreaks or pandemics.³⁶⁴

International approaches

Australia has been labelled an 'international laggard' on the collection of race/ethnicity data in comparison to other Western countries with similar colonial and migration histories such as the United Kingdom, Canada, Aotearoa New Zealand, and the United States of America.³⁶⁵ We acknowledge, however, that it is important that Australia draws on lessons from countries beyond the United Kingdom and its settler colonies.³⁶⁶ Asia is now the source of several large diaspora communities in Australia and one of the most important sources of Australia's superdiversity.³⁶⁷ Many of the identity labels that Asian migrants use are 'the direct outcomes of previous conflicts, contests, and process of identity production based on colonial census

categorises that continue to organise public life in postcolonial societies.'³⁶⁸ Significantly, many migrant communities in Australia have already experienced racial classification systems overseas in a way that has hardened their identity categories and emphasised differences between them and others, instead of supporting equal opportunity outcomes.³⁶⁹ These nuances continue to shape how identity is understood and framed, including when living in Australia.

USA: The US census considers race and ethnicity to be two separate and distinct concepts. Respondents are asked to declare their race(s) from five minimum categories: White (origins from Europe, the Middle East or North Africa), Black or African American, American Indian or Alaska Native, Asian (origins from the Far East, Southeast Asia and the Indian subcontinent), Native Hawaiian or Other Pacific Islander.³⁷⁰ A separate ethnicity question asks respondents to declare whether they are Hispanic or Latino (respondents can also choose to report any applicable race categories). The 2030 Census is expected to include a new 'Middle Eastern or North African' race category.³⁷¹

Canada: The Canadian census categorises the population into thirteen 'visible minority' groups and a 'Not a visible minority' (i.e. mainly white) category. The 2021 census categories included: South Asian, Chinese, Black, Filipino, Arab, Latin American, Southeast Asian, West Asian, Korean, Japanese, Visible minority (i.e. groups 'not included elsewhere', such as Pacific Islander, Tibetan, and Polynesian), Multiple visible minorities (the option to report two or more categories), and Not a visible minority (i.e. groups not designated as visible minorities such as Polish, Israeli, Scottish, and South African).³⁷² Indigenous identity (First Nations, Métis, and Inuit) is collected in a separate category.

United Kingdom: In England and Wales, the census separates data on 'ethnicity' into five high-level categories. Respondents can select one broad group and then choose one of the more detailed groupings within: Asian or Asian British (e.g. Indian, Pakistani, Bangladeshi, or Chinese), Black/Black British/Caribbean/African, Mixed/Multiple ethnic groups (e.g. White and Asian), White, and Other ethnic group (e.g. Arab and any other ethnic group).³⁷³

Aotearoa New Zealand: The Aotearoa New Zealand Census codes the population into six main 'ethnic' categories: European, Māori, Asian, Pacific peoples, Middle Eastern/Latin American and African, and Other ethnicity.³⁷⁴ The form itself asks respondents to mark responses out of New Zealand European, Māori, Samoan, Cook Islands Māori, Tongan, Niuean, Chinese, Indian, and a free-text option to identify 'Other' (e.g. Dutch, Japanese, Tokelauan).

Although the above countries ask a direct question on race/ethnicity, many of these categories are heavily contested, with substantial internal criticism for their inconsistencies, problematic distinctions, and colonial undertones.

6.3 Limitations of government standards on the classification of ethnic groups

Australian Standard Classification of Cultural and Ethnic Groups (ASCCEG)

Although Australia does not ask a question about race/ethnicity in official surveys, the ABS does have an ethnicity data standard

which it uses to classify data collected from responses to the ancestry question.

The scope of the ASCCEG is 'all cultural and ethnic groups in the world', but, for practical purposes, only cultural and ethnic groups with significant numbers of people resident in Australia are identified separately.³⁷⁵ Groups not explicitly identified are included in the most appropriate 'residual' category of the classification (which itself can have an alienating effect on communities).

The standard is structured in three hierarchical levels:

- **9** broad groups (the highest level, with each group then comprising 2-5 narrow groups)
- **28** narrow groups (the middle level, with each group then comprising 1-33 cultural and ethnic groups)
- **276** cultural and ethnic groups, including 24 residual (i.e. not elsewhere classified) groups (the base-level categories).³⁷⁶

For example:

- 6 North-East Asian (broad group)
- 69 Other North-East Asian (narrow group)
- 6901 Japanese or 6902 Korean (cultural and ethnic groups)

Although the ASCCEG has not received the same level of public attention or scrutiny as the ABS CALD standards, it has been criticised for being 'strange and inconsistent' and 'limited and anachronistic'.³⁷⁷ Calls for reform of the ASCCEG have largely centred on addressing its substantial inconsistencies in categorisation and the importance of recognising the increasing superdiversity of the Australian population, including growing levels of mixed identity or heritage.³⁷⁸

The standard has had limited reviews since its creation in 2000, the last being in 2025. Though ruled out of scope for the 2025 review, the ABS did hear through consultations of the need to revise the ASCCEG more broadly, to investigate its structure and appropriate placement of existing ethnic groups.³⁷⁹

Conflation of race, culture, and ethnicity with nationality

The ASCCEG's conflation of race, culture, and ethnicity with nationality has been described as leading to 'often functionally meaningless classifications.'³⁸⁰

Catriona Stevens and Farida Fozdar observe that the base-level categories (i.e. the 276 'cultural and ethnic groups') variously describe subnational ethnic groups (e.g. '5206 Sundanese', an Austronesian ethnic group from western Java and the second-largest ethnic group in Indonesia) and 'ethno-national' categories (e.g. '6901 Japanese'). It also describes national categories without racial/ethnic specificity (e.g. '8203 Brazilian', a category collapsing people of white, mixed, Black, Asian, and Indigenous backgrounds) and explicitly racial/pan-ethnic categories (e.g. '8105 Hispanic [North American]', a category for people from Northern America of Latino or Spanish ancestry).³⁸¹ In these approaches, the ASCCEG uses nationality as a method for grouping, inaccurately and inconsistently aligning race/ethnicity/culture with nation states.³⁸²

Categories based on a mix of ethnicity and nationality are also contentious. For example, members of various ethnic groups in Japan that are Indigenous may not consider themselves ethnically 'Japanese', but only Japanese in terms of nationality or citizenship. Although race, ethnicity, and nationality overlap, they are distinct concepts and generally based on several assumptions and generalisations. Using them interchangeably to capture identity can be inaccurate and otherwise problematic.

Inconsistent 'racial categorisation'

There are also significant inconsistencies and unclear logic in how overseas racial classification systems have been incorporated into the ASCCEG.³⁸³ For example, ancestry options for North America are 'essentially racial' in contrast to other countries. The base-level options for North America include

'8101 African American', '8105 Hispanic [North American]', '8106 Native North American Indian' alongside the more racially-ambiguous (but presumably white) '8102 American' and '8103 Canadian'.³⁸⁴ These appear to be largely based on the US Census. However, the ASCCEG does not use explicitly racial categories from the UK census, such as 'Asian British, Black Caribbean and Black African', rather, those identifying British ancestries are assumed to be white.³⁸⁵ The base-level '9215 South African' also does not distinguish between white South Africans and visibly racialised groups.

Problematic groupings

The higher broad-level groupings as well as the narrow-level groupings similarly group populations with different racial/ethnic backgrounds or otherwise separate groups based on inconsistent or inconsistently applied standards.³⁸⁶ Stevens and Fozdar observe the standard aggregates the base-level categories according to two criteria: geographic proximity of ancestral origins and 'similar social and cultural characteristics.'³⁸⁷ However, it is not always clear whether groupings are based on geography, ethnicity, or language. For example, the narrow group '92 Southern and East African' lists '9201 Afrikaner', '9202 Angolan', and '9203 Eritrean' as the first three base-level categories.³⁸⁸ As Stevens and Fozdar note, there are no racial nor geographic, social, and cultural similarities evident here.³⁸⁹ Elsewhere, although France and Spain are geographically close and share similar 'social and cultural characteristics', the base-level '3106 Spanish' is placed in the broad group '3 Southern and Eastern European' while '2305 French' is aggregated to '2 North-West European.'³⁹⁰

Limited ability to consider the dynamic and context-specific nature of identity

The ASCCEG also unevenly navigates how broader social, cultural, and political processes shape identity both within groups and across them. As discussed in **Section 3.2**,

group classifications exist in a wide range of dynamic social and political processes that continue to shape how identity is understood and framed in Australia.³⁹¹

For example, 'national' identifiers are often used by individuals, communities, and states as a political act to indicate unity and/or belonging, or to assert sovereignty. Sometimes communities of various 'ethnic' backgrounds will use the national identifier as an anchor for political mobilisation and to be 'seen' or heard.

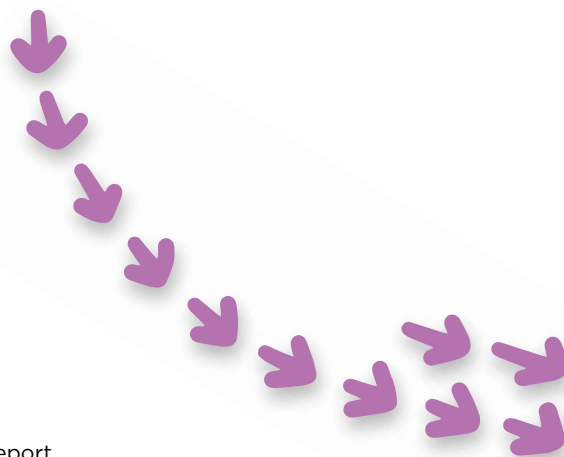
American sociologist Michael Omi says a significant problem in racial classification is the 'ever-changing' character of self-identification, resulting from changes in state definitions and shifts in how individuals or groups define themselves.³⁹² New immigrant populations, for example, may shift in how they self-identity as they move from a society organised around specific concepts of race to a new society with a different mode of conceptualisation.³⁹³

Responses to racial/ethnic identification can also shift across different historical periods, as well as from the same person at different points of their lifecycle.³⁹⁴ New labels for group identity may also fall out of fashion while others emerge; old groups may dissolve through processes of assimilation while new groups emerge because of changes in civil status or patterns of immigration.³⁹⁵ Groups also continue to contest existing systems of racial classification. In the US, for example, Taiwanese Americans have lobbied for a distinctive category of Taiwanese, separate from Chinese under the Asian or Pacific Islander category. Racial/ethnic identity formation is constantly shaped by geopolitical transformations that affect how groups see themselves as well as how they are seen by others.³⁹⁶

In an assessment of a workplace cultural diversity tool, Amrita Malhi considered categorisation problems which are applicable to future consideration of the ASCCEG.³⁹⁷

Some of the issues include:

- how to define ethnic groups when complex sociopolitical histories influence their meaning. For example, 'Malay' has different meanings in Malayasia and Indonesia. In Malaysia, the term describes an aggregate 'race' category in which groups such as Javanese and Bugis must place themselves. In Indonesia, each of these groups have a separate ethnic identity distinct from that held by 'Malays'. How should a 'Malay' Javanese person born in Malaysia refer to themselves in Australia – as 'Malay' or as 'Javanese', as a Javanese person born in Indonesia might prefer to? Currently, the ASCCEG base-level categories separate '5202 Indonesian', '5203 Javanese', and '5205 Malay'. Additionally, if members of other 'Indonesian' identity groups declare themselves as 'Sundanese', 'Madurese' or 'Acehnese', what does the residual category 'Indonesian' mean?
- how religious identities that are also emerging as 'ethnicities' should be categorised. For example, should Sikhs be categorised as a separate group or as a subset of Hindus, as many Hindu nationalists claim? The ASCCEG currently recognises '4201 Jewish' within the broader group '4 North African and Middle Eastern', although the ABS acknowledges that many Jewish people in Australia might not have ties with the Middle East and may consider classification with a European broad group more correct.³⁹⁸
- how emerging identities should be categorised – e.g. 'Hongkonger', which some community members argue should be distinguished from 'Chinese'.



6.4 Other key data issues

Recognising Australian South Sea Islander identity and priorities

Australian South Sea Islanders have reported feeling excluded from the current approach to data and have said it materially impacts their access to equity-based policies, programs, and initiatives.

Australian South Sea Islanders are descendants of Melanesian people brought to Queensland between 1863 and 1904 as indentured labourers from 80 islands, including the Solomon Islands, Vanuatu, New Caledonia, Fiji, New Ireland, Papua New Guinea, and the Gilbert Islands.³⁹⁹ Many were forced or kidnapped and brought to work on local plantations, in a practice known as 'blackbirding'.⁴⁰⁰ After their initial three-year indentured contracts expired, many South Sea Islander people remained in Australia, marrying other South Sea Islanders or people from other communities such as Aboriginal and Torres Strait Islander people.⁴⁰¹

South Sea Islanders are not Indigenous to Australia, although many do have mixed heritage through interrelationships with Aboriginal and Torres Strait Islander people. South Sea Islanders were Indigenous to their own lands before arriving in Australia, maintaining Melanesian customs and traditions that connected them to their ancestral lands like the Solomon Islands and Vanuatu, which remain integral to Australian South Sea Islander life.⁴⁰²

In 1992, the Commission (then known as the Human Rights and Equal Opportunity Commission) found that Australian South Sea Islanders had experienced a century of racial discrimination and harsh treatment, contributing to a state of disadvantage.⁴⁰³ The Commission found that Australian South Sea Islanders had experiences of colonialism that paralleled those of First Peoples, stating that 'South Sea Islanders with Aboriginal ancestry have been subject to the same discriminatory legislation targeting

Aboriginal people, and have been the subject of specific discriminatory legislation' as well.⁴⁰⁴ Both groups were recognised as being dispossessed from land.⁴⁰⁵ The *Call for Recognition* report called for the identification of Australian South Sea Islander people as a high needs group in equal opportunity, access and equity programs, funding towards culturally appropriate programs in housing, legal, childcare, and financial services, and increased public awareness of their role in Australia's history.⁴⁰⁶

In 1994, the Australian Government recognised Australian South Sea Islanders as a unique and distinct ethnic group, and committed to addressing the severe inequality they faced because of racial discrimination.⁴⁰⁷ However, representatives of the Australian South Sea Islander community told a federal parliament inquiry in 2015 that little has changed for them since recognition.⁴⁰⁸ The inquiry heard that although Australian South Sea Islanders suffer a level of disadvantage on par with Aboriginal and Torres Strait Islander people, they do not enjoy similar access to government services and programs, and their unique culture is rarely recognised by the Australian Government.⁴⁰⁹

Within data standards, the ABS identifies Australian South Sea Islander descent through responses to the ancestry question. In the Australian Census, respondents can provide up to two responses (four responses from the 2026 Census), including 'Australian South Sea Islander' as well as Aboriginal and/or Torres Strait Islander, Australian, Fijian, Samoan, or anything else that they identify with.

It has been challenging to accurately count the population of Australian South Sea Islander people since 1906 due to the inconsistency of race/ethnicity questions asked in the Australian Census, with some individuals choosing not to be identified and many being categorised under the data with the Aboriginal and Torres Strait Islander population as their main identification.⁴¹⁰ Previous consultations by Queensland Health with Australian South Sea Islanders in 2011 confirmed that many Australian South

Sea Islander people also identify as being Aboriginal and/or Torres Strait Islander due to marriage or mixed partnerships.⁴¹¹ Unless they were specifically asked whether they were Australian South Sea Islander, it was possible that they would identify as Aboriginal and/or Torres Strait Islander. Other barriers to self-identification included inconsistent questions about ancestry and a perceived confusion on the differences between Australian South Sea Islander people and Pacific Islander people.⁴¹²

The peak body, Australian South Sea Islanders – Port Jackson, has previously recommended that the ABS include a question on Australian South Sea Islanders identity alongside the Aboriginal and Torres Strait Islander census question, ‘to assess effectively the demographics of our evident kinship (noting intermarriage with Torres Strait Islanders and Aboriginal people)’.⁴¹³ This requires careful consultation with Aboriginal and Torres Strait Islander and Australian South Sea Islander communities. Both here and for the issues raised in the section below, questions on Indigenous identity should recognise the special status of First Peoples from Australia, given their unique relationship and connection to the land as the original inhabitants. Reform should consider how kinship relationships between Aboriginal and Torres Strait Islander and Australian South Sea Islander communities should be represented or collected.

Recognising other global Indigenous communities

Consideration should also be given to how and where the identities of Indigenous peoples from other nation states should be captured in government datasets. Currently, census respondents who are Indigenous to other countries cannot share this in the Standard Indigenous Question, but instead in the ancestry question. The ancestry question draws from the ASCCEG, which recognises global Indigenous communities amongst its 278 cultural and ethnic groups. We have heard from some stakeholders that declaring Indigenous identity in this format can contribute to a feeling of erasure

for Indigenous peoples not from Australia. Indigenous peoples from non-Australian states may also share in similar experiences of systemic inequality and could benefit from dedicated policy measures that address those inequalities. As flagged above, questions on Indigenous identity should recognise the special status of First Peoples from Australia. Further consultation should determine how globalised Indigenous identities can be represented and collected in a way that respects this relationship.

6.5 Options for reform

Introducing a race/ethnicity question into the Australian Census raises many complicated questions, such as how to define shifting and overlapping concepts like race and ethnicity.⁴¹⁴ Other issues include whether and how Australia should draw boundaries between specific groups, how to account for old and newer categories of identity, and how to assess respondents’ answers to a race/ethnicity question if they cannot be neatly categorised.⁴¹⁵

It is essential that the issues raised in this section are addressed through careful and thorough consultation with racialised communities and experts. There may not be simple and equitable answers to these issues, but it is in our collective interest to conduct comprehensive testing of options on race/ethnicity data.

Specific options for reform include:

- introducing a new, direct question on ethnicity for use in administrative data and the Australian Census
- introducing a direct question on ‘visible difference’ for use in administrative data and in the Australian Census
- increasing available ancestry responses to capture more mixed identities.

Each of these reforms should be co-created with racialised communities following extensive consultation.

Introducing a new, direct question on ethnicity for administrative and population data purposes

Case study: Recent testing on understanding about ethnicity in Australia

In 2023, the Australian National University's Centre for Social Research and Methods and the Centre for Asian Australian Leadership conducted the *Counting for Change* project to test knowledge of 'ethnicity' with the aim of designing a census question.⁴¹⁶ Questions were designed to capture respondents' understanding of ethnicity and their ability to respond to direct questions on ethnic identity. After surveying 3,370 people, the study found that for a minority of participants (2.8%) the concept of ethnicity was not one that is easily understood. However, most participants had a working understanding of the concept, noting connections with history, community, religion, culture, and minority status. Participants identifying with an ethnicity other than solely 'Australian' found the concept more readily understood.

The study recommended the following question format on ethnicity in the Australian Census:

- **Introduction:** Ethnic identity is defined as a sense of belonging, based on an individual's ancestry, cultural heritage, values, traditions, rituals and often language and religion.
- **Question:** Which ethnic groups do you belong to/identify with? Select all that apply to you.
- **Instruction:** For examples, refer to this list of ethnic and cultural origins. Specify as many origins as applicable.

The study found responses to this question were 'promising', providing evidence that this type of question could be answered at the population level. The study also pointed towards research showing that school-aged children can identify their ethnicity with minimal instructions.⁴¹⁷ The ANU also suggested that a question based on the above could be adapted for use in public-facing services (e.g. hospitals) to enable comparison with the census. It also recommended that, rather than constraining the selection of groups, respondents should be allowed to select all relevant options.⁴¹⁸ In the initial application of this question, the options could be listed as Canada does.⁴¹⁹ The list of options could then be informed by the ASCCEG.⁴²⁰ Analysis may be done afterwards to refine the list of ethnic origins.⁴²¹

The study also recommended clear instructions on how to complete the proposed census question on ethnic identity be provided, particularly for those with multi-ethnic identities. These instructions should be developed with experts, interest groups, and data users.⁴²² The study also noted the importance of non-government groups assisting with national educational campaigns on a new ethnicity question.

Direct question on visible differences

There have been calls for the Australian Census to include a question designed to capture ‘visible difference and visible mixedness’ in Australia, similar to Canada which categorises population groups into ‘visible minorities’ and those who are not.⁴²³ This is largely based on arguments that demonstrating the links between visible markers of difference (such as skin colour) and white privilege is essential to capturing racial inequalities.

However, the term ‘visible minorities’ has been criticised by the UN Committee on the Elimination of Racial Discrimination for being inconsistent with Article 1 of the Convention, which condemns ‘any distinction, exclusion, restriction, or preference based on race, colour, descent, or national or ethnic origin.’⁴²⁴ It is also unclear how these questions should be answered, for example, by racialised people with mixed heritage, or people who are ‘lighter-skinned.’

Other options for reform include introducing categories like those used in the US Census, such as ‘Asian’ and ‘White’. These types of categories require careful consideration. Although broader categories can be a simple way to aggregate data, they also risk reinforcing arbitrary binaries between groups (e.g. by conflating nationality with race/ethnicity or conflating geographical location with skin colour), homogenising different lived experiences and identities, and masking inequalities between and within groups.

We should also be aware that broader group labels based on visible group difference are themselves contested and can re-entrench inequality. For example, the term ‘Middle Eastern’ is commonly seen as Eurocentric because it defines the region by its position in relation to Europe’s position on the globe, rather than the region’s own historical and geographic terms. In criminal justice settings, the term ‘of Middle Eastern appearance’ has also been criticised for being heavily racialised, gendered, criminalised, and inaccurately acts to racially profile Arabs as

Muslims based on phenotypical features.⁴²⁵ The broad category ‘Asian’ is also contested because it can flatten distinct identities, obscure disparities across subgroups, and perpetuate the ‘model minority’ myth. For example, data that highlights the relative successes of certain East Asian or South Asian groups can erase the additional systemic disadvantages experienced by Southeast Asian and Pacific Islander groups.⁴²⁶

Increasing available ancestry responses to capture more mixed identities

There is currently no consensus on what (English) term to use for people who are labelled ‘mixed race’, ‘biracial’, ‘multiracial’, or of ‘dual heritage’.⁴²⁷ The identity of people with mixed heritage is generally collected through questions on ancestry.

Although the 2026 Australian Census offered respondents the opportunity to declare up to four ancestries (previously only two), this may still be inadequate to fully capture Australia’s growing superdiversity. Marriage or mixed partnerships both blur and accelerate the blurring of boundaries between groups, whether defined through origins, ancestry, or identity, because the children of mixed marriages may claim membership in, or identify with, one or both groups.⁴²⁸ The Canadian Census allows respondents to specify as many origins as applicable for the ancestry question and unlimited options for ethnicity, while the UK Census allows respondents to use a free-text response to write in ‘Any other mixed/multiple ethnic background.’⁴²⁹ Further consultation will be required to assess whether unlimited ancestry responses will provide stronger datasets for capturing those with mixed heritage in Australia.

Importance of de-emphasising comparability and consistency in race/ethnicity data

Overall, it is important we continue to interrogate the assumptions that inform the creation of race/ethnicity data: we should not assume that we can resolve shifting nature of racial/ethnic identities and ‘pin them down decisively, for the last time’ in data standards.⁴³⁰

The complexities and trends in how race/ethnicity are asserted and defined are important to capture, but it means that it will be difficult or sometimes impossible to achieve perfect reliability or consistency in data across time. This may frustrate government institutions and other bodies that seek to clearly assign racial/ethnic categories.⁴³¹ We may be better off de-emphasising the methodological ideals of comparability and replicability of census data across time and still prioritise capturing this data, even as it may shift.⁴³² It is also possible that we may eventually see racialised communities identifying in terms that do not suggest an identity that experiences the negative harms of racism (e.g. a non-white identity). In these circumstances, there is little utility in directing such individuals to identify with a race/ethnicity that they may have ancestral ties to but do not choose to self-identify with.

The purpose of continued data collection on race/ethnicity data in these scenarios would be to help us understand demographic change over time. We believe it is worth examining the implications of racial/ethnic identity construction, including its evolution over time, as these should all inform the analysis of data. For broader anti-racism purposes, even fluctuating data can give us valuable insights into how race is continuing to shape people’s lives.

6.6 Reforming national data standards

Our position: reform existing data standards and introduce a stronger, direct question on racial/ethnic identity informed by community testing

We recommend that the Australian Government review the Australian Standards for the Classification for Cultural and Ethnic Groups and the Standards for Statistics on Cultural and Language Diversity and develop new standards on the collection of administrative data about race/ethnic identity. We call for the design of a direct question on race/ethnicity that can be used consistently across government administrative data collections and across civil society. Community consultation should inform the introduction of a race/ethnicity question within the Australian Census as well.

We call for further consultation to examine appropriate questions or methods for capturing race/ethnicity, including assessing:

- the use of free-text responses to declare race/ethnicity, noting as well that people do not always think of themselves in racial or ethnic terms, and that racial/ethnic identities are not always expressed uniformly (e.g. some racialised people prefer to express themselves in terms of religious identity)
- the capacity of administrative data instruments beyond the Australian Census to measure race/ethnicity in a more fluid, personalised way, particularly for those with multiple or mixed identity (e.g. measuring ethnicity on a scale of ‘little or low attachment’ to ‘high attachment’).

We should not solely rely on ancestry responses to provide us with information on race/ethnicity. A direct ethnicity question that allows respondents to select multiple options may also provide richer and more accurate datasets for capturing mixed identities.

As Australia's diversity makeup evolves, the 'Australian' ancestry option is more likely to be used by more people who otherwise come from racialised backgrounds, including those who have settled in Australia for a few generations and consider themselves 'Australian'. Analysis of past Australian Census results has shown that ancestry has not always been reported where people have non-Australian heritage, leading to somewhat incomplete and inaccurate data.⁴³³ This may reduce the ability of ancestry data to provide accurate information about non-white groups in Australia over time. In this potential future context, it may be more appropriate to look to other measures to understand the prevalence of racism (e.g. specific surveys or studies on racism that look at racial profiling). However, a direct ethnicity question would still provide value in assessing the specific experiences of racialised populations at any given point in time.

As part of the implementation of the National Anti-Racism Framework, we have also recommended the Australian Government adopt and fund a National Anti-Racism Data Plan. This must outline a national approach to collecting, using, and managing data on race/ethnicity to coordinate efforts across jurisdictions and achieve stronger, harmonised data. A uniform approach to definitions and classifications on race and ethnicity would strengthen the comparability, validity, and reliability of data collected over time. It should also minimise unnecessary duplications across data sources and build the capacity of society to use this data to address racism and other forms of intersectional inequality.

It is essential that this new approach be a national approach. Creating a stronger national standard for the collection of race/ethnicity data would also benefit non-government administrative data collections. A recent Australian Law Reform Commission inquiry on judicial impartiality recommended collecting and reporting on diversity statistics in the federal judiciary, including about Aboriginal and Torres Strait Islander status, ethnicity, gender, and age to prevent bias in the system. The judiciary would require a

data standard for capturing race/ethnicity and would likely look to the Australian Government for an appropriate measure.⁴³⁴

A new approach to race/ethnicity data requires nuance and careful consideration, given the contested nature of race and ethnicity data as it applies to different people and communities. For anti-racism data to be meaningful, its design must be informed by those with lived experience of racism. A human rights-based approach to data that prioritises participation (See **Section 8.1**) ensures that the identity of racialised populations is self-defined. Racialised communities must be meaningfully involved in co-designing a national approach to anti-racism data. This includes informing how groups are defined and categorised, as well as informing the dissemination and analysis of the data.

The above review should also address the Multicultural Framework Review's recommendation that the cultural and linguistic diversity standard is revised, in terms of:

- its current relevance
- its capacity to identify targets of racism
- its coverage of ethnicity
- how it can better identify literacy levels in both English and other languages used at home for emergency communication
- useability by governments and contracted services
- how well it covers the whole of population (e.g. capturing the diversity of people who reported being Australian born, having Australian-born parents, being English-speaking, or identifying with an Australian ethnicity, as well as other potentially marginalised minorities).⁴³⁵

Broadly, the National Anti-Racism Data Plan should:

- require the reformed standards be adopted for all publicly-funded services and programs
- ensure consistency in measures captured and reported through a

whole-of-government approach (across departments and agencies in all states and territories)

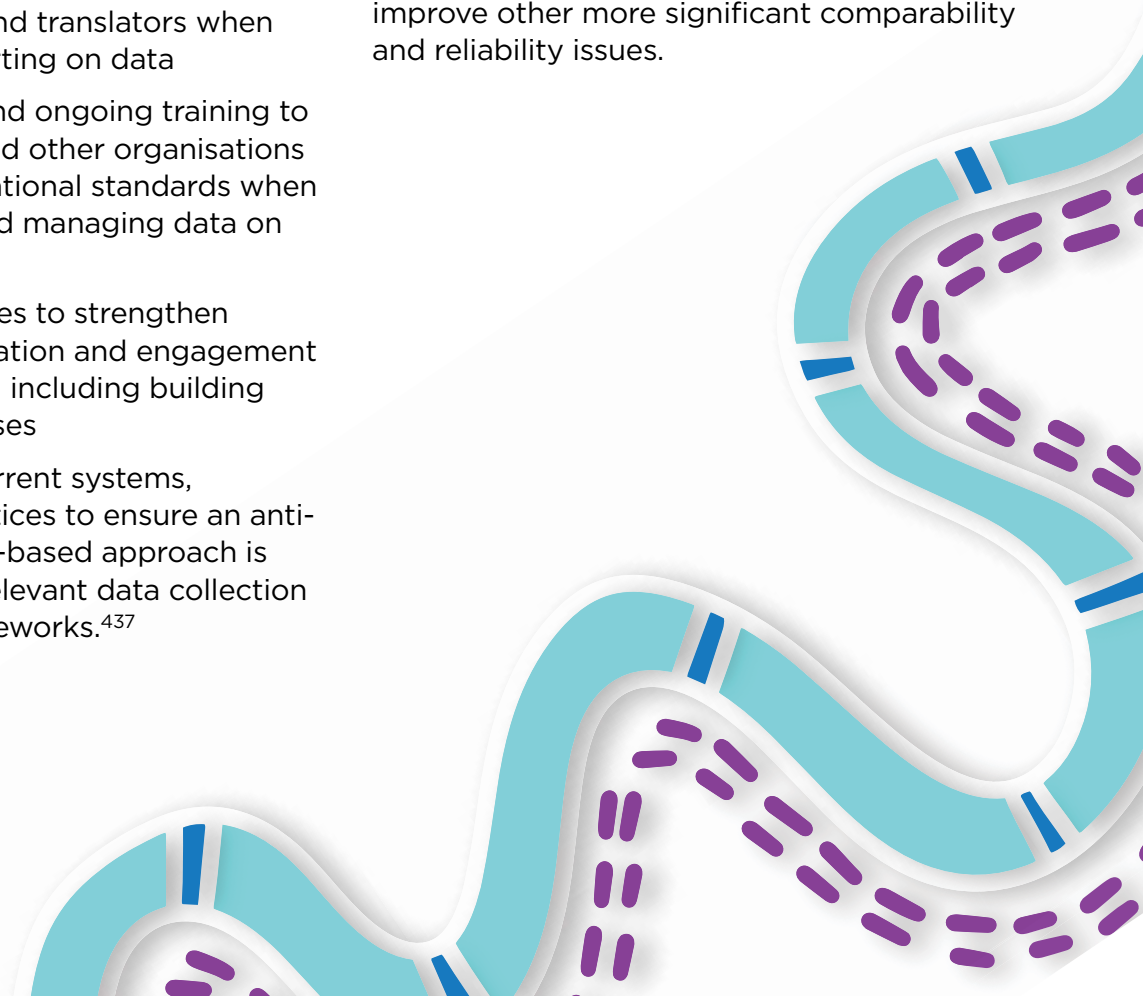
- make race/ethnicity data publicly available and accessible
- ensure accountability for what race/ethnicity data is collected and reported.⁴³⁶

Implementation of the National Anti-Racism Data Plan should:

- provide transparency on the government's purpose for data collection and embed accountability in the use of such data. This involves data collectors clearly explaining the benefits of participating in data processes and the aims of collection, as well as demonstrating how change has been achieved in previous data collection processes
- provide clarity on when and how services and organisations can use race/ethnicity data they are collecting
- include clear and consistent guidance for organisations and services working with racialised communities around their roles and responsibilities in data collection, including obtaining informed consent from individuals, protecting their privacy, and using interpreters and translators when collecting and reporting on data
- deliver accessible and ongoing training to service providers and other organisations to implement the national standards when collecting, using, and managing data on race/ethnicity
- incorporate strategies to strengthen community participation and engagement with data collection, including building trust in data processes
- include audits of current systems, processes and practices to ensure an anti-racist, human rights-based approach is embedded within relevant data collection processes and frameworks.⁴³⁷

Any education campaigns should be merely instructive on how race/ethnicity is defined or should be understood for the purposes of responding to questions. These should also include information on individual rights and responsibilities (e.g. opting out of declaring race/ethnicity and how to update or remove information).

Race/ethnicity standards and classifications should continue to be reviewed at regular intervals for relevance and accuracy to communities. It is important also to remember that race and ethnicity are fluid and dynamic concepts, often changing across contexts and over time. It is natural for this fluidity to be reflected in data. Data on Indigenous status and gender also has the potential to fluctuate and demonstrate some inconsistency, but those nuances are generally accepted given the importance of that data. As noted in **Section 3.2**, collecting data on the fluid and dynamic nature of race/ethnicity, including how it is defined and expressed over time, is worthwhile to understand demographic and social change. Any potential for discrepancies of this data should be accepted. Instead, focus should be on creating and implementing uniform standards for race/ethnicity data collection across Australia to improve other more significant comparability and reliability issues.



Recommendation 4

The Australian Government should review the Australian Standards for the Classification for Cultural and Ethnic Groups and the Standards for Statistics on Cultural and Language Diversity and develop new standards on the collection of administrative data about racial/ethnic identity by adequately funding:

- a. the Australian Human Rights Commission to lead independent consultations on community understandings of race and ethnicity, with supporting research.
- b. the Australian Bureau of Statistics to revise the data standards, informed by the research in (a) and from other relevant stakeholders.

Outcomes from these processes should inform whether a question on racial/ethnic identity should be introduced into future Australian Censuses. This may involve the establishment and funding of a Working Group, convened by the Australia Bureau of Statistics and as part of work under the National Anti-Racism Data Plan, to develop a question.



7 Embedding Indigenous Data Sovereignty and Governance

- Aboriginal and Torres Strait Islander people have long been challenging mainstream data practices and narratives as inherently biased and racist.
- Most existing data structures focus on understanding First Peoples' experiences through the harmful lenses of deficit and dysfunction, while also being dismissive of First Peoples' worldviews, priorities, and experiences. Deficit-based data ecosystems generate data and narratives that enable ongoing racism against First Peoples and deny communities the data needed for effective self-governance and self-determination.
- Embedding Indigenous Data Sovereignty and Governance across the data ecosystem is a systemic solution to racist and harmful data practices and is essential to First Peoples' self-determination.
- Indigenous Data Sovereignty and Governance affirm the rights of Indigenous people to exercise control of the data ecosystem and make autonomous decisions about Indigenous Data in line with their priorities, values, cultures, worldviews, and diversity.
- Implementing Indigenous Data Sovereignty and Governance requires transformative structural changes that goes beyond minor reforms and must be led by First Peoples to ensure full control, ownership, and leadership over the data lifecycle.

7.1 Importance of Indigenous Data Sovereignty and Indigenous Data Governance

During the National Anti-Racism Framework's development, Aboriginal and Torres Strait Islander communities told us about the importance of Indigenous Data Sovereignty and Indigenous Data Governance as a systemic solution to racist and harmful data practices and systems, and a core part of self-determination.⁴³⁸ Fully embedding Indigenous Data Sovereignty in Australia also requires broader government commitment to maintaining or actioning commitments to truth-telling and treaty processes.

The global Indigenous Data Sovereignty movement is an Indigenous-led and rights-based movement that emerged in response to the systemic alienation of Indigenous peoples from data and data mechanisms that relate to them. Indigenous Data Sovereignty recognises the inherent right of Aboriginal and Torres Strait Islander peoples to self-govern their communities, Country (including lands, waters, and sky) and resources, in line with the rights enshrined in the *United Nations Declaration on the Rights of Indigenous People (UNDRIP)*.⁴³⁹

In Australia, Aboriginal and Torres Strait Islander experts have long been challenging harmful data practices and the resulting deficit-based data about Indigenous people.⁴⁴⁰ Throughout recent consultations led by the Aboriginal and Torres Strait Islander Social Justice Commissioner, there was a collective sense of frustration that government policy and systems are not underpinned by Indigenous Data or knowledge.⁴⁴¹

Palawa academic Professor Maggie Walter describes how mainstream data about Aboriginal and Torres Strait Islander peoples focuses almost exclusively on items related to Indigenous difference, disparity, disadvantage, dysfunction, and deprivation (described as ‘5D data’).⁴⁴² These data practices are also known as ‘BADDR’ data: practices that are Blaming, Aggregate, Decontextualised, Deficit and Restricted towards First Peoples.⁴⁴³ The Lowitja Institute notes that deficit-based data and research discourses about Aboriginal and Torres Strait Islander communities have historically been used to enable harmful policies. These include assimilation, falsely portraying First Peoples, rather than systemic barriers, as the problem, denying self-determination by isolating First Peoples from data about them, and dismissing Aboriginal and Torres Strait Islander knowledges, worldviews, and priorities.⁴⁴⁴

These narratives and practices remain embedded in dominant data and cultural frameworks and continue to enable ‘ongoing institutional racism, systemic discriminations and ingrained biases’ against First Peoples, where communities are also blamed for outcomes that stem from policy failure⁴⁴⁵

As Skye Trudgett et al describe:

‘National statistical systems commonly fail to recognise the human rights and worldviews of Indigenous peoples through the generation and primacy of data which is inherently biased and not reflective of Indigenous worldviews, experiences, or priorities. Such data which are generated about Indigenous peoples is then protected within a Western system of privacy and licencing law, rendering the realisation of collective ownership and self-governance, impossible. Furthermore, these data resources are commonly used by researchers, Government departments and statistical agencies in conducting analyses and decision making, which play a subtle yet significant role in influencing broader societal conceptualisations of Indigenous peoples, communities, lands, resources, and Culture. This exploitation,

misinterpretation and misuse of Indigenous data is commonplace, there are many examples of Indigenous peoples being blamed for experiencing inequities, rather than acknowledging that many outcomes are in fact the result of longstanding and ongoing social, cultural and racial injustices.’⁴⁴⁶

This leads to the ‘Indigenous data paradox’ in which ‘there is an enormous body of data about Aboriginal and Torres Strait Islander people but almost no data for or by Aboriginal and Torres Strait Islander people,’ and policy decisions about First Peoples are primarily informed by these inaccurate and harmful data portrayals.⁴⁴⁷

Supporting and embedding Indigenous self-determination and governance in data infrastructure through the leadership of Aboriginal and Torres Strait Islander people is therefore crucial to the success of a National Anti-Racism Framework that reflects Australia’s international human rights commitments.

The principles, guidelines, and frameworks of Indigenous Data Sovereignty and Governance are unique to Aboriginal and Torres Strait Islander communities, and may not necessarily be appropriate to extend, transfer, or adapt for other communities. Nonetheless, a transformed data landscape and ecosystem that centres Indigenous Data Sovereignty and Governance will inevitably benefit non-Indigenous communities, especially other racialised communities, and support anti-racism efforts more broadly. A cultural shift from a data-based to people-centric approach in designing data infrastructure and practices and increasing focus on place-based community participation and decision-making over the data lifecycle,⁴⁴⁸ will have a transformative effect broadly. All racialised communities can benefit from flow-on effects such as protections against the harms inflicted by deficit-based, harmful data practices.

7.2 Understanding the key concepts

There is currently no international consensus on a standardised set of core Indigenous Data Sovereignty principles.⁴⁴⁹

However, the Maiam nayri Wingara Indigenous Data Sovereignty Collective (**Maiam nayri Wingara**), a group of Aboriginal and Torres Strait Islander data experts in Australia, is one of the leading authorities on Indigenous Data Sovereignty in Australia. In 2018, Maiam nayri Wingara created a set of principles to advance a shared understanding of Indigenous Data Sovereignty in Australia. These principles state Aboriginal and Torres Strait Islander people have a right to:

- exercise control of the data ecosystem including creation, development, stewardship, analysis, dissemination and infrastructure
- data that is contextual and disaggregated (available and accessible at individual, community and First Nations levels).
- data that is relevant and empowers sustainable self-determination and effective self-governance
- data structures that are accountable to Indigenous peoples and First Nations
- data that is protective and respects individual and collective interests.⁴⁵⁰

At its core, **Indigenous Data Sovereignty** ‘affirms the rights of Indigenous peoples to control the collection, access, analysis, interpretation, management, dissemination, and reuse of Indigenous data.’⁴⁵¹

Indigenous Data Sovereignty is given practical effect through the practice of Indigenous Data Governance, which embeds Indigenous decision-making across the data lifecycle.⁴⁵² Specifically, **Indigenous Data Governance** refers to ‘the right of Indigenous peoples to autonomously decide what, how, and why Indigenous Data are collected, accessed, and used. It ensures that data on or about Indigenous peoples reflects [their] priorities, values, cultures, worldviews, and diversity.’⁴⁵³

Indigenous data is not limited to ‘Indigenous-identifying data’. Maiam nayri Wingara explains ‘**Indigenous Data**’ goes beyond statistics and encompasses various forms of information, including demographic and administrative data, geological information, cultural expressions and practices, and historical and archival information (e.g. information held in galleries, libraries, archives and museums), knowledges, stories, and literature.⁴⁵⁴

In the context of anti-racism data, Indigenous Data includes information collected through Indigenous research methodologies, such as Yarning methods,⁴⁵⁵ and Western methods, including population statistics and administrative and survey data about Aboriginal and Torres Strait Islander people across sectors, institutions, and different levels of government.

Indigenous Data may also include:

- incident or witness reports of racism experienced by First Peoples
- socioeconomic, health, legal and other statistics that reflect racial inequality
- Indigenous knowledges about anti-racism; and truth-telling stories, accounts, and reports of First Peoples’ experiences of racism and settler colonisation.

Given the wide-reaching scope of Indigenous data, and by extension the Indigenous Data ecosystem, Indigenous Data Sovereignty and Governance have implications for all groups and organisations in Australia that collect, manage and use Indigenous Data, including Aboriginal and Torres Strait Islander communities and organisations, government agencies at different levels, non-profit organisations, businesses across sectors, and research bodies.⁴⁵⁶

Shifting from deficit data to meaningful data

Moving from ‘BADDR’ data towards data that meets Aboriginal and Torres Strait Islander peoples’ needs will require:

- **Lifeworld data:** Data that informs a comprehensive, nuanced narrative of who Aboriginal and Torres Strait Islander

peoples are as a people, of culture, communities, resilience, goals, and successes.

- **Disaggregated data:** Data that recognises cultural and geographical diversity to provide evidence for community-level planning and service delivery.
- **Contextualised data:** Data that is inclusive of the wider social and structural context and complexities in which Indigenous disadvantage occurs.
- **Indigenous priority data:** Data that measures beyond problems and addresses First Peoples' priorities and agendas.
- **Available amenable data:** Data that are both accessible and amenable to the requirements of First Peoples.⁴⁵⁷

Limitations of the 'FAIR' data principles

While Aboriginal and Torres Strait Islander communities will have diverse conceptions of the protocols, agreements, and structures needed to implement Indigenous Data Governance in Australia, the 'CARE principles' and related guidelines developed by the Global Indigenous Data Alliance (GIDA) offer some important insights on what these could look like in practice.

The CARE principles of 'Collective benefit', 'Authority to control', 'Responsibility', and 'Ethics' were developed partly in response to the limitations of the existing open data movement.⁴⁵⁸

Open data principles alone, such as the FAIR principles of 'Findable, Accessible, Interoperable, and Reusable data',⁴⁵⁹ fail to address Indigenous peoples' unique rights and interests, and can even run in tension with Indigenous Data Sovereignty.⁴⁶⁰ The GIDA observes that the focus of FAIR principles on encouraging and enabling data sharing among different entities does not necessarily consider the 'power differentials and historical contexts' which give rise to unethical data practices.⁴⁶¹ The GIDA notes 'the emphasis on greater data sharing alone creates a tension for Indigenous Peoples who are also asserting greater control over

the application and use of Indigenous data and Indigenous Knowledge for collective benefit'.⁴⁶² Compared to the data-centric nature of FAIR Principles, the CARE Principles developed by Indigenous Data Sovereignty networks around the world are a 'people and purpose-oriented' concept grounded in the advancement of Indigenous innovation and self-determination.⁴⁶³

The CARE Principles do complement the FAIR principles, particularly through aspirations to encourage 'data movements to consider both people and purpose in their advocacy and pursuits.'⁴⁶⁴

7.3 Pathways to Indigenous Data Governance

Strong data governance arrangements that embed Aboriginal and Torres Strait Islander people's ownership

Indigenous Data Governance means ensuring Aboriginal and Torres Strait Islander people are empowered to make decisions and 'self-determine all characteristics of their data,' including creation, development, collection, stewardship, analysis, dissemination, and infrastructure.⁴⁶⁵ Practically, experts have called for collaboratively developed agreements on 'a set of Indigenous data protocols, operating at the community, state and national level that prescribe the parameters on how Aboriginal and Torres Strait Islander data governance is actualised,' which are deemed important for formalising the relationship between Indigenous data governance and state statistical and/or administrative agencies.⁴⁶⁶

Experts have suggested Indigenous governance arrangements should:

- set and enforce agreed standards, culturally informed definitions, and classification systems for data production, ownership, analysis, and administration
- develop and enforce agreed rules, policies, and processes around access, dissemination, monitoring, management,

and review of data, including what kinds of data will not be collected or will have restricted access

- identify and publicise clear cultural rules and protocols with respect to Indigenous intellectual property rights, which outline the consents required to access and use high-value cultural information
- set out a management structure for data that clarifies the roles, responsibilities, and accountabilities of people charged with collecting, analysing, maintaining, and communicating data. This includes leaders, executive committees, managers and community members
- establish user-friendly technologies and infrastructure and member-focused data platforms that include building the capabilities of members to access, interpret, use, and maintain their own data
- ensure governance arrangements for repatriating and protecting Indigenous data property rights are based on the principle of self-determination.⁴⁶⁷

Strong data governance arrangements are determined, led, and controlled by First Peoples, and should act as the foundation for Indigenous people to make decisions that fit their priorities, interests, and agendas.⁴⁶⁸

Maiaṃ nayri Wingara have cautioned against practices by governments and/or other non-Indigenous organisations that co-opt the concept of Indigenous Data Governance and misrepresent it as ad-hoc policies that do not embed Indigenous control and leadership structures, including appointments to advisory groups, consultations, or other opportunities for Indigenous communities or organisations to provide submissions on data issues.⁴⁶⁹ While these practices involve some degree of participation by Indigenous people in data governance, Maiaṃ nayri Wingara have highlighted that these effectively demand ‘time, intellect and efforts’ but stop short at allowing First Peoples to make decisions about their data. It runs contrary to genuine Indigenous Data Governance, which ‘empowers Aboriginal and Torres Strait Islander people throughout decision-making for the benefit of their organisations, collective nation groups, mobs, or communities.’⁴⁷⁰

Explicitly recognising Indigenous Data Sovereignty and Governance in the National Agreement on Closing the Gap

Priority Reform 4 (PR4) of the National Agreement on Closing the Gap (Agreement) requires governments to establish large-scale changes to data systems and practices to support Aboriginal and Torres Strait Islander peoples to make decisions about data and to use data for their own purposes.

However, a 2024 review by the Productivity Commission into the Agreement found that Aboriginal and Torres Strait Islander organisations report challenges in accessing government-held data, and that the data collected by governments does not reflect the realities of, or hold meaning for, Aboriginal and Torres Strait Islander people.⁴⁷¹ The Productivity Commission reported Aboriginal and Torres Strait Islander people see Indigenous Data Sovereignty as the purpose of PR4 but this is not clearly reflected in the text of the Agreement, nor in many governments’ implementation plans.⁴⁷²

The Productivity Commission recommended the Agreement be amended to include Indigenous Data Sovereignty under PR4, noting its acceptance and application would provide ‘a mandate for action’ which would enable more effective partnerships, disrupt the deficit narratives dominating the interpretation of data, and help build trust in data collections, leading to better information for policy design and delivery.⁴⁷³

The Productivity Commission recommended this also be accompanied by:

- adopting the definitions of Indigenous Data Sovereignty and Indigenous Data Governance as set out by the Maiaṃ nayri Wingara Indigenous Data Collective
- recognition that Indigenous Data Sovereignty is a multi-faceted, long-term objective to be achieved by Aboriginal and Torres Strait Islander people
- recognition that Indigenous Data Sovereignty is necessary for Aboriginal and Torres Strait Islander peoples to

determine and make decisions about their priorities

- commitment from governments to partnering with Aboriginal and Torres Strait Islander people to embed Indigenous Data Governance, including specific commitments to: incorporating Indigenous Data Governance into existing data systems to empower Aboriginal and Torres Strait Islander peoples to decide what, how, and why Indigenous data are collected and managed across the data lifecycle; strengthening the technical and administrative data capacity of Aboriginal Community-Controlled Organisations (ACCOs) and build the data capability of ACCOs, government, and non-Indigenous organisations; investing in Indigenous Data infrastructure that enables communities to develop, manage, and use their own data collections.⁴⁷⁴

Establishing a ‘Bureau of Indigenous Data’

The Productivity Commission also recommended governments establish a ‘Bureau of Indigenous Data’ (**BoID**) that would:

- support governments to embed Indigenous Data Governance into their systems and practices
- invest in enhancing the data capability of Aboriginal and Torres Strait Islander organisations and communities
- consolidate and oversee data development work for the Agreement.⁴⁷⁵

It recommended that the BoID be governed by an Indigenous Data Board, comprising Aboriginal and Torres Strait Islander people initially appointed by the Joint Council on Closing the Gap and be jointly funded by national, state, and territory governments.⁴⁷⁶

The BoID should be established under its own legislation as an independent cross-jurisdictional authority, with its exact functions determined by advice from the Indigenous Data Board. These functions could include:

- maintaining the Closing the Gap dashboard and annual reporting
- developing Indigenous Data standards and/or protocols
- managing national Indigenous surveys and datasets and establishing new collections
- investing in data infrastructure, such as warehouses for community-controlled data
- advising on the use of Indigenous Data
- addressing systemic problems with the implementation of PR4.⁴⁷⁷

The Productivity Commission also noted Indigenous Data Sovereignty and Governance do not inherently preclude government custodianship or joint control of Indigenous data. Rather than limiting access to Indigenous data, Indigenous Data Governance aims to ensure it reflects the priorities of First Peoples and protects their interests – ‘to this end, it could generate more data sharing, and better quality data.’⁴⁷⁸ Continuing with the status quo poses a greater risk to the openness and integrity of government-held datasets if First Peoples increasingly lose trust in how these collections are managed and choose to opt-out.⁴⁷⁹

Case study: Mayi Kuwayu Study

The *Mayi Kuwayu Study* is a national Aboriginal and Torres Strait Islander longitudinal study that aims ‘to develop national-level cultural indicators and examine how culture interacts with health and wellbeing’ and has been recognised by Aboriginal and Torres Strait Islander data experts, as a best practice example of project designs that embed Indigenous Data Sovereignty and Indigenous Data Governance.⁴⁸⁰

The *Mayi Kuwayu* study was led, developed, conducted, and governed by Aboriginal and Torres Strait Islander people. Its governance group includes peak Aboriginal and Torres Strait Islander health and research groups. Its data governance processes are overseen by an all-Indigenous data governance committee which applies *Maiaṁ nayri*

Wingara Indigenous Data Collective's principles to assess data use requests, engages with communities in the implementation of the questionnaire and in the analysis, interpretation, and dissemination of collected data.⁴⁸¹

7.4 Implementing Indigenous Data Governance in Australia as a human rights and anti-racism priority

A note on Aboriginal and Torres Strait Islander peoples' leadership over data and the Commission's position

We recognise that Indigenous Data Sovereignty and Governance must be led by First Peoples. In so far as Indigenous Data is concerned in Australia, Aboriginal and Torres Strait Islander people should have full control, ownership, and leadership over the data lifecycle to the extent possible. The National Anti-Racism Framework and anti-racism initiatives broadly should take a supporting and advocacy role to the work, when and where deemed appropriate by Aboriginal and Torres Strait Islander communities. This work must acknowledge the historical harms associated with government collection of Indigenous Data (see **Section 4.2** and **Section 5**) and ensure steps are taken in every stage of the data process to not reproduce these colonial harms.

The Australian Government has developed the *Framework for Governance of Indigenous Data*, which requires federal agencies to develop implementation plans on Indigenous Data guided by principles of partnership and inclusion.⁴⁸² But as the Aboriginal and

Torres Strait Islander Social Justice Commissioner notes, although welcome, this framework is policy guidance rather than a binding obligation and does not extend to states, territories, or non-government providers who hold substantial Indigenous Data.⁴⁸³ Binding agreements are essential to ensuring Indigenous Data Sovereignty is upheld consistently across jurisdictions and sectors and that accountability is defined by communities themselves.⁴⁸⁴

Implementing Indigenous Data Governance in Australia requires substantial investment from governments.⁴⁸⁵ Implementation is not simply about enacting a new set of standard data practices (although these may be needed). Rather, it will 'require governments to be willing to be led by ACCOs and communities to trial new practices and to tailor their data management practices in accordance with the diverse protocols and data needs of different communities.'⁴⁸⁶

As Maggie Walter and Stephanie Russo Carroll state, 'what is required is essentially a paradigm shift; a complete resetting of the Indigenous data/policy relationship, not a tinkering around the edges or small concessions to Indigenous data demands.'⁴⁸⁷

The National Anti-Racism Framework presents an opportunity to support the Indigenous Data Sovereignty movement, which could broadly include:

- working with Aboriginal and Torres Strait Islander practitioners to structurally build in Indigenous Data Governance in the National Anti-Racism Framework's data and monitoring and evaluation work
- co-designing and partnering with Aboriginal and Torres Strait Islander communities, researchers, and practitioners throughout the National Anti-Racism Framework's implementation and evaluation processes
- providing support in the legislative and policy space to embed Indigenous Data Sovereignty and Governance in the data ecosystem and ensuring that Indigenous Data and data practices are fully owned and controlled by First Peoples

- supporting existing co-designed initiatives to embed Indigenous Data Sovereignty and Governance. These include the Australian Public Service-wide implementation of the Framework for Governance of Indigenous Data⁴⁸⁸ and
- proactively supporting broader transformation of power relations, such as treaty and truth-telling processes, that centres Indigenous worldviews and an Indigenous-led agenda in data and other spaces.⁴⁸⁹

More broadly, we recommend that:

- the Australian Government commit to meaningfully embedding Indigenous Data Sovereignty and Governance in a national approach to anti-racism data
- the Australian Government implement binding data-sharing and governance agreements across all levels of government that uphold Indigenous Data Sovereignty and principles. The agreements should ensure accountability to Aboriginal and Torres Strait Islander communities through measures informed by, and agreed to by, communities themselves
- subject to the priorities of Aboriginal and Torres Strait Islander communities, the Australian Government implement recommendations from the Productivity Commission's Closing the Gap Review (2024), including:
 - explicitly recognising Indigenous Data Sovereignty in the Agreement, as part of outcome statements, adopting definitions developed by the Maiaṁ nayri Wingara Indigenous Data Sovereignty Collective, and acknowledging the need for shared decision-making, governments' long-term commitment, and First Peoples' leadership
 - incorporating Indigenous Data Governance into existing data systems, which includes enshrining First Peoples' authority in managing Indigenous data in rules and processes
 - building the Indigenous data capability of ACCOs and government, including by supporting Aboriginal and Torres Strait Islander communities and organisations in building their data capability and expertise, and resourcing government agencies to develop and implement Indigenous Data Governance practices in partnership
 - investing in Indigenous data infrastructure and sustainably resourcing the implementation of Indigenous Data Sovereignty and Governance
 - establishing a Bureau of Indigenous Data to support governments' implementation of these commitments and recommendations.

Recommendation 3

The Australian Government should implement binding data-sharing and governance agreements across all levels of government that uphold Indigenous Data Sovereignty principles. The agreements should ensure accountability to Aboriginal and Torres Strait Islander communities through measures informed by, and agreed to by, communities themselves.

Subject to the priorities of Aboriginal and Torres Strait Islander peoples, this could include implementing relevant recommendations from the Productivity Commission's Closing the Gap Review (2024), such as explicitly recognising Indigenous Data Sovereignty in the National Agreement on Closing the Gap and establishing a Bureau of Indigenous Data.

8 A human rights-based approach to data

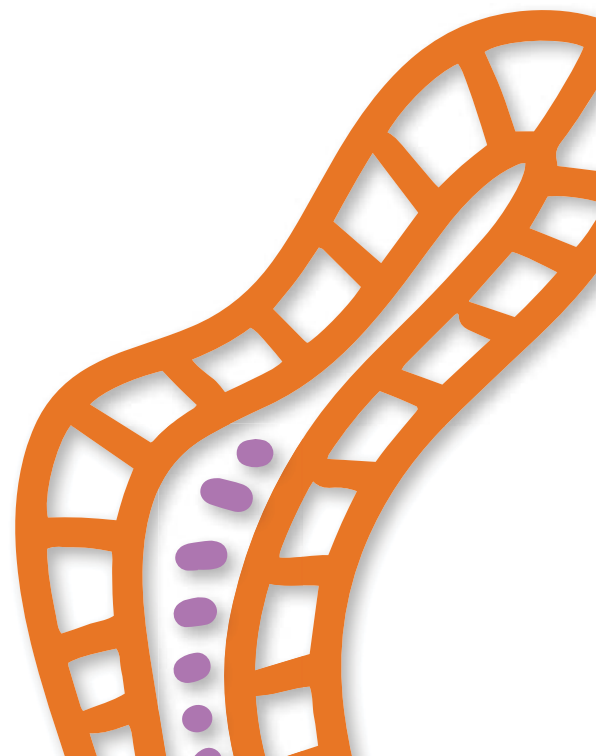
- A human rights-based approach to anti-racism data embeds principles of participation, transparency, accountability, privacy, and self-identification.
- Terminology or labels for groups can be both empowering but also simplify complexities of lived experiences.
- Governments, businesses, organisations, and individuals should be intentional about terms used in certain contexts about specific communities and prioritise people's right to self-identification. Self-identification enables more meaningful data discourses that recognise the intersectional, dynamic, and shifting nature of identity.
- Definitions of racism, including its different types or forms, can recognise and validate lived experiences and be useful to assess the validity of reports of racism. However formal definitions can also be limiting and restrictive, when understood or applied narrowly. Consideration should be given to approaches that apply equally to all communities and that support individual definitions of racism.
- Data collection and use should incorporate the overriding human rights principle of 'do no harm' i.e. ensuring data collected about racialised peoples is not used to discriminate against them or expose them to risk of human rights violations.

8.1 Overview of a human rights-based approach to data

Historically, governments have used data about racialised communities as a tool for surveillance, control, exclusion and profiling. Digital platforms and other large corporations now share this power, often to extractive ends.

Given the strong potential for all aspects of the data lifecycle to cause further harm to racialised communities, any national approach to anti-racism data must be grounded within a human rights-based approach. According to the United Nations Office of the High Commissioner, a human rights-based approach to data is based on the principles of participation, data disaggregation, self-identification, transparency, privacy, and accountability.

Embedding human rights principles can ensure data processes are strengths-based, nuanced, and responsive to community needs and aspirations, and mitigate potential misuse or weaponisation of the data.



Principles	Application within anti-racism data
Participation ⁴⁹⁰	Communities with lived experiences of racism are centered throughout the data lifecycle – from planning the types of data to collect and how to collect it, testing methodologies, collecting the data (e.g. hiring interviewers from specific communities to improve response rates) to storing, disseminating, analysing, and interpreting data. Communities should have their data returned to them to inform how it is then translated, presented, or shared.
Data disaggregation ⁴⁹¹	Data is collected and documented in ways that allow identification and analysis of multiple and intersecting forms of discrimination, e.g. race/ethnicity, gender, and disability. Decisions on data collection about communities with lived experience of racism should be in partnership or consultation with them to mitigate associated harms and risks.
Self-identification ⁴⁹²	The identities of First Peoples and other racialised communities should be self-defined, or on their own terms. Data collected about race/ethnicity should only be collected when it is necessary and appropriate, and any questions should be voluntary with a non-response option provided.
Transparency ⁴⁹³	Information about how data is collected, stored, and used should always be publicly available. Data should be disseminated as soon as possible after collection. Data dissemination should be in clear, accessible language and formats, accommodating disability needs, literacy levels, and language barriers.
Privacy ⁴⁹⁴	Data that identifies a person or discloses their personal characteristics (such as race/ethnicity and sexual orientation and gender identity) should not be made public without the person's consent. In Australia, personal information revealing racial or ethnic origins is considered 'sensitive information' and consent to collect this must generally be obtained from people to comply with Australian Privacy Principle 3.3. For incident data, public disclosure of names of complainants and perpetrators should be balanced against the individual right to privacy. In some situations, the risk to privacy is lessened if the perpetrator is a widely known figure with a significant public platform. In others, the complainant may be a junior employee making a complaint against their CEO and face greater risks to privacy. These matters should be assessed on a case-by-case basis, accommodating any power imbalance between complainants and perpetrators.
Accountability ⁴⁹⁵	Anti-racism data collection should lead to accountability and embed accountability in the data processes themselves. Anti-racism data should inform systemic change across its relevant contexts. The data should be used to hold governments and other relevant decision-makers to account on anti-racism. Anti-racism data should include a monitoring, evaluation, and learning framework that incorporates structural, process, and outcome 'indicators' that assess progress on eliminating racism (See Section 12).

8.2 Embedding intersectionality in data

An intersectional approach to understanding data can help reshape power dynamics in data processes where the experiences of certain communities have been made invisible. It can also help ensure that initiatives, programs, or policies based on the data do not take a one-size-fits-all approach.

Intersectionality refers to how different parts of a person's identity (such as their race, gender, age, sexual orientation, gender identity, disability, and class) exposes them to multiple and overlapping forms of oppression that then increases their experiences of inequality. Embedding intersectionality in data means not only strengthening the kind of data we do collect but also ensuring we take an intersectional lens when understanding data about people's experiences.

Most data collections are not 'intersectional' as they often only collect information about single attributes, such as age, gender, or race. Focusing on single markers leads to incomplete classifications or understandings of people that do not fully reflect lived realities. Intersectionality means that experiences of inequality cannot necessarily be compartmentalised or separated. As Audre Lorde states, 'we do not live single-issue lives'.⁴⁹⁶ But the process of data disaggregation and analysis requires us to categorise attributes into distinct, separate categories. This process of 'picking and choosing' then risks interpretation or analysis of data that understands these attributes in isolation from the other. Stronger approaches combine and compare data about different attributes, such as rates of sexual harassment for women with disabilities (combining gender and disability attribute data) versus other groups with different combinations of attributes. However, even these stronger approaches still do not fully reflect intersectionality.⁴⁹⁷

We may not be able to fully take an intersectional approach in collecting data, but we still need to take an intersectional lens when interpreting and understanding data.

As a first step, this may involve collecting data on race/ethnicity *alongside* other protected attributes. Collecting data on other protected attributes also requires nuanced approaches as definitions of terms are also contested within and across communities, and some communities also experience unique barriers to sharing identity.

It then involves reading data with an intersectional lens. As part of a strengths-based approach, it is important to remember it is the interaction or intersection of two or more identities with existing power structures within a given context that creates inequality, not just the existence of the intersecting identities on their own. In other words, it is the systems of oppression such as racism, sexism, ableism, and classism that are the reason for inequality, rather than a person merely identifying as racialised or with a disability. Intersectionality also does not involve 'adding up' different kinds of inequality, or the sum of different oppressions (e.g. gender + race + disability). Intersectionality instead aims to understand how different people's experiences are shaped when multiple forms of oppression or disadvantage interact with one another and create distinct experiences and outcomes. For example, rather than examining 'race *and* gender' in isolation, an intersectional data approach would understand how race *interacts* with gender,⁴⁹⁸ and how racism and sexism create the inequality. An intersectional analysis of data must be situated within these systems of oppression, allowing us to take a holistic approach in the conclusions we draw from data.

Systemic barriers that shape the sharing of identity

Different people experience structural and personal barriers to sharing their identity. These barriers are all rooted in inequality such as ableism, racism, sexism, and transphobia. Research has found many employees with disability find it unsafe to share their disability status at work, fearing further discrimination and harassment.⁴⁹⁹

Neurodivergent people also report fear of stigma and discrimination and a lack of perceived benefit as key barriers to sharing neurodivergence at work.⁵⁰⁰ Similarly, concerns about data privacy, lack of trust or fear of stigma may limit trans and gender diverse people's personal disclosures in research settings.⁵⁰¹ Newly arrived migrant and refugee young people also report feeling fear or distrust around sharing their personal information and data, driven by past negative experiences or histories of surveillance. This includes information about their employment status and hours worked, income streams, visa status, relationship status, family violence, and mental health needs. Some fears sharing this information may impact on their or their families visa status, residency status, or access to work, services and other entitlements.⁵⁰²

Definitions used in data methods such as surveys are also not always reflective of culturally specific understandings. For example, consultations with First Peoples during the Framework found that language and terminology in Aboriginal and Torres Strait Islander communities does not necessarily reflect a Western definition and understanding of disability. Some participants in the consultations openly spoke of their disability but did not consider it as a contributor to their experience of racism and therefore this intersectional form of discrimination was not captured in the data.⁵⁰³ Recent research by the Commission has also found insensitive data collection frequently exclude trans and gender diverse people, with datasets often excluding non-binary genders entirely. Other times, questions do not provide space for respondents to write in culturally specific genders (i.e. fa'afafine, hijra, 2Spirit).⁵⁰⁴

Addressing these challenges requires co-designing questions and definitions with relevant communities, and a willingness to revise approaches as community

understandings of identity change. It also requires significant trust-building, transparency, and tailored approaches to reduce barriers to sharing identity.

8.3 Self-identification in anti-racism data

A human rights-based approach to data supports the right of racialised people to express or define their identity on their own terms through a participatory approach. Data should not create or reinforce existing discrimination, bias or stereotypes, including by denying identity/identities.⁵⁰⁵

Below, we have considered the use of labels or terminology for racialised peoples in Australia, given how the methods used to define racialised groups in data processes can both reflect and shape our reality and everyday constructions of identity.

Empowering and disempowering effects of labels

Labels can be empowering, by connecting us to others and assisting in finding community.⁵⁰⁶ But labels can also exclude people and simplify the complexities of an individual or a group, leading to a loss of nuance that works against the purpose of a label and have unintended negative effects.⁵⁰⁷

Concepts of identity and personhood have always been intimately tied to power. Traditionally, those with authority have imposed categories of identities – determining the categories, which people fall into specific categories, and the consequences for being a person in that category. Labelling someone creates a power dynamic, particularly when labels are applied to people without their consultation or agreement.⁵⁰⁸

A study conducted by the Scanlon Foundation into the use of labels in Australia heard participants describe how labels assist

with finding solidarity among those with shared heritage.⁵⁰⁹ For some, statelessness has disconnected them from national, cultural and linguistic roots but new identities such as ‘Australian’ alongside another heritage helps build bridges with others rather than acting as a source of exclusion.⁵¹⁰ Others described tensions of having to find an appropriate way to describe themselves in broader society. Within their own communities there is sometimes little need to acknowledge racialised difference (or its existence) when discussing their identities.⁵¹¹ Many people also do not use single labels to describe their identity. Labels can be empowering when chosen to reflect a person’s authentic identity but can also be damaging when they are attached with untrue associations.⁵¹²

Collective terminologies can reinforce inequality and fail to reflect nuances in identity

Collective terms are commonly used as a straightforward way to refer to certain people or communities collectively. When terms are created or used by communities themselves, they can be an important way to build solidarity or resist unfair power structures. But many commonly used terms for people who experience racism often fail to reflect the lived realities, identities, and experiences of the communities they aim to describe. These terms can obscure the specific ways racism operates and often prioritise comfort or convenience for some (particularly in policy and data settings) over accuracy or self-determination.

As discussed in **Section 4.2** and **Section 5**, the terms used to describe First Peoples – such as Aboriginal, Torres Strait Islander, Indian, Native Hawaiian, Māori, and Indigenous – are not always what people from these communities call themselves.⁵¹³ Preferences for labels or terms varies from person to person.⁵¹⁴ Some prefer general or collective terms (such as ‘Indigenous’, ‘Aboriginal’, or ‘Blak’) or very specific terms to describe their cultural identity (such as local, clan, or tribal names)

Broad, homogenous terms such as ‘culturally and linguistically diverse’ (CALD) and ‘multicultural’ can flatten identities that are multi-faceted and complex. The term ‘culturally and linguistically diverse’ has been met with increasing resistance in recent years from communities with lived experience of racism.⁵¹⁵ Research by FECCA has also noted that ‘culturally and linguistically diverse’ is ‘not well understood or used’ by people whose identities are intended to be captured by the term.⁵¹⁶ Many instead refer to themselves as from ‘migrant or refugee backgrounds’ or by terms such as ‘Chinese-Australian’ and ‘Lebanese-Australian.’⁵¹⁷

The generality of ‘culture’ and ‘language’ in ‘CALD’ can mask social and political challenges faced by racialised groups and segment the population by ‘Othering’ certain groups.⁵¹⁸ Identifying some individuals as culturally or linguistically diverse establishes a baseline of cultural and linguistic ‘normality’ set by the dominant social group, from which those seen as ‘diverse’ deviate.⁵¹⁹ This both divides and ‘inferiorises’ certain communities by presenting them through a deficit lens. It also creates an ‘us vs them’ dynamic between dominant and minority groups.⁵²⁰ The term also conceals disparities in socioeconomic status, education, and health and wellbeing across populations, such as differences in the experiences of people seeking asylum and those who have settled on permanent skilled visas.⁵²¹ We are also all culturally and linguistically diverse, and this term therefore includes white people who speak another language or originate from a different country but do not necessarily experience racism because of that identity. See **Section 6.2** for a full discussion of issues relating to ‘culturally and linguistically diverse’ framing in data standards.

The Centre for Multicultural Youth has heard that terms ‘migrant’, ‘refugee’ and, to some extent, ‘multicultural’ were seen as labels applied to young people by outsiders to ‘diagnose, simplify or marginalise their experiences.’⁵²² On ‘culturally and linguistically diverse’, some young people commented that ‘...again, people of colour have always taken labels from other people because we have never been given the power to label

[ourselves].’⁵²³ In its research, CMY instead allowed young people to describe their ethnic background in their own terms, which highlighted a range of other multi-layered, place-based, ethnic, religious and cultural attachments, these ‘messy and hybrid’ categories reflecting the intersectionality of youth identity.⁵²⁴

Alternative approaches

There have been suggestions that we need to shift away from labelling individuals and communities with terms like ‘multicultural’, ‘diverse’, and ‘minority’ and towards terminology that emphasises people’s needs and not their identities,⁵²⁵ though this may be at odds with taking a strengths-based approach. Others have suggested that we should critically examine which issues and data are most relevant in a particular context and match our terms to the specific groups at the centre of those priorities.⁵²⁶ In practice, this could mean ‘aggregating groups at times and naming them separately at others.’⁵²⁷

Others have suggested a more appropriate term for those who experience multiple and compounding inequalities is to state they are from ‘intersectionally marginalised communities’ and to be explicit about which intersections are referred to e.g. South Asian women experiencing racism and sexism.⁵²⁸

Race-based terms in Australia have also been influenced by overseas discourses, such as ‘people of colour’ from the United States of America. ‘People of colour,’ in describing people who are non-white, can flatten identities into a homogenous group and obscure specific histories and experiences of different groups, while reinforcing a dominant, ‘white’ norm. Similarly, the term ‘BAME’ (Black, Asian, and Minority Ethnic) in the United Kingdom has also faced criticism for being too broad and homogenous and erasing differences between groups and for its ‘Othering effect’ in creating a binary between white and non-white/majority vs minority people. In the USA and the UK, terms such as ‘Asian’ and ‘Latino’ have also been criticised because they group large, diverse, groups of people using categories that might now be irrelevant.⁵²⁹ We should be cautious about

adopting terms without understanding their limitations in the Australian context too.

‘Culturally and racially marginalised’

In 2023, Diversity Council Australia (DCA) introduced the alternative term ‘culturally and racially marginalised’ (or ‘CARM’) in ‘recognition of the significance of race and racism’ in women’s lives.⁵³⁰ DCA said this alternative term refers to women who are not white, i.e. women who are Black, brown, Asian or any other non-white group who are marginalised due to race. DCA said the term ‘culturally’ was added because these women may *also* face discrimination due to their culture or background.⁵³¹ Culturally and racially marginalised women surveyed understood ‘CALD’ to mean white, European migrant communities rather than people who are racialised as non-white and the usual target of racism. On alternatives to CALD, many culturally and racially marginalised women told DCA that ‘race’ should be part of any identifying term used as it affects their access to opportunities more so than culture or language.⁵³² This research also heard that white women respondents were more likely to prefer the term ‘CALD’ which does not name race, while culturally and racially marginalised women preferred ‘CARM.’⁵³³

In consultations for this Report, some stakeholders told us that ‘CARM’ is more of an ‘experiential’ question rather than an ‘identity’ question. We have heard that the term can be reductionist, simplifying people and their experiences. People may not want to be seen or understood through the lens of marginalisation, as it can be stigmatising to ‘identify’ as marginalised. In this way, ‘CARM’ if used as an identity category, can reflect deficit discourses.

We have also heard that the term assumes marginalisation is a uniform experience, when in practice we can be marginalised in one context but not in another. Stakeholders have shared there is a difference between collecting data on ‘feeling’ marginalised and ‘being’ marginalised. Although both are important, they also highlight different issues.

For example, a white, able-bodied and class-privileged Australian-born male may *feel* culturally and racially marginalised based on his race because he *feels* disenfranchised within multicultural Australia. In that sense, he may state that he is a culturally and racially marginalised individual. But if we cross-referenced data on outcomes such as education, income, employment, and access to healthcare, it may instead reveal that he is not marginalised at all. Conversely, there may be an individual who is marginalised in various ways (such as class and disability) but does not identify (for whatever reason) with being CARM. Marginalisation is generally the sum of several intersecting attributes, rather than based on a sole aspect.

Stakeholders have suggested that if our aim is to collect data on the prevalence and forms of marginalisation, then we should ask specific questions on experiences of marginalisation to accurately and adequately identify, who, where, when, and what forms it is taking. We can then cross-reference this data with demographic data to understand who is being marginalised.

Others have observed that the term is about objective experiences of interpersonal and systemic racism, or systemic marginalisation, and is not intended to be an identity label. The term is intended to be about the unequal power relations built into our systems that disadvantage some groups (i.e. marginalised groups) while privileging dominant groups.⁵³⁴ In this way, it is not intended to be a deficit-based identity term, or about the individual actions, behaviours, or individual failures of marginalised groups.⁵³⁵

Self-identification as a practice

Considering the above complexities, we propose that collective terminologies are not always necessary and we should give up on attempts to find the one ‘right’ terminology. We instead encourage governments, businesses, organisations, and individuals to be intentional about terms used in specific contexts and about specific communities, and prioritise people’s right to self-identification. As a strengths-based approach, self-

identification enables more meaningful data discourses and broader discussions that recognise the intersectional, dynamic and shifting nature of identity. A strengths-based approach here recognises the right of people or communities to self-express or define their own identities, based on their own interests or aspirations.

Self-identification advocates for a nuanced conception of identity that recognises how social hierarchies shape a person’s identity.⁵³⁶

It recognises:

‘...the profound impact that social, political, historical, and cultural contexts have on the self. Where we are placed in the world affects how we are seen, the levels of discrimination we experience, and what rights we have. Thus, it shapes the development of the self through conscious and unconscious experience and manifests in the internalisation of oppression and privilege.’⁵³⁷

This means there is no one-size-fits all term and even terms that are used will constantly change, as understandings of identity shift or evolve in response to external power dynamics.

In line with guidance from the Office of the United Nations High Commissioner for Human Rights and the UNDRIP, data on race/ethnicity should be self-defined. In practice, it means avoiding proxies or assuming someone’s race/ethnicity⁵³⁸ (except in circumstances when third-party identification is relevant, e.g. data on perpetrators or racial profiling data of certain communities (See **Section 10**).

Self-identification in data can involve asking an individual or group how they wish to be identified and then ensuring any data reporting accurately captures this preference, to the extent individual privacy can be protected. Most national censuses allow respondents to self-report information on racialised identity (e.g. the Australian Census allows respondents to report up to four

ancestries). Many large-scale data methods such as surveys allow respondents to self-report racial backgrounds using 'drop-down' response options that contain names of ethnic groups.

Self-identification in surveys or studies could also involve allowing, to the extent that it is practical, free-text responses that allow participants to declare their race/ethnic identities in their own terms.⁵³⁹ For the purposes of analysis, individual responses (including where they vary in form) could be coded or grouped into broader categories (such as 'South Asian' or 'Middle Eastern').

Self-identification does have practical and sometimes ideological limitations. For example, in many data methods, tabulated results can only list a certain number of options, which means some identities can be grouped into an 'Other' category or subsumed into existing ones.⁵⁴⁰ This can lead to some identities being 'deprioritised' or problematically grouped into broader categories (See **Section 6.3**)

Self-identification, when using free-text responses, can also lead to unreliable or inconsistent data. For one, people do not always strictly think of themselves in neat racial or ethnic terms. People may also use vastly different terms for group identity and associate different meanings to race/ethnicity. For example, people who are Jewish or Sikh may vary in whether they share this as their religion or as their ethnicity. Different understandings of the meaning of race and ethnicity may then produce inconsistent or incomparable data that is difficult to analyse over a long term. This also includes possible confusion over how a person should declare a 'hyphenated' identity if they have mixed heritage or identity.

Some of these challenges can be navigated through government-supported guidance. Clear guidance on how respondents should answer questions on race and ethnicity could reduce the potential for unreliable data. This includes community-led educational materials that describe the meaning of these terms and how they might apply to a racialised person in any given context. For those who engage in data coding and analysis, clear, national

guidelines should outline how raw data on racialised identities should be appropriately understood and categorised in the Australian context.

Further testing however is needed in the Australian context to assess the appropriateness of allowing free-text responses for racial/ethnic identity, particularly in places like the Australian Census and other major national surveys on racism and discrimination. This should happen as part of community consultation on reform to existing data standards on Aboriginal and Torres Strait Islander identity and cultural diversity standards (See **Sections 5 and 6**).

Our position: identity should be self-defined

There is no 'one way' to talk about race and identity, and we recommend against top-down, prescriptive approaches. We support the right for identity to be self-led or defined, and for various labels or terms to be supported when they are respectful, strengths-based, and grounded in lived experience.

Although race is a social construct, we remain concerned about the use of 'culture' and 'ethnicity' to avoid talking about race and its structural effect, especially in policy settings (see **Section 3.2**). We believe the language of race and racism should be normalised when discussing the experiences of people who experience racism. More thoughtful and nuanced language on race can encourage us to directly confront racism and take meaningful approaches to anti-racism, especially in data.

In addition to supporting self-determined labels, we encourage more widespread use of the language of 'racialisation' as a *process*. We generally use the terms 'racialised' or 'negatively racialised' to refer to groups that experience the detrimental harms and traumas of racialisation, which is typically directed towards certain groups in society. In Australia these groups have been racialised in a way that is negative to maintain the supremacy of whiteness within different locations and contexts. Everyone,

including people seen as white, are racialised but only some groups experience racism based on their identity. When we use the term ‘racialised’, we mean groups that are negatively racialised.

Stakeholders however have told us that the term ‘negatively racialised’ is inaccessible and highly complex because it requires a foundational understanding of the meaning of racialisation and the differences between being positively and negatively racialised. We have also heard that the use of the word ‘negative’ also suggests a deficit-based framing when used to describe personal and group identity. Some people are reluctant to use the term to describe themselves.

We acknowledge that many individuals and communities may not identify with this term. It is not used to describe anyone’s racial identity or background, but to draw attention to the power dynamics that sustain and reinforce racism. In this way, the term is particularly useful in policy contexts, as it supports a more systemic and structural analysis of racism.

Overall, we affirm the right of all individuals to define and express their identities on their own terms, and we strive to use language that is respectful, strengths-based, and grounded in lived experience.

8.4 Role of definitions in data collection

We are aware of debates around the utility of formal and informal definitions of racism to identify whether an experience is racist or not. This includes definitions of specific forms of racism as it affects different communities or is experienced within communities, for example anti-Indigenous racism, anti-Palestinian racism, antisemitism, Islamophobia or anti-Muslim racism, and emerging terms such as anti-South Asian racism.

A strong, conceptually-sound definition of racism can help distinguish experiences that are rooted in a structural understanding of racism to those that are not. For example,

sometimes terms like ‘reverse racism’ or ‘anti-white racism’ are used to describe situations where white people feel they have been discriminated against because of their whiteness. This is a common and potentially harmful misconception, often resulting from a fundamental misunderstanding of the difference between racism and other forms of discrimination. Claims of ‘anti-white racism’ often ignore the fact that racism relies on societal power, which, in systems of white supremacy prioritise whiteness. They also overlook the fact that in an unequal society, some communities will require special measures to produce equitable outcomes.⁵⁴¹ Intra-community prejudices or conflicts between racialised groups may also reflect group prejudices and discriminatory practices but may not always amount to racism, which is based on historically rooted and entrenched racial hierarchies and power imbalances.⁵⁴²

Stakeholders consulted for this Report have shared with us that definitions of specific forms of racism (such as anti-Palestinian racism) can be empowering in how they recognise and validate certain lived experiences, providing a foundation for the specific racism to be acknowledged and then responded to politically or legally. Definitions are also often used by third-party reporting mechanisms to determine whether a report is assessed as valid or discarded as out of scope.

We have also heard arguments that formalising definitions can instead weaken anti-racism efforts to combat injustice across different contexts and over time. Stakeholders have expressed that formal definitions of racism can limit and restrict experiences when construed narrowly to exclude, rationalise, or excuse certain actions, or racist behaviours can be altered so that they are not captured by a definition.⁵⁴³ Concerns have also been raised that overly broad or vague definitions can see acts of anti-racism be problematically re-defined as racism.⁵⁴⁴ Instead, some stakeholders have recommended not isolating forms of racism from others and taking an intersectional approach to oppression. This involves naming

the varied and complex intersections of power in systems, structures, activities, and decision-making through their similar effect on all racialised communities.⁵⁴⁵

Stakeholders from third-party reporting mechanisms generally agreed that definitions should be community-led, i.e. consulted with and agreed upon by communities. Some noted however that community-centric definitions are not the sole solution, citing examples of definitions that are agreed upon by some communities but rejected by others. We have also heard that official definitions could restrict the types of services third-party reporting mechanisms can provide to communities and that it is important to give organisations and communities discretion to decide what falls under their remit.

Concerns raised on definitions adopted by Australian universities

In February 2025, Universities Australia (UA) and 39 member institutions adopted a sector-wide definition of antisemitism, developed by the Group of 8 universities and closely aligned with the International Holocaust Remembrance (IHRA) definition. Reaction to the adoption was mixed. Some argued it was necessary to protect Jewish students and staff, while critics warned it could stifle political debate and conflate legitimate criticism of Israel with antisemitism. These debates raise complicated questions about academic freedom, institutional neutrality, and the role of universities in defining contested concepts.⁵⁴⁶

Participants in the *Respect at Uni: Study into antisemitism, Islamophobia, racism and the experience of First Nations people* study said clear definitions can provide consistency and guidance, while others in the study believe they can be restrictive or misused. Many emphasised the importance of resisting polarising public campaigns that appear to privilege one ethnic, religious, or cultural group at the expense of another.

Participants also reflected on their university's approach to adopting or referencing

specific definitions, both positively and negatively. Discussions highlighted perceived misunderstandings about different forms of racism. For example, some Palestinian students stated that anti-Palestinian racism is often misunderstood as affecting only Palestinians, when it can also target people and ideas that advocate for Palestinian rights. Many Jewish respondents described the difficulties of trying to help others understand that their Jewish identity is distinct from political debates and the actions of the Israeli state.

Study participants raised concerns that some definitions of antisemitism blur the line between protecting people from harm and stifling legitimate political debate. Some groups also felt this issue 'occupied all the space', overshadowing matters affecting other communities who experience racism.

Some Middle Eastern and Muslim participants felt the focus on antisemitism, without addressing anti-Palestinian, anti-Arab or anti-Muslim racism, devalued their distress and raised fears of being penalised for expressing their views on the actions of the Israeli Government. Jewish participants were divided. While some welcomed the adoption of UA's definition of antisemitism, others saw it as counterproductive with the potential to stifle academic freedom and conflate Judaism with Zionism.

Anti-dehumanisation standard

In March 2025, a coalition of Palestinian, caste-oppressed and Muslim community organisations called on Universities Australia to adopt a single, unified anti-racism standard on dehumanisation that applies equally to all communities, regardless of race or religion.⁵⁴⁷ The coalition noted that multiple, group-specific definitions such as antisemitism and Islamophobia risk inconsistencies, double standards, and unequal outcomes.

According to the Australian Muslim Advocacy Network (as the original creators of the dehumanisation standard), material is dehumanising if an ordinary person would conclude it portrays a protected group as

not deserving equal treatment because they lack qualities intrinsic to humans.’⁵⁴⁸ Dehumanising ‘material’ includes, but is not limited to, speech or words, the curation or packaging of information, images, and insignia.

Examples of dehumanisation provided in the framework include:

- comparing a group to animals, disease, filth, machines or supernatural beings
- framing them as polluting or debilitating society
- claiming they lack warmth, agency, or reason
- asserting they pose a uniform threat
- suggesting they deserve collective punishment
- suggesting their tragedies (for example the Stolen Generations) should be ridiculed, trivialised, glorified or celebrated
- depicting them as inherently criminal or evil
- denying their capacity to love or protect the vulnerable
- labelling them as primitive or inferior
- arguing they should be excluded from public life.⁵⁴⁹

This approach centres dehumanisation, and not merely offensive or disagreeable speech, as the core threshold for identifying harmful forms of racism and other prejudices.⁵⁵⁰

This framework does not seek to replace individual definitions of racism and instead advocates for formal complaint schemes to adopt a universal, transparent language and threshold for assessing racism.⁵⁵¹

8.5 Preventing or responding to misuse of anti-racism data

Weaponisation of data to fuel anti-immigrant narratives

Data collection is only one part of an anti-racist approach to data. It is essential that discussions about race and racism data are navigated with racial literacy and awareness. As already discussed in this Report, racialised communities have complicated relationships with data processes. To prevent the weaponisation of data about them by bad-faith actors, it is important that conversations about data are led with care, with accountability to protect communities against racism.

Data collection and use should incorporate the overriding human rights principle of ‘do no harm’ i.e. ensuring data collected about racialised peoples is not used to discriminate against them or expose them to risk of human rights violations.⁵⁵²

While there are benefits to collecting data on race/ethnicity, it also has significant risks in its potential weaponisation by bad-faith actors or in racist narratives. For example, shortly after the federal government announced its decision to not proceed with a dedicated question on ethnicity for the 2026 Australian Census, a far-right, anti-immigrant group that sought to use the data for racist purposes also criticised the decision.⁵⁵³ The United States of America has also instructed its local embassy in Australia to collect data on ‘migrant-related crimes and human rights abuses’ in Australia, as part of its own measures to combat ‘mass migration’.⁵⁵⁴ ABS data on migrants, including data on overseas arrivals and departures, are often used (inaccurately)⁵⁵⁵ by groups such as these and other political leaders and commentators to push racist, anti-immigrant narratives that blame migrants for issues like crime, the housing and economic crisis, and unemployment.⁵⁵⁶ The recent Voice

Referendum also featured harmful, racist conversations about race and identity.

It is likely that more exact data on the number of racialised communities in Australia could fuel further racist rhetoric or actions towards specific communities. Recognising this risk, we stress the importance of any action on data occurring alongside broader recommendations in the National Anti-Racism Framework, particularly those on increasing racial literacy across sectors, political and media accountability, and community-rooted deradicalisation initiatives.

Perceived misuse of anti-racism data across settings

Research has found that newly arrived migrant and refugee young people experience fear or distrust around the sharing of personal information and data. This is often due to past negative experiences directly or indirectly linked to their migration experience, such as the use of personal information and data to monitor, persecute, or harm certain populations.⁵⁵⁷ A human rights-based approach to data should accommodate additional needs of these communities, particularly in informed consent processes. These include intersecting issues of power and consent, lack of adequate language resources, confidentiality and trust, and potential risk of harms to themselves and their communities.⁵⁵⁸

Misuse of anti-racism data in workplaces

Concerns have also been raised about the risk of discrimination when employers ask job applicants to answer questions on their cultural background and ethnicity during hiring processes.⁵⁵⁹ Respondents report choosing not to disclose a racialised identity for fear of biases preventing the progression of their application.⁵⁶⁰ These questions in job applications have also been criticised for being tokenistic, and for their focus on filling presumed diversity 'quotas' in the workplace, while measures to retain, promote, or protect

racialised staff are absent. They have also been criticised for failing to capture nuances in identity in the limited range of available drop-down box responses.

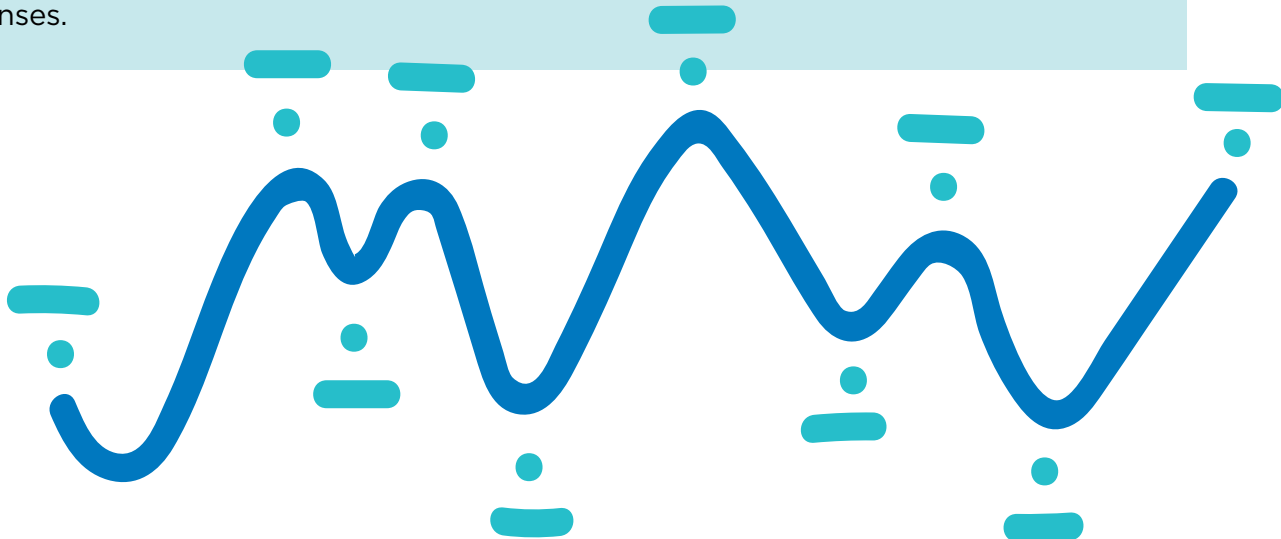
The Victorian Equal Opportunity and Human Rights Commission recommends the best way to collect racial data in workplaces is either initially through onboarding protocols or through an all-staff anonymous survey, which ensures that staff cannot be identified from the information collected.⁵⁶¹ As always, these surveys should be voluntary, to accommodate employees who may feel uncomfortable providing this sensitive information.

On incident data broadly, workplaces surveys on experiences of racism and other forms of discrimination should be anonymised. However, it may be complicated for smaller organisations with fewer First Peoples and other racialised employees to ensure employee surveys about racism or discrimination remain anonymous. In these circumstances, it may be more appropriate to use other collection methods such as the option for racialised employees to complete surveys together or a single response for an employee network, to reduce the risk of identification.⁵⁶²

To build trust between racialised employees and employers in data exercises, employers should clearly communicate the benefits of collecting anti-racism data to manage expectations and perceptions amongst staff. Employers should ensure complaints are recorded in a safe, confidential register following informed consent of the complainant.⁵⁶³ Employers should embed transparency and accountability by publishing annual data (internally) and clearly communicating about the measures taken to prevent and respond to racism, including its successes and failures.⁵⁶⁴

Key recommendations

- All racialised communities must fully participate in identifying the most appropriate categories of questions on Aboriginal and Torres Strait Islander status and race/ethnicity, for use in population and administrative data standards and other anti-racism data methods.
- Racialised communities should meaningfully lead and co-design all aspects of the data lifecycle, including planning, collection, dissemination, and analysis of data.
- As part of the design and implementation of the National Anti-Racism Data Plan, Australian governments should invest in building statistical literacy and capacity amongst racialised communities and broader organisations within the sector to collect and use anti-racism data.
- Data collectors must clearly communicate the purpose of data collection to racialised communities, to build trust and improve transparency.
- Data collectors must clearly explain the criteria used to measure race/ethnicity in methods such as surveys, the census, etc. given the potential for existing definitions and categorisations to influence responses.
- Self-identification of racialised communities should be prioritised and proxies of race/ethnicity avoided. This information should be collected on an opt-in or voluntary basis.
- Data on protected intersectional attributes should be collected in addition to race/ethnicity, with strategies to improve response rates tailored to the needs of specific communities.
- Classifications of race/ethnicity should be regularly reviewed. Individuals should have the opportunity to update or change their data on race/ethnicity held within systems or relevant databases.
- Anti-racism data should not have a harmful effect. Benefits of participation should be clearly communicated, along with risk mitigation strategies. A national approach to anti-racism data must happen amidst broader work in the National Anti-Racism Framework on improving racial literacy and the capacity of institutions and systems to respond to racism.



9 Strengthening Australia's incident data on racism

- The collection of mainstream systematic data on racism is relatively recent in Australia, and mainly consisting of population-level studies, community-driven initiatives, government data (population, administrative, or complaints data), workforce and workplace data, and academic and research data.
- Data on racism in Australia exists in many forms but does not always reflect the interests and aspirations of communities with lived experience of racism. Most mainstream data mechanisms do not embed Indigenous Data Sovereignty and Governance.
- As there is already extensive data on racism in Australia, we do not need to collect more of it to confirm it exists. Rather, our data efforts should be geared towards making existing data practices stronger or more aligned to the interests of racialised communities, and to fill any remaining key gaps in data.
- There is a lack of consistently comprehensive and routine data collection across settings such as workplaces, education, media and the arts, health, the legal and justice system, housing, and online spaces.
- Data at a state and local level is limited, as well as longitudinal data. Key data areas to be strengthened include understanding different types and settings of racism (e.g. intersectional experiences and institutional and structural racism), understanding targets and perpetrators, responses to and impacts of racism, and on hate and vilification towards all racialised communities.

- A National Anti-Racism Data Plan that outlines a national approach to collecting, using, and managing data on experiences, reports, and impacts of racism across the country is crucial to maintaining a comprehensive evidence base for anti-racism action.

9.1 A note on calls for more data about racism

Given that data on racism in Australia has existed in many forms since 1788, we should be intentional about when and why we collect more data.

Despite the wealth of evidence on racism so far, it continues to persist in Australia. We do not need 'more' data to prove racism exists in Australia. Rather, an anti-racist approach to data requires broader accountability and commitment to change. Decision-makers must listen to and respond to the racism data we do have for communities to keep reporting or otherwise sharing their experiences of racism. Racialised communities must be able to trust that their data will result in meaningful change. If not, constant data collection exercises will be extractive and lead to fatigue and disengagement from affected communities.

That said, we do need stronger data that more holistically and meaningfully reflects community needs, experiences, and aspirations. As outlined below, not everyone's experiences are fully captured in existing datasets, and therefore these gaps should be addressed. Most mainstream data approaches also take a deficit-based approach, causing significant harm to First Peoples. Practices such as Indigenous Data Sovereignty and Governance, and an overall human rights-based approach, are essential to transforming

our data ecosystem and returning agency to communities.

9.2 Measuring racism in Australia

There is no single way to define or measure racism. The main approaches focus on:

- **Targets of racism:** examining groups that are potential (and real) targets of racist structures, behaviours, and attitudes. This can be measured as the frequency of racist experiences or incidents, lists of settings where racism occurs, perceptions of racialised communities, and the extent of any internalisation of racist stereotypes or beliefs. This also includes understanding the impacts of racism on an individual and community.
- **Perpetrators:** examining groups that perpetrate racism. This can be measured as a list of thoughts, perceptions, beliefs, and stereotypes, a list of enacted behaviours, frequency of certain words, epithets, and symbols (e.g. signs, flags, and gestures), and prevalence of racist attitudes in text, conversations, and (social) media discourse.
- **Institutional and structural racism:** assessing the nature of racism beyond its interpersonal form, e.g. as a set of discriminatory laws, policies, regulations, institutional practices, enactments of racist and discriminatory practices, and a systemic pattern of racial disparities across outcomes (e.g. socio-economic and health).⁵⁶⁵

The prevalence of racism also varies depending on the method of measurement. Assessments based on self-reporting, field experiments, implicit assessment, or observed inequalities can produce different results.

For example, as Ammanuel Elias, Fethi Mansouri, and Yin Paradies observe:

‘...a measure of racism can vary depending on whether an actual or a perceived experience is being measured. Both actual occurrence and perception matter. When racism happens, it may or may not be perceived. However, in a society where racism is salient, it can still be perceived whether (or not) it actually occurred as an episode or event. The effect of such perceived racism is no less harmful than the actual event occurring.’⁵⁶⁶

And as the Lowitja Institute points out, ‘quantifying’ racism assumes that it is a discrete phenomenon that can be identified in a form that can also be measured.⁵⁶⁷ Measuring racism at the level of individual attitudes or behaviours might be the easiest to measure, but this can prevent understanding racism in its institutional and systemic forms.⁵⁶⁸

Today, data about racism and intersecting forms of discrimination are collected through a range of sources and in different forms.

These all overlap and include:

- **official statistical or population data** collected by governments, including the Australian Census and other government-led surveys (which can show structural racism)
- **administrative data** collected, usually by government agencies, in program and service delivery, such as disability support. Population and administrative data can help understand structural inequalities in outcomes between racialised groups
- **complaints data** collected by anti-discrimination and equality bodies, courts and law enforcement bodies such as the police, work, health and safety organisations, and by third-party reporting mechanisms on reports relating to racism and intersectional forms of discrimination
- **workforce and workplace data** collected by employers, such as demographic information about employee racial diversity and internal complaints related to racism

- **qualitative and quantitative data** drawn from academic and ad-hoc research collected and published by civil society organisations such as think tanks, third-party reporting mechanisms, universities, or individuals. These include studies that document the experiences of groups experiencing racism and surveys that record public perceptions of prejudices towards other groups.

All of this data is important and serves different purposes. They collectively contribute to a broader evidence base, yet vary considerably in purpose, scope, accessibility, and the type of information they capture. The following sections explore a selected subset of these sources, highlighting areas of strengths, limitations, and challenges. An overview of racism data sources in Australia is provided in **Appendix C**.

9.3 Australia's data landscape

As the Centre for Resilient and Inclusive Societies observes, the collection of systematic data on racism is relatively recent, the earliest being an Australian Gallup Poll in 1948 on attitudes towards Asian migrants.⁵⁶⁹ Between 1950 to 1990, various polling companies collected data on attitudes towards various groups, including First Peoples and migrants.⁵⁷⁰

Between the 1980s to 1990s, studies primarily focused on immigration and anti-immigration attitudes amongst the public, such as the *Australian Values Study* and the *Longitudinal Study of Immigrants in Australia*. The 2000s saw advances in the creation of large-scale surveys, datasets, and studies that more explicitly focused on racism.⁵⁷¹ Additionally, several government-led longitudinal surveys exploring social characteristics and wellbeing of the population were established.⁵⁷² These studies have provided (varying) population estimates on the prevalence of racism and examined causal relationships between racism and health, employment and education outcomes for certain groups,

including Aboriginal and Torres Strait Islander peoples.⁵⁷³

Several other large-scale independent national surveys emerged in the 2010s on cyber racism, racism and bystander experiences in schools, experiences of discrimination experienced by humanitarian migrants, and negative attitudes towards minorities and migrant groups.⁵⁷⁴

In recent years, several community-driven initiatives (third-party reporting mechanisms) have emerged to collect racism data, often on racism as it affects specific communities and in response to global events such as the COVID-19 pandemic, Black Lives Matter movement, and the aftermath of October 7, 2023. These include the Islamophobia Register Australia (2014 - present), the Online Hate Prevention Institute's Fight Against Hate platform (2014 - present), the UTS Jumbunna Institute and National Justice Project's Call It Out! First Nations Racism Register (2022 - present), and the Australian Palestine Advocacy Network's Anti-Palestinian Racism Register (2025 - present). These mechanisms joined existing initiatives such as the Executive Council of Australian Jewry's antisemitism data collection. The Asian Australian Alliance's COVID-19 Coronavirus Racism Incident Report Tracker only tracked data on the experiences of Asian Australians during the pandemic.

9.4 Key gaps in racism or incident data

Data collection on racism in Australia continues to be 'largely uncoordinated', leading to gaps in collection and measurement, inefficient systems where some data are duplicated or missing, underreporting of racism, and limited evidence to inform responses to racism.⁵⁷⁵

Research by the Centre for Resilient and Inclusive Societies in 2022 identified the following six gaps in data on racism within Australia:

- **Types of racism:** There is limited data about structural and institutional racism, vicarious racism (e.g. racism as witnessed), the links between racist attitudes and behaviours, and specific manifestations of racism such as harassment, bullying, victimisation and microaggressions, being feared, being patronised, and being subject to unfair assumptions. Other underexplored areas include over-policing, securitisation, and counterterrorism measures and their effects on criminalising certain groups. Interpersonal racism is the most studied type of racism.
- **Cohorts experiencing racism:** The experiences of children and young people (under 18) and humanitarian migrants are less explored compared to other groups.
- **Perpetrator demographics:** There is limited data about perpetrators' racial/ethnic backgrounds and their other demographics such as age, education, and sex.
- **Settings where racism is experienced:** racism data generally focuses on the workforce, education settings, law enforcement, and public spaces. Domestic settings (e.g. home and neighbourhoods), online and media environments, sports, financial settings, healthcare, and new and emerging technologies (such as facial recognition software) are underexplored.
- **Responses to and effects of racism:** attitudinal, cognitive, behavioural, and health-related responses to racism are rarely studied. Relatively few studies report on associations between experiencing racism and certain health outcomes, such as poor physical health or substance abuse, and between racism and key indicators of socio-economic status or outcomes such as employment or income.
- **State- and local-level data:** while data about the state where study participants reside are often collected by national studies, state- and local-level data are rarely reported.⁵⁷⁶

Our own research on existing racism data in Australia echoes the above gaps and finds:

- **Intersectional approaches in data are limited:** Data collected on inequality is often only analysed through a single lens, rather than through a nuanced, intersectional approach. Data on how different systems of oppression affect experiences is not always collected consistently. For example, data is not always collected about race, ethnicity, migrant background or legal status alongside attributes such as disability, age, and gender to inform analysis.
- **Institutional and structural racism:** Data on institutional and structural racism is mostly collected by third-party reporting mechanisms and within ad hoc studies. Government datasets that do collect data about racialised communities do so through 'proxies' such as country of birth, languages spoken, and year of arrival in Australia, rather than more direct measures of race or ethnicity. These proxies do not always capture racialised communities effectively and limit our understanding of structural social, economic, and health disparities between groups.
- **Qualitative data:** Routine qualitative data initiatives on experiences of racism are generally limited to those conducted by third-party reporting mechanisms.⁵⁷⁷ Third-party reporting mechanisms play a critical role in the routine, ongoing collection of incident data, yet face limitations to their data collection methodologies and coordination, and challenges related to organisational resources.⁵⁷⁸
- **Local-level data:** There is a significant lack of data about incidents of racism at a local-level.⁵⁷⁹ Most national surveys and studies, both government and non-government, do not collect local-level data (state-level at the most), while third-party reporting mechanisms almost always collect data on the general location of a racist incident.
- **Longitudinal data,** especially at the state, territory, and local level, is minimal, limiting

our understanding of the transformations and effects of racism over time. These include changes over the lifespan and during critical life phases, and changes in the prevalence and impact of racism on various outcomes.⁵⁸⁰

- **Hate and other vilification:** Data on hate crimes and hate speech are piecemeal or inconsistent across jurisdictions and severely affected by differences in legal frameworks, definitions of hate, and under-reporting.
- **Indigenous Data Governance:** although data about Aboriginal and Torres Strait Islander people are collected in many datasets, only a few are Indigenous-led, or aligned to the principles of Indigenous Data Governance and Sovereignty (see [Section 7](#)).

9.5 General gaps in racism data

Limited data on institutional and structural racism

Institutionalised racism often operates through processes such as unfair over-policing practices, policy design, resource allocation, eligibility criteria, algorithmic decision-making, and recruitment and promotion structures. Each of these produce racially disparate outcomes often without any individual ever committing a discrete ‘act’ of racism that a target could report.

Most datasets tend to focus on racism in its more interpersonal forms of racism, such as hate (speech and crimes), everyday harassment, and microaggressions (that are easier to document and report). Although this data is important, limiting our data to these forms fails to understand racism’s institutional and structural roots. These interpersonal experiences are manifestations of a system and structure that produces and is sustained by racism. In consultations, the Call it Out! First Nations Racism Register told us that people do not always understand the term institutional racism, meaning the

number of institutional racism cases reported to the Register are often less than what their analysis of reports identifies. But even if respondents do not identify the incident as institutional or structural in an existing multiple-choice list when making a report, the Register still analyses it as such. This can happen because respondents are able to narrate their experiences in free-text boxes, rather than only ticking a prescribed list of options about their experiences of racism.

Inconsistent or ad-hoc intersectional data collection masks inequalities and prevents nuanced solutions

Across government, statutory, and independent datasets, data on racism and related forms of inequality are not consistently situated with an intersectional lens. Most datasets use different measures of race and ethnicity (complicating the comparability of data) and do not always collect information on other protected attributes (e.g. disability, LGBTIQ+ identity, and class) consistently, which then limits the kinds of intersectional analysis that can take place.

Almost all government datasets capture Aboriginal and Torres Strait Islander status. Government datasets use the ABS’ standards on cultural and linguistic diversity, meaning that there are no direct measures of race/ethnicity beyond proxy questions such as country of birth, languages spoken, and year of arrival in Australia. As discussed in [Section 6.2](#), these measures do not necessarily capture racialised communities meaningfully.

The expanse of available data in existing government-funded longitudinal surveys can falsely signal sufficient evidence to inform pressing issues on inequalities.⁵⁸¹ For example, although the *Household, Income and Labour Dynamics Survey* and the *Longitudinal Study of Australian Children* are based on nationally representative samples, overseas migrants (particularly new migrants) and Australians experiencing social disadvantage are typically excluded from them.⁵⁸² Longitudinal studies such as *Building a New Life in Australia*

provide data on a range of topics related to the socio-economic needs of humanitarian migrant women and the barriers experienced in settlement journeys. The Multicultural Framework Review found, however, that there continue to be gaps in data on:

- how intersecting forms of inequality, including culture-specific gender norms and relationships, interact with humanitarian migrant women's settlement experiences and outcomes
- the impact of domestic and family-based violence on humanitarian migrant women and the economic potential of recently arrived humanitarian migrant women
- the influence of geographic location, particularly in relation to settlement in regional areas, on humanitarian migrant women's settlement outcomes
- humanitarian migrant women's experiences in accessing mainstream support services and programs in Australia and the impact on their socio-economic and health outcomes.⁵⁸³

Government datasets are also impacted by structural barriers to accessibility, which can prevent a more holistic understanding of intersectional discrimination. In 2023, the Royal Commission into Violence, Abuse, Neglect of People with Disability heard that culturally and linguistically diverse cohorts are likely to be 'significantly underrepresented' in the ABS' *Personal Safety Survey*, as many respondents are unable to participate in the interview-based survey due to spoken English proficiency and a lack of interpreters.⁵⁸⁴

Statutory reporting bodies such as anti-discrimination agencies mostly collect data on Aboriginal and Torres Strait Islander status of complainants but vary in approaches for other racialised communities. Some do not collect this data at all, or only when it is disclosed by complainants or related to a complaint (e.g. information on colour or national origin). When race/ethnicity data are recorded, most bodies also use proxy framings such as country of birth and 'non-English speaking background'. Third-party reporting mechanisms perform better at collecting and reporting data

from complainants that appropriately contextualises intersectional experiences of discrimination. Complainants are generally asked about Aboriginal and/or Torres Strait Islander status and their race/ethnicity, age, and gender, while others ask further questions about LGBTIQ+ identity, migrant or visa status, and religion. Intersectional data captured by statutory reporting avenues is discussed below in **Section 9.7**.

A lack of longitudinal data limits our understanding of racism over time

Australia does not currently have a routine, longitudinal study on racism across settings. Longitudinal studies repeatedly observe the same subjects over an extended period (e.g. months to years), tracking individual changes, trends, and cause-and-effect relationships. A lack of longitudinal data on racism limits our understanding of its manifestations over time, including changes in prevalence and impact. Intergenerational impacts of racism are particularly essential to understanding racism experienced by Aboriginal and Torres Strait Islander communities.

The Multicultural Framework Review has also reported Australia lacks a strong, resourced and independent national research agenda that connects research with policy over the long term.⁵⁸⁵ A lack of coordinated, long-term efforts prevents us from examining changes in experiences across life stages (e.g. in childhood or adolescence), racism over a lifespan, and how critical events or histories (both personal and collective) impact how racism is expressed, experienced, and responded to.⁵⁸⁶

At most, Australia has a few routine studies that study discrimination annually or at least every two years. The ABS' *General Social Survey*, which has been running every four years since 2002, asks questions on experiences of discrimination broadly, which can be disaggregated according to gender, age, sexual orientation, remoteness, mental health, long-term health condition, disability, and migrant status. The Scanlon Foundation's annual survey on mapping social cohesion

measures social cohesion in Australia across five domains:

- belonging
- worth
- social inclusion and justice
- participation
- acceptance and rejection.

The survey is a cross-sectional study (i.e. measuring a snapshot in time) which examines experiences of racism and discrimination broadly, attitudes to immigrant diversity, support for minorities, and attitudes on issues such as racism and trust in governments.

Reconciliation Australia's *Australian Reconciliation Barometer* is a biennial national study that measures the progress of reconciliation between Aboriginal and Torres Strait Islander people and non-Indigenous Australians. Information collected includes First Peoples' experiences of racism (its nature, alleged perpetrators, and on structural racism), as well as general attitudes towards the five dimensions of reconciliation (race relations, equality and equity, unity, institutional integrity, and historical acceptance).

More data is needed on perpetrators and the experiences of targets of racism to inform responses

Information about alleged perpetrators, including their age, gender, race, or relationship to the target of racism, is not comprehensively collected across datasets. This data is important to inform effective interventions and other anti-racism responses, such as sector-specific training or specific public awareness campaigns.

Generally, most third-party reporting mechanisms ask respondents to provide information about alleged perpetrator(s) of racism, including their age, perceived race/ethnicity, and gender. Some, including the Call it Out! First Nations Racism Register, ask respondents to share information about their

relationship with the alleged perpetrator, e.g. whether the perpetrator is an employee, institution or organisation, a stranger, or someone else they know. Statutory reporting avenues collect information about alleged perpetrators within the context of complaints but generally do not publish this information due to privacy obligations. Although perceptions of a perpetrator's background by a target or witness of racism can be vulnerable to misperceptions or misinterpretations, it is still important to identify given how a perpetrator's background may influence whom they target.⁵⁸⁷

Other existing data on perpetrators tends to focus on perpetrators' attitudes (e.g. their concerns about intermarriage, immigrants, or admissions of prejudice). In contrast, experiences of racism are generally measured with reference to 'discriminatory behaviours' experienced by targets (e.g. questions that ask 'Have you been discriminated against?'). In effect, this means that our ability to co-analyse reports of racism by perpetrators and targets is limited.⁵⁸⁸

Another key gap is perpetrators' reports of their own racist behaviours and the link between those behaviours and their attitudes.⁵⁸⁹ A further area in need of study is the link between anti-racist interventions (such as training or institutional policies) and the impacts of these on individuals, particularly for people who wield more power over others.

Other less explored areas include targets' attitudes towards, and views and understandings of, the racism perpetrated against them, for example in terms of responses such as justification, downplaying, and denial.⁵⁹⁰ Data on long-term behavioural responses to experiencing racism, such as anticipating, avoiding, or addressing possibilities for future encounters of racism, is also limited.⁵⁹¹ Most third-party reporting mechanisms ask respondents if they reported the incident and for reasons if they chose not to report, and about the impact an incident had on them. Whether this includes long-term impacts varies according to responses provided.

Failing to embed Indigenous self-determination over data processes can reproduce harms

Although most datasets on racism are about the experiences of Aboriginal and Torres Strait Islander people, many of them do not embed the principles of Indigenous Data Governance and Indigenous Data Sovereignty. The *Gari Yala: Speak the Truth* survey, led by the Jumbunna Institute of Indigenous Education and Research, is an Indigenous-led sample survey that examines issues such as experiences of sharing identity, cultural safety, and racism for Aboriginal and Torres Strait Islander peoples at work. The Call It Out! First Nations Racism Register is an Indigenous-controlled and independent third-party reporting mechanism that collects incident reports of racism and discrimination towards Aboriginal and Torres Strait Islander peoples. These and the *Mayi Kuwayu National Study of Aboriginal and Torres Strait Islander Wellbeing* (a three-yearly longitudinal study on health and wellbeing) are part of a select few Aboriginal and Torres Strait Islander-led data collections that embed principles of Indigenous Data Governance.

The Productivity Commission has also observed there are critical gaps in data for all Priority Reforms under the National Agreement on Closing the Gap, particularly systematic data, which makes it difficult to hold governments to account for structural changes necessary to advance outcomes.⁵⁹²

9.6 Gaps in racism data across settings

Comprehensive, routine data across settings such as workplaces, education, media and the arts, health, the legal and justice system, housing, and online spaces are inconsistent across jurisdictions. Racism experienced within employment or the labour market, education and public spaces, as well as incidents that engage action by law enforcement, are generally better captured

and should continue to be central in anti-racism data collection.⁵⁹³

Routine data is limited in spaces such as online dating, online gaming, racist reporting in the media, and racism in digital technologies (e.g. apps, facial recognition software, and algorithms).⁵⁹⁴ Racism in the sharing or gig economy (such as ride sharing and delivery) is underexplored, despite the higher concentration of migrant groups in these industries and their vulnerability to exploitation and harassment.⁵⁹⁵ Racism in healthcare is also relatively underexplored and data about racism in sport is generally not collected on a routine basis, despite the growing attention given to the issue in recent years in the media.⁵⁹⁶

Below we have outlined ongoing gaps in racism data across settings, including those in settings that have been better studied (e.g. workplaces) to highlight areas that need further attention.

Racism in workplaces

Racism in workplaces continues to be severely under-reported, which impacts the existence of this data at the first instance.⁵⁹⁷ Existing complaint data in workplaces is generally inadequate or incomplete, mainly due to complicated and unsafe reporting processes, an organisation's unwillingness to progress complaints and take them seriously, or organisations discouraging individuals from making complaints due to potential reputational damage.⁵⁹⁸

Additionally, workforce data in Australia have focused on cultural diversity measures (such as country of birth, ancestry, or main language spoken at home), instead of measures that directly engage with race (e.g. person of colour, Black, brown, or white).⁵⁹⁹ This has made it difficult to measure and report on workplace racism and understand the impact of anti-racism initiatives.

A 2023 audit by the Victorian Commission for Gender Equality in the Public Sector found that, aside from age and gender, most organisations do not collect demographic data required for understanding racism

at work.⁶⁰⁰ Minimal workplace data exists, for example, for people who are both Aboriginal and Torres Strait Islander and gender diverse.⁶⁰¹ The audit also found gaps in research on how culturally and racially marginalised women experience gendered violence in Australian workplaces,⁶⁰² with violence against women and girls with disability being largely underreported.⁶⁰³ Research has also found that disability data is generally not collected in workplaces⁶⁰⁴ and that sexual harassment continues to be underreported by Aboriginal and Torres Strait Islander and culturally and racially marginalised women.⁶⁰⁵

Without workforce racial diversity data, it is difficult to track systemic racism in recruitment or representation in leadership.⁶⁰⁶ Research has also shown there remains limited evidence on how organisational culture, institutional bias, and discrimination influence career progression for culturally and racially marginalised women.⁶⁰⁷

Routine initiatives include the *Gari Yala: Speak the Truth* and the *Workplace Survey Report* led by not-for-profit organisation Women of Colour Australia examine the experiences of Australian women of colour (including Aboriginal and Torres Strait Islander women) at work.⁶⁰⁸ The recent *Racism@Uni* study examined racism within universities as workplaces, assessing interpersonal, institutional, and structural racism across classrooms and campuses however, this is not an ongoing study.

There have been calls for the *Workplace Gender Equality Act 2012 (WGEA Act)* to be expanded to accommodate the lived experiences of women from culturally and linguistically diverse backgrounds, migrant and refugee women, women with disabilities, and LGBTIQ+ women and non-binary people.⁶⁰⁹ The Workplace Gender Equality Agency (**WGEA**) collects and analyses annual pay data (including superannuation, bonuses and other payments) on the Commonwealth public sector and non-public sector organisations with 100 or more employees. Data collected by WGEA under law only relates to women and men. Employers can provide employee gender non-binary data

on a voluntary basis. Workplaces are not mandated to report to WGEA on additional data such as Aboriginal and Torres Strait Islander status, cultural and linguistic background, trans and gender diversity, and disability. A review of the WGEA Act in 2021 found strong support in its consultations for collecting additional diversity data, but sensitive issues were also raised about employees being reluctant to provide this information to employers because of concerns about how this information may be used and the negative impact it may have on their employment.⁶¹⁰

Education

Routine, longitudinal data on experiences and prevalence of racism in universities and other higher education settings is limited,⁶¹¹ particularly in vocational education and training. The *Racism@Uni* study drew attention to the lack of coordinated, sector-wide frameworks in the university sector for data collection.⁶¹² Limited data is available via Australian Government datasets for Aboriginal and Torres Strait Islander students, international students, those from low socio-economic communities, and non-English-speaking backgrounds.⁶¹³

Although the 2017 *Speak Out Against Racism* study highlighted sustained racism in NSW and Victorian government schools, similar data exercises are not ongoing or are otherwise inconsistent across states and territories. In schools, the Victorian Department of Education and Training allows parents to report racial and religious discrimination witnessed or directed towards children at schools. 'Anti-Racism Contact Officers' in NSW schools are tasked with maintaining records of reports of racism and outcomes, identifying datasets of racism that should be collected, and analysing trends in the data. However, neither dataset is publicly available.

Generally, third-party reporting mechanisms allow respondents to share whether a racist incident was experienced in an educational setting, but there are no education-specific initiatives. The Australian Palestinian

Advocacy Network's *Anti-Palestinian Racism Register* was initially launched to examine racism in Australian schools but has since expanded to all settings.

Media and the arts

Beyond a few mechanisms, data on racism within the media and arts sector is limited. Racism data as it is experienced at work is likely captured in other datasets that focus on racism in employment broadly. Media Diversity Australia's *Who Gets to Tell Australian Stories?* is a biennial study that examines culturally diverse representation in Australian news and current affairs television. Information is collected through a selected sample of content and from surveys and interviews on perceptions and attitudes towards diversity, barriers to achieving diverse representation, and racism embedded in employment cycles. Established in 2025, Diversity Arts Australia's *Tracking Racism in the Arts & Creative Sectors: Incident Report Survey* collects anonymous incident reports of racial discrimination in the creative sectors.

During the scoping phase of the Framework, we heard calls for an appropriate body such as the Australian Communications and Media Authority to be given powers to monitor and collect data on racism within the media industry.⁶¹⁴

Justice and legal system

Data on interactions with the legal and criminal justice system, especially over time, is inconsistent and not comprehensive across states and territories. State and territory jurisdictions collect data on crime and crime statistics, including demographic information on offenders, sentencing outcomes, policing activities, and custody statistics. The consistency of this data varies due to different legal frameworks or thresholds for crime and different approaches to recording and reporting relevant data across jurisdictions. However, data tracing how racism and intersecting forms of oppression structure the policies and practices of the criminal justice system, especially in policing

practices such as racial profiling (See **Section 10**) and in the use of new technologies such as artificial intelligence, remain a significant gap.⁶¹⁵

Data on far-right extremism and other nationalist violent extremism is collected by the Australian Security Intelligence Organisation (ASIO),⁶¹⁶ but the limited data on alleged perpetrators broadly also limits our understanding of links between extremist ideologies and acts of racism, as well as connections to other forms of oppression such as transphobia.

Communities have previously told us about the importance of accessible, publicly available data on justice outcomes and the experiences of individuals within court processes.⁶¹⁷ The Australian Law Reform Commission has found that bias within court proceedings is more significant than is currently formally reported by court users.⁶¹⁸ This becomes problematic if outcomes from court cases are being determined unfairly, including if outcomes are based on racial prejudice.⁶¹⁹

Health

Most third-party reporting mechanisms ask respondents to explain the impacts of a racist incident, including its psychological, emotional, and physical effects.

Government administrative data on racism in health and service provision have the same methodological limits as population and administrative data in Australia. As noted in (**Section 6.2**), FECCA has found that administrative data (including primary health care and general practice) on cultural, ethnic, and linguistic diversity is not collected consistently with the ABS' Standards for Statistics on Cultural and Language Diversity. The Australian Institute of Health and Welfare has itself noted the poor level of data in relation to health and disability for culturally and linguistically diverse communities.⁶²⁰ This is despite evidence suggesting that the intersection or cumulative effects of racism and ageism can lead to health disparities among older adults from racialised

backgrounds, including delays in accessing care and unmet healthcare needs.⁶²¹

Commission-funded research on health inequities in Australia has found the following gaps in data:

- the influence of culturally safe environments on health outcomes, particularly within Aboriginal and Torres Strait Islander and other racialised communities
- how overlapping identities (e.g., race, gender, disability) affect experiences of racism and associated health outcomes. The *Wiyi Yani U Thangani (Women's Voices)* research also found a lack of adequate data on the mental health of Aboriginal and Torres Strait Islander women and girls⁶²²
- the impact of racial discrimination in workplaces on psychological health among racialised communities
- barriers to accessing social services among Aboriginal and Torres Strait Islander and other racialised people, including how racism deters access and continuing with support
- evaluation of public health initiatives' effectiveness in reducing racism and promoting inclusivity for Aboriginal and Torres Strait Islander and other racialised groups
- culturally responsive mental health interventions for Aboriginal and Torres Strait Islander and other racialised populations to counteract stigma and promote engagement.⁶²³

Other relevant independent datasets include the Medical Board of Australia's *Medical Training Survey*, which has collected data on the experiences of doctors in training and the quality of training, including information on racism and discrimination since 2019. The NSW Nurses and Midwives' Association has also conducted standalone surveys on their members' experiences of racism in the workplace from colleagues and patients, including its interpersonal and structural forms.⁶²⁴

Housing

Beyond information about the location or setting of incidents shared by complainants when reporting to bodies, racism in tenancy and housing, and its intersections with class, visa status, and disability, continues to be underexplored and an area requiring urgent attention. A recent study by the University of Melbourne and Tenants Victoria drew attention to racism occurring at all stages of renting, including accessing, living in, and exiting tenancies in its interpersonal, institutional, structural, and cultural forms.⁶²⁵ The study was, however, limited to a subset of Victorian renters.

Online spaces

Experiences of online racism are mainly collected by dedicated statutory bodies and third-party reporting mechanisms. Most third-party reporting mechanisms allow respondents to report whether an incident happened offline or online and share evidence of racist online content.

The e-Safety Commissioner regulates online safety in Australia. People can report serious cyberbullying, cyber abuse, and illegal or restricted content (which can all be related to racism) through an online form, which the e-Safety Commissioner can then investigate and request removal of harmful content. However, a recent Victorian study found that only 15.7% of 491 respondents were aware of the e-Safety Commissioner,⁶²⁶ which can limit its effectiveness in both monitoring and collecting data on online hate.

Hate crimes

Data on hate crimes, incidents and speech in Australia has been described as 'piecemeal and insufficient, and affected by severe underreporting due to barriers experienced by victims and witnesses.'⁶²⁷ Police data remains the only official record of hate crimes, but it is only collected in a few jurisdictions and the data quality is generally limited due to significant inconsistencies and biases in recording and coding.⁶²⁸ Further, this data is

limited to what can be legally considered a crime by the police and then prosecuted. This excludes most expressions of racism that are not violent and often more subtle in nature, or expressions of racism that are not viewed by the police as hate crimes

On the comparability of data collected by third-party reporting mechanisms, some stakeholders have said that, in contrast to statutory reporting avenues, third-party reporting mechanisms do not always align with specific legal definitions or thresholds of hate incidents. They usually accept reports of what targets or witnesses from relevant communities themselves perceive to be racial or religious hate. This complicates the comparability of this data, meaning reports vary depending on what communities, parts of communities, or individuals perceive as hate (including in response to current or recent events).⁶²⁹ Inconsistent standards make it difficult to compare experiences across communities. To improve the integration or comparison of data, experts have suggested agencies collecting the data establish common definitions of hate, inclusion criteria, and measurement strategies.⁶³⁰ **Section 8.4** discusses the role of definitions in data collection.

The Australian Institute of Criminology is currently developing a longitudinal victimisation survey on hate crimes. The survey will be limited to hate-related offences recognised under existing Commonwealth and state and territory laws. The survey will examine experiences of victimisation, including whether people have experienced or witnessed it, as well as general understandings and responses to hate crimes or related incidents.

9.7 Gaps in data reported to statutory bodies

Existing racism data in Australia is severely affected by underreporting due to both personal and structural barriers (see **Section 11.2**). Current figures collected by formal reporting bodies or authorities such as anti-discrimination bodies and the police do not represent the full scale of racism in Australia.

Human rights and anti-discrimination bodies

Data collected by human rights and anti-discrimination bodies on racial discrimination and its intersecting forms provide important evidence for governments, employers, community organisations and researchers to address racism. Demographic data on complainants and information on complaints, including their nature and outcomes, are essential to assessing whether relevant laws and policies are ensuring access to justice, particularly for Aboriginal and Torres Strait Islander people.⁶³¹ In the past, experts have called for bodies such as ours to publish stronger disaggregated data to support analysis in relation to intersectional discrimination.⁶³²

There is currently little consistency in the type of data collected across human rights and anti-discrimination agencies for complaints lodged under relevant human rights and anti-discrimination legislation. The Commission makes only a limited amount of information public regarding the identity of complainants and respondents.⁶³³ Our public complaint data is disaggregated based on Aboriginal and Torres Strait Islander status but not routinely disaggregated for other racialised communities. In complaints made under the *Racial Discrimination Act 1975*, data is disaggregated according to the grounds of discrimination, e.g. colour, national origin, ethnic origin, descent, race, and immigrant status.⁶³⁴ Beyond this, there is limited information available on the varied identities of complainants, and the nature and outcomes of racial discrimination complaints.

Islamophobic attacks in Australia double, reaching 'crisis levels', report finds

SBS News, 13 March 2025

Racism targeting migrant truck drivers rampant amid regulatory gaps

ABC News, 14 January 2026

Thousands rally against immigration with neo-Nazis taking the spotlight

SBS News, 1 September 2025

Migrant, refugee women face sexual harassment, racism and exploitation in workplace

The University of Melbourne Newsroom, 20 August 2024

Asian-Australian groups report surge in racist abuse, assaults during pandemic

The Age, 13 May 2020

More than half of Aussies surveyed witness or experience racism in community sport

Victoria University, 27 February 2025

'The blackfella nightmare': Indigenous media staff reveal daily battle against online racism and abuse

National Indigenous Times, 13 July 2026

Black African nurses battle racism in rural Australian workplaces, study finds

Australian Nursing & Midwifery Journal, 8 June 2021

Australia records highest number of Indigenous deaths in custody since 1979

ABC News, 10 December 2025

Teachers and students affected by anti-Palestinian racism, report into schools shows

ABC News, 26 September 2025

Our state and territory counterparts generally collect information on Aboriginal and Torres Strait Islander status of complainants but vary in measures for other racialised communities. Some do not collect this data at all or only collect it when it is shared by complainants or otherwise related to a ground of discrimination in a complaint (e.g. information on colour or national origin). When race/ethnicity data is recorded, most bodies also use proxy framings such as country of birth or non-English-speaking background.

We have previously reported that we do not have sufficient resources and capacity to provide publicly available, detailed information about the subject matter of complaints,⁶³⁵ which remains the case at the time of this Report. Our state and territory counterparts face similar constraints with limited funding and resources.

Human rights and anti-discrimination bodies should be resourced to collect and publish demographic data on complainants, including information on race/ethnicity, country of birth, gender, age, disability, main languages spoken, and visa status. Other information could include de-identified information on the nature of complaints and remedies sought, the outcomes of complaints, high-level information on alleged perpetrators, and experiences with conciliation processes.

It is important for this data to be harmonised across states and territories. A coordinated and consistent set of metrics on racism and racial discrimination should be developed to guide data collection by all agencies. This work could be guided by the Commission, bringing together representatives from other human rights and anti-discrimination agencies and relevant regulatory bodies in the work, health, and safety sector to develop consistent data standards.

Other regulatory and work, health, and safety bodies

Other key regulatory bodies that handle matters relating to racism or racial discrimination include the Fair Work Commission, Fair Work Ombudsman, and

state and territory work, health, and safety bodies (including workers' compensation schemes).

The ability of regulatory and work, health, and safety bodies in Australia to collect and report data related to racism in workplaces is influenced by different legal frameworks, mandates, or definitions governing their scope of their work. There is a lack of clarity among employers on threshold requirements for actioning racism complaints under work, health, and safety legislation.⁶³⁶ In consultations for the Framework, we also heard that definitions of racism and racial discrimination vary across the operating environments of work, health, and safety agencies (as well as human rights and anti-discrimination and human rights bodies) which likely contributes to inconsistencies in available data.

The Fair Work Commission, as the national workplace relations tribunal, collects and records data on racial discrimination only when a relevant issue is in general protections applications that involve dismissals and unlawful termination. If a conference is held, the Fair Work Commission's case management system will report any grounds for dismissal relied upon by applicants, including options for 'discrimination involving race/colour/ethnicity'.⁶³⁷ However, if racial discrimination is raised within other matters (e.g. cases involving bullying), it may not be clearly indicated as racial discrimination within the case management system and therefore not categorised as such.⁶³⁸ This information is also not publicly available. The Fair Work Ombudsman similarly publishes very little information on racial discrimination matters. At the time of this Report, the recently established National Student Ombudsman, which does investigate student complaints of racism and discrimination at higher education institutions in Australia, has not published relevant data.

SafeWork Australia compiles the National Dataset for Compensation-based Statistics which contains information on all workers' compensation claims that have been accepted under state and territory workers' compensation schemes. Claims for 'mental

stress' can be disaggregated into 'work related harassment and/or workplace bullying' and 'other harassment', which can include claims for racial harassment. However, this information is not disaggregated further, so it is not clear whether a claim involved workplace-related racial harassment or bullying or some other form of harassment or bullying. WorkSafe Victoria has observed that culturally and racially marginalised workers are underrepresented in its injury data, and it is difficult to determine whether this reflects lower claim rates or data limitations. WorkSafe Victoria has observed that many culturally and racially marginalised workers do not report workplace injuries or submit compensation claims, potentially due to limited knowledge of workplace safety rights, claim processes, available support, and fear of job loss.⁶³⁹

9.8 Data reported to third-party reporting mechanisms

Third-party reporting mechanisms play an important and essential role in the collection of racism data in Australia, particularly due to their strength in building and maintaining trust with affected communities, providing psychological or legal support to targets and witnesses of racism, and their community-led analysis and dissemination of data.

Third-party reporting mechanisms generally collect data through individual self-reports on online complaint forms,⁶⁴⁰ with hotlines and mobile apps used sparingly,⁶⁴¹ and in-person options extremely rare.

Some collect data on racism and its related forms such as racial and religious discrimination, vilification, prejudice or abuse, hatred, and victimisation.⁶⁴² Many mechanisms focus on a broad range of settings at once, while others take a more specific focus such as the media, police, schools, workplaces, or online settings.

A few mechanisms focus on collecting data about all forms of racism while others take a more specific focus on anti-Indigenous racism, Islamophobia, antisemitism, or anti-

Palestinian racism.⁶⁴³ While approaches such as these do recognise the specific needs of certain communities and are best-placed to build trust within them, not all communities have tailored reporting options.

Most mechanisms ask respondents to share their gender and race/ethnicity, describe the incident (often in a free-text format), the frequency of the incident (allowing racist incidents that are more structural to be captured), and personal impacts of the incidents (and occasionally on the community, such as in the case of the Call it Out! First Nations Racism Register). Most mechanisms also ask about personal responses to racism, including whether a respondent reported it to a relevant authority or body, and reasons if they chose not to report. Almost all collect information on the alleged perpetrator(s). Some mechanisms provide options to refer complainants to psychological and legal support services or other reporting authorities such as the Commission or the police.

We have heard from consultations that third-party reporting mechanisms experience significant challenges with limited resourcing and funding stability. Resourcing and capacity constraints mean third-party reporting mechanisms often compromise when meeting communities' needs (for example, only receiving reports online instead of through in-person formats). Collating vast amounts of data and disseminating it in meaningful ways is also expensive and complex. Reporting back to complainants, developing referrals and other actions such as lobbying decision-makers, creating reports or papers, and reporting to authorities, all take significant time and effort.⁶⁴⁴

Stakeholders have told us that inconsistent and short-term funding impacts their function and capacity to offer support to affected communities. Third-party reporting mechanisms take time to establish services and create trust and awareness in the community. Sustainable increases in funding can improve a mechanism's functions and increase community expectations of that service's ability to respond to reports in a timely and supportive way. But when funding

unpredictably increases or decreases, this can cause expansion or contraction of service provision, the latter of which can undermine community expectations and trust. Other challenges shared with us include the need for expertise and resourcing, including cyber security awareness and capability, to collect and manage personal and sensitive information. Additionally, there is a need for capacity and expertise to provide adequate care for staff who receive and process distressing or offensive reports of racism.

Maintaining the independence of third-party reporting mechanisms was also highlighted amidst low community trust towards government. Government support was identified as helpful if it related to resourcing an informal national body to provide guidance, resources, and recommendations to organisations (such as delivering training for staff from organisations) and generally take an assistive or supportive role to organisations without governing them.

Ensuring the strength and longevity of these mechanisms is essential in a national approach to anti-racism data, given the varied experiences and needs across communities experiencing discrimination. Long-term funding by governments for trusted third-party reporting mechanisms is necessary to improve access to justice for racialised communities.

Third-party reporting mechanisms should be able to sustain initiatives and expand to provide ongoing psychological and/or legal support for staff and targets and witnesses that report racism. The accessibility and safety of these reporting avenues should also be strengthened to respond to intersectional discrimination, including to navigate the barriers LGBTIQ+ people, older people, people with disability, and people without internet access experience in reporting and accessing support.

9.9 Other general limitations of existing data

Preference for quantitative data over qualitative data

Sources of qualitative data on racism in Australia are generally limited to collections by third-party reporting mechanisms and individual research studies.

Communities have highlighted to us the importance of qualitative data, in addition to quantitative data, to better understand experiences of racism, their gravity, their impact and, importantly, to give a voice to experiences that are routinely silenced. Communities have shared that the lack of qualitative data has been a main challenge in health equity and a significant impediment to understanding experiences of racial discrimination in the justice system (e.g. when engaging with legal support, the courts, and judges).⁶⁴⁵

Limitations of general surveys on racism or discrimination

Existing racism data also has methodological or interpretive limitations. For example, surveys or focus groups often ask respondents whether they have experienced racism (e.g. a question asking if someone has experienced racism in the last 12 months) or how often they have experienced racism. Responses to these types of questions are not always a reliable, objective quantitative measurement of the salience of racism. Questions that require yes-or-no responses can be influenced by many personal factors, such as a person's different understanding of what constitutes racism, their level of awareness that they have been subjected to racism, and their psychological willingness to acknowledge and declare in a survey that they have been a target or victim.⁶⁴⁶ This willingness can vary according to data collection methods, whether it be government-led surveys or independent focus groups led by researchers. People

may also fear that sharing experiences of racism may result in negative repercussions. Questions can also reflect cultural norms and lead to varied responses. For example, asking a newly-arrived young person ‘have you experienced family violence’ would result in different responses compared to questions that ask ‘do you feel safe at home?’.⁶⁴⁷

These limitations can be addressed in data methods that provide clear definitions of racism and other concepts, clearly communicate the purpose of the data exercise, and are available in translated or other accessible forms (such as in-person methods with trusted community representatives).

Survey results may also reveal higher experiences of racism in a certain setting. A respondent in a survey may have been frequently shopping over a 12-month period but may have spent less time searching for rental accommodation or in an educational setting or had an experience with the police. This data may show a relatively low proportion of racism in certain areas due to less frequent exposure, but it does not necessarily mean that racism happens less in these settings.⁶⁴⁸

9.10 Importance of a National Anti-Racism Data Plan to co-ordinate efforts across Australia

We call for the Australian Government to adopt and fund a National Anti-Racism Data Plan that outlines a national approach to collecting, using, and managing data on experiences, reports, and impacts of racism nationally and across states and territories and local jurisdictions.

An expert advisory group should be convened comprising anti-racism data experts or practitioners from Aboriginal and Torres Strait Islander and other racialised communities, and representatives from government agencies to oversee, inform, and

develop the substance of the Plan. The priorities, outcomes, and other details of the Plan should be co-designed or based on consultations with communities, academics, and data experts.

In addition to the issues raised in **Sections 5 and 6** this Plan should address:

- strengthening and co-ordinating intersectional data about different forms of racism nationally and across states and territories, and localities and settings such as workplaces, education, health, the justice and legal system, media and the arts, and online spaces
- building the capacity of various actors to collect, use, and manage this data
- initiatives to address personal and structural barriers to reporting racism
- a formal approach to monitoring, evaluation, and learning that also embeds transparency and accountability to racialised communities.

Matters that should be taken into consideration include:

- a standard set of best available measures to track the fundamental, longstanding dimensions of racism consistently and over time (e.g., its forms and settings, targets and perpetrators, and responses and effects) with enough flexibility that the measures can accommodate fluctuating or emerging experiences of racism
- the inclusion of standards and measures for collecting intersectional data, with race/ethnicity as a core dataset
- the creation of a national mechanism or body for reporting racism and receiving support that also maintains the independence of community-led data initiatives
- the mandating of key agencies to collect, monitor, report and address data on racism and racial/ethnic disparities, with consideration to any administrative burdens in certain settings such as healthcare

- guidance on the role of data collection mechanisms that preserve the independence of third-party reporting mechanisms and institutions to use tailored approaches
- the co-ordinating of anti-racism data initiatives with anti-racism strategies, nationally and across states and territories and local levels, and in workplaces
- the establishment and resourcing of local-level anti-racism hubs or networks to provide both reporting support and emotional or psychological services.

The Plan should embed the principles of Indigenous Data Governance and a human rights-based approach to data (See **Sections 7 and 8**).

It should also consider other options for reform related to the co-ordination of data. For example, some stakeholders have suggested the establishment of a national database on racism. However, other stakeholders have raised the risks of creating a national database on racism. These risks include the differences in how reporting avenues collect, manage, verify, and use data. As thresholds for what incidents are reportable vary, there is potential for the same incident to be reported multiple times by multiple people to multiple avenues, which means that data from several sources should not be combined or presented as a single dataset. Stakeholders have suggested that any reports which present data from multiple avenues should present the different data sources separately and be transparent about how the data is collected and analysed (e.g. the definitions or thresholds used).

Recommendation 1

The Australian Government should adopt and fund a National Anti-Racism Data Plan (**‘the Plan’**) that outlines a national approach to collecting, using, and managing data on experiences, reports, and impacts of racism across states and territories and local jurisdictions. To achieve this, the Australian Government should fund the Australian Human Rights Commission to:

- establish an advisory group comprising anti-racism data experts or practitioners from Aboriginal and Torres Strait Islander and other racialised communities, and representatives from government agencies to oversee the Plan.
- inform and develop the substance of the Plan on the advice of the advisory group.
- lead consultations with communities, academics, relevant peak organisations, and data experts to inform the priorities, outcomes, and other details of the Plan.
- ensure findings or outcomes from the recommendations below (including those related to government data standards) are incorporated into the Plan.

Recommendation 5

The *Workplace Gender Equality Act 2012* (Cth) should be amended to drive safer, more inclusive workplaces by requiring data collection on the experiences of workers with disability and those from LGBTIQ+, First Nations, and culturally and racially marginalised backgrounds. This includes collecting data on race/ethnicity, language, and migration status and should be informed by outcomes from Recommendation 4 on reform of government ethnicity data standards.

Recommendation 6

The Australian Government and relevant non-government organisations should commit to collecting data about experiences of racism, including systemic and structural racism, in ongoing national surveys. The Australian Government should provide appropriate funding where necessary to relevant agencies and non-government organisations to collect this data.

Recommendation 7

Australian governments should commit ongoing and adequate funding to existing and prospective third-party reporting mechanisms to collect data on racism as it impacts different racialised communities, and to establish or strengthen initiatives, including providing support services (e.g. psychological and legal support) to targets or witnesses of racism.

Organisations should be supported to establish psychological support services for targets of racism, including in-person and telehealth options, in-person counselling, and support groups, with specialised training for mental health professionals.

Recommendation 8

The Australian Human Rights Commission, state and territory anti-discrimination bodies, and work, health and safety agencies should collect intersectional data under their respective mandates. The Australian Human Rights Commission should be tasked to work in partnership with these bodies to develop a coordinated approach with advice from experts with lived experience of racism on collecting disaggregated data on complaints and reports. This should include information on race/ethnicity and racism in employment settings.

Australian governments should appropriately resource these bodies to collect and report on this data.



Recommendation 9

Noting the need for the Australian Government to review and develop new national standards on the collection of administrative data about ethnic identity (Recommendation 4), medium and large employers should routinely collect workplace data on:

- reporting and complaints statistics and the prevalence of discrimination, victimisation, and harassment (disaggregating First Peoples and other racialised staff)
- employee views on safety (e.g. on wellbeing, cultural safety, and stress)
- racial backgrounds of staff (by anonymous survey)
- racial backgrounds of leadership
- any trends in pay inequalities based on race/ethnicity
- promotions and other benefits based on race/ethnicity
- work segregation based on race/ethnicity
- data on who has left the organisation (disaggregated by race/ethnicity)
- views/information on workplace racism from exit interviews.

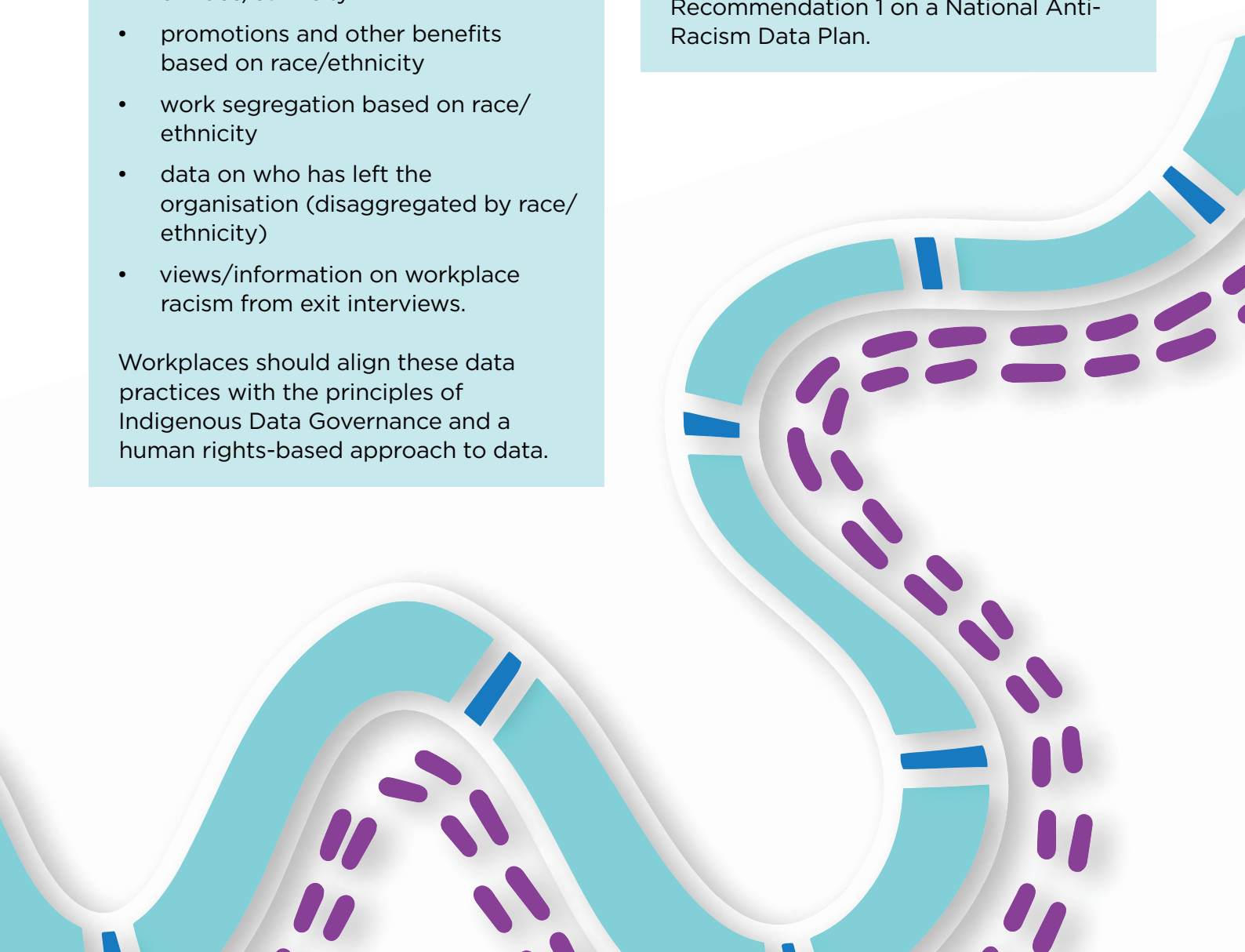
Workplaces should align these data practices with the principles of Indigenous Data Governance and a human rights-based approach to data.

Recommendation 10

Australian governments should fund the Australian Human Rights Commission to convene a national council of relevant organisations to develop nationally consistent standards for the reporting of experiences of racism and racial discrimination in the workplace.

Recommendation 15

Australian governments should support comprehensive, community-led data collection consistent with the principles of Indigenous Data Sovereignty on interactions with the justice system, including arrests, outcomes of justice, and the experiences of individuals within court processes. This is to be completed alongside work implementing Recommendation 1 on a National Anti-Racism Data Plan.



10 Racism as institutional practice: racial profiling in policing

- Addressing racist, unfair policing practices is an urgent area of concern. Collecting data on racial profiling can effect systems change.
- As a form of biased and discriminatory policing, racial profiling is a systemic issue in Australia that disproportionately impacts Aboriginal and Torres Strait Islander and certain other racialised communities.
- Transparent monitoring of racial profiling would increase community trust, participation, engagement, and reduce alienation within community-police relationships. Police managers, accountability institutions, and the public would also have the necessary information to ensure policy initiatives to address racism are put into effect.
- Police officers who initiate a stop, search, or move-on direction should be legally required to collect data on 'officer-perceived ethnicity.' To assess police and institutional bias, third-party identification of race/ethnicity are more relevant in these circumstances to understanding racism than a self-defined identity.

10.1 Understanding racial profiling

Communities and other advocates have stressed to us that racial profiling by law enforcement of racialised communities, particularly Aboriginal and Torres Strait Islander people, is a widespread systemic issue in Australia. It manifests in over-policing, disproportionate targeting, and unfair treatment, leading to higher incarceration rates and significant impacts on life outcomes.

Policing and the criminal justice system are an important area of concern in the National Anti-Racism Framework. Given the systemic effects of the criminal justice system on the lives of First Peoples and other racialised groups, we have chosen to focus on over-policing as a priority area to use and apply anti-racism data. Collecting and publishing racial profiling data can contribute to institutional reform of systemic racism within the criminal justice system where it involves police misconduct and negligence. It is a practical way to collect and use data for the purposes of eliminating racism.

Racial profiling occurs when police, consciously or unconsciously, stop and search Aboriginal and Torres Strait Islander people and other racialised people based on stereotypes rather than reasonable grounds that suggest an offence has occurred.⁶⁴⁹ It is 'a form of biased and discriminatory policing'.⁶⁵⁰

The evidence in Australia shows:

- race and racialised proxies play a significant role in influencing whom police choose to scrutinise
- racialised people are frequently the subject of unjustified and disproportionate police databases
- based on statistical data in jurisdictions where police data is public (including the policing of COVID-19 regulations), racialised people (particularly those racialised as Black) are more likely to be policed than white people. Police post-stop conduct towards them is also likely to be more extreme.⁶⁵¹

Racial profiling is not limited to intentional acts by individual police officers. It covers institutional practices that are discriminatory.⁶⁵² These include:

- concentrating police in areas with higher numbers of racialised groups rather than responding to specific time-framed crime reports (e.g. conducting high frequency

patrols through a public housing estate with a high number of ethnic minorities)

- responding to 'crime' reports by people reporting 'race' and not a crime (e.g. responding to a call because young people appearing to be of African origin are gathering on a street)
- training that teaches police to intervene based on a hunch, difference, unusual conditions, 'incongruence' or because a person is 'out of place' rather than a sufficiently objective justification (i.e. a reasonable belief that an offence has occurred).⁶⁵³

Racially discriminatory stops are an ineffective tool to reduce crime, and only waste resources and reduce community trust towards the police. For example, Victorian Police search data from 2023 shows that although police are *less* likely to find contraband on people they perceive to be African, they are six times *more* likely to search them than white people.⁶⁵⁴ Studies on UK overpolicing practices have similarly found that black and minority ethnic groups offend at a similar or lower rate than white people, even though they are subject to higher rates of arrest.⁶⁵⁵

The main approach to identifying racial profiling is called 'benchmarking', which involves comparing the rates at which different racialised populations are stopped, searched, arrested, charged, or cautioned compared with their relative size in the population of interest. This approach requires access to police data on the frequency of various activities directed against different racial groups, and a population benchmark, such as census data or surveys of the populations that use specific roads or areas.⁶⁵⁶ Racial profiling data is a form of incident data but it also includes data on race/ethnicity.

Transparent monitoring of racial profiling data benefits everyone. Greater transparency increases community trust, participation and engagement and improves community-police relationships.⁶⁵⁷ Rather than increasing an administrative burden on police in

the long term, ensuring police meet a threshold before engaging in police-initiated interventions means they are likely to experience significant time savings as well as increased effectiveness in hit-rates.⁶⁵⁸ Racial profiling data gives police leadership, accountability institutions and the public the information to ensure policy initiatives to address racism are put into effect and evaluated.⁶⁵⁹

10.2 Components of a racial profiling monitoring scheme in Australia

Calls for a structured racial profiling monitoring scheme in Australia can be traced back to at least *Haile-Michael v Konstantinidis*, a landmark Federal Court case about racial profiling by Victoria Police. In 2008, a group of young African-Australian men alleged that they had been disproportionately stopped, searched, and harassed without justification by several Victorian police officers between 2005 to 2009.⁶⁶⁰ They argued that these incidents demonstrated a pattern of racial profiling that contravened the *Racial Discrimination Act 1975*. The case was settled outside of court in 2013.⁶⁶¹ Part of the settlement terms required Victoria Police to review its stop-and-search practices, its training program, and the collection of data about stops and searches.⁶⁶² Research has shown that, despite these commitments by Victorian Police, racial profiling practices have continued in Victoria.⁶⁶³

In 2017, a group of criminal justice experts in Australia called the Police Stop Data Working Group (**Working Group**) recommended Victoria Police be required to collect data on all pedestrian and traffic stops, searches (including consent searches), and directions to move-on. The Working Group recommended that data be collected on the race/ethnicity of those stopped and searched '*as perceived by the police officer*' (discussed below).⁶⁶⁴ This data should also be de-identified and made available to an external

independent agency or research body for monitoring and quarterly public reporting.⁶⁶⁵ Human rights institutions at the state and national level were suggested as appropriate bodies to monitor and publish the data on an ongoing basis.⁶⁶⁶

The UN Committee on the Elimination of Racial Discrimination has similarly called for countries to regularly collect, monitor, and publish anonymised, disaggregated and quantitative data on relevant law enforcement practices, such as identity checks, traffic stops, and border searches.⁶⁶⁷ Information should also be collected on the prohibited grounds for racial discrimination and its intersecting forms, and the reason for the law enforcement action and the outcome of the encounter.

Collecting data about ‘perceived ethnicity’ instead of self-declared ethnicity

The Working Group recommended that police officers who initiate a stop, search, or move-on direction be legally required to collect data on ‘officer-perceived ethnicity.’ This includes officer-perceived age and gender and, if in a car, the presence of passengers and their perceived ethnicity or, if on a street, the presence of companions and their perceived ethnicity.⁶⁶⁸ The Working Group suggested categories comprising:

- Aboriginal/Torres Strait Islander
- African (includes African Australian, African, Horn of Africa, African American, Caribbean)
- Caucasian (Anglo, European origin, white South African, white New Zealander/Australian)
- Middle Eastern (Iranian, Iraqi, Syrian, Turkish, Palestinian, Lebanese, Egyptian, Afghan)
- Pacific/South Sea Islander (includes Māori)
- South-East Asian (Chinese, Vietnamese, Japanese, Malaysian, Burmese, and Indonesian)

- Indian subcontinental (Pakistani, Indian, Bangladeshi)
- Other (South American, Jewish, and other ethnic minorities).⁶⁶⁹

These fewer and broader categories would limit the room for error and improve accuracy of perceptions,⁶⁷⁰ while also being simple for police in the field and capable of identifying underlying patterns of over-policing.⁶⁷¹

There are risks about whether police should ask about race/ethnicity and record their perception. Some argue that the police are not necessarily competent to accurately judge a person’s race/ethnicity and classify people of mixed ancestry.⁶⁷² Others argue that asking police to request race/ethnicity during potentially fraught stop situations may increase the stopped person’s sense of violation and intrude into their privacy. This type of data scheme would also require police to encourage people to ‘consent’ to providing information to police in circumstances where there is no existing obligation to provide those details.⁶⁷³ There is also capacity for use of certain racial categories to reinforce stereotypes and entrench inequality. The term ‘of Middle Eastern appearance,’ for example, has been criticised for being heavily racialised, gendered, criminalised, and for inaccurately acting to racially profile Arabs as Muslims based on phenotypical features.⁶⁷⁴

These risks are all important but, for the purposes of monitoring racial profiling in Australia, should be deprioritised. Asking people to identify their own race/ethnicity may increase the accuracy of data on those stopped, but it does not provide information about an officer’s decision-making.⁶⁷⁵ The key information we need is on police perceptions of race/ethnicity.⁶⁷⁶ An officer may inaccurately perceive a person’s race/ethnicity, but the mere fact that they did perceive a particular race/ethnicity is relevant to understanding their actions. Racial profiling is based on the presumption that officers treat certain racialised groups differently because they view them as more likely to commit a crime; proper data collection efforts must identify officers’ perceptions of the person stopped, and not necessarily the person’s actual race/ethnicity.⁶⁷⁷

Although we recommend that a person's racial/ethnic identity be self-described and not inferred through proxies (see **Section 8.3**), we accept the above exception given the relevance of this data to assessing police and institutional bias. In limited circumstances such as this, a third-party's identification of race/ethnicity is more relevant to understanding racism than self-defined identity.

Mandatory collection highlights how racial bias functions

Requiring police document race/ethnicity for those stopped, searched, or issued a move-on would highlight how racial bias operates within policing. Some might argue that police officers do not 'see' race or colour when stopping, searching, and directing a person, which would then mean that this data is not or does not need to be recorded. However, the evidence on racial profiling in Australia indicates that police are already making decisions based on assumptions about race/ethnicity. Broader evidence on implicit racial bias also suggests that we are all conscious of race even if we try to ignore it.⁶⁷⁸ Requiring police to document this information every time they initiate a stop, search, or move on direction would at least ensure officers are alert to this behaviour. This data would sit alongside mandatory requirements for police to document their reasons for initiating all stops, searches, and directions. Ultimately, normalising this data collection as a routine practice would help ensure police decisions in these circumstances have reasonable justification and are free from prejudice, cognitive bias, or stereotyping.

Preventing weaponisation of the data

As noted in **Section 8.5**, although collecting race/ethnicity has benefits, this data can be weaponised by bad-faith actors and used in racist narratives about certain communities. Issues around crime rates of different racialised groups in Australia often fuel

sensationalist reporting, generate stereotypes, and entrench prejudice.⁶⁷⁹

On this issue, the Working Group stressed that racial profiling data would not increase stereotypes about racial/ethnic crime rates. In contrast to the quarterly release statistics by the Victoria Crime Statistics Agency and other similar state agencies that report crime rates by country of birth, racial profiling data provides information on whether any racialised groups are being unnecessarily targeted. The focus here remains on unjust police practices and biased decision-making.

Considering religion in over-policing

An additional area of concern for racial profiling data involves how perceptions of culture and religion are interrelated with race/ethnicity.

The Working Group noted monitoring the over-policing of Muslim communities is more complex than conventional street-based indicators allow, as profiling involves the use of profiles such as 'converts', or those who appear 'vulnerable to extremism'. Over-policing also often occurs in non-street-based locations such as houses, mosques, and on social media. Although collecting proxy data such as 'Middle Eastern' will provide some indicators of profiling of Muslims, it may not cover the full complexity of the community's profiling; e.g. it may not cover African and Indonesian Muslims.⁶⁸⁰ As a result, neither police perceptions of religion at the street level nor proxy data may capture the full extent of profiling of Muslims. The Working Group notes that while similar arguments can be made in relation to all forms of profiling, this is acutely the case for Muslim communities.⁶⁸¹ The Working Group concluded an ideal monitoring scheme would be able to capture all the factors or reasons (or police perceptions of them) that contribute to increased risk of unfair policing attention.⁶⁸²

Case study: Centre Against Racial Profiling

The Centre Against Racial Profiling (the **Centre**) is an institute based on Wurundjeri land in Victoria, dedicated to eradicating racial profiling in all its forms.

In 2015, Victoria Police changed its policies to define and prohibit racial profiling. But despite calls from impacted communities, community legal centres, and academics, the Victorian Government and Police did not create any mechanisms to monitor police compliance with the ban.⁶⁸³

In 2024, the Centre established the 'Racial Profiling Data Monitoring Project' to provide the public with transparent data and analysis on differences in police treatment of First Peoples and other racialised communities in Victoria compared with white people.⁶⁸⁴ Its analysis so far has found Victoria Police disproportionately search people they perceive to be Aboriginal and Torres Strait Islander, African, Middle Eastern/Mediterranean, Asian, and Pacific Islander over Caucasian people.⁶⁸⁵

The Centre uses census data to assess the rates of treatment by police against population sizes.⁶⁸⁶ A 'hit rate analysis' compares data on whether there has been an 'arrest' or 'items found' because of a search for different racialised groups. Data for the hit rate analysis is obtained from police under freedom of information (FOI) requests, including data on police searches without warrants and the use of force.⁶⁸⁷ Although Victoria Police made collection about ethnicity mandatory in 2019, the Centre notes there are large numbers of missing police records for 'ethnic appearance' in its search data – 'indicating poor internal enforcement and minimal, if any, external scrutiny of this policy'.⁶⁸⁸ The Centre's hit rate analysis also draws on police perception of

ethnicity, which it observes is also unlikely to capture the full experience of racial profiling experienced by non-visually identifiable communities.⁶⁸⁹

The Centre compares the number of police searches for each racialised group by 'benchmarking' those numbers against the total populations of those groups as identified in the census.⁶⁹⁰ This data is drawn from ancestry data in the Australian Census. On the limitations of this data, the Centre notes that allowing people to record their ancestry as 'Australian' is a 'critical issue that the census needs to address to enable effective research into systemic racism in Australia'.⁶⁹¹

The Centre notes it does not have access to police data about racialised differences in family violence policing, stop and question, vehicle stops or vehicle-only searches, decisions to arrest, decisions to charge, deaths in custody, decisions to oppose bail, complaints, and in the use of risk databases. Although this data is critical, it is not collected by police and is also expensive and difficult to obtain through FOIs.⁶⁹²

The Centre has recommended that the Australian Census record people's ethnicity for systemic racism to be accurately tracked in Australia.⁶⁹³ It has also recommended further refining existing police classification systems. From 2022, Victoria Police did separate people they perceived to be African from those perceived as Middle Eastern. However, the Centre notes that Victorian Police's 'Middle Eastern' category continues to combine people perceived to be Mediterranean, although other data shows that Middle Eastern-appearing people are more likely to be over-policed than people who appear to be Mediterranean.⁶⁹⁴

Case study: Anti-racism data in practice

In 2025, the Justice & Equity Centre (JEC) filed a case against NSW Police in the Federal Court of Australia, alleging that bail checks against two Aboriginal children were racial discrimination. In 2021, the two brothers were on bail after being passengers in a stolen car. During the next 20 months, the police visited their house to conduct bail checks more than 150 times, often in the middle of the night or during the early hours of the morning.

The JEC had previously commissioned research analysing police data, which found that Aboriginal children on bail were subject to home visits more often than non-Aboriginal children.⁶⁹⁵ The case will turn on this research. If successful, the JEC says it would be the first court finding of racial discrimination based on statistical evidence.⁶⁹⁶ As Tamar Hopkins states, data on the race of people the police stop, search, use force against, prosecute, caution, neglect, fail to assist, and imprison is critical to understand the extent of race discrimination in Australia.⁶⁹⁷ This data can and should be used by courts to assist in making findings of racism in individual cases, which also requires a willingness from courts to work with statistics and other social context data in considering cases involving race discrimination.⁶⁹⁸

Recommendation 14

Australian governments should require, through law and policy reform, that police officers who initiate a stop, search, or move-on direction collect data on 'officer-perceived ethnicity.' Information collected should include reasons for the law enforcement action and the outcome of the encounter. This data should be de-identified and made available to an external independent agency or research body for monitoring and quarterly public reporting.



11 Addressing barriers to reporting racism

- Racism is widely acknowledged to be underreported in Australia, which influences the availability of data.
- Research shows that there are significant personal and structural barriers to reporting racism. These include low trust in and limited awareness of existing authorities and reporting mechanisms, a lack of physical, language, and digital accessibility within reporting avenues, difficulties with 'proving racism,' and fears of repercussions.
- Addressing barriers to reporting racism is critical to alleviating the burden on targets of racism to identify and tackle racism, shifting the responsibility for robust anti-racism data collection back to structures and mechanisms.
- Pathways to addressing these barriers include funding awareness campaigns, improving existing reporting pathways and support services; establishing alternative and community-led anti-racism services; and improving anti-racism support in local spaces such as schools, workplaces, shopping centres, and public transport.

11.1 Underreporting of racism

Restoring trust between authorities and communities is a core part of anti-racism data, which cannot happen without addressing the significant personal and structural barriers to reporting racism. When we talk about available racism data, we recognise that it only captures experiences that individuals have felt empowered enough to report. With

a weight of evidence showing that racism in Australia is underreported, even the available data about racism is clearly only a snapshot of reality.

We acknowledge that limited attention has previously been given to barriers to reporting when discussing the importance of racism data in previous work for the National Anti-Racism Framework.⁶⁹⁹ Our calls to report racism must be supported with stronger reporting pathways and procedures that are aligned to community needs, satisfactory outcomes for the individual, and are connected to local anti-racism support.⁷⁰⁰ Otherwise, as Mario Peucker, Tom Clark, and Holly Claridge have noted:

'...calling on those who face racism to report may not only remain ineffective; it may also draw individuals into disempowering processes that require individuals to invest a lot of time, effort and emotional labour and offer little in return. Doing so may place an additional burden on those who already face racism. It may even lead, implicitly and unintentionally, to a situation where those who choose not to report may feel responsible for the lack of data on racism and, by extension, for inadequate anti-racism interventions.'⁷⁰¹

Speaking out about racism is often traumatising, and anti-racism data requires meaningful commitment to addressing the barriers to reporting racism at the outset, as well as ensuring individuals are provided with adequate support after an incident occurs. An approach that recognises the distressing and often re-traumatising experience of speaking about racism, and that centres the needs of people with lived experience of racism, is essential to ensure communities feel empowered enough to report racism and participate in data collection processes.

11.2 Barriers to reporting racism

An overview of external and internal barriers

Existing studies commonly find that racism is underreported in Australia due to a combination of external and internal barriers.⁷⁰²

In a report on hate crime and hate incidents in Victoria, Matteo Vergani and Carolina Navarro outline five types of internal and external barriers faced when reporting hate crimes, which also apply to racism broadly: internalisation (e.g. feelings of hopelessness and cultural norms around speaking out), lack of awareness, fear of consequences, lack of trust in statutory agencies, and accessibility.⁷⁰³

External barriers relate to the relationships between the affected individual and others, such as the offenders, complaints handling mechanisms, law enforcement agencies, and personal relationships such as family, friends, or co-workers.⁷⁰⁴ Internalisation and lack of awareness are internal barriers; these barriers exist within an individual who is considering whether to report racism.⁷⁰⁵

External and internal barriers overlap. External barriers are often structural in nature, and structural barriers can become internalised by an individual and influence their non-reporting of racism. Addressing these external and internal barriers requires dedicated, structural solutions, as outlined in **Section 11.3**.

The most common external and internal reasons for underreporting racism include:

- lack of awareness that a racist incident is reportable
- lack of awareness about available reporting options, e.g. to complaints handling mechanisms and other statutory agencies
- fear of negative consequences
- lack of trust in existing reporting options
- difficulty with ‘proving’ racism
- accessibility issues within existing reporting avenues e.g. physical, technological and language barriers
- limited options for community-specific reporting
- other internalised barriers e.g. feelings of denial, hopelessness and normalisation of racism.

Lack of awareness that an incident is reportable

Many individuals who experience racism often do not know whether their experience is reportable or not. This includes a lack of knowledge that their experience could be a legal issue with a possible legal remedy.⁷⁰⁶ It also includes uncertainty about the meaning and definition of terms such as racism, hate crime, prejudice, discrimination, and harassment, including what they constitute.⁷⁰⁷ Discrimination can be difficult to identify and misidentifying it could lead to severe consequences.⁷⁰⁸ This barrier is linked to the lack of awareness of reporting options, such as reporting to police, human rights commissions, and civil society organisations.⁷⁰⁹

Limited awareness about reporting options

Not knowing where to report racism continues to be a key reporting barrier. A recent study on understanding racism reporting barriers in Victoria found that:

- 75.2% of respondents did not know where and how to report racism⁷¹⁰
- 35.4% of respondents were not aware of reporting avenues such as the Victorian Equal Opportunity and Human Rights Commission, and fewer knew about other reporting options such as the e-Safety Commissioner and specialised community organisations (e.g. the Islamic Council of Victoria Islamophobia Support Service or the Islamophobia Register Australia).⁷¹¹

Limited trust in reporting avenues

A Victorian study on understanding reporting barriers heard from 703 survey participants and 159 focus group participants in 2024 and found that:

- fewer than 16% of people who had experienced racism reported it to an organisation or community group
- 85% of people saw reporting racism as a high-cost, low-reward process
- 78% of people felt distressed by the complaints process and disappointed in the outcome
- the most common reasons for not reporting were ‘nothing would change’ (91%) and ‘reporting is too difficult’ (83%), concerns about not being taken seriously (83%), worries about negative consequences (76%), or not knowing where to report (75%).⁷¹²

Negative perceptions and experiences with reporting avenues, such as the police and anti-discrimination bodies, lead to lower reporting of racism. For many, this is related to a belief that no action would be taken to stop the experience(s) of racism.⁷¹³

This barrier can also result from previous negative reporting experiences of the target and/or their community.⁷¹⁴ During community consultations for the National Anti-Racism Framework, participants said they had little trust in the effectiveness of reporting or redress mechanisms in their workplaces.⁷¹⁵ Some participants recounted not being taken seriously or having their complaints invalidated (e.g. told to ‘take a joke’) when raising issues of racism. It led to some targets of racism leaving their jobs after feeling they had been labelled ‘troublemakers’ and were no longer safe in their workplaces. These acts of invalidation also led to a sense of resignation with the system.⁷¹⁶

For some, organisations designed to handle reports and complaints are seen as being influenced by systemic racism, and more commonly, many existing services were seen

as being not culturally sensitive due to a lack of cultural representation among the complaints-handling staff and the lack of multilingual support services.⁷¹⁷

The Call it Out! First Nations Racism Register has heard that formal complaint or reporting mechanisms are generally not well understood amongst some Aboriginal and Torres Strait Islander people.⁷¹⁸ Some have described barriers to, and the apparent futility of, using legal or other formal complaints mechanisms to respond to racism in settings such as schools.⁷¹⁹ The Register also heard that complaints, when made, are not taken seriously or are dismissed.⁷²⁰ Research has found that Indigenous women have experienced the law as a weapon of discrimination rather than as a shield against it, and this distrust leads to limited confidence in complaints mechanisms.⁷²¹ This is further compounded by perceptions that complaints agencies are merely another government department from which Indigenous peoples will receive little support, despite the agencies’ independence.⁷²²

There is also common reluctance to report to the police. A trust deficit can arise from a person or community’s negative experience(s) with the police in Australia or in their country of birth, as well as their general feelings towards the police.⁷²³ In community consultations for the National Anti-Racism Framework, younger people in particular said that it was difficult to make formal complaints about racism and generally felt that their concerns were not taken seriously by the police. Others cited a low level of trust in the police as an institution and felt unprotected against racism when reporting to them.⁷²⁴ This is unsurprising, given that Aboriginal and Torres Strait Islander and other racialised communities have been subjected to harsh racial profiling, over-policing, and other surveillance measures by the police.

Reporting processes to complaint-handling mechanisms are also seen as time-consuming and emotionally draining, as a high investment that is not matched with a clear return, which can make people feel that reporting is not worthwhile.⁷²⁵

Commission-funded research on mapping government anti-racism programs and policies in 2024 heard concerns from state and territory stakeholders on the extent to which individuals are empowered to report with a clear understanding of the possible outcomes and an understanding of the personal and emotional investment the process will demand from them.⁷²⁶

A recent study into the racist experiences of Asian Australians during COVID-19 found that Asian Australian targets of racism were more likely to do nothing than report to authorities, which means that the record number of racial discrimination complaints submitted to the Commission during the pandemic was likely an underrepresentation of reality.⁷²⁷

Accessibility issues within existing reporting avenues

Another key barrier is the accessibility of reporting avenues, which includes physical, language, and digital challenges.

- **Physical barriers** include locations, limited access to in-person reporting methods, and physical access to buildings. For example, poor wheelchair access to a police station can affect whether a person in a wheelchair reports an incident to the police.⁷²⁸ Aboriginal and Torres Strait Islander women in rural areas have reported difficulties in attaining physical access to advice about complaints processes and agencies.⁷²⁹ Specific research has found that Aboriginal and Torres Strait Islander women may be geographically isolated from complaints-handling agencies, which tend to be based in city centres, and due to resourcing constraints, generally cannot do regular outreach outside of these centres.⁷³⁰
- **Language barriers** including lower levels of English proficiency or other communication needs (people with communication impairments).⁷³¹ It also includes difficulties with understanding or interpreting questions asked when reporting. See **‘Engagement with survey questions’** below.

- **Digital barriers.** Limited digital skills or access to the internet affects the possibility of some individuals (particularly low-income, older people, or women with restricted access to the internet) using online reporting tools.⁷³²

Fear of negative consequences

People who experience racism often express fear of negative consequences as a barrier to reporting it. This includes fears of:

- retaliation by the perpetrator or the perpetrator’s group (e.g. a family, political group, or a community)⁷³³
- getting into ‘trouble’, or worsening an already vulnerable situation, e.g. impacts on visa status⁷³⁴
- having an identity exposed without their consent, e.g. members of the LGBTIQ+ community may be ‘outed’ through reporting their experience⁷³⁵
- bearing responsibility for a perpetrator being punished due to a report⁷³⁶
- other impacts on everyday life, e.g. acceptance in society or having their status in the community affected by being perceived as ‘weak’.⁷³⁷

First Peoples reporting racism to the Call it Out! First Nations Register described some of the consequences as school exclusion, punitive police intervention, and loss of employment.⁷³⁸ Others noted calling out racism has led to lost friendships, relationships, and other personal connections.⁷³⁹

The risks of reporting against more powerful individuals are also high. For First Peoples in remote communities, confronting racism could make matters worse for them and their community, particularly in instances where the alleged perpetrator is a police officer or the only service provider in their town.⁷⁴⁰

Difficulty with ‘proving’ racism

Perceptions that individuals need to provide evidence of their racist experiences have been identified as another significant barrier to reporting. In one study, proving racist incidents was often seen as impossible or very difficult, meaning many chose not to report at all.⁷⁴¹ Some participants explained that they did not know the perpetrator (e.g. when the incident happens in public spaces) and that they do not have witnesses or any evidence when it happens covertly (e.g. in discriminatory recruitment decisions).⁷⁴²

Limited options for community-specific reporting

Stakeholders have told us that for some communities, the lack of community-specific, third-party reporting mechanisms (in addition to official or statutory reporting avenues) can be a barrier to reporting. As noted above, limited trust in existing reporting avenues can prevent communities from accessing them. We heard from consultations that communities without third-party reporting mechanisms are therefore likely underrepresented in available racism data and potentially less able to advocate for dedicated responses for their communities. As at the time of this report’s publication, only Aboriginal and Torres Strait Islander communities, Muslim communities, Jewish communities, and targets or witnesses of anti-Palestinian racism have ongoing, community-specific options for reporting.

Other internal barriers

The individual beliefs, values and perceptions of targets and witnesses of racism can also prevent them from reporting racism.

These include:

- normalising or accepting racism as part of everyday life
- denying or minimising their experiences of racism, particularly when comparing it to (more) severe forms of discrimination

some had faced before arriving in Australia⁷⁴³

- feelings of shock, hopelessness, shame or powerlessness⁷⁴⁴
- feelings of ‘gratitude’ towards Australia as a country that has given them new opportunities encourages some to dismiss personal experiences with racism⁷⁴⁵
- norms around meritocratic values, i.e. a belief that people who work hard will succeed – racism and discrimination may exist and create barriers, but on a personal level one can overcome these obstacles and progress in life.⁷⁴⁶ There is a view in many migrant communities that focusing on racism only holds people back⁷⁴⁷
- cultural norms or values around shame and vulnerability, including gendered norms⁷⁴⁸
- a desire to reject ‘narratives of powerlessness and victimhood’ to claim agency and control.⁷⁴⁹

For some First Peoples, ‘making a noise’ about racism may not help their immediate situation or change anything in the broader scheme. There are arguments that it is quite unlikely that a racial discrimination event is an isolated event but instead an instance of ongoing racism that First Peoples have had to endure over generations and therefore find difficult to address.⁷⁵⁰ It is also likely that many First Peoples are facing various, complicated social and legal issues that they must address at any given time, including incarceration, removal of their children by government agencies, and/or residential evictions. Any one of these issues could take priority over an incident of racial discrimination which could be viewed by a target as less ‘urgent’.⁷⁵¹

On the behaviours of witnesses to racism, one study found that most witnesses to racism ‘did nothing’ (12%), with only 3.8% reporting the incident to the police or to an anti-discrimination authority.⁷⁵² When asked how satisfied they were with the way they responded to the incidents of racism witnessed, only 19% were satisfied while 37% had some level of dissatisfaction.⁷⁵³

Engagement with survey questions

The design of survey questions themselves can also lead to non-reporting of racism. Yes-or-no responses to questions such as ‘have you experienced racism?’ can be influenced by personal factors, such as an individual’s understanding of what constitutes racism, their level of awareness that they have been subjected to racism, as well as their psychological willingness to acknowledge and declare in a survey that they have been a victim.⁷⁵⁴ People in vulnerable positions due to their precarious visa status or originating from countries with punitive governments or state organisations may also be fearful of saying they have experienced harm (racism or other) in Australia, and/or do not want to seem ‘ungrateful’.⁷⁵⁵

Analysis of open text and focus group responses from a past study on racism found that participants had very different understandings of racism, with many often unsure about whether an incident was racist or not.⁷⁵⁶ Some participants were able to address the complexity and subtlety of racism, recognising so-called microaggressions and systemic racism, while others were reluctant to use the term ‘racism’, instead confining it to its more blatant manifestations.⁷⁵⁷

Similarly, another study found that participants rarely described their experiences using terms like ‘discrimination’ or ‘racism’, but more often as ‘bad’ or ‘negative’ experiences.⁷⁵⁸ These echoed insights from the Commission’s consultations with third-party reporting mechanisms. On reporting structural and institutional racism, the Commission heard that many respondents may not understand or report their experiences this way. Instead, questions requesting that respondents describe an incident with open-text response options would often see experiences described in a way that indicates evidence of structural or institutional racism.

Case study: Reporting barriers in universities

In May 2024, the Australian Government funded the Commission to lead an independent study into experiences of racism at Australian universities. Based on initial consultations with academic staff and students, the Interim Report found:

- many international students fear reporting racism and discrimination, worried that it may compromise their visas and lead to their deportation. Early career academics on casual contracts also feared reporting could risk their employment⁷⁵⁹
- international students said they may not be able to recognise racism when it happens to them⁷⁶⁰
- academics spoke about feeling ‘gaslit’ when raising issues of institutional and structural racism. Discomfort in discussing race led to the silencing of experiences, and a shift in focus from institutional to interpersonal racism⁷⁶¹
- a lack of student and staff confidence in complaints, leading to reluctance to report racism⁷⁶²
- First Peoples were made to feel that complaints were not valid or of a serious enough nature to pursue⁷⁶³
- complaints were not handled appropriately. Aboriginal and Torres Strait Islander complainants were often referred to Aboriginal units rather than formal complaints processes, which were not equipped to handle complaints.⁷⁶⁴ Similarly, international students were often referred to international student support services rather than having their concerns properly heard and addressed through appropriate processes.⁷⁶⁵

Case study: Reporting barriers in workplaces

In 2024, research by the Victorian Equal Opportunity and Human Rights Commission (VEOHRC) confirmed that racism is ‘severely under-reported’ in workplaces. Research participants explained the barriers to reporting:

- the lack of racial literacy in the organisation
- the tendency to deny, deflect, or ignore racism
- normalisation of racism that leads to people feeling they do not need to or should not complain
- poor or non-existent reporting policies
- lack of trust in complaints procedures being able to effectively resolve complaints
- fear of retribution, disciplinary measures, victimisation, or negative impacts on career prospects or visa status
- lack of systemic support or support from bystanders witnessing racism
- the administrative burden and length of the complaints
- exhaustion at the tedious repetition of experiencing racism and having to complain
- not feeling racially, culturally, or psychologically safe in the complaints process
- racial trauma or race-based traumatic stress in both the retelling of racist incidents and dealing with authority
- the huge burden of proof needed to ‘prove’ racism has occurred.⁷⁶⁶

11.3 Strategies to address reporting barriers

The onus or burden of reporting cannot be solely placed on the target of racism. To ensure we are all accountable and responsible for addressing racism, witnesses of racism should be supported and encouraged to report racism. Taking this broader approach can also ensure that racism does not remain an ‘individual’ problem. The following strategies can better support targets and witnesses of racism through the reporting pathways:

- public awareness campaigns on racism, rights, existing reporting pathways, and support services
- strengthening existing reporting pathways and support services for communities experiencing racism
- establishing alternative, community-led anti-racism services for those requiring more tailored or nuanced support
- improving anti-racism support in local spaces e.g. in schools, workplaces, shopping centres, and public transport.⁷⁶⁷

We acknowledge that substantial reform to federal anti-discrimination laws is also necessary to strengthen access to justice for racialised communities.

The Commission’s previous work on *Free and Equal* has identified reforms to all existing federal anti-discrimination laws that would widen their coverage and make them more accessible for people who suffer discrimination and harassment to bring complaints. The National Anti-Racism Framework has also called for the introduction of a positive duty to eliminate racial discrimination in the *Racial Discrimination Act 1975*, including in workplaces. This would require government agencies, employers and persons conducting a business or undertaking to take proactive steps in their workplaces to prevent racial discrimination from occurring, rather than relying on people who have experienced discrimination to act after harm occurs.

A positive duty would reduce the burden on a target to report racism at work, while also encouraging employees to report to effect broader change.

Community-focused campaigns on racism, legal rights, and support services

Our previous research on existing government anti-racism programs and policies found:

‘Data that seeks to quantify the level of racism within communities is severely limited by the obstacles – real or perceived – community members face in reporting. Without a cohesive community-focused campaign to create awareness of, and comfort with the process of reporting racism, it is unlikely that any data set will accurately approximate the extent of racism in Australia.’⁷⁶⁸

Community-focused campaigns can address some of the barriers to reporting racism. These should include awareness-raising on racism and its nature, relevant or available legal protections, and options for support services.⁷⁶⁹ These can be implemented through community-led forums and online and offline campaigns.⁷⁷⁰ Workplaces and schools have been identified as ideal locations for racial literacy training and workshops for people with and without lived experience of racism.⁷⁷¹ Awareness campaigns should involve relevant statutory agencies and include guidance on available reporting pathways and support for communities experiencing racism. These awareness campaigns should be ongoing and accessible initiatives, with a national reach that also focuses on rural and remote areas. Campaigns and workshops should also be tailored to the specific language or cultural needs of communities.

Better transparency and dissemination of information, detailing what happens to a report once it is lodged and how it will be used by authorities, would strengthen trust in reporting bodies and reinforce the

importance of reporting racism and hate crimes.⁷⁷²

Strengthening existing reporting pathways and support services

Strengthening existing reporting pathways and support services across sectors or settings is necessary to ensure people experiencing racism can easily and safely access help and seek justice. This requires a holistic approach that appropriately resources existing reporting pathways (e.g. complaints-handling agencies or helplines) and new or trusted community networks. It also requires a strong intersectional focus, tailored to those with language and accessibility barriers, and for those in rural and remote communities across Australia.

At a practical level, this involves:

- addressing the ‘costs’ of reporting by building more culturally safe and multilingual services and providing in-person reporting and support options, delivered by people with lived experience and more transparent processes of keeping a person informed about their case.⁷⁷³ Rural and remote areas should be a key focus
- increasing accountability for racist behaviour by strengthening legal protections and enforcement of existing legal frameworks⁷⁷⁴
- addressing overreliance on the police in cases where the police are often poorly situated to provide the responses that an individual may expect and building capacity in local police stations to provide information about alternative anti-racism support options⁷⁷⁵
- increasing options for culturally safe and trauma-informed psychological/mental health support to targets and witnesses of racism.

Noting that targets of racism often express feelings of hopelessness, shame or disempowerment as barriers to reporting,

recipients of reports and complaints should be aware of these emotions and sensitive to them in the reporting process.⁷⁷⁶

Third-party reporting mechanisms should be holistically equipped to approach an individual's wellbeing, including supporting them to tell their story, assessing their needs and risks, listening, providing referrals or support, advising on potential legal outcomes, and supporting them through the journey of reporting to an authority such as the police.⁷⁷⁷ Community responders (e.g. support staff and police) should undergo anti-racism and cultural sensitivity training that builds their capacity to offer genuine support and validation in the moment and to decrease any shame of the target/witness.⁷⁷⁸ Importantly, reporting processes (particularly third-party reporting mechanisms) should be properly resourced to provide support services, as this can help address internal barriers and provide much needed mental health support to targets and witnesses of racism.⁷⁷⁹

Strategies should also address the range of physical, language, and digital barriers for communities. Older people, people with disabilities, and highly traumatised people may experience difficulties accessing online tools. Others may value online tools as preferred ways of communication (e.g. community of deaf and hard of hearing people), but these means can only be effective reporting mechanisms if they meet the specific needs of their community members (e.g. by providing video forms for reporting by deaf people).⁷⁸⁰ Resources should be available across multiple platforms/technologies (e.g. phone, online, in-person reporting) and in multiple languages with trained, trauma-informed interpreters available.⁷⁸¹

Complaint handling agencies also need appropriate resourcing to respond to complaints. The Commission is unable to meet the rising demand for our complaint services. Increases in complaints without sufficient funding increases have resulted in delays in allocating complaints to officers and for conciliation processes to occur. These delays have a real impact on access to justice and the ability of the Commission to provide

an effective and timely complaint handling service. Delays deter people from lodging complaints, contribute to an increase in people withdrawing their complaints and to a decrease in the percentage of complaints being resolved through conciliation processes. Other state and territory human rights and anti-discrimination bodies face similar challenges.

Establishing alternative, community-led anti-racism services

Community organisations and service providers tend to have higher levels of trust from communities that experience racism,⁷⁸² particularly those that are tailored to specific community groups. Local, trusted organisations and service providers that can act as a first go-to contact (e.g. local anti-racism hubs or networks) for people experiencing racism should be identified.⁷⁸³ Resourcing by governments is needed to build their capacity to respond to racism and to record racism data.⁷⁸⁴ A strong, local evidence base can support targeted local anti-racism initiatives.⁷⁸⁵

Previously, Indigenous women have expressed a strong desire to have face-to-face contact with complaints handling staff, either through a permanent local office or regular community outreach visits for information and education purposes, as well as complaints processing.⁷⁸⁶ This could be further enhanced by providing culturally-appropriate information and education about the relevance of anti-discrimination law for Indigenous women.⁷⁸⁷ Indigenous women have also expressed a high preference for dealing with Indigenous staff for discrimination education programs and when making complaints, as Indigenous staff were seen as easier to approach, understand and relate to, and more equipped to understand their situation and respond appropriately over non-Indigenous staff.⁷⁸⁸

Case study: Local anti-racism networks in Victoria

In 2021, Victoria University, Wyndham City Council, and Wyndham Community and Education Centre launched Australia's first local anti-racism network to provide alternative community-based reporting pathways and support services for communities in Wyndham, Victoria.⁷⁸⁹

It was the result of a successful pilot project led by Victoria University.⁷⁹⁰ Now successfully expanded, three local community-led anti-racism support networks operate in Wyndham, Whittlesea, and Melbourne's southeast region of Greater Dandenong, Casey, and Cardinia.

The networks apply a place-based approach to support, connecting local government, service providers, and community members.⁷⁹¹ Together, these networks create a supportive environment where local community members can safely share their experiences of racism and access appropriate support, such as legal advice, assistance with reporting to an authority, or psychological support.⁷⁹² The networks also record (with consent) reported cases of racism to develop local data on racism.

For example, the intake and assessment staff at the Southeast Anti-Racism Network are trained to listen to people reporting racist incidents and provide appropriate referrals and offer the option to complete a simple report. This data is reviewed every 6-12 months and used to inform discussions with local councils, police, and shopping centre management to drive anti-racism advocacy and policy change.⁷⁹³

The networks have reportedly had an empowering effect on communities, including and beyond raising awareness of racism and responding to it.⁷⁹⁴ Different communities and organisations have strengthened existing networks and connections and built ones across communities, which has promoted a

sense of joint commitment and purpose in tackling racism.⁷⁹⁵ Many individual community members have also been empowered to speak up against racism and support others in their community.⁷⁹⁶

The project creators have recommended a five-fold approach for other local governments:

1. Identifying local organisations and community groups to be 'first-contact organisations,' These are organisations trusted by local racialised communities and are interested in enhancing support for community members or clients who have experienced racism.
2. Building the capacity of these first-contact organisations to provide adequate support, reporting, and referral services, noting their often-limited resources. These organisations should not provide specialised or legal advice but instead initial emotional support, an opportunity to report and record the incident, and options to discuss further action, e.g. referrals to more specialised services such as legal support.
3. Promoting these newly established or enhanced support and reporting services across local communities.
4. Establishing a local support network and connecting the local community groups and organisations with each other and linking them with existing specialised support services (e.g. mental health services, community legal services, local police, and complaints-handling mechanisms).
5. Identifying one central (local) organisation tasked with coordinating this local support network to support its gradual expansion, promote its services, centrally collect the individual reports of racism, and use this evidence for awareness-raising campaigns and to inform prevention and intervention measures.⁷⁹⁷

Improving anti-racism support in local spaces, e.g. in schools and workplaces

Employers, schools and goods and services providers should take active measures aimed at preventing and responding appropriately to racism within their organisational contexts.⁷⁹⁸ This may include working directly with shopping centre and retail management, as well as public transport providers to develop anti-racism campaigns, review internal response practices, and provide targeted anti-racism and/or by/up-stander intervention training.⁷⁹⁹

The Commission recommends workplaces adopt 'Minimum Standard 4: Reporting and response' from VEOHRC's guidelines on addressing race discrimination in the workplace.

This means ensuring a reporting and complaints procedure embeds the following fundamental principles:

- **Victim-centred:** processes are designed to minimise the harm to complainants (e.g. limiting how many times they must share their story) and accommodate any cultural or accessibility requirements, including options for support persons.
- **Anti-racist:** managers and any staff who receive reports or complaints must understand racism and be able to recognise when a complaint of inappropriate behaviour may be based on racism.
- **Confidential:** information is appropriately stored and limited to those who need to know. Identifying information should not be shared when complainants want to remain anonymous.
- **Impartial and fair:** those responsible for investigating or deciding the complaint's outcomes are impartial (e.g. they do not have a close personal relationship with either party) and the respondent has a right to reply to any allegations or decisions made about them.
- **Accessible:** the policy must be in clear and simple language and available in other languages if appropriate. It should also consider other accessibility requirements, such as an option for an interpreter or translator, or a change in format.
- **Flexible:** a range of reporting and responses should be available, including self-management (where the complainant resolves the matter on their own), informal or formal internal management, and appropriate options to report anonymously.
- **Timely:** the procedure should outline that responses will be timely (within 3 months wherever possible) and aim to resolve matters before they escalate. The procedure should also outline a commitment to regularly updating everyone involved.
- **Transparent and accountable:** both sides should be given sufficient information about the allegations, investigation and/or decision-making process, and what to expect, including potential outcomes. Reasons for actions and decisions should be communicated to everyone involved (where safe and appropriate) and subject to appropriate oversight. Actions and outcomes should be proportionate and appropriately hold respondents to account.
- **Continuously improved:** complaints data should inform organisational change. Where appropriate, methods for improving systems and processes should be considered by management after a complaint is investigated and resolved. The organisation should address reports and complaints holistically even if disciplinary action is not taken, e.g. through additional training or updating of processes.⁸⁰⁰

Recommendation 11

Australian governments and education providers (early childhood to tertiary) should co-design with community experts a nationally consistent, effective, comprehensive, and culturally safe mechanism for students, staff, families, and communities to safely and without fear of repercussions report experiences of racism across educational settings and improve accountability, support, and redress services.

Higher education providers should implement the newer threshold standards of the *Higher Education Standards Framework (Threshold Standards) Instrument 2021* and otherwise consider addressing barriers to reporting raised in this report.

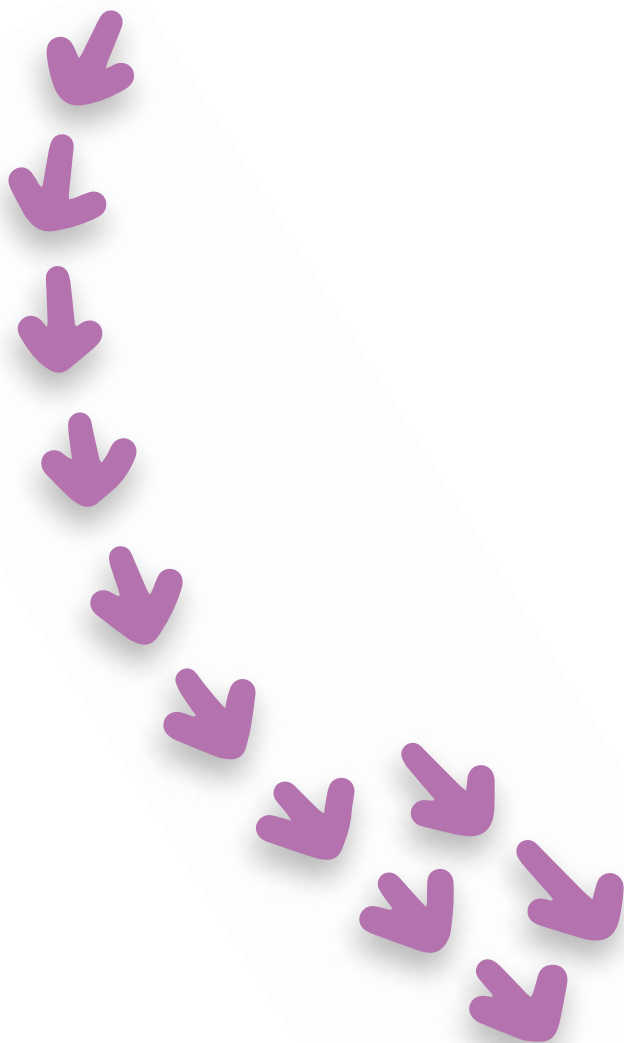
Recommendation 12

Australian governments, alongside police, relevant complaints-handling mechanisms, and non-government organisations, should implement co-ordinated strategies to address personal and structural barriers to reporting experiences of racism. This involves:

- establishing public awareness campaigns on racism, rights, existing reporting pathways, and support services. This includes developing best practice guidelines on reporting pathways and support for people experiencing racism
- strengthening existing reporting pathways and support services for communities experiencing racism
- establishing alternative, community-led anti-racism services for those requiring more tailored or nuanced support
- improving anti-racism support in local spaces, e.g. in schools, workplaces, shopping centres, and public transport.

Recommendation 13

Small, medium, and large employers should review existing workplace reporting and complaints policies and adopt Minimum Standard 4 from the Victorian Equal Opportunity and Human Rights Commission's *Guidelines on racial discrimination in the workplace*. This includes ensuring reporting and complaints procedures are target-centred, anti-racist, confidential, impartial and fair, accessible, flexible, timely, transparent and accountable, and continuously improved.



12 Monitoring, evaluating, and learning through anti-racism data

- Strong monitoring, evaluation, and learning mechanisms are essential to assess the implementation and impact of anti-racism policies and ensure they are driving progress against racism.
- Evaluating the impacts of anti-racism initiatives must be led by affected communities, rather than external groups through top-down approaches.
- A strong monitoring, evaluation, and learning mechanism must embed truth-telling and prioritise First Peoples' knowledges, relationship-building, and participatory processes, and centre lived experiences of racism and storytelling. It should be aligned to the principles of Indigenous Data Sovereignty and Indigenous Data Governance. This ensures that data and outcomes are relevant and meaningful to racialised communities, as well as responsive to changing community needs.
- Indicators used to track progress should be co-created by racialised communities and reflect their interests and aspirations. Indicators should measure change in experiences of racism in its structural, institutional, and interpersonal forms.

12.1 Importance of monitoring, evaluation and learning for accountability to communities

The effectiveness of anti-racism policies, programs, and initiatives depends on how well they remain accountable towards communities that experience racism. Accountability is a core part of a human rights-based approach to data. It means *data collection for accountability*, as well as *accountability in data collection*.⁸⁰¹

In First Peoples-specific consultations for the National Anti-Racism Framework, accountability for anti-racism emerged as a clear theme.⁸⁰² We have consistently heard that racialised communities are often consulted or engaged by governments and civil society organisations on their experiences of racism without then seeing their testimony translated into meaningful responses or actions.

Communities have told us about the importance of a strong monitoring (or measuring), evaluation, and learning mechanism to ensure anti-racism initiatives make a real, positive change in eliminating racism. In the context of eliminating racism, a strong MEL Framework encourages policymakers to:

- be clear and united on our aim to eliminate racism across Australia's systems and institutions
- decide, through co-design with First Peoples and other racialised communities, the data we will use to track progress and outcomes on racism
- gather insights on initiatives that are making a real difference and those that

are not, to help adjust or adapt the work as it progresses

- set and answer broad evaluative questions such as whether an initiative is valuable and responsive to community needs
- report to racialised communities and broader society on what we have learned and the impacts we have made.⁸⁰³

12.2 Defining monitoring, evaluation, and learning

At its simplest, monitoring, evaluation, and learning involves understanding the progress and results of any change initiative, with the intention of achieving stronger outcomes. ‘Outcomes’ are the positive changes that create improvements for people, place, and planet and the extent to which these changes endure over time.⁸⁰⁴

We often see evaluation only happen at the conclusion of an initiative (if at all). Strong monitoring, evaluation, and learning instead happens at the beginning of an anti-racism action and continues through to its conclusion.

Kowa Collaboration’s Understanding, Monitoring, Evaluation, and Learning Framework defines the key concepts as:

- **Understanding:** this involves spending time building genuine understanding of community needs and priorities and building strong relationships with affected communities before the beginning of an initiative or before data evaluation. It includes gathering initial insights, building a shared vision of what the project should achieve, and planning its processes together.
- **Monitoring** means the systematic process for collecting and reviewing data or other information across the lifespan of anti-racism actions, and tracking change in experiences of racism within systems, structures, and institutions. This stage is alternatively called ‘measurement’, which involves an attentive tracking of

what is seen, heard, felt, and collectively experienced by affected individuals.

- **Evaluation** means making a judgment or conclusion about that data, e.g. assessing a specific anti-racism program and making assessments about its strengths or shortcomings, impact, and areas for improvement. It involves identifying patterns and testing whether actions are contributing to intended outcomes.
- **Learning** means using information gained from monitoring and evaluation to inform an anti-racism initiative both now and in the future. It is fundamental to evaluation and should be sought as soon as possible following the outset of an initiative and throughout its lifecycle. It means initiatives should be flexible and continuously adapting to changing community needs. Insights must be returned to communities and decisions adapted to maintain trust and accountability.⁸⁰⁵

12.3 Key components of a monitoring, evaluation, and learning framework

Monitoring, evaluation, and learning under the National Anti-Racism Framework should represent a shared understanding of how we will know if we are making a meaningful difference in people’s experiences of racism.

A strong approach involves:

- establishing a common language and agreed sources and methods for reporting on community-based indicators (further discussed in **Section 12.4**)
- agreeing who decides how to frame a problem and determine what questions are asked
- building the capacity of researchers, administrators, and community members to work together on agenda-setting.

It also involves creating a systems-oriented 'Theory of Change' for the National Anti-Racism Framework that considers how the interactions and flows between different parts of our systems (e.g. programs, agencies, actors, and networks) lead to eliminating racism.⁸⁰⁶ A strong MEL Framework can also take a narrative form, embedding storytelling through lived experience. It asks individuals what change they have experienced because of an anti-racism initiative, or what was the most important outcome for them.

Broadly, it also embeds truth-telling and self-determination, accountability, prioritising lived experiences and storytelling, remains responsive to changing community needs, and consistently prioritises relationship-building and other participatory processes.

Truth-telling and sovereignty are embedded, and First Peoples' knowledges are prioritised

Truth-telling must begin at the outset of all anti-racism actions; it must be embedded throughout the monitoring, evaluation, and learning process. In initiatives concerning the lives of Aboriginal and Torres Strait Islander people, evaluation should be led by First Peoples and embed their sovereignty over the governance, collection, ownership, and use of data (see **Section 7**).

As Kowa Collaboration says, self-determination supports the rights of Aboriginal and Torres Strait Islander communities to define and control their own evaluation processes, ensure that they own and manage their data, and are engaged in all stages of the evaluation (from planning to dissemination of findings).⁸⁰⁷ Cultural authority must be recognised and upheld within decision-making and evaluation processes.⁸⁰⁸

Relationship-building and participatory processes are prioritised

Although First Peoples and other racialised communities are often the target or object of an initiative, they tend to be excluded from being actively involved in monitoring, evaluation, and learning processes as partners, or from having other genuine involvement in project design. A MEL Framework should be inclusive and equitable and include those most marginalised or underrepresented within communities.⁸⁰⁹ Racialised communities should be engaged throughout the process of designing a MEL Framework, including creating a shared theory of change that shows how we intend to bring about desired outcomes.⁸¹⁰

The MEL Framework must centre community voices through a range of participatory methods, such as culturally safe focus groups, yarning circles that capture lived experiences, and ongoing community dialogues to share collective understandings and devise solutions.⁸¹¹ Criteria for success of anti-racism initiatives should be co-designed with racialised communities and include measurement indicators that are localised and reflect what matters most to communities. Rather than solely relying on external experts without trusted ties to the community, impacted communities themselves should drive the process.

First Peoples should be engaged to decide how we measure whether initiatives under the National Anti-Racism Framework are embedding self-determination and addressing historical and ongoing racial injustices. For all communities that experience racism, embedding co-design and other participatory processes involves deciding how they will understand whether anti-racism initiatives are making a material difference in their lives.

A strong MEL Framework also promotes local-led knowledges. Where relevant, it should be designed and led by local community members implementing and affected by the initiative.⁸¹² This includes prioritising the knowledge and guidance of

Aboriginal and Torres Strait Islander Elders.⁸¹³ Stories and community knowledge should be treated as legitimate sources of insight, and all analysis of data should be reviewed and affirmed by affected communities before it is shared.⁸¹⁴

Communities should also be compensated for their time, expertise, and data contributions in all evaluation processes.⁸¹⁵

Accountability to racialised communities is embedded

A strong MEL Framework means accountability to communities affected by the initiative. All aspects of the monitoring and evaluation process should report to and be answerable to recognised community structures, particularly those for Aboriginal and Torres Strait Islander communities.⁸¹⁶ In practice, this means creating structured opportunities for communities to share their reflections and priorities, set evaluation questions, and interpret findings.⁸¹⁷

Evidence, reports, and stories should also be shared with bodies that fund initiatives, including positive and negative results to ensure transparency.⁸¹⁸

Outcomes for initiatives are relevant and meaningful to racialised communities

A strong MEL Framework should focus on the outcomes of an initiative, and not only its activities and outputs. In practice, this means measuring and examining the material changes that occur because of an anti-racism initiative.⁸¹⁹ Outcomes do not include the number of programs delivered or how many people participated in an initiative (although these can and should be measured as part of relevant indicators). Outcomes are what happen because of these efforts, e.g. changes within organisations (in terms of policies, practices, culture, capability) and changes in the community (in terms of access to safe employment, access to justice, and culturally safe healthcare).⁸²⁰ Outcomes should take an intergenerational lens and assess long-term impacts on communities.⁸²¹

Lived experiences of racism and storytelling are centred to give meaning to the data

It is important that affected communities are involved in the interpretation and analysis of data within MEL. Affected communities should not only shape what and how data is collected, but also its interpretation, analysis, and dissemination. A strong MEL Framework combines both quantitative and qualitative data. Importantly, stories (qualitative data) humanise data, represent the diversity of lived experiences, and build empathy and connection between communities, which can lead to long-lasting change.⁸²²

Taking a more narrative-oriented approach to data analysis can better capture nuances. For example, an indicator might measure the number of formal complaints of racism to places such as employers, anti-discrimination bodies, or the police over time. A higher number of complaints may suggest higher 'rates' of racism in the community and suggest that racism is getting worse, not better. However, another reading may also suggest that structural and personal barriers to racism are reducing (whether because of improved public awareness campaigns on rights in the workplace or improved responses to racism at large). Complaint statistics have been argued to show little about the exact nature and extent of racial discrimination Aboriginal and Torres Strait Islander people experience and more about issues of access to relevant legal mechanisms.⁸²³ A more narrative-based approach to this data, informed by lived experiences, could indicate that racialised individuals feel safer and more empowered to report their experiences, which is also a good outcome.

In data analysis, an anti-racist MEL Framework also involves connecting historical and sociopolitical contexts to inform analysis, conclusions, and recommendations. It involves:

- describing outcomes within the context of larger systems, policies, and social conditions that contribute to racial injustice (e.g. housing segregation, access to education, or intergenerational trauma)

- using appropriate comparison groups to contextualise findings rather than making default comparisons to outcomes for white communities
- disaggregating data and analysing it through an intersectional lens (e.g. understanding race by disability status or age).⁸²⁴

Responsive to changing community needs

A strong MEL Framework is responsive and sensitive to the context in which it will be implemented by reflecting the historical, political, geographic, and social realities of racialised communities in Australia.⁸²⁵ The MEL Framework must meaningfully invest in *learning with* communities that experience racism about what does and does not work under the National Anti-Racism Framework and adapt to community needs or interests as they change over time.⁸²⁶ In practice, this could mean revising any measures or indicators that are used to understand change in experiences of racism.

12.4 Assessing racism over time through appropriate indicators

Part of monitoring, evaluation, and learning involves reporting on how we are tracking toward short or long-term outcomes using indicators.

An indicator is a tool used to measure changes in experiences of racism over time, to assess how we are tracking on eliminating racism.⁸²⁷ Indicators can be quantitative (e.g. expressed in numbers, percentages or indices) or qualitative (information in a narrative or 'categorical' form).⁸²⁸ Both complement each other, i.e. qualitative information can support the interpretation of quantitative indicators, and quantitative indicators can enable qualitative evaluations by measuring the impact of certain actions.⁸²⁹

Indicators are a key tool in evaluating progress on racism, but we need to be careful about how we design and interpret indicators, or we risk reinforcing inequality.

Like data itself, indicators are not neutral or objective and reflect their social and political context. They reflect specific choices on what to measure, how to define success and which issues matter the most. Indicators can reflect existing power dynamics, reinforce deficit-based narratives, rely on questionable data, and sometimes do not necessarily lead to accountability.⁸³⁰ In this way, indicators actively shape our views and policy responses rather than passively reflecting our reality.

Importance of community-designed and culturally-specific indicators

Many mainstream indicators are not aligned to the strengths, knowledges, and aspirations of Aboriginal and Torres Strait Islander peoples in Australia. For example, indicators that draw on the Australian Early Development Census or the National Assessment Program – Literacy and Numeracy have been identified as not valuing Aboriginal and Torres Strait Islander languages, knowledges, and child-rearing practices.⁸³¹ Maggie Walter and Stephanie Russo Carroll note that indicators should 'measure what is important and meaningful for the Indigenous Peoples to whom those data relate.'⁸³²

Another key criticism of mainstream indicator frameworks is that they tend to reinforce deficit narratives and oversimplify complex situations.⁸³³ Researchers have observed that statistics about First Peoples are commonly embedded in discussions on government policy that 'aim to "close the (socioeconomic) gap" between Aboriginal and non-Indigenous populations.'⁸³⁴ To 'close the gap', Aboriginal and Torres Strait Islander health needs to improve faster than non-Indigenous health. Although this gap is relevant, measuring progress and improvement within Aboriginal and Torres Strait Islander communities is 'arguably more important.'⁸³⁵ Experts have

called for a shift from deficit-based thinking and towards strength-based narratives.⁸³⁶

Typically, mainstream indicator frameworks also tend to overly rely on quantitative data. Statistics can oversimplify complicated issues and do not always capture the nuances of lived experiences. Some frameworks use poor proxies for the indicator they are attempting to measure, due to a lack of reliable or comprehensive data.⁸³⁷

Indicator frameworks need to be tied to strong accountability mechanisms to achieve meaningful results for communities. Often, the expectation is that demonstrating inequality through an indicator framework will immediately result in considerable changes to law and policy making. Indicator frameworks need to be tied to strong accountability processes to ensure it is not 'business as usual' if results are unsatisfactory.⁸³⁸

These criticisms demonstrate the care that must be taken when indicators are developed. Culturally-specific indicators should be co-designed with all racialised communities. The Commission's *Free and Equal* project on a national system for human rights protections previously recommended the Australian Government introduce a National Human Rights Indicator Index that can measure progress on human rights over time.⁸³⁹ These measures should be aligned to Indigenous Data Governance and Indigenous Data Sovereignty (**Section 7**). First Peoples have told us that this will require the development of new and improved monitoring tools that are strengths-based and better aligned with First Peoples' knowledges and aspirations.

Measuring racism

Indicators should measure racism in its structural, institutional, and interpersonal forms, as well as other manifestations such as internalised racism.

Assessing human rights will always have a strong qualitative character, which can also be enhanced by using a few selected quantitative indicators.⁸⁴⁰ Structural racism is generally seen to be difficult to directly

capture in datasets. However, it can be measured through proxy measurements, indirect measures, and/or qualitative analysis. It can also be identified when people evaluate raw data with a systemic or structural lens (See **Section 9.5**).

Indicators should be co-designed with racialised communities through a human rights-based approach that prioritises participation. The below sections merely include suggestions on indicators.

As well as the data already covered in this Report, data for MEL purposes can be drawn from sources such as:

- domestic laws, including those specifically on human rights and others that reflect international human rights obligations
- analysis drawn from outcomes of cases related to racism in the legal system, including both the civil and criminal justice systems
- concerns raised by domestic and international human rights monitoring bodies
- findings from investigations, inquiries, and reviews into matters relating to racism.
- issues raised by regulators and ombudsmen
- concerns or issues raised by non-government organisations and other civil society bodies such as media investigations
- statistics drawing from different administrative and social survey sources.

Measuring implementation of the human rights standards affirmed in the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP) requires objective and subjective data.⁸⁴¹ 'Objective' data includes the existence of laws, policies, and programs, and concrete actions, covered by the UNDRIP, such as the existence of constitutional recognition of First Peoples, the total of lands demarcated in favour of First Peoples, and the number of students with access to bilingual education programs.⁸⁴² 'Subjective' data, generally measured through surveys, examines the

extent to which First Peoples perceive their rights are implemented, e.g. whether their views have been reflected in a development plan and the perceived security of tenure of the lands and resources under traditional ownership.⁸⁴³

Structural indicators

Structural indicators measure Australia's commitment to meeting its human rights obligations. This includes Australia's ratification of international human rights treaties such as the *International Convention for the Elimination of Racial Discrimination* and the UNDRIP, and the existence of domestic legislation protecting the rights of racialised communities.⁸⁴⁴

These indicators may include:

- the existence of a national policy statement, framework, and/or overall strategy, formally adopted by governments, to address racism that includes key benchmarks for holding the government and other responsible actors accountable for actions that increase racism, or for failing to act on racism⁸⁴⁵
- the date of entry into force and coverage of domestic laws related to non-discrimination, e.g. the *Racial Discrimination Act* and other state and territory legislation covering protections related to treatment based on race (e.g. protections against hate crimes)
- constitutional recognition of First Peoples⁸⁴⁶
- time frames and coverage for formal policies, programs and initiatives related to access to education; food, health, and social security; access to work; elimination of forced labour or modern slavery; policies to implement special and temporary measures to ensure equality; quotas or other special measures for racialised groups in legislative, executive, judicial, and other appointed bodies.

Process indicators

Process indicators measure Australia's efforts, through its implementation of policy measures and initiatives, to transform its international human rights commitments on eliminating racism into meaningful results. Unlike structural indicators (although they are linked), process indicators continuously assess the actions taken by Australia to implement its commitments on the ground.⁸⁴⁷

Specifically, these may include:

- funding allocated to a national strategy to address racism
- the coverage of targeted population groups under public programs⁸⁴⁸
- human rights complaints received and the proportion redressed⁸⁴⁹
- indicators reflecting the functioning of specific institutions (e.g. the justice system and national human rights institutions such as the Commission)⁸⁵⁰
- assessments of formal and substantive equality before the law.

On understanding the effectiveness of laws such as the *Racial Discrimination Act* in ensuring access to justice, specific indicators could include:

- the number and proportion of received complaints on cases of indirect and direct racial discrimination reported to, investigated, and/or conciliated by the Commission and other state and territory anti-discrimination bodies
- the proportion of received complaints of racial discrimination against the government that the government has effectively responded to
- the number of complaints of racism made using other mechanisms, e.g. legal claims made using the general protection provisions of the *Fair Work Act 2009* (Cth)
- the effectiveness of discrimination complaints procedures in terms of their cultural safety, accessibility, transparency, and accountability (in terms of providing justice or desired outcomes).

Existing complaint statistics have confirmed that Aboriginal and Torres Strait Islander peoples rarely engage with formal legal remedies in responding to racial discrimination.⁸⁵¹ Research has also found that while Aboriginal women use the *Racial Discrimination Act*, they generally make less use of the *Sex Discrimination Act* (Cth).⁸⁵² Determining the consequences of this for Aboriginal women who make complaints under race discrimination rather than sex discrimination, when a complaint could have been made under either, is difficult without better data.⁸⁵³

Outcome indicators

Outcome indicators capture the results of Australia's efforts over time to eliminate racism. These indicators aim to capture the degree to which racialised communities have benefitted from a particular action.

This can include data on:

- pay gaps as they affect racialised employees
- nature and levels of reported racism and racial discrimination in settings such as workplaces, education, public life, etc⁸⁵⁴
- racial profiling by law enforcement and security agencies
- representation of specific communities in the media
- culturally safe healthcare that accounts for the varying health needs and cultural requirements of First Peoples and other racialised communities
- reduced barriers experienced in securing employment, e.g. recognition of overseas skills and qualifications, name discrimination in 'foreign'-sounding names, and low workforce representation in terms of racial diversity, particularly in leadership.

Recommendation 16

The Australian Government should fund the Australian Human Rights Commission to co-design, with communities that experience racism, a Monitoring, Evaluation, and Learning Framework ('**MEL Framework**') that operates for the lifespan of the National Anti-Racism Framework.

The MEL Framework should complement accountability mechanisms under the National Agreement on Closing the Gap. An independent organisation should then be procured, with guidance from the Race Discrimination Commissioner and the Aboriginal and Torres Strait Islander Social Justice Commissioner, to undertake the monitoring, evaluation, and learning based on insights and experiences from Aboriginal and Torres Strait Islander and other racialised communities.

Appendix A: Glossary

Term	Definition
Aboriginal and Torres Strait Islander	Aboriginal and Torres Strait Islander people are the First Peoples and Traditional Custodians of the lands now collectively known as Australia.
Administrative data	Data collected and maintained by government and non-government organisations during the delivery of programs or services to the public. It includes data collected when people interact with a service, such as their race or ethnicity, age, disability, or gender.
Anti-racism	The proactive process of identifying, challenging, and changing the systems and structures, values, and behaviours that uphold racism.
Anti-racism data	A term introduced by the Commission describing ideal practices around the collection, use, and management of racism data that embed Indigenous self-determination, governance and sovereignty and broader human rights principles. This approach to data centres the elimination of racism as the purpose and end goal for data collection, transforming how data is conceived, collected, managed, owned, and used.
Complaint	A formal allegation of an incident of racism to an organisation or external body (e.g. the Australian Human Rights Commission) that seeks follow-up action. In some situations, reports can lead to complaints, but complaints are different from reports. ⁸⁵⁵
Culturally and linguistically diverse (CALD)	CALD is commonly used to describe people who do not speak English as their first language, and people who were born outside of Australia in non-English-speaking countries. It is a term generally preferred by governments.
Data	A broad term referring to patterns of information that can be used for reference and analysis, collected through various processes.
Deficit approach	A deficit approach focuses on what racialised communities lack, framing their identities through absence or failure. Doing so places responsibility for the problems onto individuals and communities and ignores the broader systems in which they are embedded.
Ethnicity and ethnic identity	Like race, ethnicity is a social construct and therefore often has inconsistent meanings. Some characteristics of ethnicity include sharing cultural traditions, history, geographic origin, language, and specific customs, traditions, or beliefs.

Human rights-based approach	Human rights-based approaches involve turning human rights from purely legal instruments into effective policies, practices, and practical realities. Human rights principles and standards provide guidance about what should be done to achieve freedom and dignity for all. A human rights-based approach emphasises how human rights are achieved. A human rights-based approach to data promotes principles of participation, data disaggregation, self-identification, transparency, privacy, and accountability.
Incident	In the context of racism, an incident is when intimidation, offence or harm has been done to another person based on their race or racialised identity.
Incident data	Incident data means information about racism as experienced or witnessed by a person in settings such as public transport, workplaces, and schools. It can be collected with specific reference to a form or type of racism (e.g., antisemitism or Islamophobia) or collected under broader categories such as ‘online hate’ or a general ‘racial discrimination’ category (e.g. being unfairly treated due to race or ethnicity). It includes data on both ‘complaints’ and ‘reports’.
Indigeneity	Indigenous peoples globally have continually asserted the right to define themselves and, therefore, Indigeneity does not have a fixed meaning. Rather, it is a continuous and context-specific process – sustained by enduring, ancestral connections to land, culture, and community – that moves between local processes and broader political, legal, and social contexts. ⁸⁵⁶
Indigenous Data	The Maiam nayri Wingara Collective defines Indigenous Data as the ‘information or knowledge, in any format or medium, which is about and may affect Indigenous peoples both collectively and individually.’ ⁸⁵⁷
Indigenous Data Governance	The Maiam nayri Wingara Collective defines Indigenous Data Governance as the ‘right of Indigenous peoples to autonomously decide what, how and why Indigenous Data are collected, accessed and used. It ensures that data on or about Indigenous peoples reflects our priorities, values, cultures, worldviews, and diversity.’ ⁸⁵⁸
Indigenous Data Sovereignty	The Maiam nayri Wingara Collective defines Indigenous Data Sovereignty as the ‘right of Indigenous people to exercise ownership over Indigenous Data.’ Ownership of data can be expressed through the creation, collection, access, analysis, interpretation, management, dissemination, and reuse of Indigenous Data.’ ⁸⁵⁹
Inequality	Inequality is the unjust and unfair difference in access, opportunities, resources and outcomes faced by different groups because of systemic disparities. We use the term to mean ‘substantive inequality,’ which has a similar meaning to ‘inequity.’

Institutional racism	Institutional racism exists when racism is established as a normal behaviour within an organisation, institution, or society. It includes the policies and practices that inform the operations of organisations and institutions. ⁸⁶⁰
Interpersonal racism	Interpersonal racism occurs between individuals through their behaviours and interactions towards one another. It comes in many forms, including abuse, harassment, bullying, humiliation, violence, exclusion, or intimidating behaviour. It is a symptom of structural racism.
Intersectionality	Intersectionality is a framework that recognises that people experience the world through more than one part of their identity, such as race, sexual orientation, class, gender identity, age and disability. Intersectionality acknowledges that these identities all overlap and shape people's everyday lives, leading to different kinds of discrimination and privilege. Intersectionality as a concept was developed by Black, Latina and other racialised feminists to explore the way that multiple forms of structural oppression impacted Black women. The term was coined by Kimberlé Crenshaw as a resistance to mainstream feminism, which excluded the experiences of racialised women.
Longitudinal data	Longitudinal data refers to data collected repeatedly over an extended time frame as events happen or as participants experience them. This type of data is necessary for making conclusions about long-term outcomes, as it contains a breadth and depth of perspective that is required to understand entrenched problems, such as racial discrimination. ⁸⁶¹
Nationality	Nationality is the legal status of a person as belonging to a state or nation.
Racialised or negatively racialised	A term used to refer to groups of people who have experienced the harms of racialisation. When we use the term 'racialised', we mean communities that are racially marginalised, or 'negatively racialised'.⁸⁶² Groups that are 'negatively racialised' have been racialised in a way that makes them the target of structural discrimination. The purpose of this is to maintain a racial hierarchy where white communities take priority.
Population data	Population data refers to the information collected about different characteristics of the population, defined by the Australian Bureau of Statistics as 'any complete group with at least one characteristic in common', ⁸⁶³ such as ethnicity, age, geographic location, and occupation.
Qualitative data	Qualitative data broadly refers to information produced through social processes. Qualitative data is best suited to exploring subjective qualities such as values, processes, experiences, language, and meaning. ⁸⁶⁴

Quantitative data	Quantitative data broadly refers to information regarding numbers, intensity and frequency. It is produced through systematic processes to make generalisable claims and measure causal relationships between variables. ⁸⁶⁵
Racism	Racism is the imposition of political, social, and economic power justified by racial categorisations. It includes the laws, policies, ideologies, and broader systems that prevent people from experiencing justice, dignity, and equity because of their race. ⁸⁶⁶
Report	Reports are concerns or allegations made informally about a racist incident. Reports can be made by a witness or bystander and may not require follow-up action unless it is required by law. ⁸⁶⁷
Strengths-based approach	Strengths-based approaches encompass a number of practices and themes that provide an alternative to the focus on deficit that has historically framed racialised individuals and communities through their absence, lack or failure. ⁸⁶⁸ This approach focuses on the skills and knowledge in communities, building on their lived experience to inform change.
Structural racism	This describes the inequalities and barriers that prevent people from accessing equitable opportunities within a society. It refers to the kinds of racism that operate deep within the structures or 'scaffolding' of society, for example, laws, policies, institutional practices, and entrenched norms. ⁸⁶⁹
Systemic racism	Systemic racism is the way that cultural norms, laws, ideologies, policies, and practices of a particular society, organisation, or institution result in inequitable treatment, opportunities, and outcomes. Systemic racism relates to entire systems, e.g. legal, health, and criminal justice, including the structures that uphold racism. Institutional and structural racism are both forms of systemic racism. ⁸⁷⁰
Target	A person or group of people who are subjected to racism. This term is preferred over other terms, such as victim, as it is a neutral term that is not disempowering to individuals who are targets of racism.
Third-party reporting mechanism	Alternative reporting avenues to those operated by a government or statutory agency. Third-party reporting mechanisms are often led by community organisations. Some focus on receiving reports of racism from or about specific communities or on types of incidents (e.g. hate crimes only), while others take a broader focus.

Appendix B: Methodology

Research for this Report drew from consultations and other research for the National Anti-Racism Framework, relevant academic and non-academic research, and consultations with data experts, third-party reporting mechanisms, government agencies, and selected community organisations from September 2023 to June 2025.

Consultations

As part of research for this Report, the Commission conducted consultations with current third-party reporting mechanisms, including the Call It Out! First Nations Reporting Register – Jumbunna Institute for Indigenous Education and Research and the National Justice Project, Islamophobia Register Australia, the Online Hate Prevention Institute and the Racism Register.

Organisations that were consulted with on racism data within other Commission engagements include the Executive Council of Australian Jewry and Jewish Council Australia.

The Commission also consulted the following government agencies: Australian Bureau of Statistics (Overseas Migration and Migration Statistics team), the Workplace Gender Equality Agency, and the Office of the National Data Commissioner.

Other consulted organisations included the Centre for Indigenous People and Work, Federation of Ethnic Communities' Council of Australia, Multicultural Youth Advocacy Network Australia, Queensland Human Rights Commission, Reconciliation SA, and Victorian Equal Opportunity & Human Rights Commission.

The Commission also sought advice from key data experts in Australia and from the Commission's Specialist Advisor on Sexual Orientation, Gender Identity & Intersex status, the Sex Discrimination Commissioner's Speaking from Experience project, and its Investigation and Conciliation Service (complaints function).

Desktop research

The academic and non-academic research included:

- peer-reviewed domestic and international academic literature on the collection of data about race and racism in Australia since 1788, including Indigeneity and ethnicity, sought from online journal databases
- relevant reports or materials produced by Australian national, state, and territory government agencies and other civil society organisations, including annual reports and resources from third-party reporting mechanisms in Australia
- findings from the National Anti-Racism Framework
- completed Commission projects, including *Wiyi Yani U Thangani (Women's Voices): Securing Our Rights, Securing Our Future* (2020), *Sharing the stories of Australian Muslims* (2021), *Free & Equal: Revitalising Australia's Commitment to Human rights* (2023), and *Speaking from Experience* (2025)
- other work by the Race Discrimination Commissioner, including the *Racism@Uni* study into the prevalence, nature, and impact of racism at Australian universities.

Recognising that Indigenous researchers, practitioners, and communities in Australia and globally have always been leading and continue to lead the advocacy for and implementation of Indigenous Data Sovereignty and Governance, and noting the Commission's position as a non-Indigenous institution, the sections on Indigenous Data Sovereignty and Governance draw from the expertise of Indigenous researchers and collectives, in particular:

- The work of the [MaiaM nayri Wingara Indigenous Data Sovereignty Collective](#)
- The work of the [Global Indigenous Data Alliance](#), including its guidance on operationalising the CARE Principles

- The seminal book *Indigenous Data Sovereignty: Toward an Agenda* (2016) edited by Tahu Kukutai and John Taylor with contributions from various Indigenous, as well as non-Indigenous, data experts around the world.

That section is not intended to dictate the direction and/or design of any work concerning Indigenous Data, nor be interpreted by other non-Indigenous entities as an attempt or invitation to exert control around Indigenous Data Sovereignty and Governance narratives. The Commission acknowledges that any work by any non-Indigenous institutions, as well as any work on anti-racism under the National Anti-Racism Framework, should be co-designed with, if not led by, Aboriginal and Torres Strait Islander people. The Commission strongly encourages any entity that works with Indigenous Data to consult the original documents and other guidance published by the above and other key Indigenous experts who are spearheading the field.

Mapping existing racism incident data in Australia

The Commission also conducted a desktop research exercise on existing incident data initiatives related to race and racism in Australia.

The data in **Appendix C** was drawn from sources such as the population census, administrative datasets, household and individual surveys, victimisation surveys, attitudinal surveys, complaints data, a few other ad-hoc initiatives. Data sources were largely limited to ongoing, routine methods in recent years, with limited exceptions. Ad-hoc initiatives that were included were chosen because their scope highlighted a clear gap in routine data initiatives. National inquiries, including parliamentary inquiries and Royal Commissions, were excluded (as ad-hoc initiatives). Most individual academic studies on racism (apart from a few key studies) were also excluded, but in doing so, the Commission does not discount their importance. Specific datasets relating to

areas such as health, disability, infant and mortality data, and child protection were also largely excluded, although these are each important to understanding structural inequalities between groups. The Commission apologises for any omissions in datasets that are not captured. This Appendix is current as at April 2026.

Further consultation

The Commission also recognises that the research completed for this Report may not necessarily capture the lived experiences of all racialised communities in Australia. Aboriginal and Torres Strait Islander and other racialised people do not have homogeneous experiences, and a 'one-size-fits-all' approach is often ineffective and can cause harm to communities. We therefore call for deeper consultation, through a human rights-based approach, on the issues raised in this Report to navigate any competing or conflicting community needs.

Appendix C: Current racism data in Australia

We compiled relevant data on race and racism in Australia to examine the strengths and limitations of existing data in **Section 9**. The methodology in **Appendix B** provides an overview on this exercise’s scope.

This Appendix was developed based on guidance from the European Commission’s High Level Group on Non-discrimination, Equality and Diversity (Subgroup on Equality Data), amended for the Australian context.

The Commission apologises for any omissions in datasets that are not captured. This Appendix is current as at **April 2026**.

It can be accessed digitally via [Appendix C: Current racism data in Australia](#) or by scanning the QR code.



Key

Data source

- Dataset:** The name of the dataset.
- Description:** General overview of the data.
- Year established:** Year of first collection.
- Responsible body:** The institution, organisation, or agency primarily responsible for the data collection, including its management and dissemination of the data publicly.

Areas of Life: the areas of public/private life that the dataset captures.

Employment	This includes employment and unemployment rates, job-seeking status, and experiences of discrimination at work broadly.
Education	This includes level of education, literacy rates, educational performance, language proficiency, and related education matters.
Health	This comprises data about self-reported wellbeing, life expectancy, vaccination status, access to services, client/patient and staff experiences of discrimination within health settings, etc.
Housing	This includes data on access to housing, types of housing, living conditions, housing deprivation, experiences of discrimination within housing.
Other public or private domains	This includes data on racism in settings such as public transport, justice or law enforcement, and access to goods and services.
Hate	This comprises data collected on hate-motivated harassment, vilification, and violence, including hate crimes and hate speech.

Data characteristics

Data type or source	This means where the data is drawn from, e.g. the population census, administrative datasets, complaints data, victimisation surveys, service provision, or combinations of different datasets.
Method(s)	This concerns how the data is collected, e.g. online technologies (e.g. self-reporting on websites or through mobile apps), postal options, face-to-face interviews, police records, complaints data, qualitative methods (e.g. interviews, focus groups, case studies)
Frequency	How often the data is collected, e.g. monthly, quarterly, biannually, annually, every two years, every five years, etc.
Date of last update	The date the data was most recently collected.

Target population

Target population	The objects of study, e.g. a specific community, people in a specific age group, groups with a specific legal status, etc.
Geography	Scope of the data in terms of geography, e.g. city, state/territory, or national-level data.
Sample size	(If relevant) the number of respondents completed or available in the data.

Grounds of discrimination: The relevant grounds of discrimination that the dataset covers. An 'x' indicates that the data covers the characteristics.

Race/ethnicity	This includes direct questions on race/ethnicity of respondents, as well as 'proxy' questions on race/ethnicity such as culture, country of birth, language(s) spoken, and ancestry. Race/ethnicity should be understood as including the other relevant grounds of discrimination in the <i>Racial Discrimination Act 1975</i> , such as colour, descent, and national origin. We have chosen this general approach as questions on these grounds are not uniform across data sources in Australia. Legal status and religion have been identified separately given their salience in many data sources, and to draw attention to a unique form of discrimination.
Legal status (e.g. visa holders)	This includes data on the formal recognition of a person by a state, e.g. citizenship, permanent residency, temporary visa, person seeking asylum, stateless, etc.
Religion	This includes data on self-reported religion or other beliefs, including non-religious status.
Intersectionality / other grounds of discrimination	Data on other protected characteristics, such as age, disability status, gender, caste, etc.

Experiences of racism

Does the data explicitly capture racism?	Datasets that explicitly ask respondents abouts experiences of racism, racial discrimination, and related issues (e.g. vilification).
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Endnotes

- 1 This has been sourced from resources on an Understanding, Measurement, Evaluation, and Learning Framework created by Kowa Collaboration.
- 2 This has been sourced from resources on an Understanding, Measurement, Evaluation, and Learning Framework created by Kowa Collaboration.
- 3 Australian Human Rights Commission and First Nations Co, *An Anti-Racism Framework: Voices of First Nations Peoples, First Nations Consultations* (Report, 2024) 40.
- 4 Australian Human Rights Commission, *An Anti-Racism Framework: Experiences and Perspectives of Multicultural Australia* (Report, 2024) 27.
- 5 Australian Human Rights Commission, *Mapping government anti-racism programs and policies* (Report, 2024) 41.
- 6 Australian Human Rights Commission, *Mapping government anti-racism programs and policies* (Report, 2024) 30.
- 7 Australian Human Rights Commission, *Mapping government anti-racism programs and policies* (Report, 2024) 30.
- 8 See also Jehonathan Ben et al, 'Racism data in Australia: A Review of Quantitative Studies and Directions for Future Research' (2024) 45(2) *Journal of Intercultural Studies* 228, 229.
- 9 Australian Bureau of Statistics, *Statistical terms and concepts: Population* (Webpage) <<https://www.abs.gov.au/statistics/understanding-statistics/statistical-terms-and-concepts/population>>.
- 10 Victorian Equal Opportunity and Human Rights Commission, *Guidelines: Race discrimination in the workplace – Your rights and responsibilities under the Equal Opportunity Act* (Report, 2024) 78.
- 11 Victorian Equal Opportunity and Human Rights Commission, *Guidelines: Race discrimination in the workplace – Your rights and responsibilities under the Equal Opportunity Act* (Report, 2024) 78.
- 12 See Australian Human Rights Commission, *Human Rights and Technology* (Report, 2021).
- 13 Maggie Walter, 'Data politics and Indigenous representation in Australian statistics' in Tahu Kukutai and John Taylor (eds), *Indigenous Data Sovereignty: Toward an agenda* (ANU Press, 2016) 86.
- 14 Ada Lovelace Institute, *Rethinking data: Changing narratives, practices and regulations* (Report, 2020) 4.
- 15 Ada Lovelace Institute, *Rethinking data: Changing narratives, practices and regulations* (Report, 2020) 4.
- 16 Maggie Walter and Chris Arel, *Indigenous Statistics: A Qualitative Research Methodology* (Routledge, 2013) 7.
- 17 Eduardo Bonilla-Silva and Tufuku Zuberi, 'Toward a Definition of White Logic and White Methods' in Tufuku Zuberi and Eduardo Bonilla-Silva (eds), *White Logic, White Methods* (Rowman and Littlefield Publishers, 2008) 7; Maggie Walter and Chris Arel, *Indigenous Statistics: A Qualitative Research Methodology* (Routledge, 2013) 34.
- 18 Rosalie Schultz, 'Closing the Gap and the Sustainable Development Goals: listening to Aboriginal and Torres Strait Islander people' 44(1) *Australian and New Zealand Journal of Public Health* 11, 11.
- 19 See, e.g., the work of Shoshana Zuboff, *The Age of Surveillance Capitalism* (Profile Books, 2019).

- 20 Maggie Walter and Chris Arel, *Indigenous Statistics: A Qualitative Research Methodology* (Routledge, 2013) 7.
- 21 Maggie Walter and Michele Suina, 'Indigenous data, indigenous methodologies and indigenous data sovereignty' (2019) 22(3) *International Journal of Social Research Methodology* 233, 236.
- 22 Maggie Walter and Michele Suina, 'Indigenous data, indigenous methodologies and indigenous data sovereignty' (2019) 22(3) *International Journal of Social Research Methodology* 233, 236; Maggie Walter, 'Data politics and Indigenous representation in Australian statistics' in Tahu Kukutai and John Taylor (eds), *Indigenous Data Sovereignty: Toward an agenda* (ANU Press, 2016) 86.
- 23 Skye Trudgett et al, 'A framework for operationalising Aboriginal and Torres Strait Islander data sovereignty in Australia: Results of a systematic literature review of published studies' (2022) 45 *eClinicalMedicine* 1, 2.
- 24 Skye Trudgett et al, 'A framework for operationalising Aboriginal and Torres Strait Islander data sovereignty in Australia: Results of a systematic literature review of published studies' (2022) 45 *eClinicalMedicine* 1, 2.
- 25 Skye Trudgett et al, 'A framework for operationalising Aboriginal and Torres Strait Islander data sovereignty in Australia: Results of a systematic literature review of published studies' (2022) 45 *eClinicalMedicine* 1, 2.
- 26 See Workplace Gender Equality Agency, *Employer Gender Pay Gaps Report* (Report, March 2026) and extensive surveys on sexual harassment in Australia, such as those led by Australia's National Research Organisation for Women's Safety (ANROWS) and the Australian Human Rights Commission.
- 27 Australian Human Rights Commission, *Equal identities: A human rights review of the experience of trans and gender diverse people in Australia* (Report, March 2026) 72-77.
- 28 Liz Allen, 'Promoting Representation Through Data: The Case for More Comprehensive Ethnicity Data in Australia' (2021) 37(2) *Law in Context* 54, 55.
- 29 Jehonathan Ben et al, 'Racism data in Australia: A Review of Quantitative Studies and Directions for Future Research' (2024) 45(2) *Journal of Intercultural Studies* 228, 229.
- 30 Jehonathan Ben et al, 'Racism data in Australia: A review of Quantitative Studies and Directions for Future Research' (2024) 45(2) *Journal of Intercultural Studies* 228, 231.
- 31 Jehonathan Ben et al, 'Racism data in Australia: A review of Quantitative Studies and Directions for Future Research' (2024) 45(2) *Journal of Intercultural Studies* 228, 231.
- 32 Australian Human Rights Commission, *Mapping government anti-racism programs and policies* (Report, 2024) 2.
- 33 Stuart Hall, *The Fateful Triangle: Race, Ethnicity and Nation* (Harvard University Press, 2017) 45.
- 34 Stuart Hall, *The Fateful Triangle: Race, Ethnicity and Nation* (Harvard University Press, 2017) 32.
- 35 Eduardo Bonilla-Silva, 'Rethinking Racism: Toward a Structural Interpretation' (1997) 62(3) *American Sociological Review* 465, 472.
- 36 Steve Garner *Racisms: an introduction* (SAGE Publications, 2017) 24.
- 37 Peter Radcliffe, 'Race', *Ethnicity and Difference: Imagining the Inclusive Society* (McGraw-Hill Education, 2004) 27.
- 38 Frederick Carl Walton and Stephen M. Caliendo, 'Origins of the concept of race' in Stephen M. Caliendo and Charlton D. McIlwain (eds), *The Routledge Companion to Race and Ethnicity* (Routledge, 2nd edition, 2020) 11.

- 39 Frederick Carl Walton and Stephen M. Caliendo, 'Origins of the concept of race' in Stephen M. Caliendo and Charlton D. McIlwain (eds), *The Routledge Companion to Race and Ethnicity* (Routledge, 2nd edition, 2020) 12.
- 40 Stuart Hall, *The Fateful Triangle: Race, Ethnicity and Nation* (Harvard University Press, 2017) 33.
- 41 Stuart Hall, *The Fateful Triangle: Race, Ethnicity and Nation* (Harvard University Press, 2017) 99-108; See also Floya Anthias and Nira Yuval-Davis, *Racialized Boundaries: Race, Nation, Gender, Colour and Class and the Anti-Racist Struggle* (Routledge, 1991); David Theo Goldberg, *Anatomy of Racism* (University of Minnesota Press, 1990).
- 42 Aileen Moreton-Robinson, 'Introduction' in *Sovereign Subjects: Indigenous Sovereignty Matters* (Routledge, 2007).
- 43 Stuart Hall, *The Fateful Triangle: Race, Ethnicity and Nation* (Harvard University Press, 2017) 99-100.
- 44 Miri Song, 'Why we still need to talk about race' (2018) 41(6) *Ethnic and Racial Studies* 1131, 1143.
- 45 Gillian Stevens, Hiromi Ishizawa and Douglas Grbic, 'Measuring race and ethnicity in the censuses of Australia, Canada, and the United States: Parallels and paradoxes' (2015) 42(12) 14.
- 46 Gillian Stevens, Hiromi Ishizawa and Douglas Grbic, 'Measuring race and ethnicity in the censuses of Australia, Canada, and the United States: Parallels and paradoxes' (2015) 42(12) 14.
- 47 Gillian Stevens, Hiromi Ishizawa and Douglas Grbic, 'Measuring race and ethnicity in the censuses of Australia, Canada, and the United States: Parallels and paradoxes' (2015) 42(12) 14.
- 48 David I. Kertzer and Dominique Arel, 'Censuses, identity formation and the struggle for political power' in David I. Kertzer and Dominique Arel (eds) *Census and Identity: The Politics of Race, Ethnicity and Language in National Censuses* (Cambridge University Press, 2001) 6.
- 49 David I. Kertzer and Dominique Arel, 'Censuses, identity formation and the struggle for political power' in David I. Kertzer and Dominique Arel (eds) *Census and Identity: The Politics of Race, Ethnicity and Language in National Censuses* (Cambridge University Press, 2001) 12; United States Holocaust Memorial Museum, *Holocaust survivors and victims database* (Web page) < https://www.ushmm.org/online/hsv/source_view.php?SourceId=31249>
- 50 Frederick Carl Walton and Stephen M. Caliendo, 'Origins of the concept of race' in Stephen M. Caliendo and Charlton D. McIlwain (eds), *The Routledge Companion to Race and Ethnicity* (Routledge, 2nd edition, 2020) 12.
- 51 Michael Omi, 'Racial Identity and the State: The Dilemmas of Classification' (1997) 15(1) *Law and Inequality: A Journal of Theory and Practice* 7, 14.
- 52 Michael Omi and Howard Winant, *Racial Formation in the United States* (Routledge, 2015) 106.
- 53 Michael Omi and Howard Winant, *Racial Formation in the United States* (Routledge, 2015) 110-111.
- 54 Alana Lentin, 'Let's talk about your culture: post-race, post-racism' in Alana Lentin and Gavan Titley, *The Crises of Multiculturalism: Racism in a Neoliberal Age* (Bloomsbury Publishing, 2011) 71.
- 55 See, e.g., Miri Song, 'Why we still need to talk about race' (2018) 41(6) *Ethnic and Racial Studies* 1131, 1143.
- 56 Peter Radcliffe, *'Race', Ethnicity and Difference: Imagining the Inclusive Society* (McGraw-Hill Education, 2004) 27.
- 57 Peter Radcliffe, *'Race', Ethnicity and Difference: Imagining the Inclusive Society* (McGraw-Hill Education, 2004) 27.
- 58 Vivian Ibrahim, 'Ethnicity' in Stephen M. Caliendo and Charlton D. McIlwain (eds), *The Routledge Companion to Race and Ethnicity* (Routledge, 2nd edition, 2020) 18.

- 59 Alana Lentin, 'Let's talk about your culture: post-race, post-racism' in Alana Lentin and Gavan Titley, *The Crises of Multiculturalism: Racism in a Neoliberal Age* (Bloomsbury Publishing, 2011) 76.
- 60 Alana Lentin, 'Let's talk about your culture: post-race, post-racism' in Alana Lentin and Gavan Titley, *The Crises of Multiculturalism: Racism in a Neoliberal Age* (Bloomsbury Publishing, 2011) 68.
- 61 Lana Tatour, 'Introduction' in Lana Tatour and Ronit Lentin (eds), *Race and the Question of Palestine* (Stanford University Press, 2025) 8.
- 62 Heather J. Smith, 'The doublespeak discourse of the race disparity audit: an example of the White racial frame in institutional operation' (2023) 44(1) *Discourse: Studies in the Cultural Politics of Education* 1, 8.
- 63 Heather J. Smith, 'The doublespeak discourse of the race disparity audit: an example of the White racial frame in institutional operation' (2023) 44(1) *Discourse: Studies in the Cultural Politics of Education* 1, 10.
- 64 Lana Tatour, 'Introduction' in Lana Tatour and Ronit Lentin (eds), *Race and the Question of Palestine* (Stanford University Press, 2025) 10.
- 65 Miri Song, 'Why we still need to talk about race' (2018) 41(6) *Ethnic and Racial Studies* 1131, 1135.
- 66 Catriona Stevens and Farida Fozdar, 'Ethnicity, race or nation? Census classifications as barriers to the measurement of mixedness in Australia' (2021) 5(1) *Australian Population Studies* 49, 49.
- 67 Michael Omi, 'Racial Identity and the State: The Dilemmas of Classification' (1997) 15(1) *Law and Inequality: A Journal of Theory and Practice* 7, 23.
- 68 Michael Omi and Howard Winant, *Racial Formation in the United States* (Routledge, 2015) 112.
- 69 Michael Omi and Howard Winant, *Racial Formation in the United States* (Routledge, 2015) 110.
- 70 David I. Kertzer and Dominique Arel, 'Censuses, identity formation and the struggle for political power' in David I. Kertzer and Dominique Arel (eds) *Census and Identity: The Politics of Race, Ethnicity and Language in National Censuses* (Cambridge University Press, 2001) 35.
- 71 Tufuku Zuberi and Eduardo Bonilla-Silva, *White logic, White methods* (Bowman & Littlefield Publishers, 2008) 7.
- 72 UTS Jumbunna Institute Indigenous Policy Hub, *Accountability Frameworks between States and Indigenous peoples – a literature review* (Report, December 2020) 21.
- 73 UTS Jumbunna Institute Indigenous Policy Hub, *Accountability Frameworks between States and Indigenous peoples – a literature review* (Report, December 2020) 21.
- 74 Aileen Moreton-Robinson, *The White Possessive: Property, power and Indigenous Sovereignty* (University of Minnesota Press, 2015) 11.
- 75 Aileen Moreton-Robinson, *The White Possessive: Property, power and Indigenous Sovereignty* (University of Minnesota Press, 2015) 12.
- 76 Aileen Moreton-Robinson, *The White Possessive: Property, power and Indigenous Sovereignty* (University of Minnesota Press, 2015) 11.
- 77 Maggie Walter and Chris Anderson, *Indigenous Statistics: A Qualitative Research Methodology* (Routledge, 2013) 18.
- 78 Australian Human Rights Commission, *Wiyi Yani U Thangani (Women's Voices): Securing Our Rights, Securing Our Future* (Report, 2020) 88.
- 79 Patrick Wolfe, 'Settler colonialism and the elimination of the native' (2006) 8(4) *Journal of Genocide Research* 387, 390.

- 80 Stuart Hall, *The Fateful Triangle: Race, Ethnicity and Nation* (Harvard University Press, 2017) 53; Michael Omi and Howard Winant, *Racial Formation in the United States* (Routledge, 2015) 113.
- 81 Michael Omi and Howard Winant, *Racial Formation in the United States* (Routledge, 2015) 115.
- 82 Stuart Hall, *The Fateful Triangle: Race, Ethnicity and Nation* (Harvard University Press, 2017) 99-145.
- 83 See, e.g., Audrey Smedley and Brian Smedley, *Race in North America: Origin and Evolution of a Worldview* (Routledge, 2012); Michael Omi and Howard Winant, *Racial Formation in the United States* (Routledge, 2014).
- 84 David I. Kertzer and Dominique Arel, 'Censuses, identity formation and the struggle for political power' in David I. Kertzer and Dominique Arel (eds) *Census and Identity: The Politics of Race, Ethnicity and Language in National Censuses* (Cambridge University Press, 2001) 3.
- 85 David I. Kertzer and Dominique Arel, 'Censuses, identity formation and the struggle for political power' in David I. Kertzer and Dominique Arel (eds) *Census and Identity: The Politics of Race, Ethnicity and Language in National Censuses* (Cambridge University Press, 2001) 3.
- 86 See Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (Verso, 2009) 163-187.
- 87 David I. Kertzer and Dominique Arel, 'Censuses, identity formation and the struggle for political power' in David I. Kertzer and Dominique Arel (eds) *Census and Identity: The Politics of Race, Ethnicity and Language in National Censuses* (Cambridge University Press, 2001) 10.
- 88 Ammanuel Elias, Fethi Mansouri and Yin Paradies, *Racism in Australia Today* (Palgrave Macmillan, 2021) 2.
- 89 Maggie Walter and Chris Arel, *Indigenous Statistics: A Qualitative Research Methodology* (Routledge, 2013) 38.
- 90 John McCorquodale, 'The Legal Classification of Race in Australia' (1986) 10(1/2) *Aboriginal History* 7, 9.
- 91 Tim Rowse, 'Notes on the history of the Aboriginal population of Australia' in A. Dirk Moses (ed) *Genocide and settler society: frontier violence and stolen Indigenous children in Australian history* (Berghahn Books, 2004) 313; Patrick Wolfe, 'Settler colonialism and the elimination of the native' (2006) 8(4) *Journal of Genocide Research* 387, 390.
- 92 Nicholas Biddle, Siew-Ean Khoo, and John Taylor, 'Indigenous Australia, White Australia, Multicultural Australia: The Demography of Race and Ethnicity in Australia' in Rogelio Saenz, David G Embrick, and Néstor Rodríguez (eds), *The International Handbook of the Demography of Race and Ethnicity* (Springer, 2015) 603; Aileen Moreton Robinson, *The White Possessive: Property, Power, and Indigenous Sovereignty* (University of Minnesota Press, 2015) 157.
- 93 Nicholas Biddle, Siew-Ean Khoo, and John Taylor, 'Indigenous Australia, White Australia, Multicultural Australia: The Demography of Race and Ethnicity in Australia' in Rogelio Saenz, David G Embrick, and Néstor Rodríguez (eds), *The International Handbook of the Demography of Race and Ethnicity* (Springer, 2015) 603.
- 94 Kalinda Griffiths et al, 'The identification of Aboriginal and Torres Strait Islander people in official statistics and other data: Critical issues of international significance' (2019) 35 *Statistical Journal of the IAOS* 91, 92, 96.
- 95 Kalinda Griffiths et al, 'The identification of Aboriginal and Torres Strait Islander people in official statistics and other data: Critical issues of international significance' (2019) 35 *Statistical Journal of the IAOS* 91, 92, 96.
- 96 Human Rights and Equal Opportunity Commission, *Bringing them home: Report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families*

- (Final Report, 1997) 34-37; Nicholas Biddle, Siew-Ean Khoo, and John Taylor, 'Indigenous Australia, White Australia, Multicultural Australia: The Demography of Race and Ethnicity in Australia' in Rogelio Saenz, David G Embrick, and Néstor Rodríguez (eds), *The International Handbook of the Demography of Race and Ethnicity* (Springer, 2015) 604.
- 97 Human Rights and Equal Opportunity Commission, *Bringing them home: Report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families* (Final Report, 1997) 34-37; Nicholas Biddle, Siew-Ean Khoo, and John Taylor, 'Indigenous Australia, White Australia, Multicultural Australia: The Demography of Race and Ethnicity in Australia' in Rogelio Saenz, David G Embrick, and Néstor Rodríguez (eds), *The International Handbook of the Demography of Race and Ethnicity* (Springer, 2015) 604.
 - 98 Aileen Moreton Robinson, *The White Possessive: Property, Power, and Indigenous Sovereignty* (University of Minnesota Press, 2015) 153.
 - 99 Human Rights and Equal Opportunity Commission, *Report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families* (Report, 1997) 23.
 - 100 John McCorquodale, 'The Legal Classification of Race in Australia' (1986) 10(1/2) *Aboriginal History* 7, 9.
 - 101 John McCorquodale, 'The Legal Classification of Race in Australia' (1986) 10(1/2) *Aboriginal History* 7, 15.
 - 102 Ammanuel Elias, Fethi Mansouri and Yin Paradies, *Racism in Australia Today* (Palgrave Macmillan, 2021) 64.
 - 103 Ammanuel Elias, Fethi Mansouri and Yin Paradies, *Racism in Australia Today* (Palgrave Macmillan, 2021) 64.
 - 104 Ammanuel Elias, Fethi Mansouri and Yin Paradies, *Racism in Australia Today* (Palgrave Macmillan, 2021) 60.
 - 105 Ammanuel Elias, Fethi Mansouri and Yin Paradies, *Racism in Australia Today* (Palgrave Macmillan, 2021) 63
 - 106 Alanna Kamp, 'Formative Geographies of Belonging in White Australia: Constructing the National Self and Other in Parliamentary Debate, 1901' (2010) 48(4) *Geographical Research* 411, 9.
 - 107 Alanna Kamp, 'Formative Geographies of Belonging in White Australia: Constructing the National Self and Other in Parliamentary Debate, 1901' (2010) 48(4) *Geographical Research* 411, 3.
 - 108 See Alanna Kamp, 'Formative Geographies of Belonging in White Australia: Constructing the National Self and Other in Parliamentary Debate, 1901' (2010) 48(4) *Geographical Research* 411.
 - 109 Tim Rowse, 'Notes on the history of the Aboriginal population of Australia' in A. Dirk Moses (ed) *Genocide and settler society: frontier violence and stolen Indigenous children in Australian history* (Berghahn Books, 2004) 315.
 - 110 Bhiemie Williamson et al, 'Indigenous Peoples and the Australian census: value, trust and participation' (2021) 5(2) *Australian Population Studies* 1, 1.
 - 111 Ammanuel Elias, Fethi Mansouri and Yin Paradies, *Racism in Australia Today* (Palgrave Macmillan, 2021) 67.
 - 112 Ammanuel Elias, Fethi Mansouri and Yin Paradies, *Racism in Australia Today* (Palgrave Macmillan, 2021) 67.
 - 113 Stevens et al, 'Measuring race and ethnicity in the censuses of Australia, Canada, and the United States: Parallels and paradoxes' (2015) 42(12) 17.

- 114 Minister of State for Home Affairs, *Census of the Commonwealth of Australia taken for the night between 2nd and 3rd April, 1911, Part VIII. Non-European Races* (Report, 1911); Minister of State for Home and Territories, *Census of the Commonwealth of Australia taken for the night between 3rd and 4th of April, 1921, Part V – Race* (Report, 1921); Commonwealth Statistician, *Census of the Commonwealth of Australia 30th June, 1933, Part XII – Race* (Report, 1933); Commonwealth Statistician, *Census of the Commonwealth of Australia, 30th June, 1947, Part XV. Race* (Report, 1947); Commonwealth Bureau of Census and Statistics, *Census of the Commonwealth of Australia, 30th June, 1954, Volume VIII – Australia, Statistician's Report* (Report, 1954); Commonwealth Bureau of Census and Statistics, *Census of the Commonwealth of Australia, 30th June, 1961* (Report, 1961); Commonwealth Bureau of Census and Statistics, *Census of Population and Housing, 30 June 1966, Volume 1 Population: Single characteristics, Part II. Race* (Report, 1966).
- 115 Robert V. Horn, 'Ethnic origin in the Australian census' (1987) 4(1) *Journal of the Australian Population Association* 1, 2.
- 116 Kalinda Griffiths et al, 'The identification of Aboriginal and Torres Strait Islander people in official statistics and other data: Critical issues of international significance' (2019) 35 *Statistical Journal of the IAOS* 91, 92, 97.
- 117 Tim Rowse, 'Notes on the history of the Aboriginal population of Australia' in A. Dirk Moses (ed) *Genocide and settler society: frontier violence and stolen Indigenous children in Australian history* (Berghahn Books, 2004) 315.
- 118 Tim Rowse, 'Notes on the history of the Aboriginal population of Australia' in A. Dirk Moses (ed) *Genocide and settler society: frontier violence and stolen Indigenous children in Australian history* (Berghahn Books, 2004) 316.
- 119 Commonwealth Statistician, *Census of the Commonwealth of Australia, 30th June, 1947, Part XV. Race* (Report, 1947).
- 120 Commonwealth Bureau of Census and Statistics, *Census of the Commonwealth of Australia, 30th June, 1954, Volume VIII – Australia, Statistician's Report* (Report, 1954) 345.
- 121 Ammanuel Elias, Fethi Mansouri and Yin Paradies, *Racism in Australia Today* (Palgrave Macmillan, 2021) 69.
- 122 Ammanuel Elias, Fethi Mansouri and Yin Paradies, *Racism in Australia Today* (Palgrave Macmillan, 2021) 70.
- 123 Ammanuel Elias, Fethi Mansouri and Yin Paradies, *Racism in Australia Today* (Palgrave Macmillan, 2021) 70.
- 124 Ammanuel Elias, Fethi Mansouri and Yin Paradies, *Racism in Australia Today* (Palgrave Macmillan, 2021) 70.
- 125 Amanuel Elias, Fethi Mansouri and Yin Paradies, *Racism in Australia Today* (Palgrave Macmillan, 2021) 71.
- 126 Amanuel Elias, Fethi Mansouri and Yin Paradies, *Racism in Australia Today* (Palgrave Macmillan, 2021) 71.
- 127 Gavin Jones, 'White Australia, national identity and population change' in Laksiri Jayasuriya, David Walker and Jan Gothard (eds), *Legacies of White Australia: Race, culture and nation* (University of Western Australia Press, 2003) 112.
- 128 Suvendrini Perera and Joseph Pugliese, 'Wogface, Anglo-Drag, Contested Aboriginalities...Making and Unmaking Identities in Australia' (1998) 4(1) *Journal for the Study of Race, Nation and Culture* 39, 49.

- 129 Mark Lopez, *The Origins of Australian Multiculturalism* (Melbourne University Press, 2000) 43; Ghassan Hage, *White nation: Fantasies of white supremacy in a multicultural society* (Pluto Press, 1998) 82.
- 130 Amanuel Elias, Fethi Mansouri and Yin Paradies, *Racism in Australia Today* (Palgrave Macmillan, 2021) 72.
- 131 Suvendrini Perera and Joseph Pugliese, 'Wogface, Anglo-Drag, Contested Aboriginalities...Making and Unmaking Identities in Australia' (1998) 4(1) *Journal for the Study of Race, Nation and Culture* 39, 49.
- 132 Suvendrini Perera and Joseph Pugliese, 'Wogface, Anglo-Drag, Contested Aboriginalities...Making and Unmaking Identities in Australia' (1998) 4(1) *Journal for the Study of Race, Nation and Culture* 39, 49.
- 133 Ammanuel Elias, Fethi Mansouri and Yin Paradies, *Racism in Australia Today* (Palgrave Macmillan, 2021) 67; James Jupp, *From White Australia to Woomera: The Story of Australian Immigration* (Cambridge University Press, 2002) 15.
- 134 National Museum Australia, *Islander labourers* (Web page, 27 September 2022) <<https://www.nma.gov.au/defining-moments/resources/islander-labourers>>.
- 135 Stevens et al, 'Measuring race and ethnicity in the censuses of Australia, Canada, and the United States: Parallels and paradoxes' (2015) 42(12) 19.
- 136 Alana Lentin, 'Let's talk about your culture: post-race, post-racism' in Alana Lentin and Gavan Titley, *The Crises of Multiculturalism: Racism in a Neoliberal Age* (Bloomsbury Publishing, 2011) 68.
- 137 Ammanuel Elias, Fethi Mansouri and Yin Paradies, *Racism in Australia Today* (Palgrave Macmillan, 2021) 78.
- 138 David I. Kertzer and Dominique Arel, 'Censuses, identity formation and the struggle for political power' in David I. Kertzer and Dominique Arel (eds) *Census and Identity: The Politics of Race, Ethnicity and Language in National Censuses* (Cambridge University Press, 2001) 12.
- 139 Alana Lentin, 'Let's talk about your culture: post-race, post-racism' in Alana Lentin and Gavan Titley, *The Crises of Multiculturalism: Racism in a Neoliberal Age* (Bloomsbury Publishing, 2011) 70.
- 140 Alana Lentin, 'Let's talk about your culture: post-race, post-racism' in Alana Lentin and Gavan Titley, *The Crises of Multiculturalism: Racism in a Neoliberal Age* (Bloomsbury Publishing, 2011) 71; Michael Omi and Howard Winant, *Racial Formation in the United States* (Routledge, 2015) 117.
- 141 Aileen Moreton Robinson, *The White Possessive: Property, Power, and Indigenous Sovereignty* (University of Minnesota Press, 2015) 158.
- 142 Ammanuel Elias, Fethi Mansouri and Yin Paradies, *Racism in Australia Today* (Palgrave Macmillan, 2021) 74.
- 143 Nicholas Biddle, Siew-Ean Khoo, and John Taylor, 'Indigenous Australia, White Australia, Multicultural Australia: The Demography of Race and Ethnicity in Australia' in Rogelio Saenz, David G Embrick, and Néstor Rodríguez (eds), *The International Handbook of the Demography of Race and Ethnicity* (Springer, 2015) 604; Stevens et al, 'Measuring race and ethnicity in the censuses of Australia, Canada, and the United States: Parallels and paradoxes' (2015) 42(12) 19.
- 144 Nicholas Biddle, Siew-Ean Khoo, and John Taylor, 'Indigenous Australia, White Australia, Multicultural Australia: The Demography of Race and Ethnicity in Australia' in Rogelio Saenz, David G Embrick, and Néstor Rodríguez (eds), *The International Handbook of the Demography of Race and Ethnicity* (Springer, 2015) 604.
- 145 Ammanuel Elias, Fethi Mansouri and Yin Paradies, *Racism in Australia Today* (Palgrave Macmillan, 2021) 75.

- 146 Aileen Moreton Robinson, *The White Possessive: Property, Power, and Indigenous Sovereignty* (University of Minnesota Press, 2015) 154.
- 147 Aileen Moreton Robinson, *The White Possessive: Property, Power, and Indigenous Sovereignty* (University of Minnesota Press, 2015) 154.
- 148 Aileen Moreton Robinson, *The White Possessive: Property, Power, and Indigenous Sovereignty* (University of Minnesota Press, 2015) 159.
- 149 Aileen Moreton Robinson, *The White Possessive: Property, Power, and Indigenous Sovereignty* (University of Minnesota Press, 2015) 159.
- 150 Kalinda Griffiths and James Smith, 'Measuring health disparities in Australia: Using data to drive health promotion solutions' (2020) 31(2) *Health Promotion Journal of Australia* 166, 167.
- 151 Kristy Crooks, Sandra Carlson and Craig Dalton, 'Defining, controlling and analysing Indigenous data: commitment to historical consistency or commitment to Australian Aboriginal and Torres Strait Islander peoples?' (2019) 29(4) *Public health Research & Practice*, 3.
- 152 Mark Lopez, *The Origins of Australian Multiculturalism* (Melbourne University Press, 2000) 68-69.
- 153 Tim Rowse, 'Notes on the history of the Aboriginal population of Australia' in A. Dirk Moses (ed) *Genocide and settler society: frontier violence and stolen Indigenous children in Australian history* (Berghahn Books, 2004) 322.
- 154 Kalinda Griffiths et al, 'The identification of Aboriginal and Torres Strait Islander people in official statistics and other data: Critical issues of international significance' (2019) 35 *Statistical Journal of the IAOS* 91, 92, 97.
- 155 Tim Rowse, 'Notes on the history of the Aboriginal population of Australia' in A. Dirk Moses (ed) *Genocide and settler society: frontier violence and stolen Indigenous children in Australian history* (Berghahn Books, 2004) 322.
- 156 Catriona Stevens and Farida Fozdar, 'Ethnicity, race or nation? Census classifications as barriers to the measurement of mixedness in Australia' (2021) 5(1) *Australian Population Studies* 49, 49.
- 157 Aileen Moreton Robinson, *The White Possessive: Property, Power, and Indigenous Sovereignty* (University of Minnesota Press, 2015) 158.
- 158 James Jupp, *From White Australia to Woomera: The Story of Australian Immigration* (Cambridge University Press, 2002) 10.
- 159 Stevens et al, 'Measuring race and ethnicity in the censuses of Australia, Canada, and the United States: Parallels and paradoxes' (2015) 42(12) 17; Andrew Jakubowicz, *Race Gender and Public Policy: the struggle over the meaning of meaning* (Web page, 29 November 2023) <<https://andrewjakubowicz.com/2023/11/29/race-gender-and-public-policy-the-struggle-over-the-meaning-of-meaning/>>.
- 160 James Jupp, *From White Australia to woomera: The story of Australian immigration* (Cambridge University Press, 2002) 25.
- 161 James Jupp, *From White Australia to Woomera: The Story of Australian Immigration* (Cambridge University Press, 2002) 25.
- 162 Tessa Morris-Suzuki, 'Ghassan Hage's White Nation and its Australian Context' in Ghassan Hage, *The Racial Politics of Australian Multiculturalism* (Sweatshop Literacy Movement, 2023) xvi.
- 163 Christina Ho, 'From Social Justice to Social Cohesion: A History of Australian Multicultural Policy' in Andrew Jakubowicz and Christina Ho (eds), *For those who've come across the seas: Australian multicultural theory, policy and practice* (Australian Multicultural Theory, Policy and Practice, 2013) 32; James Jupp, *From White Australia to Woomera: The Story of Australian Immigration* (Cambridge University Press, 2002) 25.

- 164 Australian Bureau of Statistics, *Standards for Statistics on Cultural and Language Diversity* (online, 22 February 2022) <<https://www.abs.gov.au/statistics/standards/standards-statistics-cultural-and-language-diversity/latest-release>>.
- 165 Australian Bureau of Statistics, *Indigenous Status Standard* (online, 8 October 2014) <<https://www.abs.gov.au/statistics/standards/indigenous-status-standard/latest-release>>.
- 166 Australian Bureau of Statistics, *1981 Census of Population and Housing: Preliminary views on the nature and content of the Census* (Report, 1983).
- 167 Robert V. Horn, 'The Validity of Australian Ancestry Statistics' (1993) 10(2) *Journal of the Australian Population Association* 119, 120.
- 168 Tessa Morris-Suzuki, 'Ghassan Hage's White Nation and its Australian Context' in Ghassan Hage, *The Racial Politics of Australian Multiculturalism* (Sweatshop Literacy Movement, 2023) xvi; James Jupp, *From White Australia to Woomera: The Story of Australian Immigration* (Cambridge University Press, 2002) 200-201.
- 169 James Jupp, *An Immigrant Nation Seeks Cohesion: Australia From 1788* (Anthem Press, 2018) 141.
- 170 Robert V. Horn, 'The Validity of Australian Ancestry Statistics' (1993) 10(2) *Journal of the Australian Population Association* 119, 120; Liz Allen, 'Understanding ethnicity in contemporary Australia using the census' (2021) 5(1) *Australian Population Studies* 56, 58.
- 171 Andrew Jakubowicz, *Race Gender and Public Policy: the struggle over the meaning of meaning* (Web page, 29 November 2023) <<https://andrewjakubowicz.com/2023/11/29/race-gender-and-public-policy-the-struggle-over-the-meaning-of-meaning/>>.
- 172 Andrew Jakubowicz, *Race Gender and Public Policy: the struggle over the meaning of meaning* (Web page, 29 November 2023) <<https://andrewjakubowicz.com/2023/11/29/race-gender-and-public-policy-the-struggle-over-the-meaning-of-meaning/>>.
- 173 Liz Allen, 'Understanding ethnicity in contemporary Australia using the census' (2021) 5(1) *Australian Population Studies* 56, 58.
- 174 Stevens et al, 'Measuring race and ethnicity in the censuses of Australia, Canada, and the United States: Parallels and paradoxes' (2015) 42(12) 20..
- 175 Liz Allen, 'Understanding ethnicity in contemporary Australia using the census' (2021) 5(1) *Australian Population Studies* 56, 58.
- 176 Stevens et al, 'Measuring race and ethnicity in the censuses of Australia, Canada, and the United States: Parallels and paradoxes' (2015) 42(12) 20.
- 177 Stevens et al, 'Measuring race and ethnicity in the censuses of Australia, Canada, and the United States: Parallels and paradoxes' (2015) 42(12) 20; Siew-Ean Khoo, 'Consistency of ancestry reporting between parents and children in the 1986 census' (1991) 8(2) *Journal of the Australian Population Association* 129, 130.
- 178 Liz Allen, 'Understanding ethnicity in contemporary Australia using the census' (2021) 5(1) *Australian Population Studies* 56, 58.
- 179 Liz Allen, 'Understanding ethnicity in contemporary Australia using the census' (2021) 5(1) *Australian Population Studies* 56, 59.
- 180 Tessa Morris-Suzuki, 'Ghassan Hage's White Nation and its Australian Context' in Ghassan Hage, *The Racial Politics of Australian Multiculturalism* (Sweatshop Literacy Movement, 2023) xvii.
- 181 James Jupp, *From White Australia to Woomera: The Story of Australian Immigration* (Cambridge University Press, 2002) 98.

- 182 Christina Ho, 'From Social Justice to Social Cohesion: A History of Australian Multicultural Policy' in Andrew Jakubowicz and Christina Ho (eds), *For those who've come across the seas: Australian multicultural theory, policy and practice* (Australian Multicultural Theory, Policy and Practice, 2013) 38.
- 183 Christina Ho, 'From Social Justice to Social Cohesion: A History of Australian Multicultural Policy' in Andrew Jakubowicz and Christina Ho (eds), *For those who've come across the seas: Australian multicultural theory, policy and practice* (Australian Multicultural Theory, Policy and Practice, 2013) 38.
- 184 Suvendrini Perera and Joseph Pugliese, 'Wogface, Anglo-Drag, Contested Aboriginalities...Making and Unmaking Identities in Australia' (1998) 4(1) *Journal for the Study of Race, Nation and Culture* 39, 44.
- 185 Australian Bureau of Statistics, 'Standards for Statistics on Cultural and Language Diversity' (Report, November 1999) 3.
- 186 Australian Bureau of Statistics, 'Standards for Statistics on Cultural and Language Diversity' (Report, November 1999) 3.
- 187 Australian Bureau of Statistics, 'Standards for Statistics on Cultural and Language Diversity' (Report, November 1999) 4.
- 188 Australian Bureau Statistics, *Standards for Statistics on Cultural and Language Diversity* (Web page, 22 February 2022) <<https://www.abs.gov.au/statistics/standards/standards-statistics-cultural-and-language-diversity/australia>>.
- 189 Australian Bureau of Statistics, 'Standards for Statistics on Cultural and Language Diversity' (Report, November 1999) 5.
- 190 Australian Bureau of Statistics, 'Standards for Statistics on Cultural and Language Diversity' (Report, November 1999) 5.
- 191 Christina Ho, 'From Social Justice to Social Cohesion: A History of Australian Multicultural Policy' in Andrew Jakubowicz and Christina Ho (eds), *For those who've come across the seas: Australian multicultural theory, policy and practice* (Australian Multicultural Theory, Policy and Practice, 2013) 38.
- 192 James Jupp, *From White Australia to Woomera: The Story of Australian Immigration* (Cambridge University Press, 2002) 200-201.
- 193 Gillian Stevens, Hiromi Ishizawa and Douglas Grbic, 'Measuring race and ethnicity in the censuses of Australia, Canada, and the United States: Parallels and paradoxes' (2015) 42(12) 20.
- 194 Aileen Moreton Robinson, *The White Possessive: Property, Power, and Indigenous Sovereignty* (University of Minnesota Press, 2015) 160.
- 195 Australian Bureau of Statistics, *1996 Census Household Form* (1996) <<https://www.abs.gov.au/websitedbs/censushome.nsf/home/historicaldata1996?opendocument&navpos=280>>.
- 196 Bhiemie Williamson et al, 'Indigenous Peoples and the Australian census: value, trust and participation' (2021) 5(2) *Australian Population Studies* 1, 2.
- 197 Close the Gap, *Close the Gap Campaign History* (Web page) <<https://closethegap.org.au/history/>>.
- 198 Rosalie Schultz, 'Closing the Gap and the Sustainable Development Goals: listening to Aboriginal and Torres Strait Islander people' 44(1) *Australian and New Zealand Journal of Public Health* 11, 11; Maggie Walter and Chris Anderson, *Indigenous Statistics: A Qualitative Research Methodology* (Routledge, 2013) 22.
- 199 Coalition of Aboriginal and Torres Strait islander Peak Organisations and the Council of Australian Governments, *Partnership Agreement on Closing the Gap 2019-2029* (Agreement, 2019) 2.

- 200 Productivity Commission, *Review of the National Agreement on Closing the Gap* (Report, 2024) 4.
- 201 Productivity Commission, *Review of the National Agreement on Closing the Gap* (Report, 2024) 4.
- 202 Yoorook Justice Commission, *Recommendations* (Web page, 2025) <<https://www.yoorook.org.au/reports-and-recommendations/recommendations>>
- 203 ANTAR, *Truth-telling in the states and territories* (Web page, 28 May 2026) <<https://antar.org.au/issues/truth-telling/truth-telling-states-territories/>>
- 204 Victorian Government, *What is Treaty?* (Web page) < <https://www.firstpeoplesrelations.vic.gov.au/what-treaty>>
- 205 Randa Abdel-Fattah, *Coming of Age in the War on Terror* (NewSouth Publishing, 2021) 61.
- 206 Liz Allen, 'Understanding ethnicity in contemporary Australia using the census' (2021) 5(1) *Australian Population Studies* 56, 59.
- 207 Australian Bureau of Statistics, *Overview of the 2026 Census topic review* (online, accessed 29 July 2024) <<https://www.abs.gov.au/census/2026-census-topic-review/overview-2026-census-topic-review>>.
- 208 Australian Bureau of Statistics, *2026 Census topic review: Phase two directions* (online, 12 December 2023) <<https://www.abs.gov.au/statistics/research/2026-census-topic-review-phase-two-directions>>.
- 209 Australian Bureau of Statistics, *2026 Census topic review: Phase one directions* (online, 27 July 2023) <<https://www.abs.gov.au/statistics/research/2026-census-topic-review-phase-one-directions#aboriginal-and-torres-strait-islander-peoples>>.
- 210 Australian Bureau of Statistics, *2026 Census topic review: Phase two directions* (online, 12 December 2023) <<https://www.abs.gov.au/statistics/research/2026-census-topic-review-phase-two-directions>>.
- 211 Australian Bureau of Statistics, *Outcomes of the 2026 Census topic review* (online, 17 February 2025) <<https://www.abs.gov.au/statistics/research/outcomes-2026-census-topic-review#changes-to-existing-content>>.
- 212 Australian Bureau of Statistics, *2026 Census topic review: Phase two directions* (online, 12 December 2023) <<https://www.abs.gov.au/statistics/research/2026-census-topic-review-phase-two-directions>>.
- 213 Australian Bureau of Statistics, *2026 Census topic review: Phase two directions* (online, 12 December 2023) <<https://www.abs.gov.au/statistics/research/2026-census-topic-review-phase-two-directions>>.
- 214 Australian Bureau of Statistics, *2025 Minor Review of the Australian Standard Classification of Cultural and Ethnic Groups (ASCCEG) – Consultation Round 1* (online, accessed 14 July 2025) <<https://consult.abs.gov.au/statistical-standards-and-infrastructure/2025-minor-review-of-the-australian-standard-class/>>.
- 215 Australian Human Rights Commission, *A Fair and Just Future for First Peoples: Social Justice Report* (Report, 2025) 16.
- 216 Australian Human Rights Commission, *A Fair and Just Future for First Peoples: Social Justice Report* (Report, 2025) 140.
- 217 Kristy Crooks, Sandra Carlson and Craig Dalton, 'Defining, controlling and analysing Indigenous data: commitment to historical consistency or commitment to Australian Aboriginal and Torres Strait Islander peoples?' (2019) 29(4) *Public Health Research & Practice*, 2.

- 218 Centre for Indigenous People and Work, *Gari Yala 2 (Speak the Truth) Full Report: Centring the Work Experiences of Aboriginal and/or Torres Strait Islander Australians in 2025-2026* (Report, 2026) 17.
- 219 Australian Human Rights Commission, *Wiyi Yani U Thangani (Women's Voices): Securing Our Rights, Securing Our Future* (Report, 2020) 110.
- 220 Larissa Behrendt, *Achieving Social Justice: Indigenous Rights and Australia's Future* (The Federation Press, 2003) 77.
- 221 Kristy Crooks, Sandra Carlson and Craig Dalton, 'Defining, controlling and analysing Indigenous data: commitment to historical consistency or commitment to Australian Aboriginal and Torres Strait Islander peoples?' (2019) 29(4) *Public Health Research & Practice*, 3.
- 222 Bhiamie Williamson et al, 'Indigenous Peoples and the Australian census: value, trust and participation' (2021) 5(2) *Australian Population Studies* 1, 3.
- 223 Australian Human Rights Commission, *A Fair and Just Future for First Peoples: Social Justice Report* (Report, 2025) 224.
- 224 Bhiamie Williamson et al, 'Indigenous Peoples and the Australian census: value, trust and participation' (2021) 5(2) *Australian Population Studies* 1, 9.
- 225 Kalinda Griffiths et al, 'The identification of Aboriginal and Torres Strait Islander people in official statistics and other data: Critical issues of international significance' (2019) 35 *Statistical Journal of the IAOS* 91, 92, 99.
- 226 Maïam nayri Wingara, Indigenous Data Sovereignty Communique Indigenous Data Sovereignty Summit 20th June 2018 Canberra, ACT (Web page) <<https://www.maïamnayriwingara.org/definitions>>.
- 227 See *United Nations Declaration on the Rights of Indigenous Peoples*, GA Res 61/295, UN Doc A/RES/61/295 (2 October 2007, adopted 13 September 2007) art 33.
- 228 Department of Economic and Social Affairs, *Workshop on Data Collection and Disaggregation for Indigenous peoples – The concept of Indigenous peoples*, UN Doc PFII/2004/WS.1/3 (19-21 January 2004) para 1.
- 229 Department of Economic and Social Affairs, *Workshop on Data Collection and Disaggregation for Indigenous peoples – The concept of Indigenous peoples*, UN Doc PFII/2004/WS.1/3 (19-21 January 2004) para 1.
- 230 Department of Economic and Social Affairs, *Workshop on Data Collection and Disaggregation for Indigenous peoples – The concept of Indigenous peoples*, UN Doc PFII/2004/WS.1/3 (19-21 January 2004) para 1.
- 231 Australian Bureau of Statistics, *Indigenous Status Standard* (online, 8 October 2014) <<https://www.abs.gov.au/statistics/standards/indigenous-status-standard/latest-release>>.
- 232 Australian Bureau of Statistics, *Indigenous Status Standard* (online, 8 October 2014) <<https://www.abs.gov.au/statistics/standards/indigenous-status-standard/latest-release>>.
- 233 Kalinda Griffiths et al, 'The identification of Aboriginal and Torres Strait Islander people in official statistics and other data: Critical issues of international significance' (2019) 35 *Statistical Journal of the IAOS* 91, 92.
- 234 Australian Bureau of Statistics, *Indigenous Status Standard* (online, 8 October 2014) <<https://www.abs.gov.au/statistics/standards/indigenous-status-standard/latest-release>>.
- 235 Centre for Indigenous People and Work, *Gari Yala 2 (Speak the Truth) Full Report: Centring the Work Experiences of Aboriginal and/or Torres Strait Islander Australians in 2025-2026* (Report, 2026) 17.

- 236 Fiona Allison, Chris Cuneen, Lindon Coombes, and Ayse Selcuk, *"If you don't think racism exists come take a walk with us". The Call It Out Racism Register 2023-2024* (Report, 2025) 75.
- 237 Larissa Behrendt, *Achieving Social Justice: Indigenous Rights and Australia's Future* (The Federation Press, 2003) 62.
- 238 Larissa Behrendt, *Achieving Social Justice: Indigenous Rights and Australia's Future* (The Federation Press, 2003) 65-66.
- 239 Australian Human Rights Commission, *Wiyi Yani U Thangani (Women's Voices): Securing Our Rights, Securing Our Future* (Report, 2020) 111.
- 240 Australian Human Rights Commission, *Wiyi Yani U Thangani (Women's Voices): Securing Our Rights, Securing Our Future* (Report, 2020) 111.
- 241 Australian Human Rights Commission, *A Fair and Just Future for First Peoples: Social Justice Report* (Report, 2025) 140.
- 242 Australian Human Rights Commission, *A Fair and Just Future for First Peoples: Social Justice Report* (Report, 2025) 140.
- 243 Larissa Behrendt, *Achieving Social Justice: Indigenous Rights and Australia's Future* (The Federation Press, 2003) 65-66.
- 244 See *Eatock v Bolt* [2011] FCA 1103; 'Bolt breached discrimination act, judge rules', *ABC News* (online, 28 September 2011) <<https://www.abc.net.au/news/2011-09-28/bolt-found-guilty-of-breaching-discrimination-act/3025918>>.
- 245 Fiona Allison, Chris Cuneen, Lindon Coombes, and Ayse Selcuk, *"If you don't think racism exists come take a walk with us". The Call It Out Racism Register 2023-2024* (Report, 2025) 75.
- 246 Australian Human Rights Commission, *Wiyi Yani U Thangani (Women's Voices): Securing Our Rights, Securing Our Future* (Report, 2020) 545.
- 247 Australian Human Rights Commission, *A Fair and Just Future for First Peoples: Social Justice Report* (Report, 2025) 140.
- 248 Australian Human Rights Commission, *A Fair and Just Future for First Peoples: Social Justice Report* (Report, 2025) 140.
- 249 Australian Human Rights Commission, *A Fair and Just Future for First Peoples: Social Justice Report* (Report, 2025) 140.
- 250 Australian Human Rights Commission, *A Fair and Just Future for First Peoples: Social Justice Report* (Report, 2025) 140.
- 251 Australian Human Rights Commission, *A Fair and Just Future for First Peoples: Social Justice Report* (Report, 2025) 140.
- 252 Australian Human Rights Commission, *A Fair and Just Future for First Peoples: Social Justice Report* (Report, 2025) 140.
- 253 Australian Human Rights Commission, *A Fair and Just Future for First Peoples: Social Justice Report* (Report, 2025) 140.
- 254 Australian Human Rights Commission, *A Fair and Just Future for First Peoples: Social Justice Report* (Report, 2025) 140.
- 255 Australian Human Rights Commission, *A Fair and Just Future for First Peoples: Social Justice Report* (Report, 2025) 140.

- 256 Centre for Indigenous People and Work, *Gari Yala 2 (Speak the Truth) Full Report: Centring the Work Experiences of Aboriginal and/or Torres Strait Islander Australians in 2025-2026* (Report, 2026) 14.
- 257 Centre for Indigenous People and Work, *Gari Yala 2 (Speak the Truth) Full Report: Centring the Work Experiences of Aboriginal and/or Torres Strait Islander Australians in 2025-2026* (Report, 2026) 18.
- 258 Centre for Indigenous People and Work, *Gari Yala 2 (Speak the Truth) Full Report: Centring the Work Experiences of Aboriginal and/or Torres Strait Islander Australians in 2025-2026* (Report, 2026) 18.
- 259 Centre for Indigenous People and Work, *Gari Yala 2 (Speak the Truth) Full Report: Centring the Work Experiences of Aboriginal and/or Torres Strait Islander Australians in 2025-2026* (Report, 2026) 18-20.
- 260 Centre for Indigenous People and Work, *Gari Yala 2 (Speak the Truth) Full Report: Centring the Work Experiences of Aboriginal and/or Torres Strait Islander Australians in 2025-2026* (Report, 2026) 17.
- 261 Centre for Indigenous People and Work, *Gari Yala 2 (Speak the Truth) Full Report: Centring the Work Experiences of Aboriginal and/or Torres Strait Islander Australians in 2025-2026* (Report, 2026) 17.
- 262 Australian Human Rights Commission, *Wiyi Yani U Thangani (Women's Voices): Securing Our Rights, Securing Our Future* (Report, 2020) 110.
- 263 Australian Human Rights Commission, *Wiyi Yani U Thangani (Women's Voices): Securing Our Rights, Securing Our Future* (Report, 2020) 110.
- 264 Australian Human Rights Commission, *Wiyi Yani U Thangani (Women's Voices): Securing Our Rights, Securing Our Future* (Report, 2020) 345.
- 265 Maggie Walter and Chris Anderson, *Indigenous Statistics: A Qualitative Research Methodology* (Routledge, 2013) 34.
- 266 Maggie Walter and Chris Arel, *Indigenous Statistics: A Qualitative Research Methodology* (Routledge, 2013) 38.
- 267 See, e.g., Maggie Walter and Stephanie Russo Carroll, 'Indigenous Data Sovereignty, governance and the link to Indigenous policy' in Maggie Walter, Tahu Kukutai, Stephanie Russo Carroll and Desi Rodriguez-Lonebear (eds), *Indigenous Data Sovereignty and Policy* (Routledge, 2021) 10.
- 268 Kalinda Griffiths and James Smith, 'Measuring health disparities in Australia: Using data to drive health promotion solutions' (2020) 31(2) *Health Promotion Journal of Australia* 166, 179; Bhiamie Williamson et al, 'Indigenous Peoples and the Australian census: value, trust and participation' (2021) 5(2) *Australian Population Studies* 1, 5.
- 269 Maggie Walter and Chris Anderson, *Indigenous Statistics: A Qualitative Research Methodology* (Routledge, 2013) 34.
- 270 Skye Trudgett et al, 'A framework for operationalising Aboriginal and Torres Strait Islander data sovereignty in Australia: Results of a systematic literature review of published studies' (2022) 45 *eClinicalMedicine* 1, 2.
- 271 Maggie Walter and Chris Anderson, *Indigenous Statistics: A Qualitative Research Methodology* (Routledge, 2013) 38; Bhiamie Williamson et al, 'Indigenous Peoples and the Australian census: value, trust and participation' (2021) 5(2) *Australian Population Studies* 1, 3.

- 272 Frances Morphy, 'Indigenising demographic categories: a prolegomenon to indigenous data sovereignty' in Tahu Kukutai and John Taylor (eds), *Indigenous Data Sovereignty: Toward an agenda* (ANU Press, 2016) 105.
- 273 Larissa Behrendt, *Achieving Social Justice: Indigenous Rights and Australia's Future* (The Federation Press, 2003) 78.
- 274 Larissa Behrendt, *Achieving Social Justice: Indigenous Rights and Australia's Future* (The Federation Press, 2003) 79.
- 275 Larissa Behrendt, *Achieving Social Justice: Indigenous Rights and Australia's Future* (The Federation Press, 2003) 79.
- 276 Luke Pearson, 'Why We Will Never Find The 'Most Appropriate'' Term to Refer To All Indigenous Australians', *IndigenousX* (online, 10 November 2015) <<https://indigenousx.com.au/why-we-will-never-find-the-most-appropriate-term-to-refer-to-all-indigenous-australians/>>.
- 277 Luke Pearson, 'Why We Will Never Find The 'Most Appropriate'' Term to Refer To All Indigenous Australians', *IndigenousX* (online, 10 November 2015) <<https://indigenousx.com.au/why-we-will-never-find-the-most-appropriate-term-to-refer-to-all-indigenous-australians/>>.
- 278 Luke Pearson, 'Why We Will Never Find The 'Most Appropriate'' Term to Refer To All Indigenous Australians', *IndigenousX* (online, 10 November 2015) <<https://indigenousx.com.au/why-we-will-never-find-the-most-appropriate-term-to-refer-to-all-indigenous-australians/>>.
- 279 Centre for Indigenous People and Work, *Gari Yala 2 (Speak the Truth) Full Report: Centring the Work Experiences of Aboriginal and/or Torres Strait Islander Australians in 2025-2026* (Report, 2026) 14.
- 280 Luke Pearson, 'Why We Will Never Find The 'Most Appropriate'' Term to Refer To All Indigenous Australians', *IndigenousX* (online, 10 November 2015) <<https://indigenousx.com.au/why-we-will-never-find-the-most-appropriate-term-to-refer-to-all-indigenous-australians/>>.
- 281 Luke Pearson, 'Why We Will Never Find The 'Most Appropriate'' Term to Refer To All Indigenous Australians', *IndigenousX* (online, 10 November 2015) <<https://indigenousx.com.au/why-we-will-never-find-the-most-appropriate-term-to-refer-to-all-indigenous-australians/>>.
- 282 Luke Pearson, 'Appropriate terminology for Aboriginal and Torres Strait Islander people – it's complicated', *IndigenousX* (online, 16 June 2021) <<https://indigenousx.com.au/appropriate-terminology-for-aboriginal-and-torres-strait-islander-people-its-complicated/>>.
- 283 Luke Pearson, 'Appropriate terminology for Aboriginal and Torres Strait Islander people – it's complicated', *IndigenousX* (online, 16 June 2021) <<https://indigenousx.com.au/appropriate-terminology-for-aboriginal-and-torres-strait-islander-people-its-complicated/>>.
- 284 Luke Pearson, 'Appropriate terminology for Aboriginal and Torres Strait Islander people – it's complicated', *IndigenousX* (online, 16 June 2021) <<https://indigenousx.com.au/appropriate-terminology-for-aboriginal-and-torres-strait-islander-people-its-complicated/>>.
- 285 Centre for Indigenous People and Work, *Gari Yala 2 (Speak the Truth) Full Report: Centring the Work Experiences of Aboriginal and/or Torres Strait Islander Australians in 2025-2026* (Report, 2026) 14.
- 286 Luke Pearson, 'Why We Will Never Find The 'Most Appropriate'' Term to Refer To All Indigenous Australians', *IndigenousX* (online, 10 November 2015) <<https://indigenousx.com.au/why-we-will-never-find-the-most-appropriate-term-to-refer-to-all-indigenous-australians/>>.
- 287 Bhiemie Williamson et al, 'Indigenous Peoples and the Australian census: value, trust and participation' (2021) 5(2) *Australian Population Studies* 1, 3.
- 288 Productivity Commission, *Review of the National Agreement on Closing the Gap* (Report, 2024) 6

- 289 Rose D'Almada-Remedios, Dimitria Groutsis, Annika Kaabel, and Jane O'Leary, *Counting Culture: Towards a Standardised Approach to Measuring and Reporting on Workforce Cultural Diversity* (Report, 2021) 21.
- 290 Bhiamie Williamson et al, 'Indigenous Peoples and the Australian census: value, trust and participation' (2021) 5(2) *Australian Population Studies* 1, 9.
- 291 Bhiamie Williamson et al, 'Indigenous Peoples and the Australian census: value, trust and participation' (2021) 5(2) *Australian Population Studies* 1, 9.
- 292 See, e.g., Bhiamie Williamson et al, 'Indigenous Peoples and the Australian census: value, trust and participation' (2021) 5(2) *Australian Population Studies* 1, 3.
- 293 Bhiamie Williamson et al, 'Indigenous Peoples and the Australian census: value, trust and participation' (2021) 5(2) *Australian Population Studies* 1, 5.
- 294 Bhiamie Williamson et al, 'Indigenous Peoples and the Australian census: value, trust and participation' (2021) 5(2) *Australian Population Studies* 1, 5.
- 295 Kristy Crooks, Sandra Carlson and Craig Dalton, 'Defining, controlling and analysing Indigenous data: commitment to historical consistency or commitment to Australian Aboriginal and Torres Strait Islander peoples?' (2019) 29(4) *Public health Research & Practice*, 2.
- 296 Kristy Crooks, Sandra Carlson and Craig Dalton, 'Defining, controlling and analysing Indigenous data: commitment to historical consistency or commitment to Australian Aboriginal and Torres Strait Islander peoples?' (2019) 29(4) *Public health Research & Practice*, 2.
- 297 Kristy Crooks, Sandra Carlson and Craig Dalton, 'Defining, controlling and analysing Indigenous data: commitment to historical consistency or commitment to Australian Aboriginal and Torres Strait Islander peoples?' (2019) 29(4) *Public health Research & Practice*, 2.
- 298 Bhiamie Williamson et al, 'Indigenous Peoples and the Australian census: value, trust and participation' (2021) 5(2) *Australian Population Studies* 1, 6.
- 299 Kristy Crooks, Sandra Carlson and Craig Dalton, 'Defining, controlling and analysing Indigenous data: commitment to historical consistency or commitment to Australian Aboriginal and Torres Strait Islander peoples?' (2019) 29(4) *Public health Research & Practice*, 2.
- 300 Kristy Crooks, Sandra Carlson and Craig Dalton, 'Defining, controlling and analysing Indigenous data: commitment to historical consistency or commitment to Australian Aboriginal and Torres Strait Islander peoples?' (2019) 29(4) *Public health Research & Practice*, 2.
- 301 Bhiamie Williamson et al, 'Indigenous Peoples and the Australian census: value, trust and participation' (2021) 5(2) *Australian Population Studies* 1, 8.
- 302 Bhiamie Williamson et al, 'Indigenous Peoples and the Australian census: value, trust and participation' (2021) 5(2) *Australian Population Studies* 1, 8.
- 303 Bhiamie Williamson et al, 'Indigenous Peoples and the Australian census: value, trust and participation' (2021) 5(2) *Australian Population Studies* 1, 4.
- 304 Bhiamie Williamson et al, 'Indigenous Peoples and the Australian census: value, trust and participation' (2021) 5(2) *Australian Population Studies* 1, 3.
- 305 Bhiamie Williamson et al, 'Indigenous Peoples and the Australian census: value, trust and participation' (2021) 5(2) *Australian Population Studies* 1, 4.
- 306 Bhiamie Williamson et al, 'Indigenous Peoples and the Australian census: value, trust and participation' (2021) 5(2) *Australian Population Studies* 1, 4.
- 307 Julie Andrews, 'Blaks and stats in Aboriginal Victoria: census resistance and participation' (2018) 1 *Australian Aboriginal Studies* 43, 19.

- 308 Julie Andrews, 'Blaks and stats in Aboriginal Victoria: census resistance and participation' (2018) 1 *Australian Aboriginal Studies* 43, 25.
- 309 Julie Andrews, 'Blaks and stats in Aboriginal Victoria: census resistance and participation' (2018) 1 *Australian Aboriginal Studies* 43, 12.
- 310 Amrita Malhi, 'Enumerating Australia's "diverse": ethnicity and raciology in census and workplace diversity surveys' (2024) 47(10) *Ethnic and Racial Studies* 2219, 2223.
- 311 Steven Vertovec, 'Talking around super-diversity' (2019) 42(1) *Ethnic and Racial Studies* 125, 126.
- 312 Steven Vertovec, 'Super-diversity and its implications' (2007) 30(6) *Ethnic and Racial Studies* 1024, 1025-1026.
- 313 Australian Bureau of Statistics, *Australian Standard Classification of Cultural and Ethnic Groups (ASCCEG)* (online, 18 December 2019) <<https://www.abs.gov.au/statistics/classifications/australian-standard-classification-cultural-and-ethnic-groups-ascceg/latest-release>>.
- 314 Australian Bureau of Statistics, *Standards for Statistics on Cultural and Linguistic Diversity* (online, 22 February 2022) <<https://www.abs.gov.au/statistics/standards/standards-statistics-cultural-and-language-diversity/latest-release>>.
- 315 See, e.g. Johanna Wyn, Rimi Khan and Babak Dadvand, 'Multicultural Youth Australia Census Status Report 2017/18' (Report, November 2018) 8; Peter Mousaferiadis, 'Why 'culturally and linguistically diverse' has had its day', *Diversity Atlas* (Blog post, 17 February 2020) <<https://diversityatlas.io/heres-why-cald-has-had-its-day/>>.
- 316 The Scanlon Foundation, *'Why call me that?' Reflections on labels in a diverse nation* (Report, April 2023) 16.
- 317 Andre M. N. Renzaho, 'The Lack of Race and Ethnicity Data in Australia – A Threat to Achieving Health Equity' (2023) 20(8) *International Journal of Environmental Research and Public Health* 5530, 11.
- 318 Andre M. N. Renzaho, 'The Lack of Race and Ethnicity Data in Australia – A Threat to Achieving Health Equity' (2023) 20(8) *International Journal of Environmental Research and Public Health* 5530, 11.
- 319 Centre for Multicultural Youth, *"Data? It's everything about you!": Collecting data with multicultural young people* (Report, 2024) 18.
- 320 Andre M. N. Renzaho, 'The Lack of Race and Ethnicity Data in Australia – A Threat to Achieving Health Equity' (2023) 20(8) *International Journal of Environmental Research and Public Health* 5530, 10.
- 321 Andre M. N. Renzaho, 'The Lack of Race and Ethnicity Data in Australia – A Threat to Achieving Health Equity' (2023) 20(8) *International Journal of Environmental Research and Public Health* 5530, 2.
- 322 Andre M. N. Renzaho, 'The Lack of Race and Ethnicity Data in Australia – A Threat to Achieving Health Equity' (2023) 20(8) *International Journal of Environmental Research and Public Health* 5530, 10.
- 323 Andre M. N. Renzaho, 'The Lack of Race and Ethnicity Data in Australia – A Threat to Achieving Health Equity' (2023) 20(8) *International Journal of Environmental Research and Public Health* 5530, 10.
- 324 Andre M. N. Renzaho, 'The Lack of Race and Ethnicity Data in Australia – A Threat to Achieving Health Equity' (2023) 20(8) *International Journal of Environmental Research and Public Health* 5530, 10.

- 325 Andre M. N. Renzaho, 'The Lack of Race and Ethnicity Data in Australia – A Threat to Achieving Health Equity' (2023) 20(8) *International Journal of Environmental Research and Public Health* 5530, 10.
- 326 Ikram Abdi et al, 'Is it time to retire the label "CALD" in public health research and practice?' (2025) 222(5) *Medical Journal of Australia* 220, 220.
- 327 Ikram Abdi et al, 'Is it time to retire the label "CALD" in public health research and practice?' (2025) 222(5) *Medical Journal of Australia* 220, 220-221.
- 328 Federation of Ethnic Communities' Councils of Australia, *If we don't count it...it doesn't count!* (Report, October 2022) 14; Dimitria Groutsis et al, 'A multi-layered approach to accounting for ethno-racial diversity: An Australian study' (2026) 00(0) *Organisation* 1, 4.
- 329 United Nations Economic Commission for Europe, *Poverty Measurement Guide to Data Disaggregation* (Report, 2020) 70.
- 330 Amrita Malhi, 'Enumerating Australia's "diverse": ethnicity and raciology in census and workplace diversity surveys' (2024) 47(10) *Ethnic and Racial Studies* 2219, 2225; Dimitria Groutsis et al, 'A multi-layered approach to accounting for ethno-racial diversity: An Australian study' (2026) 00(0) *Organisation* 1, 4.
- 331 Robert V. Horn, 'The Validity of Australian Ancestry Statistics' (1993) 10(2) *Journal of the Australian Population Association* 119, 119; Amrita Malhi, 'Enumerating Australia's "diverse": ethnicity and raciology in census and workplace diversity surveys' (2024) 47(10) *Ethnic and Racial Studies* 2219, 2225.
- 332 Dimitria Groutsis et al, 'A multi-layered approach to accounting for ethno-racial diversity: An Australian study' (2026) 00(0) *Organisation* 1, 18.
- 333 Centre for Multicultural Youth, *"Data? It's everything about you!": Collecting data with multicultural young people* (Report, 2024) 16.
- 334 Amrita Malhi, 'Enumerating Australia's "diverse": ethnicity and raciology in census and workplace diversity surveys' (2024) 47(10) *Ethnic and Racial Studies* 2219, 2225.
- 335 Amrita Malhi, 'Enumerating Australia's "diverse": ethnicity and raciology in census and workplace diversity surveys' (2024) 47(10) *Ethnic and Racial Studies* 2219, 2225.
- 336 Amrita Malhi, 'Enumerating Australia's "diverse": ethnicity and raciology in census and workplace diversity surveys' (2024) 47(10) *Ethnic and Racial Studies* 2219, 2225.
- 337 Amrita Malhi, 'Enumerating Australia's "diverse": ethnicity and raciology in census and workplace diversity surveys' (2024) 47(10) *Ethnic and Racial Studies* 2219, 2225.
- 338 Amrita Malhi, 'Enumerating Australia's "diverse": ethnicity and raciology in census and workplace diversity surveys' (2024) 47(10) *Ethnic and Racial Studies* 2219, 2225-2226.
- 339 Liz Allen, 'Understanding ethnicity in contemporary Australia using the census' (2021) 5(1) *Australian Population Studies* 56, 59.
- 340 Robert V. Horn, 'The Validity of Australian Ancestry Statistics' (1993) 10(2) *Journal of the Australian Population Association* 119, 122.
- 341 Robert V. Horn, 'The Validity of Australian Ancestry Statistics' (1993) 10(2) *Journal of the Australian Population Association* 119, 122.
- 342 Robert V. Horn, 'The Validity of Australian Ancestry Statistics' (1993) 10(2) *Journal of the Australian Population Association* 119, 123.
- 343 Siew-Ean Khoo, 'Consistency of ancestry reporting between parents and children in the 1986 census' (1991) 8(2) *Journal of the Australian Population Association* 129, 138.

- 344 Siew-Ean Khoo, 'Consistency of ancestry reporting between parents and children in the 1986 census' (1991) 8(2) *Journal of the Australian Population Association* 129, 138.
- 345 Aileen Moreton-Robinson, *The White Possessive: Property, power and Indigenous Sovereignty* (University of Minnesota Press, 2015) 6-7.
- 346 Ghassan Hage, *White Nation: Fantasies of white supremacy in an Australian Society* (Pluto Press, 1998).
- 347 Rose D'Almada-Remedios, Dimitria Groutsis, Annika Kaabel, and Jane O'Leary, *Counting Culture: Towards a Standardised Approach to Measuring and Reporting on Workforce Cultural Diversity* (Report, 2021) 21.
- 348 Gillian Stevens, Hiromi Ishizawa and Douglas Grbic, 'Measuring race and ethnicity in the censuses of Australia, Canada, and the United States: Parallels and paradoxes' (2015) 42(12) 13, 14.
- 349 Andrew Jakubowicz, 'Race, Gender and Public Policy: the struggle over the meaning of meaning' (Web page, 29 November 2023) <<https://andrewjakubowicz.com/2023/11/29/race-gender-and-public-policy-the-struggle-over-the-meaning-of-meaning/>>.
- 350 Rosalie Schultz, 'Closing the Gap and the Sustainable Development Goals: listening to Aboriginal and Torres Strait Islander people' 44(1) *Australian and New Zealand Journal of Public Health* 11, 12.
- 351 Andrew Jakubowicz, 'Race, Gender and Public Policy: the struggle over the meaning of meaning' (Web page, 29 November 2023) <<https://andrewjakubowicz.com/2023/11/29/race-gender-and-public-policy-the-struggle-over-the-meaning-of-meaning/>>.
- 352 Rose D'Almada-Remedios, Dimitria Groutsis, Annika Kaabel, and Jane O'Leary, 'Counting Culture: Towards a standardised approach to measuring and reporting on workplace cultural diversity in Australia' (Report, May 2021) 23.
- 353 Rose D'Almada-Remedios, Dimitria Groutsis, Annika Kaabel, and Jane O'Leary, , 'Counting Culture: Towards a standardised approach to measuring and reporting on workplace cultural diversity in Australia' (Report, May 2021) 23.
- 354 Australian Bureau of Statistics, *Standards for Statistics on Cultural and Language Diversity* (online, 22 February 2022) <<https://www.abs.gov.au/statistics/standards/standards-statistics-cultural-and-language-diversity/latest-release#collecting-cultural-and-language-indicator-data>>.
- 355 Australian Bureau of Statistics, *Standards for Statistics on Cultural and Language Diversity* (online, 22 February 2022) <<https://www.abs.gov.au/statistics/standards/standards-statistics-cultural-and-language-diversity/latest-release#collecting-cultural-and-language-indicator-data>>.
- 356 Federation of Ethnic Communities' Councils of Australia, *If we don't count it...it doesn't count!* (Report, October 2022) 10.
- 357 Andre M. N. Renzaho, 'The Lack of Race and Ethnicity Data in Australia - A Threat to Achieving Health Equity' (2023) 20(8) *International Journal of Environmental Research and Public Health* 5530, 8.
- 358 Centre for Multicultural Youth, *"Data? It's everything about you!": Collecting data with multicultural young people* (Report, 2024) 8.
- 359 *Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability* (Final Report, November 2023) vol 12, 42.
- 360 *Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability* (Final Report, November 2023) vol 12, 43.
- 361 *Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability* (Final Report, November 2023) vol 12, 43.

- 362 Andre M. N. Renzaho, 'The Lack of Race and Ethnicity Data in Australia – A Threat to Achieving Health Equity' (2023) 20(8) *International Journal of Environmental Research and Public Health* 5530, 10.
- 363 Federation of Ethnic Communities' Councils of Australia, *If we don't count it...it doesn't count!* (Report, October 2022) 15.
- 364 Federation of Ethnic Communities' Councils of Australia, *If we don't count it...it doesn't count!* (Report, October 2022) 15.
- 365 Liz Allen and Jieh-Yung Lo, Submission to the Australian Bureau of Statistics, *Census 2026 consultation* (April 2023) 3.
- 366 Amrita Malhi, 'Enumerating Australia's "diverse": ethnicity and raciology in census and workplace diversity surveys' (2024) 47(10) *Ethnic and Racial Studies* 2219, 2233-2234.
- 367 Amrita Malhi, 'Enumerating Australia's "diverse": ethnicity and raciology in census and workplace diversity surveys' (2024) 47(10) *Ethnic and Racial Studies* 2219, 2234.
- 368 Amrita Malhi, 'Enumerating Australia's "diverse": ethnicity and raciology in census and workplace diversity surveys' (2024) 47(10) *Ethnic and Racial Studies* 2219, 2234.
- 369 Amrita Malhi, 'Enumerating Australia's "diverse": ethnicity and raciology in census and workplace diversity surveys' (2024) 47(10) *Ethnic and Racial Studies* 2219, 2234.
- 370 United States Census Bureau, *About the Topic of Race* (Web page) <<https://www.census.gov/topics/population/race/about.html>>.
- 371 The White House, *OMB Publishes Revisions to Statistical Policy Directive No. 15: Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity* (Web page, 28 March 2024) <<https://bidenwhitehouse.archives.gov/omb/briefing-room/2024/03/28/omb-publishes-revisions-to-statistical-policy-directive-no-15-standards-for-maintaining-collecting-and-presenting-federal-data-on-race-and-ethnicity/>>.
- 372 Government of Canada, *Visible Minority and Population Group Reference Guide, Census of Population, 2021* (Web page, 22 October 2022) <<https://www12.statcan.gc.ca/census-recensement/2021/ref/98-500/006/98-500-x2021006-eng.cfm>>.
- 373 Government of the United Kingdom, *List of ethnic groups* (Web page) <<https://www.ethnicity-facts-figures.service.gov.uk/style-guide/ethnic-groups/>>.
- 374 StatsNZ, *Ethnicity – 2023 Census: Information by concept* (Web page) <<https://datainfolplus.stats.govt.nz/Item/nz.govt.stats/1f1ca131-a9aa-483b-98ab-d22bf84ae944>>.
- 375 Australian Bureau of Statistics, *Australian Standard Classification of Cultural and Ethnic Groups (ASCCEG)* (Website, 18 November 2025) <<https://www.abs.gov.au/statistics/classifications/australian-standard-classification-cultural-and-ethnic-groups-ascceg/latest-release>>.
- 376 Australian Bureau of Statistics, *Australian Standard Classification of Cultural and Ethnic Groups (ASCCEG)* (Website, 18 November 2025) <<https://www.abs.gov.au/statistics/classifications/australian-standard-classification-cultural-and-ethnic-groups-ascceg/latest-release>>.
- 377 Catriona Stevens and Farida Fozdar, 'Ethnicity, race or nation? Census classifications as barriers to the measurement of mixedness in Australia' (2021) 5(1) *Australian Population Studies* 49, 49.
- 378 See e.g., Catriona Stevens and Farida Fozdar, 'Ethnicity, race or nation? Census classifications as barriers to the measurement of mixedness in Australia' (2021) 5(1) *Australian Population Studies* 49, 50.

- 379 Australian Bureau of Statistics, *2025 Minor Review of the Australian Standard Classification of Cultural and Ethnic Groups (ASCCEG) – Consultation Round 1* (Web page, 14 October 2025) <<https://consult.abs.gov.au/statistical-standards-and-infrastructure/2025-minor-review-of-the-australian-standard-class/>>.
- 380 Catriona Stevens and Farida Fozdar, 'Ethnicity, race or nation? Census classifications as barriers to the measurement of mixedness in Australia' (2021) 5(1) *Australian Population Studies* 49, 50.
- 381 Catriona Stevens and Farida Fozdar, 'Ethnicity, race or nation? Census classifications as barriers to the measurement of mixedness in Australia' (2021) 5(1) *Australian Population Studies* 49, 50-51.
- 382 Catriona Stevens and Farida Fozdar, 'Ethnicity, race or nation? Census classifications as barriers to the measurement of mixedness in Australia' (2021) 5(1) *Australian Population Studies* 49, 51.
- 383 Catriona Stevens and Farida Fozdar, 'Ethnicity, race or nation? Census classifications as barriers to the measurement of mixedness in Australia' (2021) 5(1) *Australian Population Studies* 49, 51.
- 384 Catriona Stevens and Farida Fozdar, 'Ethnicity, race or nation? Census classifications as barriers to the measurement of mixedness in Australia' (2021) 5(1) *Australian Population Studies* 49, 51.
- 385 Catriona Stevens and Farida Fozdar, 'Ethnicity, race or nation? Census classifications as barriers to the measurement of mixedness in Australia' (2021) 5(1) *Australian Population Studies* 49, 51.
- 386 Catriona Stevens and Farida Fozdar, 'Ethnicity, race or nation? Census classifications as barriers to the measurement of mixedness in Australia' (2021) 5(1) *Australian Population Studies* 49, 51.
- 387 Catriona Stevens and Farida Fozdar, 'Ethnicity, race or nation? Census classifications as barriers to the measurement of mixedness in Australia' (2021) 5(1) *Australian Population Studies* 49, 51.
- 388 Catriona Stevens and Farida Fozdar, 'Ethnicity, race or nation? Census classifications as barriers to the measurement of mixedness in Australia' (2021) 5(1) *Australian Population Studies* 49, 51.
- 389 Catriona Stevens and Farida Fozdar, 'Ethnicity, race or nation? Census classifications as barriers to the measurement of mixedness in Australia' (2021) 5(1) *Australian Population Studies* 49, 51.
- 390 Catriona Stevens and Farida Fozdar, 'Ethnicity, race or nation? Census classifications as barriers to the measurement of mixedness in Australia' (2021) 5(1) *Australian Population Studies* 49, 51.
- 391 Amrita Malhi, 'Enumerating Australia's "diverse": ethnicity and raciology in census and workplace diversity surveys' (2024) 47(10) *Ethnic and Racial Studies* 2219, 2232.
- 392 Michael Omi, 'Racial Identity and the State: The Dilemmas of Classification' (1997) 15(1) *Law and Inequality: A Journal of Theory and Practice* 7, 15.
- 393 Michael Omi, 'Racial Identity and the State: The Dilemmas of Classification' (1997) 15(1) *Law and Inequality: A Journal of Theory and Practice* 7, 14.
- 394 Michael Omi, 'Racial Identity and the State: The Dilemmas of Classification' (1997) 15(1) *Law and Inequality: A Journal of Theory and Practice* 7, 15.
- 395 Michael Omi, 'Racial Identity and the State: The Dilemmas of Classification' (1997) 15(1) *Law and Inequality: A Journal of Theory and Practice* 7, 16.
- 396 Michael Omi and Howard Winant, *Racial Formation in the United States* (Routledge, 2015) 123.
- 397 Amrita Malhi, 'Enumerating Australia's "diverse": ethnicity and raciology in census and workplace diversity surveys' (2024) 47(10) *Ethnic and Racial Studies* 2219, 2230.
- 398 Australian Bureau of Statistics, *Australian Standard Classification of Cultural and Ethnic Groups (ASCCEG)* (Web page, 18 November 2025) <<https://www.abs.gov.au/statistics/classifications/australian-standard-classification-cultural-and-ethnic-groups-ascceg/latest-release>>.

- 399 National Museum Australia, *Islander labourers* (Web page, 27 September 2022) <<https://www.nma.gov.au/defining-moments/resources/islander-labourers>>
- 400 National Museum Australia, *Islander labourers* (Web page, 27 September 2022) <<https://www.nma.gov.au/defining-moments/resources/islander-labourers>>
- 401 Queensland Health, *The health of Australian South Sea Islander people in Queensland – an analysis of hospital separation data* (Report, 2011).
- 402 Francis Bobongie-Harris, Zia Youse and Gordon Quakawoot, 'Visitation, communication, and participation: an ethical and respectful strategy for engaging Australian South Sea Islander communities when sharing their lived experiences' (2024) 9 *Frontiers in Sociology* 1, 4
- 403 See Human Rights and Equal Opportunity Commission, *The Call for Recognition: A Report on the Situation of Australian South Sea Islanders* (Report, 15 December 1992)
- 404 Human Rights and Equal Opportunity Commission, *The Call for Recognition: A Report on the Situation of Australian South Sea Islanders* (Report, 15 December 1992) 67
- 405 Human Rights and Equal Opportunity Commission, *The Call for Recognition: A Report on the Situation of Australian South Sea Islanders* (Report, 15 December 1992) 67
- 406 Human Rights and Equal Opportunity Commission, *The Call for Recognition: A Report on the Situation of Australian South Sea Islanders* (Report, 15 December 1992) 72
- 407 House of Representatives Standing Committee on Social Policy and Legal Affairs, *Revisiting recognition: Report on the roundtable with Australian South Sea Islanders* (Report, March 2015) 1 [1.4]
- 408 House of Representatives Standing Committee on Social Policy and Legal Affairs, *Revisiting recognition: Report on the roundtable with Australian South Sea Islanders* (Report, March 2015) 2-3 [1.9]
- 409 House of Representatives Standing Committee on Social Policy and Legal Affairs, *Revisiting recognition: Report on the roundtable with Australian South Sea Islanders* (Report, March 2015) 2-3 [1.9]
- 410 Clive Moore, *Historical Information Sheet No 17: Australian South Sea Islander Demography in the Twentieth and Twenty-First Centuries* (Web page) <<https://www.assipj.com.au/southsea/australian-south-sea-islander-historical-information-sheets/>>
- 411 Queensland Health, *The health of Australian South Sea Islander people in Queensland – an analysis of hospital separation data* (Report, 2011) 12.
- 412 Queensland Health, *The health of Australian South Sea Islander people in Queensland – an analysis of hospital separation data* (Report, 2011) 12.
- 413 Australian South Sea Islanders – Port Jackson, *Information Sheet 19 – Recommendations to the United Nations Human Rights – Universal Periodic Review* (Web page) <<https://www.assipj.com.au/southsea/australian-south-sea-islander-historical-information-sheets/>>.
- 414 Amrita Malhi, 'Enumerating Australia's "diverse": ethnicity and raciology in census and workplace diversity surveys' (2024) 47(10) *Ethnic and Racial Studies* 2219, 2235.
- 415 Amrita Malhi, 'Enumerating Australia's "diverse": ethnicity and raciology in census and workplace diversity surveys' (2024) 47(10) *Ethnic and Racial Studies* 2219, 2235.
- 416 Liz Allen and Jieh-Yung Lo, Submission to the Australian Bureau of Statistics, *Census 2026 consultation* (April 2023).
- 417 Naomi Priest et al, *Findings from the 2017 Speak Out Against Racism (SOAR) student and staff surveys* (Working Paper, 2019) 12, 14.

- 418 Liz Allen, 'Understanding ethnicity in contemporary Australia using the census' (2021) 5(1) *Australian Population Studies* 56, 62.
- 419 Liz Allen, 'Understanding ethnicity in contemporary Australia using the census' (2021) 5(1) *Australian Population Studies* 56, 62.
- 420 Liz Allen, 'Understanding ethnicity in contemporary Australia using the census' (2021) 5(1) *Australian Population Studies* 56, 62.
- 421 Liz Allen, 'Understanding ethnicity in contemporary Australia using the census' (2021) 5(1) *Australian Population Studies* 56, 62.
- 422 Liz Allen, 'Understanding ethnicity in contemporary Australia using the census' (2021) 5(1) *Australian Population Studies* 56, 62.
- 423 Catriona Stevens and Farida Fozdar, 'Ethnicity, race or nation? Census classifications as barriers to the measurement of mixedness in Australia' (2021) 5(1) *Australian Population Studies* 49, 53.
- 424 Committee on the Elimination of Racial Discrimination, *Concluding observations of the Committee on the Elimination of Racial Discrimination – Canada*, UN Doc CERD/C/CAN/CO/18 (25 May 2007) 3 [13].
- 425 See, e.g., Ryan Al-Natour, 'Of Middle Eastern Appearance' is a Flawed Racial Profiling Descriptor' (2017) 29(2) *Current Issues in Criminal Justice* 107-122.
- 426 See, e.g., Monica M. De La Cruz et al, 'Not a Monolith: Understanding of Racism and Racialisation among Korean, Pacific Islander, South Asian, and Vietnamese Women' (2024) 11(2) *Journal of Ethnic and Cultural Studies* 58; Jackson G. Lu, "'Asian" Is a Problematic Category in Research and Practice: Insights from the Bamboo Ceiling' (2024) 33(6) *Current Directions in Psychological Science* 400; Li Zhou, 'The inadequacy of the term "Asian American"', Vox News (online, 6 May 2021) <<https://www.vox.com/identities/22380197/asian-american-pacific-islander-aapi-heritage-anti-asian-hate-attacks>>
- 427 Steve Garner *Racisms: an introduction* (SAGE Publications, 2017) 158.
- 428 Gillian Stevens, Hiromi Ishizawa and Douglas Grbic, 'Measuring race and ethnicity in the censuses of Australia, Canada, and the United States: Parallels and paradoxes' (2015) 42(1-2) 13, 25.
- 429 Catriona Stevens and Farida Fozdar, 'Ethnicity, race or nation? Census classifications as barriers to the measurement of mixedness in Australia' (2021) 5(1) *Australian Population Studies* 49, 52.
- 430 Amrita Malhi, 'Enumerating Australia's "diverse": ethnicity and raciology in census and workplace diversity surveys' (2024) 47(10) *Ethnic and Racial Studies* 2219, 2230.
- 431 Michael Omi, 'Racial Identity and the State: The Dilemmas of Classification' (1997) 15(1) *Law and Inequality: A Journal of Theory and Practice* 7, 15.
- 432 Gillian Stevens, Hiromi Ishizawa and Douglas Grbic, 'Measuring race and ethnicity in the censuses of Australia, Canada, and the United States: Parallels and paradoxes' (2015) 42(12) 13, 31.
- 433 Australian Human Rights Commission, *National Anti-Racism Framework Scoping Report* (Report, 2022) 88; Australian Human Rights Commission and First Nations Co, *An Anti-Racism Framework: Voices of First Nations Peoples, First Nations Consultations* (Report, 2024) 49.
- 434 Liz Allen and Jieh-Yung Lo, Submission to the Australian Bureau of Statistics, *Census 2026 consultation* (April 2023) 5.
- 435 Department of Home Affairs, *Towards fairness: A multicultural Australia for all* (Report, 2024) 137; Andrew Jakubowicz, Submission to the Department of Home Affairs, *Multicultural Framework Review* (14 October 2023) 25.

- 436 Centre for Multicultural Youth, *"Data? It's everything about you!": Collecting data with multicultural young people* (Report, 2024) 27.
- 437 Centre for Multicultural Youth, *"Data? It's everything about you!": Collecting data with multicultural young people* (Report, 2024) 27.
- 438 Australian Human Rights Commission, *National Anti-Racism Framework Scoping Report* (Report, 2022) 88; Australian Human Rights Commission and First Nations Co, *An Anti-Racism Framework: Voices of First Nations Peoples, First Nations Consultations* (Report, 2024) 49.
- 439 Maggie Walter and Michele Suina, 'Indigenous data, indigenous methodologies and indigenous data sovereignty' (2019) 22(3) *International Journal of Social Research Methodology* 233, 237; Jacob Prehn and Maggie Walter, 'Indigenous Data Sovereignty and Social Work in Australia' (2023) 76(3) *Australian Social Work* 371, 372.
- 440 Maïam nayri Wingara Indigenous Data Sovereignty Collective, *Taking Control of Our Data: A Discussion Paper on Indigenous Data Governance for Aboriginal and Torres Strait Islander People and Communities* (Discussion Paper, January 2024) 6.
- 441 Australian Human Rights Commission, *A Fair and Just Future for First Peoples: Social Justice Report* (Report, 2025) 74.
- 442 Maggie Walter, 'Data politics and Indigenous representation in Australian statistics' in Tahu Kukutai and John Taylor (eds), *Indigenous Data Sovereignty: Toward an agenda* (ANU Press, 2016) 80.
- 443 Lowitja Institute, *Taking Control of Our Data: A Discussion Paper on Indigenous Data Governance for Aboriginal and Torres Strait Islander People and Communities* (Discussion Paper, 2024) 6.
- 444 Lowitja Institute, *Indigenous Data Sovereignty Policy Brief* (Guide, April 2023) 2.
- 445 Lowitja Institute, *Indigenous Data Sovereignty Policy Brief* (Guide, April 2023) 1; Australian Human Rights Commission, *A Fair and Just Future for First Peoples: Social Justice Report* (Report, 2025) 74.
- 446 Skye Trudgett et al, 'A framework for operationalising Aboriginal and Torres Strait Islander data sovereignty in Australia: Results of a systematic literature review of published studies' (2022) 45 *eClinicalMedicine* 1, 2.
- 447 Maïam nayri Wingara Indigenous Data Sovereignty Collective, *Taking Control of Our Data: A Discussion Paper on Indigenous Data Governance for Aboriginal and Torres Strait Islander People and Communities* (Discussion Paper, January 2024) 6. See also Maggie Walter, 'The voice of Indigenous data: Beyond the markers of disadvantage', *Griffith Review 60: First Things First* (Article, 7 August 2018) <<https://www.griffithreview.com/articles/voice-indigenous-data-beyond-disadvantage/>>.
- 448 Stephanie Carroll et al, 'The CARE Principles for Indigenous Data Governance' (Practice Paper, *Data Science Journal*, Committee on Data, International Science Council, 2020).
- 449 Skye Trudgett et al, 'A framework for operationalising Aboriginal and Torres Strait Islander data sovereignty in Australia: Results of a systematic literature review of published studies' (2022) 45 *eClinicalMedicine* 1, 20.
- 450 Maïam nayri Wingara Indigenous Data Sovereignty Collective, *Indigenous Data Sovereignty Communique* (Guide, 20 June 2018) 2.

- 451 Maggie Walter and Stephanie Russo Carroll, 'Indigenous Data Sovereignty, governance and the link to Indigenous policy' in Maggie Walter, Tahu Kukutai, Stephanie Russo Carroll and Desi Rodriguez-Lonebear (eds), *Indigenous Data Sovereignty and Policy* (Routledge, 2021) 2; Maïam nayri Wingara Indigenous Data Sovereignty Collective, *Indigenous Data Sovereignty Communique* (Guide, 20 June 2018) 2.
- 452 Maggie Walter and Michele Suina, 'Indigenous data, indigenous methodologies and indigenous data sovereignty' (2019) 22(3) *International Journal of Social Research Methodology* 233, 235.
- 453 Maïam nayri Wingara Indigenous Data Sovereignty Collective, *Indigenous Data Sovereignty Communique* (Guide, 20 June 2018) 1.
- 454 Maïam nayri Wingara Indigenous Data Sovereignty Collective, *Taking Control of Our Data: A Discussion Paper on Indigenous Data Governance for Aboriginal and Torres Strait Islander People and Communities* (Discussion Paper, January 2024) 1.
- 455 Michelle Kennedy et al, 'Decolonising qualitative research with respectful, reciprocal, and responsible research practice: a narrative review of the application of Yarning method in qualitative Aboriginal and Torres Strait Islander health research' (2022) 134(21) *International Journal for Equity in Health* 1, 22.
- 456 Tahu Kukutai and John Taylor, 'Data sovereignty for indigenous peoples: current practice and future needs' in Tahu Kukutai and John Taylor (eds), *Indigenous Data Sovereignty: Toward an Agenda* (ANU Press, 2016) 1, 2.
- 457 Lowitja Institute, *Taking Control of Our Data: A Discussion Paper on Indigenous Data Governance for Aboriginal and Torres Strait Islander People and Communities* (Discussion Paper, 2024) 7.
- 458 Global Indigenous Data Alliance, *CARE Statement for Indigenous Data Sovereignty* (Statement, 30 April 2023).
- 459 Australian Research Data Commons, *FAIR Data* (15 April 2024) <<https://ardc.edu.au/resource/fair-data/>>.
- 460 Stephanie Carroll Rainie et al, 'Indigenous data sovereignty' in Tim Davies et al (eds), *The State of Open Data Histories and Horizons* (African Minds and International Development Research Centre, 2019).
- 461 RDA COVID-19 Indigenous Data Working Group, *GIDA-RDA COVID-19 Guidelines for Data Sharing Respecting Indigenous Data Sovereignty* (Guidelines, 30 June 2020) 57.
- 462 RDA COVID-19 Indigenous Data Working Group, *GIDA-RDA COVID-19 Guidelines for Data Sharing Respecting Indigenous Data Sovereignty* (Guidelines, 30 June 2020) 57.
- 463 Global Indigenous Data Alliance, *CARE Statement for Indigenous Data Sovereignty* (Statement, 30 April 2023); RDA COVID-19 Indigenous Data Working Group, *GIDA-RDA COVID-19 Guidelines for Data Sharing Respecting Indigenous Data Sovereignty* (Guidelines, 30 June 2020) 57.
- 464 Global Indigenous Data Alliance, *CARE Statement for Indigenous Data Sovereignty* (Statement, 30 April 2023).
- 465 Maïam nayri Wingara Indigenous Data Sovereignty Collective, *Taking Control of Our Data: A Discussion Paper on Indigenous Data Governance for Aboriginal and Torres Strait Islander People and Communities* (Discussion Paper, January 2024) 5.
- 466 Maggie Walter, 'The voice of Indigenous data: Beyond the markers of disadvantage', *Griffith Review* 60: *First Things First* (Article, 7 August 2018) <<https://www.griffithreview.com/articles/voice-indigenous-data-beyond-disadvantage/>>.

- 467 Diane E Smith, 'Governing data and data for governance: the everyday practice of Indigenous sovereignty' in Tahu Kukutai and John Taylor (eds), *Indigenous Data Sovereignty: Toward an agenda* (ANU Press, 2016) 131.
- 468 Diane E Smith, 'Governing data and data for governance: the everyday practice of Indigenous sovereignty' in Tahu Kukutai and John Taylor (eds), *Indigenous Data Sovereignty: Toward an Agenda* (ANU Press, 2016) 117, 131.
- 469 Maïam nayri Wingara Indigenous Data Sovereignty Collective, *Taking Control of Our Data: A Discussion Paper on Indigenous Data Governance for Aboriginal and Torres Strait Islander People and Communities* (Discussion Paper, January 2024) 6.
- 470 Maïam nayri Wingara Indigenous Data Sovereignty Collective, *Taking Control of Our Data: A Discussion Paper on Indigenous Data Governance for Aboriginal and Torres Strait Islander People and Communities* (Discussion Paper, January 2024) 6.
- 471 Productivity Commission, *Review of the National Agreement on Closing the Gap* (Report, 2024) 6.
- 472 Productivity Commission, *Review of the National Agreement on Closing the Gap* (Report, 2024) 6.
- 473 Productivity Commission, *Review of the National Agreement on Closing the Gap* (Report, 2024) 7.
- 474 Productivity Commission, *Review of the National Agreement on Closing the Gap* (Report, 2024) 16.
- 475 Productivity Commission, *Review of the National Agreement on Closing the Gap* (Report, 2024) 16.
- 476 Productivity Commission, *Review of the National Agreement on Closing the Gap* (Report, 2024) 67.
- 477 Productivity Commission, *Review of the National Agreement on Closing the Gap* (Report, 2024) 16.
- 478 Productivity Commission, *Review of the National Agreement on Closing the Gap* (Report, 2024) 69.
- 479 Productivity Commission, *Review of the National Agreement on Closing the Gap* (Report, 2024) 69.
- 480 Raymond Lovett et al, 'Good data practices for Indigenous Data Sovereignty and Governance' in Angela Daly et al (eds), *Good data (Theory on Demand #29)* (Institute of Network Cultures, 2018) 26, 32-33.
- 481 Raymond Lovett et al, 'Good data practices for Indigenous Data Sovereignty and Governance' in Angela Daly et al (eds), *Good data (Theory on Demand #29)* (Institute of Network Cultures, 2018) 26, 32-33; Productivity Commission, *Review of the National Agreement on Closing the Gap* (Report, 2024) 65.
- 482 Commonwealth of Australia, *Framework for Governance of Indigenous Data* (Report, May 2024).
- 483 Australian Human Rights Commission, *A Fair and Just Future for First Peoples: Social Justice Report* (Report, 2025) 295.
- 484 Australian Human Rights Commission, *A Fair and Just Future for First Peoples: Social Justice Report* (Report, 2025) 295.
- 485 Productivity Commission, *Review of the National Agreement on Closing the Gap* (Report, 2024) 68.
- 486 Productivity Commission, *Review of the National Agreement on Closing the Gap* (Report, 2024) 68-69.
- 487 Maggie Walter and Stephanie Russo Carroll, 'Indigenous Data Sovereignty, governance and the link to Indigenous policy' in Maggie Walter, Tahu Kukutai, Stephanie Russo Carroll and Desi Rodriguez-Lonebear (eds), *Indigenous Data Sovereignty and Policy* (Routledge, 2021) 15.
- 488 Commonwealth of Australia, *Framework for Governance of Indigenous Data* (May 2024).

- 489 Tahu Kukutai and John Taylor, 'Data sovereignty for indigenous peoples: current practice and future needs' in Tahu Kukutai and John Taylor (eds), *Indigenous Data Sovereignty: Toward an Agenda* (ANU Press, 2016) 1, 8.
- 490 United Nations Office of the Human Rights Commissioner, *A human rights-based approach to data: leaving no one behind in the 2030 agenda for sustainable development* (Report, 2018) 3-6.
- 491 United Nations Office of the Human Rights Commissioner, *A human rights-based approach to data: leaving no one behind in the 2030 agenda for sustainable development* (Report, 2018) 7-10.
- 492 United Nations Office of the Human Rights Commissioner, *A human rights-based approach to data: leaving no one behind in the 2030 agenda for sustainable development* (Report, 2018) 11-13.
- 493 United Nations Office of the Human Rights Commissioner, *A human rights-based approach to data: leaving no one behind in the 2030 agenda for sustainable development* (Report, 2018) 14-15.
- 494 United Nations Office of the Human Rights Commissioner, *A human rights-based approach to data: leaving no one behind in the 2030 agenda for sustainable development* (Report, 2018) 16-17.
- 495 United Nations Office of the Human Rights Commissioner, *A human rights-based approach to data: leaving no one behind in the 2030 agenda for sustainable development* (Report, 2018) 18-20.
- 496 Audre Lorde, *Sister Outsider: Essays and Speeches* (The Crossing Press, 1984) 138.
- 497 Commission for Gender Equality in the Public Sector, *Intersectionality at work: building a baseline on compounded gender inequality in the Victorian public sector* (Report, October 2023) 96.
- 498 Ange-Marie Hancock, 'When Multiplication Doesn't Equal Quick Addition: Examining Intersectionality as a Research Paradigm' (2007) 5(1) *Perspectives on Politics* 63, 67.
- 499 Diversity Council Australia, *Disability Data at Work* (Report, 2024) 22-25.
- 500 Diversity Council Australia, *Neurodiversity Data at Work* (Guide, March 2026) 6.
- 501 Australian Human Rights Commission, *Equal Identities: A human rights review of the experiences of trans and gender diverse people in Australia* (Report, March 2026) 77.
- 502 Centre for Multicultural Youth, *"Data? It's everything about you!": Collecting data with multicultural young people, Supplementary Report - Insights from newly-arrived young people* (Report, 2024) 10, 12.
- 503 Australian Human Rights Commission and First Nations Co, *An Anti-Racism Framework: Voices of First Nations Peoples, First Nations Consultations* (Report, 2024) 18.
- 504 Australian Human Rights Commission, *Equal Identities: A human rights review of the experiences of trans and gender diverse people in Australia* (Report, March 2026) 76.
- 505 United Nations Office of the Human Rights Commissioner, *A human rights-based approach to data: leaving no one behind in the 2030 agenda for sustainable development* (Report, 2018) 12.
- 506 The Scanlon Foundation, *'Why call me that?' Reflections on labels in a diverse nation* (Report, April 2023) 4.
- 507 Scanlon Foundation, *'Why call me that?' Reflections on labels in a diverse nation* (Report, April 2023) 22.
- 508 Scanlon Foundation, *'Why call me that?' Reflections on labels in a diverse nation* (Report, April 2023) 19.
- 509 The Scanlon Foundation, *'Why call me that?' Reflections on labels in a diverse nation* (Report, April 2023) 6.

- 510 The Scanlon Foundation, *'Why call me that?' Reflections on labels in a diverse nation* (Report, April 2023) 9.
- 511 The Scanlon Foundation, *'Why call me that?' Reflections on labels in a diverse nation* (Report, April 2023) 6.
- 512 The Scanlon Foundation, *'Why call me that?' Reflections on labels in a diverse nation* (Report, April 2023) 9.
- 513 See e.g., Maggie Walter and Stephanie Russo Carroll, 'Indigenous Data Sovereignty, governance and the link to Indigenous policy' in Maggie Walter, Tahu Kukutai, Stephanie Russo Carroll and Desi Rodriguez-Lonebear (eds), *Indigenous Data Sovereignty and Policy* (Routledge, 2021) 10.
- 514 Maggie Walter and Chris Anderson, *Indigenous Statistics: A Qualitative Research Methodology* (Routledge, 2013) 34.
- 515 See e.g., Padmapriya Muralidharan, Yasmine Hosseini and Zuleika Arashiro, *An Anti-Racism Framework: Experiences and Perspectives of Multicultural Australia. Report on the national community consultations* (Report, 2024) 2; Virginia Mapedzahama, Farhana Laffernis, Ameena Barhoum and Jane O'Leary, *Culturally and racially marginalised women in leadership: A framework for (intersectional) organisational action* (Report, 2023) 9; Andre M. N. Renzaho, 'The Lack of Race and Ethnicity Data in Australia - A Threat to Achieving Health Equity' (2023) 20(8) *International Journal of Environmental Research and Public Health* 5530; Johanna Wyn, Rimi Khan and Babak Dadvand, 'Multicultural Youth Australia Census Status Report 2017/18' (Report, November 2018) 8; Peter Mousaferiadis, 'Why 'culturally and linguistically diverse' has had its day', *Diversity Atlas* (Blog post, 17 February 2020) <<https://diversityatlas.io/heres-why-cald-has-had-its-day/>>; The Scanlon Foundation, *'Why call me that?' Reflections on labels in a diverse nation* (Report, April 2023) 16.
- 516 See e.g., Federation of Ethnic Communities' Councils of Australia, *If we don't count it...it doesn't count!* (Report, October 2022) 20.
- 517 Federation of Ethnic Communities' Councils of Australia, *If we don't count it...it doesn't count!* (Report, October 2022) 20.
- 518 Dinesh Joseph Wadiwel and Brian Cooper, 'Disability and Multiculturalism: Data and the "Healthy Migrant"' in Andrew Jakubowicz and Christina Ho (eds), *For those who've come across the seas: Australian Multicultural Theory, Policy and Practice* (Australian Scholarly Publishing, 2013) 96.
- 519 The Scanlon Foundation, *'Why call me that?' Reflections on labels in a diverse nation* (Report, April 2023) 18.
- 520 The Scanlon Foundation, *'Why call me that?' Reflections on labels in a diverse nation* (Report, April 2023) 18.
- 521 Andre M. N. Renzaho, 'The Lack of Race and Ethnicity Data in Australia - A Threat to Achieving Health Equity' (2023) 20(8) *International Journal of Environmental Research and Public Health* 5530, 11; The Scanlon Foundation, *'Why call me that?' Reflections on labels in a diverse nation* (Report, April 2023) 16.
- 522 Johanna Wyn, Rimi Khan and Babak Dadvand, 'Multicultural Youth Australia Census Status Report 2017/18' (Report, November 2018) 8.
- 523 Johanna Wyn, Rimi Khan and Babak Dadvand, 'Multicultural Youth Australia Census Status Report 2017/18' (Report, November 2018) 5.
- 524 Johanna Wyn, Rimi Khan and Babak Dadvand, 'Multicultural Youth Australia Census Status Report 2017/18' (Report, November 2018) 5.
- 525 Peter Mousaferiadis, 'Why 'culturally and linguistically diverse' has had its day', *Diversity Atlas* (Blog post, 17 February 2020) <<https://diversityatlas.io/heres-why-cald-has-had-its-day/>>.

- 526 The Scanlon Foundation, 'Why call me that?' *Reflections on labels in a diverse nation* (Report, April 2023) 18.
- 527 The Scanlon Foundation, 'Why call me that?' *Reflections on labels in a diverse nation* (Report, April 2023) 18.
- 528 Scottish Government, *Using intersectionality to understand structural inequality in Scotland: Evidence synthesis* (Report, March 2022) 13.
- 529 Li Zhou, 'The long history of anti-Asian hate in America, explained', Vox News (online, 6 March 2021) <<https://www.vox.com/identities/2020/4/21/21221007/anti-asian-racism-coronavirus-xenophobia>>; Amrita Malhi, 'Enumerating Australia's "diverse": ethnicity and raciology in census and workplace diversity surveys' (2024) 47(10) *Ethnic and Racial Studies* 2219, 2232-2233.
- 530 Virginia Mapedzahama, Farharna Laffernis, Ameena Barhoum, and Jane O'Leary, *Culturally and Racially Marginalised Women in Leadership: A framework for (intersectional) organisational action* (Report, 2023) 13.
- 531 Virginia Mapedzahama, Farharna Laffernis, Ameena Barhoum, and Jane O'Leary, *Culturally and Racially Marginalised Women in Leadership: A framework for (intersectional) organisational action* (Report, 2023) 19.
- 532 Virginia Mapedzahama, Farharna Laffernis, Ameena Barhoum, and Jane O'Leary, *Culturally and Racially Marginalised Women in Leadership: A framework for (intersectional) organisational action* (Report, 2023) 14.
- 533 Virginia Mapedzahama, Farharna Laffernis, Ameena Barhoum, and Jane O'Leary, *Culturally and Racially Marginalised Women in Leadership: A framework for (intersectional) organisational action* (Report, 2023) 16.
- 534 Sheetal Deo, 'Why we use the term 'marginalised' (online, 13 March 2024) <<https://www.dca.org.au/news/blog/why-we-use-the-term-marginalised>>.
- 535 Sheetal Deo, 'Why we use the term 'marginalised' (online, 13 March 2024) <<https://www.dca.org.au/news/blog/why-we-use-the-term-marginalised>>.
- 536 Jennifer C. Nash, 'Feminist originalism: Intersectionality and the politics of reading', (2016) *Feminist Theory* 17(1) 3-20; Linda Martin Alcoff, 'Who's afraid of identity politics?' in Paula M.L Moya and Michael R. Hames-García (eds), *Reclaiming Identity: Realist Theory and the Predicament of Postmodernism* (University of California Press, 2000) 25.
- 537 Victoria R. Baskerville, 'A Transcultural and Intersectional Ego State Model of the Self: The Influence of Transcultural and Intersectional Identity on Self and Other' (2022) 52(32) *Transactional Analysis Journal* 228, 234-5.
- 538 United Nations Office of the Human Rights Commissioner, *A human rights-based approach to data: leaving no one behind in the 2030 agenda for sustainable development* (Report, 2018) 13.
- 539 United Nations Office of the Human Rights Commissioner, *A human rights-based approach to data: leaving no one behind in the 2030 agenda for sustainable development* (Report, 2018) 13.
- 540 David I. Kertzer and Dominique Arel, 'Censuses, identity formation and the struggle for political power' in David I. Kertzer and Dominique Arel (eds) *Census and Identity: The Politics of Race, Ethnicity and Language in National Censuses* (Cambridge University Press, 2001) 34.
- 541 Australian Human Rights Commission, *5 Common Myths & Misconceptions about racism* (Guide, 2024) 14.
- 542 Mario Peucker, Franka Vaughan, Jo Doley and Tom Clark, *Understanding reporting barriers and support needs for those experiencing racism in Victoria* (Report, 2024) 31.

- 543 In consultations with the Commission, stakeholders cited Arab Canadian Lawyers Association, *Anti-Palestinian Racism: Naming, Framing and Manifestations* (Report 2022).
- 544 See, e.g., Lana Tatour, 'Censoring Palestine: human rights, academic freedom and the IHRA' (2024) 30(1) *Australian Journal of Human Rights* 106, 110.
- 545 Arab Canadian Lawyers Association, *Anti-Palestinian Racism: Naming, Framing and Manifestations* (Report 2022) 8.
- 546 Australian Human Rights Commission, *Respect at Uni: Study into Antisemitism, Islamophobia, racism and the experience of First Nations people* (Report, February 2026) 45.
- 547 Australian Muslim Advocacy Network et al, 'Community Coalition Calls for Unified Anti-Racism Standard in Universities' (Media Release, 28 March 2025) <<https://www.aman.net.au/community-coalition-calls-for-unified-anti-racism-standard-in-universities/>>.
- 548 Australian Muslim Advocacy Network, *Dehumanisation – Policy Brief* (Web page) <<https://www.aman.net.au/policy-brief-combatting-online-dehumanisation-of-minorities/>>.
- 549 Rita Jabri-Markwell, *An anti-racism solution for universities and schools* (Blog post, 21 February 2026) <<https://ritajabrimarkwell.substack.com/p/an-anti-racism-solution-for-universities>>. See also, Australian Muslim Advocacy Network, *Dehumanisation – Policy Brief* (Web page) <<https://www.aman.net.au/policy-brief-combatting-online-dehumanisation-of-minorities/>>.
- 550 Rita Jabri-Markwell, *An anti-racism solution for universities and schools* (Blog post, 21 February 2026) <<https://ritajabrimarkwell.substack.com/p/an-anti-racism-solution-for-universities>>.
- 551 Rita Jabri-Markwell, *An anti-racism solution for universities and schools* (Blog post, 21 February 2026) <<https://ritajabrimarkwell.substack.com/p/an-anti-racism-solution-for-universities>>.
- 552 United Nations Office of the Human Rights Commissioner, *A human rights-based approach to data: leaving no one behind in the 2030 agenda for sustainable development* (Report, 2018) 11.
- 553 @migrationwaus (Migration Watch) (X/Twitter, 25 April 2024, 12:31pm AEST) <https://x.com/migrationwaus/status/1783323006405841056?s=46&t=vXFY1COShInhane6XOUo_Q>.
- 554 Michael Koziol, 'Trump administration orders US embassy to collect data on migrant crime in Australia', *Sydney Morning Herald* (online, 25 November 2025) <<https://www.smh.com.au/world/north-america/trump-admin-orders-us-embassy-to-collect-data-on-migrant-crime-in-australia-20251125-p5ni3d.html>>.
- 555 Australian Bureau of Statistics, 'Overseas Arrivals and Departures versus Overseas Migration data' (Media Release, 21 October 2025) <<https://www.abs.gov.au/media-centre/media-statements/overseas-arrivals-and-departures-versus-overseas-migration-data>>.
- 556 Media Watch, 'Migration Watch' unmasked', *ABC News* (online, 6 May 2024) <<https://www.abc.net.au/mediawatch/episodes/migrants/103811288>>; See also Kat Wong and Poppy Johnston, 'Mass migration claims debunked as the far right gathers', *Australian Associated Press* (online 29 November 2025) <<https://aapnews.aap.com.au/news/experts-debunk-mass-migration-claims-that-fuel-rallies>>; Josh Butler, 'Anti-immigration protestors say Australia's migration is at record highs – but the figures tell a different story', *The Guardian Australia* (online, 1 September 2025) <<https://aapnews.aap.com.au/news/experts-debunk-mass-migration-claims-that-fuel-rallies>>.
- 557 Centre for Multicultural Youth, *"Data? It's everything about you!": Collecting data with multicultural young people, Supplementary Report – Insights from newly-arrived young people* (Report, 2024) 10.
- 558 Centre for Multicultural Youth, *"Data? It's everything about you!": Collecting data with multicultural young people* (Report, 2024) 23.

- 559 Rachael Evans, 'Why Noria and Ash don't disclose their cultural background when applying for jobs', *ABC News* (online, 13 July 2022) <<https://www.abc.net.au/news/2022-07-13/disclosing-cultural-background-applying-for-jobs/101222178>>; Tamika Seeto, 'Aussie retailer JB Hi-Fi blasted over controversial job interview question: "Wrong"', *Yahoo! Finance* (online, 17 October 2025) <<https://au.finance.yahoo.com/news/aussie-retailer-jb-hi-fi-blasted-over-controversial-job-interview-question-wrong-190058729.html>>.
- 560 Rachael Evans, 'Why Noria and Ash don't disclose their cultural background when applying for jobs', *ABC News* (online, 13 July 2022) <<https://www.abc.net.au/news/2022-07-13/disclosing-cultural-background-applying-for-jobs/101222178>>; Tamika Seeto, 'Aussie retailer JB Hi-Fi blasted over controversial job interview question: "Wrong"', *Yahoo! Finance* (online, 17 October 2025) <<https://au.finance.yahoo.com/news/aussie-retailer-jb-hi-fi-blasted-over-controversial-job-interview-question-wrong-190058729.html>>.
- 561 Victorian Equal Opportunity and Human Rights Commission, *Guidelines: Race discrimination in the workplace – Your rights and responsibilities under the Equal Opportunity Act* (Report, 2024) 84.
- 562 Victorian Equal Opportunity and Human Rights Commission, *Guidelines: Race discrimination in the workplace – Your rights and responsibilities under the Equal Opportunity Act* (Report, 2024) 85.
- 563 Victorian Equal Opportunity and Human Rights Commission, *Guidelines: Race discrimination in the workplace – Your rights and responsibilities under the Equal Opportunity Act* (Report, 2024) 85.
- 564 Victorian Equal Opportunity and Human Rights Commission, *Guidelines: Race discrimination in the workplace – Your rights and responsibilities under the Equal Opportunity Act* (Report, 2024) 86.
- 565 Amanuel Elias, Fethi Mansouri and Yin Paradies, *Racism in Australia Today* (Palgrave Macmillan, 2021) 172.
- 566 Amanuel Elias, Fethi Mansouri and Yin Paradies, *Racism in Australia Today* (Palgrave Macmillan, 2021) 175.
- 567 Chelsea Watego, David Singh, and Alissa Macoun, 'Partnership for Justice in Health: Scoping Paper on Race, Racism and the Australian Health System' (Discussion Paper, 2021) 15.
- 568 Chelsea Watego, David Singh, and Alissa Macoun, 'Partnership for Justice in Health: Scoping Paper on Race, Racism and the Australian Health System' (Discussion Paper, 2021) 19.
- 569 Jehonathan Ben et al, *Identifying and filling racism data gaps in Victoria: A stocktake review* (Report, 2022) 7.
- 570 Jehonathan Ben et al, *Identifying and filling racism data gaps in Victoria: A stocktake review* (Report, 2022) 7.
- 571 These include the Challenging Racism Project's *Geographies of Racism National Survey* (2001-2008), the Scanlon Foundation's *Mapping Social Cohesion* study (2007-present), and the national *Household, Income, and Labour Dynamics* survey (2001-present); Jehonathan Ben et al, *Identifying and filling racism data gaps in Victoria: A stocktake review* (Report, 2022) 11.
- 572 These include the *General Social Survey* (2002 – present), the *National Aboriginal and Torres Strait Islander Social Survey* (2002 – present), the *National Aboriginal and Torres Strait Islander Health Survey* (1994 – present), the *Longitudinal Study of Indigenous Children* (2008 – present) and the *Longitudinal Study of Australian Children* (2003 – present); Jehonathan Ben et al, *Identifying and filling racism data gaps in Victoria: A stocktake review* (Report, 2022) 11.
- 573 Jehonathan Ben et al, *Identifying and filling racism data gaps in Victoria: A stocktake review* (Report, 2022) 8.
- 574 These include the Challenging Racism Project's *Cyber Racism and Community Resilience* study (2013), the independent *Speak Out Against Racism* study (2017), the national *Building a New Life in Australia* study (2013 – 2018 and 2022- present), and the national *Mayi Kuwayu Study of Aboriginal*

and Torres Strait and Islander Wellbeing survey (2018-present); Jehonathan Ben et al, *Identifying and filling racism data gaps in Victoria: A stocktake review* (Report, 2022) 11.

- 575 Jehonathan Ben et al, *Identifying and filling racism data gaps in Victoria: A stocktake review* (Report, 2022) 8, 24.
- 576 Jehonathan Ben et al, *Identifying and filling racism data gaps in Victoria: A stocktake review* (Report, 2022) 3.
- 577 Jehonathan Ben et al, *Identifying and filling racism data gaps in Victoria: A stocktake review* (Report, 2022) 3.
- 578 Jehonathan Ben et al, *Identifying and filling racism data gaps in Victoria: A stocktake review* (Report, 2022) 3.
- 579 Australian Human Rights Commission, *Mapping government anti-racism programs and policies* (Report, 2024) 41.
- 580 Jehonathan Ben et al, *Identifying and filling racism data gaps in Victoria: A stocktake review* (Report, 2022) 3.
- 581 Liz Allen, 'Promoting Representation Through Data: The Case for More Comprehensive Ethnicity Data in Australia' (2021) 37(2) *Law in Context* 54, 57.
- 582 Liz Allen, 'Promoting Representation Through Data: The Case for More Comprehensive Ethnicity Data in Australia' (2021) 37(2) *Law in Context* 54, 57.
- 583 Australian Government, *Multicultural Framework Review* (Report, 2024) 110.
- 584 *Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability* (Final Report, November 2023) vol 12, 43.
- 585 Andrew Jakubowicz, Submission to the Department of Home Affairs, *Multicultural Framework Review* (14 October 2023) 10, 12.
- 586 Jehonathan Ben et al, *Identifying and filling racism data gaps in Victoria: A stocktake review* (Report, 2022) 24.
- 587 Jehonathan Ben et al, *Identifying and filling racism data gaps in Victoria: A stocktake review* (Report, 2022) 21.
- 588 Jehonathan Ben et al, *Identifying and filling racism data gaps in Victoria: A stocktake review* (Report, 2022) 21.
- 589 Jehonathan Ben et al, *Identifying and filling racism data gaps in Victoria: A stocktake review* (Report, 2022) 21.
- 590 Jehonathan Ben et al, *Identifying and filling racism data gaps in Victoria: A stocktake review* (Report, 2022) 21-22.
- 591 Jehonathan Ben et al, *Identifying and filling racism data gaps in Victoria: A stocktake review* (Report, 2022) 23.
- 592 Productivity Commission, *Review of the National Agreement on Closing the Gap* (Report, 2024) 75.
- 593 Jehonathan Ben et al, *Identifying and filling racism data gaps in Victoria: A stocktake review* (Report, 2022) 22.
- 594 Jehonathan Ben et al, *Identifying and filling racism data gaps in Victoria: A stocktake review* (Report, 2022) 22.
- 595 Jehonathan Ben et al, *Identifying and filling racism data gaps in Victoria: A stocktake review* (Report, 2022) 23.

- 596 Jehonathan Ben et al, *Identifying and filling racism data gaps in Victoria: A stocktake review* (Report, 2022) 23.
- 597 Centre for Indigenous People and Work, *Gari Yala 2 (Speak the Truth): Centreing the Work Experiences of Aboriginal and/or Torres Strait Islander Australians in 2025-2026* (Report, 2026) 35, 39. See also Women of Colour Australia, *Women of Colour in the Workplace 2024* (Report, 2024) 7, 18; Australian Human Rights Commission, *The National Anti-Racism Framework: A roadmap to eliminating racism in Australia* (Report, November 2024) 31-34; Australian Human Rights Commission, *Respect at Uni: Study into Antisemitism, Islamophobia, racism and the experience of First Nations people* (Report, 2026) 132-136; Australian Human Rights Commission, *The struggle to be seen, the power in being heard: Community insights from the Seen & Heard project* (Report, 2026) 39-42; Australian Human Rights Commission, *Sharing the Stories of Australian Muslims Report* (Report, July 2021) 61-62.
- 598 Victorian Equal Opportunity and Human Rights Commission, *Guidelines: Race discrimination in the workplace – Your rights and responsibilities under the Equal Opportunity Act* (Report, 2024) 38.
- 599 Peter Anderson, Virginia Mapedzahama, Jane O’Leary and Annika Kaabel, *Racism at Work: How Organisations Can Stand Up to and End Workplace Racism*, Diversity Council Australia (Report, 2022) 14.
- 600 Victorian Commission for Gender Equality in the Public Sector, *Intersectionality at work: building a baseline on compounded gender inequality in the Victorian public sector* (Report, October 2023) 12.
- 601 Victorian Commission for Gender Equality in the Public Sector, *Intersectionality at work: building a baseline on compounded gender inequality in the Victorian public sector* (Report, October 2023) 18.
- 602 Victorian Commission for Gender Equality in the Public Sector, *Intersectionality at work: building a baseline on compounded gender inequality in the Victorian public sector* (Report, October 2023) 65.
- 603 Victorian Commission for Gender Equality in the Public Sector, *Intersectionality at work: building a baseline on compounded gender inequality in the Victorian public sector* (Report, October 2023) 18.
- 604 Diversity Council Australia and Australian Disability Network, *Inclusion@Work Index: Disability Data at Work – How Organisations Can Capture Disability Data Safely and Respectfully* (Report, 2024) 20.
- 605 Australian Human Rights Commission, *Speaking from Experience: What needs to change to address workplace sexual harassment* (Report, June 2025) 27, 28, 34.
- 606 Victorian Equal Opportunity and Human Rights Commission, *Guidelines: Race discrimination in the workplace – Your rights and responsibilities under the Equal Opportunity Act* (Report, 2024) 38.
- 607 Peter Anderson, Virginia Mapedzahama, Jane O’Leary and Annika Kaabel, *Racism at Work: How Organisations Can Stand Up to and End Workplace Racism* (Report, 2022) 14; Virginia Mapedzahama, Farhana Laffernis, Ameena Barhoum, and Jane O’Leary,, *Culturally and racially marginalised women in leadership: A framework for (intersectional) organisational action* (Report, 2023); Dimitria Groutsis, Christine Han, Jane O’Leary, Rose D’Almada Remedios and Annika Kaabel ‘Whose Justice? A Turn to Relational Equality from the Experiences of Ethno-Racially Marginalised Women in Australian Workplaces’ (2026) *Journal of Business Ethics* 1.
- 608 Women of Colour Australia, *Workplace Survey Report 2021* (Report, 2021).
- 609 See, e.g. Sarah Hill, ‘A lack of intersectional data hides the real gender pay gap’, *Women’s Agenda* (online, 27 August 2020) <<https://womensagenda.com.au/latest/a-lack-of-intersectional-data-hides-the-real-gender-pay-gap/>>.
- 610 Department of the Prime Minister and Cabinet, *Review of the Workplace Gender Equality Act 2012* (Report, December 2021) 15, 45.

- 611 Australian Human Rights Commission, *Respect at Uni: Study into antisemitism, Islamophobia, racism and the experience of First Nations People* (Interim Report, December 2024) 11.
- 612 Australian Human Rights Commission, *Respect at Uni: Study into antisemitism, Islamophobia, racism and the experiences of First Nations People* (Final Report, February 2026) 10.
- 613 Jumbunna Institute for Indigenous Education and the Centre for Social Justice and Inclusion, *Respect at Uni: Study into Antisemitism, Islamophobia, Racism and the Experiences of First Nations People* (Interim Report, December 2024) 26.
- 614 Australian Human Rights Commission, *National Anti-Racism Framework Scoping Report* (Report, 2022) 129.
- 615 Jehonathan Ben et al, *Identifying and filling racism data gaps in Victoria: A stocktake review* (Report, 2022) 22, 28.
- 616 Jehonathan Ben et al, *Identifying and filling racism data gaps in Victoria: A stocktake review* (Report, 2022) 18.
- 617 Australian Human Rights Commission, *National Anti-Racism Framework Scoping Report* (Report, 2022) 143.
- 618 Australian Law Reform Commission, *Without fear of favour: Judicial Impartiality and the Law on Bias* (Report no 138, December 2021) 480-482.
- 619 Australian Law Reform Commission, *Without fear of favour: Judicial Impartiality and the Law on Bias* (Report no 138, December 2021) 546-547.
- 620 Australian Institute of Health and Welfare, *Australia's health 2020 data insights* (Report, 2020) 6; Andrew Jakubowicz, Submission to the Department of Home Affairs, *Multicultural Framework Review* (14 October 2023) 19.
- 621 Australian Human Rights Commission, *The age barrier: Older adults' experiences of ageism in health care* (Report, November 2025) 32.
- 622 Australian Human Rights Commission, *Wiyi Yani U Thangani (Women's Voices): Securing Our Rights, Securing Our Future* (Report, 2020) 414.
- 623 Australian Human Rights Commission, *Health Inequities in Australia: A Scoping Review on the Impact of Racism on Indigenous and Other Negatively Racialised Communities' Health Outcomes and Healthcare Access* (Report, September 2025) 12-13.
- 624 NSW Nurses and Midwives' Association, *Standing together against racism* (Report, 2024).
- 625 Melbourne School of Population and Global Health and Tenants Victoria, *'Shelter is a dignity': towards antiracism practices in rental housing* (Report, 2025).
- 626 Mario Peucker, Franka Vaughan, Jo Doley and Tom Clark, *Understanding reporting barriers and support needs for those experiencing racism in Victoria* (Report, 2024) 45.
- 627 Matteo Vergani and Rouven Link, 'A Conceptual Framework to Map Responses to Hate Crime, Hate Incidents and Hate Speech: The Case of Australia' (2023) 22(3) 441, 443.
- 628 Matteo Vergani and Rouven Link, 'A Conceptual Framework to Map Responses to Hate Crime, Hate Incidents and Hate Speech: The Case of Australia' (2023) 22(3) 441, 443.
- 629 Matteo Vergani and Rouven Link, 'A Conceptual Framework to Map Responses to Hate Crime, Hate Incidents and Hate Speech: The Case of Australia' (2023) 22(3) 441, 444.
- 630 Matteo Vergani et al, 'Comparing Different Sources of Data to Examine Trends of Hate Crime in Absence of Official Registers' (2021) 46(36) 456.

- 631 Fiona Allison, 'A limited right to equality: evaluating the effectiveness of racial discrimination law for Indigenous Australians through an access to justice lens' (2013) 17(2) *Australian Indigenous Law Review* 3.
- 632 See e.g., Julia Mansour, 'Consolidation of Australian Anti-discrimination Laws' (2012) 21(2) *Griffith Law Review* 533, 542; Fiona Allison, 'A Limited Right to Equality: Evaluating the Effectiveness of Radical Discrimination Law for Indigenous Australians through an Access to Justice Lens' (2013) 17(2) *Australian Indigenous Law Review* 3, 9; Australian Human Rights Commission, *Free and Equal: A reform agenda for federal discrimination laws* (Report, December 2021) 302.
- 633 Julia Mansour, 'Consolidation of Australian Anti-discrimination Laws' (2012) 21(2) *Griffith Law Review* 533, 540.
- 634 See, e.g., Australian Human Rights Commission, *Annual Report 2022-23* (Report, November 2023) 23.
- 635 Australian Human Rights Commission, *Free and Equal: A reform agenda for federal discrimination laws* (Report, December 2021) 108.
- 636 Jumbunna Institute for Indigenous Education and the Centre for Social Justice and Inclusion, *Respect at Uni: Study into Antisemitism, Islamophobia, Racism and the Experiences of First Nations People* (Interim Report, December 2024) 27.
- 637 Jehonathan Ben et al, *Identifying and filling racism data gaps in Victoria: A stocktake review* (Report, 2022) 18.
- 638 Jehonathan Ben et al, *Identifying and filling racism data gaps in Victoria: A stocktake review* (Report, 2022) 18.
- 639 WorkSafe Victoria, *WorkSafe Annual Report 2024-25* (Report, 2025) 97.
- 640 Jehonathan Ben et al, *Identifying and filling racism data gaps in Victoria: A stocktake review* (Report, 2022) 15.
- 641 Jehonathan Ben et al, *Identifying and filling racism data gaps in Victoria: A stocktake review* (Report, 2022) 17.
- 642 Jehonathan Ben et al, *Identifying and filling racism data gaps in Victoria: A stocktake review* (Report, 2022) 16.
- 643 Jehonathan Ben et al, *Identifying and filling racism data gaps in Victoria: A stocktake review* (Report, 2022) 16-17.
- 644 Jehonathan Ben et al, *Identifying and filling racism data gaps in Victoria: A stocktake review* (Report, 2022) 24.
- 645 Australian Human Rights Commission, *National Anti-Racism Framework Scoping Report 2022* (Report, 2022) 95.
- 646 Mario Peucker, Franka Vaughan, Jo Doley and Tom Clark, *Understanding reporting barriers and support needs for those experiencing racism in Victoria* (Report, 2024) 17; Jehonathan Ben, "'People love talking about racism": downplaying discrimination, and challenges to anti-racism among Eritrean migrants in Australia' (2022) 46(5) *Journal of Ethnic and Racial studies* 921.
- 647 Centre for Multicultural Youth, *"Data? It's everything about you!": Collecting data with multicultural young people, Supplementary Report – Insights from newly-arrived young people* (Report, 2024) 17.
- 648 Mario Peucker, Franka Vaughan, Jo Doley and Tom Clark, *Understanding reporting barriers and support needs for those experiencing racism in Victoria* (Report, 2024) 21.
- 649 Police Stop Data Working Group, 'Monitoring Racial Profiling – Introducing a scheme to prevent unlawful stops and searches by Victoria Police' (Report, 2017) 6.

- 650 Police Stop Data Working Group, 'Monitoring Racial Profiling – Introducing a scheme to prevent unlawful stops and searches by Victoria Police' (Report, 2017) 6.
- 651 Tamar Hopkins, 'Litigating Racial Profiling: The Use of Statistical Data' (2021) 37(2) *Law in Context*, 6.
- 652 Police Stop Data Working Group, 'Monitoring Racial Profiling – Introducing a scheme to prevent unlawful stops and searches by Victoria Police' (Report, 2017) 16.
- 653 Police Stop Data Working Group, 'Monitoring Racial Profiling – Introducing a scheme to prevent unlawful stops and searches by Victoria Police' (Report, 2017) 17.
- 654 Tamar Hopkins, 'Racial Profiling, Policing and Lack of Accountability' in Talia Anthony et al (eds), *The Palgrave Handbook of Racial Injustice and Resistance* (Palgrave, 2026) 475.
- 655 See e.g., Michael Shiner et al, *The Colour of Injustice: 'Race', drugs and law enforcement in England and Wales* (Report, 2018) 3.
- 656 Tamar Hopkins and Gordana Popovic, 'Do Australian police engage in racial profiling? A method for identifying racial profiling in the absence of police data' (2025) 37(1) *Current Issues in Criminal Justice* 19, 21.
- 657 Police Stop Data Working Group, 'Monitoring Racial Profiling – Introducing a scheme to prevent unlawful stops and searches by Victoria Police' (Report, 2017) 9.
- 658 Police Stop Data Working Group, 'Monitoring Racial Profiling – Introducing a scheme to prevent unlawful stops and searches by Victoria Police' (Report, 2017) 9.
- 659 Police Stop Data Working Group, 'Monitoring Racial Profiling – Introducing a scheme to prevent unlawful stops and searches by Victoria Police' (Report, 2017) 6.
- 660 Police Accountability Project, 'An end to racial profiling in sight' (Web page, 22 April 2013) <<https://policeaccountability.org.au/racial-profiling/an-end-to-racial-profiling-in-sight/>>
- 661 Michael Shiner et al, *The Colour of Injustice: 'Race', drugs, and law enforcement in England and Wales* (Report, 2018) 3.
- 662 Police Accountability Project, 'An end to racial profiling in sight' (Web page, 22 April 2013) <<https://policeaccountability.org.au/racial-profiling/an-end-to-racial-profiling-in-sight/>>
- 663 Tamar Hopkins, 'Litigating racial profiling: examining the evidence for institutional racial profiling against African-Australians in Flemington, Victoria' (2020) 26(2) *Australian Journal of Human Rights* 209, 221.
- 664 Police Stop Data Working Group, 'Monitoring Racial Profiling – Introducing a scheme to prevent unlawful stops and searches by Victoria Police' (Report, 2017) 7.
- 665 Police Stop Data Working Group, 'Monitoring Racial Profiling – Introducing a scheme to prevent unlawful stops and searches by Victoria Police' (Report, 2017) 13.
- 666 Police Stop Data Working Group, 'Monitoring Racial Profiling – Introducing a scheme to prevent unlawful stops and searches by Victoria Police' (Report, 2017) 54.
- 667 Committee on Elimination of Racial Discrimination, *General Comment No. 36 (2020) on preventing and combating racial profiling by law enforcement officials*, UN CERD, 102nd sess, UN Doc CERD/C/GC/36 (17 December 2020) para 50.
- 668 Police Stop Data Working Group, 'Monitoring Racial Profiling – Introducing a scheme to prevent unlawful stops and searches by Victoria Police' (Report, 2017) 11.
- 669 Police Stop Data Working Group, 'Monitoring Racial Profiling – Introducing a scheme to prevent unlawful stops and searches by Victoria Police' (Report, 2017) 11.

- 670 Police Stop Data Working Group, 'Monitoring Racial Profiling – Introducing a scheme to prevent unlawful stops and searches by Victoria Police' (Report, 2017) 43.
- 671 Police Stop Data Working Group, 'Monitoring Racial Profiling – Introducing a scheme to prevent unlawful stops and searches by Victoria Police' (Report, 2017) 45.
- 672 Police Stop Data Working Group, 'Monitoring Racial Profiling – Introducing a scheme to prevent unlawful stops and searches by Victoria Police' (Report, 2017) 40.
- 673 Police Stop Data Working Group, 'Monitoring Racial Profiling – Introducing a scheme to prevent unlawful stops and searches by Victoria Police' (Report, 2017) 40.
- 674 See, e.g., Ryan Al-Natour, 'Of Middle Eastern Appearance' is a Flawed Racial Profiling Descriptor' (2017) 29(2) *Current Issues in Criminal Justice* 107-122.
- 675 Police Stop Data Working Group, 'Monitoring Racial Profiling – Introducing a scheme to prevent unlawful stops and searches by Victoria Police' (Report, 2017) 40.
- 676 Police Stop Data Working Group, 'Monitoring Racial Profiling – Introducing a scheme to prevent unlawful stops and searches by Victoria Police' (Report, 2017) 40.
- 677 Police Stop Data Working Group, 'Monitoring Racial Profiling – Introducing a scheme to prevent unlawful stops and searches by Victoria Police' (Report, 2017) 40-41.
- 678 Australian Human Rights Commission, *5 Common Myths & Misconceptions about racism* (Guide, 2024) 13.
- 679 Police Stop Data Working Group, 'Monitoring Racial Profiling – Introducing a scheme to prevent unlawful stops and searches by Victoria Police' (Report, 2017) 8.
- 680 Police Stop Data Working Group, 'Monitoring Racial Profiling – Introducing a scheme to prevent unlawful stops and searches by Victoria Police' (Report, 2017) 46.
- 681 Police Stop Data Working Group, 'Monitoring Racial Profiling – Introducing a scheme to prevent unlawful stops and searches by Victoria Police' (Report, 2017) 46.
- 682 Police Stop Data Working Group, 'Monitoring Racial Profiling – Introducing a scheme to prevent unlawful stops and searches by Victoria Police' (Report, 2017) 46.
- 683 Racial Profiling Data Monitoring Project, *About* (Web page) <<https://www.racialprofilingresearch.org/about-2024>>.
- 684 Racial Profiling Data Monitoring Project, *About* (Web page) <<https://www.racialprofilingresearch.org/about-2024>>.
- 685 Racial Profiling Data Monitoring Project, *Discussion of Findings* (Web page) <<https://www.racialprofilingresearch.org/overall-observations-2024>>.
- 686 Racial Profiling Data Monitoring Project, *About* (Web page) <<https://www.racialprofilingresearch.org/about-2024>>.
- 687 Racial Profiling Data Monitoring Project, *About* (Web page) <<https://www.racialprofilingresearch.org/about-2024>>.
- 688 Racial Profiling Data Monitoring Project, *Discussion of Findings* (Web page) <<https://www.racialprofilingresearch.org/overall-observations-2024>>.
- 689 Racial Profiling Data Monitoring Project, *Discussion of Findings* (Web page) <<https://www.racialprofilingresearch.org/overall-observations-2024>>.
- 690 Racial Profiling Data Monitoring Project, *Census Benchmarking* (Web page) <<https://www.racialprofilingresearch.org/census-benchmarking-2024>>.

- 691 Racial Profiling Data Monitoring Project, *Census Benchmarking* (Web page) <<https://www.racialprofilingresearch.org/census-benchmarking-2024>>.
- 692 Racial Profiling Data Monitoring Project, *About* (Web page) <<https://www.racialprofilingresearch.org/about-2024>>.
- 693 Racial Profiling Data Monitoring Project, *Discussion of Findings* (Web page) <<https://www.racialprofilingresearch.org/overall-observations-2024>>.
- 694 Racial Profiling Data Monitoring Project, *Discussion of Findings* (Web page) <<https://www.racialprofilingresearch.org/overall-observations-2024>>.
- 695 Dechlan Brennan, 'Aboriginal children routinely over-policed under NSW bail checks, legal group says', *National Indigenous Times* (10 November 2025) <<https://nit.com.au/01-07-2025/18871/aboriginal-children-routinely-over-policed-under-nsw-bail-checks-legal-group-says>>.
- 696 Jordyn Beazley, '150 police visits in 20 months: Indigenous mother takes action after her boys subjected to 'relentless' checks', *The Guardian* (online, 10 November 2025) <<https://www.theguardian.com/australia-news/2025/nov/10/indigenous-mother-takes-legal-action-after-150-police-visits-in-20-months-ntwnfb>>
- 697 Tamar Hopkins, 'Litigating Racial Profiling: The Use of Statistical Data' (2021) 37(2) *Law in Context*, 13-14.
- 698 Tamar Hopkins, 'Litigating Racial Profiling: The Use of Statistical Data' (2021) 37(2) *Law in Context*, 13-14.
- 699 See e.g., Mario Peucker, Tom Clark and Holly Claridge, 'Mapping the Journey of (non-) Reporting in Response to Racism: A Change-oriented Approach to Reporting Barriers, Motivates and Support Needs' (2023) 45(3) *Journal of Intercultural Studies* 473, 474.
- 700 Mario Peucker, Tom Clark and Holly Claridge, 'Mapping the Journey of (non-) Reporting in Response to Racism: A Change-oriented Approach to Reporting Barriers, Motivates and Support Needs' (2023) 45(3) *Journal of Intercultural Studies* 473, 491.
- 701 Mario Peucker, Tom Clark and Holly Claridge, 'Mapping the Journey of (non-) Reporting in Response to Racism: A Change-oriented Approach to Reporting Barriers, Motivates and Support Needs' (2023) 45(3) *Journal of Intercultural Studies* 473, 491.
- 702 See, e.g., Matteo Vergani and Carolina Navarro, 'Hate Crime Reporting: The Relationship Between Types of Barriers and Perceived Security' (2021) 29(2) 111; Alanna Kamp et al, 'Asian Australian's Experiences and Reporting of Racism During the COVID-19 Pandemic' (2024) 45(3) *Journal of Intercultural Studies* 452; Mario Peucker, Tom Clark and Holly Claridge, 'Mapping the Journey of (non-) Reporting in Response to Racism: A Change-oriented Approach to Reporting Barriers, Motivates and Support Needs' (2023) 45(3) *Journal of Intercultural Studies* 473; Jehonathan Ben, "People love talking about racism": downplaying discrimination, and challenges to anti-racism among Eritrean migrants in Australia (2022) 46(5) *Journal of Ethnic and Racial studies* 921.
- 703 Matteo Vergani and Carolina Navarro, 'Hate Crime Reporting: The Relationship Between Types of Barriers and Perceived Security' (2021) 29(2) 111.
- 704 Matteo Vergani and Carolina Navarro, *Barriers to Reporting Hate Crime and Hate Incidents in Victoria: A mixed-methods study* (Report, June 2020) 13.
- 705 Matteo Vergani and Carolina Navarro, *Barriers to Reporting Hate Crime and Hate Incidents in Victoria: A mixed-methods study* (Report, June 2020) 13.
- 706 Fiona Allison, 'A Limited Right to Equality: Evaluating the Effectiveness of Radical Discrimination Law for Indigenous Australians through an Access to Justice Lens' (2013) 17(2) *Australian Indigenous Law Review* 3, 13.

- 707 Matteo Vergani and Carolina Navarro, 'Hate Crime Reporting: The Relationship Between Types of Barriers and Perceived Security' (2021) 29(2) 111, 116.
- 708 Jehonathan Ben, "People love talking about racism": downplaying discrimination, and challenges to anti-racism among Eritrean migrants in Australia (2022) 46(5) *Journal of Ethnic and Racial studies* 921, 932.
- 709 Matteo Vergani and Carolina Navarro, 'Hate Crime Reporting: The Relationship Between Types of Barriers and Perceived Security' (2021) 29(2) 111, 116.
- 710 Mario Peucker, Franka Vaughan, Jo Doley and Tom Clark, *Understanding reporting barriers and support needs for those experiencing racism in Victoria* (Report, 2024) 41.
- 711 Mario Peucker, Franka Vaughan, Jo Doley and Tom Clark, *Understanding reporting barriers and support needs for those experiencing racism in Victoria* (Report, 2024) 45.
- 712 Mario Peucker, Franka Vaughan, Jo Doley and Tom Clark, *Understanding reporting barriers and support needs for those experiencing racism in Victoria* (Report, 2024) 6.
- 713 Matteo Vergani and Carolina Navarro, *Barriers to Reporting Hate Crime and Hate Incidents in Victoria: A mixed-methods study* (Report, June 2020) 20.
- 714 Matteo Vergani and Carolina Navarro, 'Hate Crime Reporting: The Relationship Between Types of Barriers and Perceived Security' (2021) 29(2) 111, 116.
- 715 Federation of Ethnic Communities' Councils of Australia, *An Anti-Racism Framework: Experiences and Perspectives of Multicultural Australia* (Report, 2024) 16.
- 716 Federation of Ethnic Communities' Councils of Australia, *An Anti-Racism Framework: Experiences and Perspectives of Multicultural Australia* (Report, 2024) 16.
- 717 Mario Peucker, Tom Clark and Holly Claridge, *A community-led response to racism for the City of Wyndham* (Report, 2021) 54.
- 718 Fiona Allison, Chris Cunneen and Ayse Selcuk, 'In Every Corner of Every Suburb'. *The Call It Out Racism Register 2022-2023* (Report, 2023) 42.
- 719 Fiona Allison, Chris Cunneen and Ayse Selcuk, 'In Every Corner of Every Suburb'. *The Call It Out Racism Register 2022-2023* (Report, 2023) 43.
- 720 Fiona Allison, Chris Cunneen and Ayse Selcuk, 'In Every Corner of Every Suburb'. *The Call It Out Racism Register 2022-2023* (Report, 2023) 43.
- 721 Alexis Goodstone and Patricia Randal, "'Discrimination...have you got all day?'" *Indigenous women, discrimination and complaints process in NSW* (Report, December 2021) 15.
- 722 Fiona Allison, 'A Limited Right to Equality: Evaluating the Effectiveness of Radical Discrimination Law for Indigenous Australians through an Access to Justice Lens' (2013) 17(2) *Australian Indigenous Law Review* 3, 14.
- 723 Mario Peucker, Franka Vaughan, Jo Doley and Tom Clark, *Understanding reporting barriers and support needs for those experiencing racism in Victoria* (Report, 2024) 44.
- 724 Federation of Ethnic Communities' Councils of Australia, *An Anti-Racism Framework: Experiences and Perspectives of Multicultural Australia* (Report, 2024) 17.
- 725 Matteo Vergani and Carolina Navarro, *Barriers to Reporting Hate Crime and Hate Incidents in Victoria: A mixed-methods study* (Report, June 2020) 20.
- 726 Australian Human Rights Commission, *Mapping government anti-racism programs and policies* (Report, 2024) 30.

- 727 Alanna Kamp et al, 'Asian Australian's Experiences and Reporting of Racism During the COVID-19 Pandemic' (2024) 45(3) *Journal of Intercultural Studies* 452, 467.
- 728 Matteo Vergani and Carolina Navarro, 'Hate Crime Reporting: The Relationship Between Types of Barriers and Perceived Security' (2021) 29(2) 111, 117.
- 729 Alexis Goodstone and Patricia Randal, "'Discrimination...have you got all day?'" *Indigenous women, discrimination and complaints process in NSW* (Report, December 2021) 15.
- 730 Alexis Goodstone and Patricia Randal, "'Discrimination...have you got all day?'" *Indigenous women, discrimination and complaints process in NSW* (Report, December 2021) 14.
- 731 Matteo Vergani and Carolina Navarro, 'Hate Crime Reporting: The Relationship Between Types of Barriers and Perceived Security' (2021) 29(2) 111, 117; Mario Peucker, Franka Vaughan, Jo Doley and Tom Clark, *Understanding reporting barriers and support needs for those experiencing racism in Victoria* (Report, 2024) 42.
- 732 Matteo Vergani and Carolina Navarro, 'Hate Crime Reporting: The Relationship Between Types of Barriers and Perceived Security' (2021) 29(2) 111, 117.
- 733 Matteo Vergani and Carolina Navarro, 'Hate Crime Reporting: The Relationship Between Types of Barriers and Perceived Security' (2021) 29(2) 111, 116.
- 734 Matteo Vergani and Carolina Navarro, 'Hate Crime Reporting: The Relationship Between Types of Barriers and Perceived Security' (2021) 29(2) 111, 116; Matteo Vergani and Carolina Navarro, *Barriers to Reporting Hate Crime and Hate Incidents in Victoria: A mixed-methods study* (Report, June 2020) 18.
- 735 Matteo Vergani and Carolina Navarro, *Barriers to Reporting Hate Crime and Hate Incidents in Victoria: A mixed-methods study* (Report, June 2020) 18.
- 736 Mario Peucker, Franka Vaughan, Jo Doley and Tom Clark, *Understanding reporting barriers and support needs for those experiencing racism in Victoria* (Report, 2024) 43.
- 737 Mario Peucker, Franka Vaughan, Jo Doley and Tom Clark, *Understanding reporting barriers and support needs for those experiencing racism in Victoria* (Report, 2024) 43.
- 738 Fiona Allison, Chris Cunneen and Ayse Selcuk, 'In Every Corner of Every Suburb'. *The Call It Out Racism Register 2022-2023* (Report, 2023) 43-44.
- 739 Fiona Allison, Chris Cunneen and Ayse Selcuk, 'In Every Corner of Every Suburb'. *The Call It Out Racism Register 2022-2023* (Report, 2023) 44.
- 740 Fiona Allison, 'A Limited Right to Equality: Evaluating the Effectiveness of Radical Discrimination Law for Indigenous Australians through an Access to Justice Lens' (2013) 17(2) *Australian Indigenous Law Review* 3, 13.
- 741 Mario Peucker, Tom Clark and Holly Claridge, 'Mapping the Journey of (non-) Reporting in Response to Racism: A Change-oriented Approach to Reporting Barriers, Motivates and Support Needs' (2023) 45(3) *Journal of Intercultural Studies* 473, 486-487.
- 742 Mario Peucker, Tom Clark and Holly Claridge, 'Mapping the Journey of (non-) Reporting in Response to Racism: A Change-oriented Approach to Reporting Barriers, Motivates and Support Needs' (2023) 45(3) *Journal of Intercultural Studies* 473, 487.
- 743 Mario Peucker, Tom Clark and Holly Claridge, 'Mapping the Journey of (non-) Reporting in Response to Racism: A Change-oriented Approach to Reporting Barriers, Motivates and Support Needs' (2023) 45(3) *Journal of Intercultural Studies* 473, 483; Jehonathan Ben, "People love talking about racism": downplaying discrimination, and challenges to anti-racism among Eritrean migrants in Australia (2022) 46(5) *Journal of Ethnic and Racial studies* 921, 933.

- 744 Alanna Kamp et al, 'Asian Australian's Experiences and Reporting of Racism During the COVID-19 Pandemic' (2024) 45(3) *Journal of Intercultural Studies* 452, 465; Fiona Allison, Chris Cunneen and Ayse Selcuk, 'In Every Corner of Every Suburb'. *The Call It Out Racism Register 2022-2023* (Report, 2023) 45.
- 745 Jehonathan Ben, "'People love talking about racism": downplaying discrimination, and challenges to anti-racism among Eritrean migrants in Australia' (2022) 46(5) *Journal of Ethnic and Racial studies* 921, 933; Mario Peucker, Tom Clark and Holly Claridge, 'Mapping the Journey of (non-) Reporting in Response to Racism: A Change-oriented Approach to Reporting Barriers, Motivates and Support Needs' (2023) 45(3) *Journal of Intercultural Studies* 473, 483.
- 746 Jehonathan Ben, "'People love talking about racism": downplaying discrimination, and challenges to anti-racism among Eritrean migrants in Australia (2022) 46(5) *Journal of Ethnic and Racial studies* 921, 933.
- 747 Mario Peucker, Tom Clark and Holly Claridge, 'Mapping the Journey of (non-) Reporting in Response to Racism: A Change-oriented Approach to Reporting Barriers, Motivates and Support Needs' (2023) 45(3) *Journal of Intercultural Studies* 473, 483.
- 748 Tasha Wibawa, 'Racism in Australia is often underreported, but a city in Victoria is hoping to change that', *ABC News* (online, 19 May 2021) <<https://www.abc.net.au/news/2021-05-19/racism-report-australia-victoria-network-report-wyndham/100147362>>.
- 749 Jehonathan Ben, "'People love talking about racism": downplaying discrimination, and challenges to anti-racism among Eritrean migrants in Australia' (2022) 46(5) *Journal of Ethnic and Racial studies* 921, 933.
- 750 Fiona Allison, 'A Limited Right to Equality: Evaluating the Effectiveness of Radical Discrimination Law for Indigenous Australians through an Access to Justice Lens' (2013) 17(2) *Australian Indigenous Law Review* 3, 13.
- 751 Fiona Allison, 'A Limited Right to Equality: Evaluating the Effectiveness of Radical Discrimination Law for Indigenous Australians through an Access to Justice Lens' (2013) 17(2) *Australian Indigenous Law Review* 3, 13.
- 752 Alanna Kamp et al, 'Asian Australian's Experiences and Reporting of Racism During the COVID-19 Pandemic' (2024) 45(3) *Journal of Intercultural Studies* 452, 464.
- 753 Alanna Kamp et al, 'Asian Australian's Experiences and Reporting of Racism During the COVID-19 Pandemic' (2024) 45(3) *Journal of Intercultural Studies* 452, 464.
- 754 Mario Peucker, Franka Vaughan, Jo Doley and Tom Clark, *Understanding reporting barriers and support needs for those experiencing racism in Victoria* (Report, 2024) 17; See also Jehonathan Ben, "'People love talking about racism": downplaying discrimination, and challenges to anti-racism among Eritrean migrants in Australia' (2022) 46(5) *Journal of Ethnic and Racial studies* 921.
- 755 Jehonathan Ben, "'People love talking about racism": downplaying discrimination, and challenges to anti-racism among Eritrean migrants in Australia' (2022) 46(5) *Journal of Ethnic and Racial studies* 921.
- 756 Mario Peucker, Tom Clark and Holly Claridge, 'Mapping the Journey of (non-) Reporting in Response to Racism: A Change-oriented Approach to Reporting Barriers, Motivates and Support Needs' (2023) 45(3) *Journal of Intercultural Studies* 473, 483.
- 757 Mario Peucker, Tom Clark and Holly Claridge, 'Mapping the Journey of (non-) Reporting in Response to Racism: A Change-oriented Approach to Reporting Barriers, Motivates and Support Needs' (2023) 45(3) *Journal of Intercultural Studies* 473, 483.
- 758 Jehonathan Ben, "'People love talking about racism": downplaying discrimination, and challenges to anti-racism among Eritrean migrants in Australia' (2022) 46(5) *Journal of Ethnic and Racial studies* 921, 928.

- 759 Australian Human Rights Commission, *Respect at Uni: Study into antisemitism, Islamophobia, racism and the experience of First Nations People* (Interim Report, December 2024) 41.
- 760 Australian Human Rights Commission, *Respect at Uni: Study into antisemitism, Islamophobia, racism and the experience of First Nations People* (Interim Report, December 2024) 42
- 761 Australian Human Rights Commission, *Respect at Uni: Study into antisemitism, Islamophobia, racism and the experience of First Nations People* (Interim Report, December 2024) 41.
- 762 Australian Human Rights Commission, *Respect at Uni: Study into antisemitism, Islamophobia, racism and the experience of First Nations People* (Interim Report, December 2024) 48.
- 763 Australian Human Rights Commission, *Respect at Uni: Study into antisemitism, Islamophobia, racism and the experience of First Nations People* (Interim Report, December 2024) 48.
- 764 Australian Human Rights Commission, *Respect at Uni: Study into antisemitism, Islamophobia, racism and the experience of First Nations People* (Interim Report, December 2024) 48.
- 765 Australian Human Rights Commission, *Respect at Uni: Study into antisemitism, Islamophobia, racism and the experience of First Nations People* (Interim Report, December 2024) 48.
- 766 Victorian Equal Opportunity and Human Rights Commission, *Guidelines: Race discrimination in the workplace – Your rights and responsibilities under the Equal Opportunity Act* (Report, 2024) 37.
- 767 Mario Peucker, Franka Vaughan, Jo Doley and Tom Clark, *Understanding reporting barriers and support needs for those experiencing racism in Victoria* (Report, 2024) 58-60.
- 768 Australian Human Rights Commission, *Mapping government anti-racism programs and policies* (Report, 2024) 30.
- 769 Mario Peucker, Franka Vaughan, Jo Doley and Tom Clark, *Understanding reporting barriers and support needs for those experiencing racism in Victoria* (Report, 2024) 7.
- 770 Mario Peucker, Franka Vaughan, Jo Doley and Tom Clark, *Understanding reporting barriers and support needs for those experiencing racism in Victoria* (Report, 2024) 7.
- 771 Mario Peucker, Franka Vaughan, Jo Doley and Tom Clark, *Understanding reporting barriers and support needs for those experiencing racism in Victoria* (Report, 2024) 58.
- 772 Alanna Kamp et al, 'Asian Australian's Experiences and Reporting of Racism During the COVID-19 Pandemic' (2024) 45(3) *Journal of Intercultural Studies* 452, 467.
- 773 Mario Peucker, Franka Vaughan, Jo Doley and Tom Clark, *Understanding reporting barriers and support needs for those experiencing racism in Victoria* (Report, 2024) 7.
- 774 Mario Peucker, Franka Vaughan, Jo Doley and Tom Clark, *Understanding reporting barriers and support needs for those experiencing racism in Victoria* (Report, 2024) 7.
- 775 Mario Peucker, Franka Vaughan, Jo Doley and Tom Clark, *Understanding reporting barriers and support needs for those experiencing racism in Victoria* (Report, 2024) 7.
- 776 Alanna Kamp et al, 'Asian Australian's Experiences and Reporting of Racism During the COVID-19 Pandemic' (2024) 45(3) *Journal of Intercultural Studies* 452, 467.
- 777 Matteo Vergani and Carolina Navarro, 'Hate Crime Reporting: The Relationship Between Types of Barriers and Perceived Security' (2021) 29(2) 111, 123.
- 778 Alanna Kamp et al, 'Asian Australian's Experiences and Reporting of Racism During the COVID-19 Pandemic' (2024) 45(3) *Journal of Intercultural Studies* 452, 467.
- 779 Alanna Kamp et al, 'Asian Australian's Experiences and Reporting of Racism During the COVID-19 Pandemic' (2024) 45(3) *Journal of Intercultural Studies* 452, 467.

- 780 Mattero Vergani and Carolina Navarro, *Barriers to Reporting Hate Crime and Hate Incidents in Victoria: A mixed-methods study* (Report, June 2020) 22.
- 781 Alanna Kamp et al, 'Asian Australian's Experiences and Reporting of Racism During the COVID-19 Pandemic' (2024) 45(3) *Journal of Intercultural Studies* 452, 467.
- 782 Mario Peucker, Franka Vaughan, Jo Doley and Tom Clark, *Understanding reporting barriers and support needs for those experiencing racism in Victoria* (Report, 2024) 59.
- 783 Mario Peucker, Franka Vaughan, Jo Doley and Tom Clark, *Understanding reporting barriers and support needs for those experiencing racism in Victoria* (Report, 2024) 59.
- 784 Mario Peucker, Franka Vaughan, Jo Doley and Tom Clark, *Understanding reporting barriers and support needs for those experiencing racism in Victoria* (Report, 2024) 7.
- 785 Mario Peucker, Franka Vaughan, Jo Doley and Tom Clark, *Understanding reporting barriers and support needs for those experiencing racism in Victoria* (Report, 2024) 59.
- 786 Alexis Goodstone and Patricia Ranald, "'Discrimination...have you got all day?' Indigenous women, discrimination and complaints process in NSW" (Report, December 2021) 56.
- 787 Alexis Goodstone and Patricia Ranald, "'Discrimination...have you got all day?' Indigenous women, discrimination and complaints process in NSW" (Report, December 2021) 56.
- 788 Alexis Goodstone and Patricia Ranald, "'Discrimination...have you got all day?' Indigenous women, discrimination and complaints process in NSW" (Report, December 2021) 56.
- 789 Abby Dinham, 'A new anti-racism network is encouraging people in Australia to report racist attacks', *SBS News* (online, 17 May 2021) <<https://www.sbs.com.au/news/article/a-new-anti-racism-network-is-encouraging-people-in-australia-to-report-racist-attacks/Odu4vn8fn>>.
- 790 Wyndham Community and Education Centre, *Wyndham Anti-racism Support Network* (Web page) <<https://wyndhamcec.org.au/community-services/wyndham-anti-racism-support-network/>>
- 791 Mario Peucker, Holly Claridge and Tom Clark, *Empowerment through community-led responses to racism: A practical guide for local governments* (Report, 2022) 3.
- 792 Victoria University and Victoria Government, *Anti-racism support services and reporting* (Web page) <<https://antiracismvictoria.com.au/support-services/>>.
- 793 Southeast Anti-Racism Support Network, *Standing against racism with the Southeast Anti-Racism Support Network* (Web page, 14 February 2025) <<https://smrc.org.au/news/standing-against-racism-with-the-southeast-anti-racism-network/>>.
- 794 Mario Peucker, Holly Claridge and Tom Clark, *All in this together: A community-led response to racism for the City of Wyndham* (Report, 2021) 63.
- 795 Mario Peucker, Holly Claridge and Tom Clark, *All in this together: A community-led response to racism for the City of Wyndham* (Report, 2021) 63.
- 796 Mario Peucker, Holly Claridge and Tom Clark, *All in this together: A community-led response to racism for the City of Wyndham* (Report, 2021) 64.
- 797 Mario Peucker, Holly Claridge and Tom Clark, *All in this together: A community-led response to racism for the City of Wyndham* (Report, 2021) 60.
- 798 Mario Peucker, Franka Vaughan, Jo Doley and Tom Clark, *Understanding reporting barriers and support needs for those experiencing racism in Victoria* (Report, 2024) 7.
- 799 Mario Peucker, Franka Vaughan, Jo Doley and Tom Clark, *Understanding reporting barriers and support needs for those experiencing racism in Victoria* (Report, 2024) 7.

- 800 Victorian Equal Opportunity and Human Rights Commission, *Guidelines: Race discrimination in the workplace – Your rights and responsibilities under the Equal Opportunity Act* (Report, 2024) 80.
- 801 Office of the High Commissioner for Human Rights, *Human rights indicators: A Guide to Measurement and Implementation* (Report, 2012) 18.
- 802 Australian Human Rights Commission and First Nations Co, *An Anti-Racism Framework: Voices of First Nations Peoples, First Nations Consultations* (Report, 2024) 57.
- 803 This has been sourced from a webinar created by Dr Jess Dart for Clear Horizons, entitled ‘MEL Principles’, accessed in March 2026.
- 804 This has been sourced from a webinar created by Dr Jess Dart for Clear Horizons, entitled ‘MEL Principles’, accessed in March 2026.
- 805 This has been sourced from resources on the Understanding, Measurement, Evaluation, and Learning Framework created by Kowa Collaboration, accessed in July 2026.
- 806 This has been sourced from a webinar created by Dr Jess Dart and Zazie Tolmer for Clear Horizons, entitled ‘Theory of Change with a Systems lens’, accessed in March 2026.
- 807 This has been sourced from resources on the Understanding, Measurement, Evaluation, and Learning Framework created by Kowa Collaboration, accessed in July 2026.
- 808 This has been sourced from resources on the Understanding, Measurement, Evaluation, and Learning Framework created by Kowa Collaboration, accessed in July 2026.
- 809 This has been sourced from resources on the Understanding, Measurement, Evaluation, and Learning Framework created by Kowa Collaboration, accessed in July 2026.
- 810 This has been sourced from resources on the Understanding, Measurement, Evaluation, and Learning Framework created by Kowa Collaboration, accessed in July 2026.
- 811 This has been sourced from resources on the Understanding, Measurement, Evaluation, and Learning Framework created by Kowa Collaboration, accessed in July 2026.
- 812 This has been sourced from a webinar created by Dr Jess Dart for Clear Horizons, entitled ‘MEL Principles’, accessed in March 2026.
- 813 This has been sourced from resources on the Understanding, Measurement, Evaluation, and Learning Framework created by Kowa Collaboration, accessed in July 2026.
- 814 This has been sourced from resources on the Understanding, Measurement, Evaluation, and Learning Framework created by Kowa Collaboration, accessed in July 2026.
- 815 This has been sourced from resources on the Understanding, Measurement, Evaluation, and Learning Framework created by Kowa Collaboration, accessed in July 2026.
- 816 This has been sourced from resources on the Understanding, Measurement, Evaluation, and Learning Framework created by Kowa Collaboration, accessed in July 2026.
- 817 This has been sourced from resources on the Understanding, Measurement, Evaluation, and Learning Framework created by Kowa Collaboration, accessed in July 2026; Australian Human Rights Commission and First Nations Co, *An Anti-Racism Framework: Voices of First Nations Peoples, First Nations Consultations* (Report, 2024) 57.
- 818 This has been sourced from a webinar created by Dr Jess Dart for Clear Horizons, entitled ‘MEL Principles’, accessed in March 2026; See also Australian Human Rights Commission and First Nations Co, *An Anti-Racism Framework: Voices of First Nations Peoples, First Nations Consultations* (Report, 2024) 57.

- 819 This has been sourced from a webinar created by Dr Jess Dart for Clear Horizons, entitled 'MEL Principles', accessed in March 2026.
- 820 This has been sourced from a webinar created by Dr Jess Dart for Clear Horizons, entitled 'MEL Principles', accessed in March 2026.
- 821 This has been sourced from resources on the Understanding, Measurement, Evaluation, and Learning Framework created by Kowa Collaboration, accessed in July 2026.
- 822 This has been sourced from a webinar created by Dr Jess Dart for Clear Horizons, entitled 'MEL Principles', accessed in March 2026.
- 823 Fiona Allison, 'A Limited Right to Equality: Evaluating the Effectiveness of Radical Discrimination Law for Indigenous Australians through an Access to Justice Lens' (2013) 17(2) *Australian Indigenous Law Review* 3, 10.
- 824 This has been sourced from a webinar created by Dr Jess Dart for Clear Horizons, entitled 'MEL Principles', accessed in March 2026. See also Actionable Intelligence for Social Policy, *Toolkit for Centering Racial Equity Throughout Data Integration* (Report, 2020).
- 825 This has been sourced from a webinar created by Dr Jess Dart for Clear Horizons, entitled 'MEL Principles', accessed in March 2026.
- 826 This has been sourced from resources on the Understanding, Measurement, Evaluation, and Learning Framework created by Kowa Collaboration, accessed in July 2026.
- 827 Office of the High Commissioner for Human Rights, *Human rights indicators: A Guide to Measurement and Implementation* (Report, 2012) 16.
- 828 Office of the High Commissioner for Human Rights, *Human rights indicators: A Guide to Measurement and Implementation* (Report, 2012) 16.
- 829 Office of the High Commissioner for Human Rights, *Human rights indicators: A Guide to Measurement and Implementation* (Report, 2012) 16.
- 830 Australian Human Rights Commission, *Revitalising Australia's Commitment to Human Rights: Free & Equal Final Report* (Report, 2023) 135.
- 831 Productivity Commission, *Review of the National Agreement on Closing the Gap* (Report, 2024) 76.
- 832 Maggie Walter and Stephanie Russo Carroll, 'Indigenous Data Sovereignty, governance and the link to Indigenous policy' in Maggie Walter, Tahu Kukutai, Stephanie Russo Carroll and Desi Rodriguez-Lonebear (eds), *Indigenous Data Sovereignty and Policy* (Routledge, 2021) 15.
- 833 Maggie Walter and Stephanie Russo Carroll, 'Indigenous Data Sovereignty, governance and the link to Indigenous policy' in Maggie Walter, Tahu Kukutai, Stephanie Russo Carroll and Desi Rodriguez-Lonebear (eds), *Indigenous Data Sovereignty and Policy* (Routledge, 2021) 9; Raymond Lovett, Roxanne Jones and Bobby Maher, 'The intersection of Indigenous Data Sovereignty and Closing the Gap policy in Australia' in Maggie Walter, Tahu Kukutai, Stephanie Russo Carroll and Desi Rodriguez-Lonebear (eds), *Indigenous Data Sovereignty and Policy* (Routledge, 2021) 46.
- 834 Maggie Walter and Chris Arel, *Indigenous Statistics: A Qualitative Research Methodology* (Routledge, 2013) 22.
- 835 Raymond Lovett, Roxanne Jones and Bobby Maher, 'The intersection of Indigenous Data Sovereignty and Closing the Gap policy in Australia' in Maggie Walter, Tahu Kukutai, Stephanie Russo Carroll and Desi Rodriguez-Lonebear (eds), *Indigenous Data Sovereignty and Policy* (Routledge, 2021) 46.

- 836 Raymond Lovett, Roxanne Jones and Bobby Maher, 'The intersection of Indigenous Data Sovereignty and Closing the Gap policy in Australia' in Maggie Walter, Tahu Kukutai, Stephanie Russo Carroll and Desi Rodriguez-Lonebear (eds), *Indigenous Data Sovereignty and Policy* (Routledge, 2021) 46.
- 837 Australian Human Rights Commission, *Revitalising Australia's Commitment to Human Rights: Free & Equal Final Report* (Report, 2023) 135.
- 838 Australian Human Rights Commission, *Revitalising Australia's Commitment to Human Rights: Free & Equal Final Report* (Report, 2023) 135.
- 839 Australian Human Rights Commission, *Revitalising Australia's Commitment to Human Rights: Free & Equal Final Report* (Report, 2023) 136.
- 840 Office of the High Commissioner for Human Rights, *Human rights indicators: A Guide to Measurement and Implementation* (Report, 2012) 28.
- 841 Megan Davis. 'Data and the United Nations Declaration on the Right of Indigenous Peoples' in Tahu Kukutai and John Taylor (eds), *Indigenous Data Sovereignty: Toward an agenda* (ANU Press, 2016) 35.
- 842 Megan Davis. 'Data and the United Nations Declaration on the Right of Indigenous Peoples' in Tahu Kukutai and John Taylor (eds), *Indigenous Data Sovereignty: Toward an agenda* (ANU Press, 2016) 35.
- 843 Megan Davis. 'Data and the United Nations Declaration on the Right of Indigenous Peoples' in Tahu Kukutai and John Taylor (eds), *Indigenous Data Sovereignty: Toward an agenda* (ANU Press, 2016) 36.
- 844 Office of the High Commissioner for Human Rights, *Human rights indicators: A Guide to Measurement and Implementation* (Report, 2012) 34.
- 845 Office of the High Commissioner for Human Rights, *Human rights indicators: A Guide to Measurement and Implementation* (Report, 2012) 35.
- 846 Megan Davis. 'Data and the United Nations Declaration on the Right of Indigenous Peoples' in Tahu Kukutai and John Taylor (eds), *Indigenous Data Sovereignty: Toward an agenda* (ANU Press, 2016) 35.
- 847 Office of the High Commissioner for Human Rights, *Human rights indicators: A Guide to Measurement and Implementation* (Report, 2012) 35.
- 848 Office of the High Commissioner for Human Rights, *Human rights indicators: A Guide to Measurement and Implementation* (Report, 2012) 36.
- 849 Office of the High Commissioner for Human Rights, *Human rights indicators: A Guide to Measurement and Implementation* (Report, 2012) 36.
- 850 Office of the High Commissioner for Human Rights, *Human rights indicators: A Guide to Measurement and Implementation* (Report, 2012) 36.
- 851 Fiona Allison, 'A Limited Right to Equality: Evaluating the Effectiveness of Radical Discrimination Law for Indigenous Australians through an Access to Justice Lens' (2013) 17(2) *Australian Indigenous Law Review* 3, 4.
- 852 Julia Mansour, 'Consolidation of Australian Anti-discrimination Laws' (2012) 21(2) *Griffith Law Review* 533, 542; Fiona Allison, 'A Limited Right to Equality: Evaluating the Effectiveness of Radical Discrimination Law for Indigenous Australians through an Access to Justice Lens' (2013) 17(2) *Australian Indigenous Law Review* 533, 540.
- 853 Julia Mansour, 'Consolidation of Australian Anti-discrimination Laws' (2012) 21(2) *Griffith Law Review* 533, 542; Fiona Allison, 'A Limited Right to Equality: Evaluating the Effectiveness of Radical

- Discrimination Law for Indigenous Australians through an Access to Justice Lens' (2013) 17(2) *Australian Indigenous Law Review* 533, 541.
- 854 Office of the High Commissioner for Human Rights, *Human rights indicators: A Guide to Measurement and Implementation* (Report, 2012) 38.
 - 855 Victorian Equal Opportunity and Human Rights Commission, *Guidelines: Race discrimination in the workplace – Your rights and responsibilities under the Equal Opportunity Act* (Report, 2024) 78
 - 856 Mark McMillan and Sophie Rigney, 'The Place of the First Peoples in the International Sphere: A Logical Starting Point for the Demand for Justice by Indigenous Peoples' (2016) 39(3) *Melbourne University Law Review* 981.
 - 857 Maïam nayri Wingara, Indigenous Data Sovereignty Communique Indigenous Data Sovereignty Summit 20th June 2018 Canberra, ACT (Web page) <<https://www.maïamnayriwingara.org/definitions>>.
 - 858 Maïam nayri Wingara, Indigenous Data Sovereignty Communique Indigenous Data Sovereignty Summit 20th June 2018 Canberra, ACT (Web page) <<https://www.maïamnayriwingara.org/definitions>>.
 - 859 Maïam nayri Wingara, Indigenous Data Sovereignty Communique Indigenous Data Sovereignty Summit 20th June 2018 Canberra, ACT (Web page) <<https://www.maïamnayriwingara.org/definitions>>.
 - 860 Australian Human Rights Commission, *Common Myths & Misconceptions about Racism* (October 2024) 7.
 - 861 National Centre for Longitudinal Data, Department of Social Services, *Longitudinal Studies and the National Centre for Longitudinal Data (NCLD) Overview Guide* (Guide, 2016) 1; See also Naomi Priest et al, 'A systematic review of studies examining the relationship between reported racism and health and wellbeing for children and young people' (2013) 95 *Social Science & Medicine* 115, 124.
 - 862 Victorian Equal Opportunity and Human Rights Commission, *Guidelines: Race discrimination in the workplace – Your rights and responsibilities under the Equal Opportunity Act* (Report, 2024) 13, 16.
 - 863 Australian Bureau of Statistics, *Statistical terms and concepts: Population* (Web page) <<https://www.abs.gov.au/statistics/understanding-statistics/statistical-terms-and-concepts/population>>.
 - 864 Heather D'Cruz, *Social Work Research in Practice: Ethical and Political Contexts* (Sage, 2nd ed, 2013) 55.
 - 865 Heather D'Cruz, *Social Work Research in Practice: Ethical and Political Contexts* (Sage, 2nd ed, 2013) 62.
 - 866 Australian Human Rights Commission, *Common Myths & Misconceptions about Racism* (October, 2024) 5.
 - 867 Victorian Equal Opportunity and Human Rights Commission, *Guidelines: Race discrimination in the workplace – Your rights and responsibilities under the Equal Opportunity Act* (Report, 2024) 78.
 - 868 William Fogarty et al, *Deficit Discourse and Indigenous Health: How narrative framings of Aboriginal and Torres Strait Islander people are reproduced in policy* (Report, The Lowitja Institute, May 2018) 12.
 - 869 Australian Human Rights Commission, *Common Myths & Misconceptions about Racism* (October, 2024) 7.
 - 870 Australian Human Rights Commission, *Common Myths & Misconceptions about Racism* (October, 2024) 6.



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