

From: s 22
To:
Cc:
Subject: RE: Tickle v Giggle - interlocutory hearings 28/4/2023 [SEC=OFFICIAL:Sensitive]
Date: Thursday, 1 June 2023 9:28:50 AM
Attachments: [Tickle v Giggle For Girls Pty Ltd \[2023\] FCA 553.pdf](#)

Dear s 22

s42

Kind regards,

s 22

Deputy General Counsel

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T s 22

E s 22

| W humanrights.gov.au

Human rights: everyone, everywhere, everyday

We acknowledge the traditional custodians of this land, the Gadigal peoples of the Eora Nation, and pay our respects to their Elders, past, present and future.

From: s 22

Sent: Tuesday, May 9, 2023 4:22 PM

To: s 22

Cc:

Subject: FW: Tickle v Giggle - interlocutory hearings 28/4/2023 [SEC=OFFICIAL:Sensitive]

Dear s 22

s42

s42

s42

s42

s 22

From: s 22
To:
Cc:
Subject: RE: Tickle v Giggle for Girls Pty Ltd - case management hearing [SEC=OFFICIAL:Sensitive]
Date: Friday, 9 June 2023 11:21:03 AM

Hi s 22

s42

s 22

From: s 22
Sent: Friday, June 9, 2023 10:41 AM
To: s 22
Cc: s 22
Subject: Re: Tickle v Giggle for Girls Pty Ltd - case management hearing [SEC=OFFICIAL:Sensitive]
s42
Get [Outlook for iOS](#)

From: s 22
Sent: Friday, June 9, 2023 10:30:08 AM
To: s 22
Subject: Tickle v Giggle for Girls Pty Ltd - case management hearing [SEC=OFFICIAL:Sensitive]
Dear s 22

s42

s42

Kind regards,

s 22

Deputy General Counsel

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

Ts 22

Es 22 | W humanrights.gov.au

Human rights: everyone, everywhere, everyday

We acknowledge the traditional custodians of this land, the Gadigal peoples of the Eora Nation, and pay our respects to their Elders, past, present and future.

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: Tickle v Giggle for Girls Pty Ltd - [REDACTED]
Date: Monday, 19 June 2023 5:37:51 PM
Attachments: [REDACTED]

Dear [REDACTED]



Kind regards,

[REDACTED]

Deputy General Counsel

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T [REDACTED]

E [REDACTED]

| W humanrights.gov.au

Human rights: everyone, everywhere, everyday

We acknowledge the traditional custodians of this land, the Gadigal peoples of the Eora Nation, and pay our respects to their Elders, past, present and future.

From:**To:****Cc:****Subject:**

RE: Tickle v Giggle for Girls Pty Ltd - case management hearing [SEC=OFFICIAL:Sensitive]

Date:

Wednesday, 5 July 2023 2:08:01 PM

Attachments:

s42

Dear s 22

s42

s42

s 22

Deputy General Counsel

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T s 22

E s 22

| W humanrights.gov.au

Human rights: everyone, everywhere, everyday

We acknowledge the traditional custodians of this land, the Gadigal peoples of the Eora Nation, and pay our respects to their Elders, past, present and future.

From: s 22

Sent: Friday, June 9, 2023 10:30 AM

To: s 22

Subject: Tickle v Giggle for Girls Pty Ltd - case management hearing [SEC=OFFICIAL:Sensitive]

Dear s 22

s42

From: s 22
 To: s 22
 Cc: s 22
 Subject: RE: Tickle v Giggle - s42 [SEC=OFFICIAL]
 Date: Friday, 4 August 2023 3:17:49 PM
 Attachments: [image001.png](#)

s42

s 22

**Emeritus Professor Rosalind Croucher AM FAAL FRSA FACLM(Hon)
 President**

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T s 22

E s 22 | [W humanrights.gov.au](http://W.humanrights.gov.au)

Human rights: everyone, everywhere, everyday



We acknowledge the traditional custodians of this land, the Gadigal peoples of the Eora Nation, and pay our respects to their Elders, past, present and future.

From: s 22
 Sent: Friday, August 4, 2023 1:57 PM
 To: s 22
 Cc: s 22

Subject: Tickle v Giggle - s42

Dear s 22

s42

s42

Kind regards,

s 22

Deputy General Counsel

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T s 22

E s 22

| W humanrights.gov.au

Human rights: everyone, everywhere, everyday

We acknowledge the traditional custodians of this land, the Gadigal peoples of the Eora Nation, and pay our respects to their Elders, past, present and future.

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: Re: Tickle v Giggle for Girls Pty Ltd - s42
Date: Wednesday, 9 August 2023 9:35:55 PM
Attachments: [image001.png](#)

s42

Thanks

s 22

Get [Outlook for iOS](#)

From: s 22
Sent: Wednesday, August 9, 2023 7:07:39 PM
To: s 22

Subject: Tickle v Giggle for Girls Pty Ltd - s42

Dear s 22

s42

Kind regards,

s 22

Deputy General Counsel

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T s 22

E s 22

| W [humanrights.gov.au](https://www.humanrights.gov.au)



[Nominate](#) for the 2023 Australian Human Rights Awards today!

We acknowledge the traditional custodians of this land, the Gadigal peoples of the Eora Nation, and pay our respects to their Elders, past, present and future.

From: s 22
 To: s 22
 Cc: s 22
 Subject: RE: Roxanne Tickle v Giggle for Girls Pty Ltd – NSD 1148 of 2022 [SEC=OFFICIAL]
 Date: Wednesday, 16 August 2023 12:40:26 PM
 Attachments: [image001.png](#)

s42

s 22

Emeritus Professor Rosalind Croucher AM FAAL FRSA FACLM(Hon)
 President

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T

E s 22 | [W humanrights.gov.au](https://www.humanrights.gov.au)

Human rights: everyone, everywhere, everyday



[Nominate](#) for the 2023 Australian Human Rights Awards today!

We acknowledge the traditional custodians of this land, the Gadigal peoples of the Eora Nation, and pay our respects to their Elders, past, present and future.

From: s 22
 Sent: Wednesday, August 16, 2023 12:30 PM
 To: s 22
 Subject: FW: Roxanne Tickle v Giggle for Girls Pty Ltd – NSD 1148 of 2022 [SEC=OFFICIAL]
 Dear s 22

s42

s42

Kind regards,

s 22

Deputy General Counsel

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T s 22

E s 22 | W humanrights.gov.au



[Nominate](#) for the 2023 Australian Human Rights Awards today!

We acknowledge the traditional custodians of this land, the Gadigal peoples of the Eora Nation, and pay our respects to their Elders, past, present and future.

s22



Australian
Human Rights
Commission

Memo

To: s 22 [redacted] Sex Discrimination Commissioner
From: s 22 [redacted] Deputy General Counsel
CC: s 22 [redacted] General Counsel
Date: 29 August 2023
Re: **Roxanne Tickle v Giggle for Girls Pty Ltd**
Federal Court proceeding NSD1148/2022

s42

s42

s42

s42

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: Tickle v Giggle for Girls - s42 [SEC=OFFICIAL:Sensitive]
Date: Thursday, 14 September 2023 9:27:12 AM
Attachments: s42
[image001.png](#)

Dear s 22

s42

s42

Kind regards,

s 22

Deputy General Counsel

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T s 22

E s 22

| W humanrights.gov.au



We acknowledge the traditional custodians of this land, the Gadigal peoples of the Eora Nation, and pay our respects to their Elders, past, present and future.

From:

To:

Cc:

Subject:

Date:

Attachments:

s 22

RE: Roxanne Tickle v Giggle for Girls Pty Ltd - NSD 1148/2022 [SEC=OFFICIAL]

Tuesday, 3 October 2023 1:58:24 PM

[image001.png](#)

s42

Regards

s 22

Anna Cody (*she/her*)

Sex Discrimination Commissioner

Australian Human Rights Commission

GPO Box 5218

Sydney NSW 2001

Es 22 | [W humanrights.gov.au](http://www.humanrights.gov.au)

We acknowledge the traditional custodians of this land, the Gadigal peoples of the Eora Nation, and pay our respects to their Elders, past and present.

From: s 22

Sent: Tuesday, October 3, 2023 12:41 PM

To: s 22

Subject: FW: Roxanne Tickle v Giggle for Girls Pty Ltd - NSD 1148/2022 [SEC=OFFICIAL]

Dear s 22

s42

s42

Kind regards,

s 22

Deputy General Counsel

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T s 22

E s 22

| W humanrights.gov.au

We acknowledge the traditional custodians of this land, the Gadigal peoples of the Eora Nation, and pay our respects to their Elders, past, present and future.

s22

From:
To:
Cc:
Subject:

s 22

RE: Tickle v Giggle for Girls Pty Ltd - s42
[SEC=OFFICIAL:Sensitive]

s42

Date:
Attachments:

Monday, 18 March 2024 10:33:00 AM

s42

Dear s 22

s42

Kind regards,

s 22

Senior Lawyer

I work part-time on Mondays, Tuesdays, Thursdays and Fridays

The Commission supports flexible working arrangements, and I am sending this message at a time that is convenient to me and my work schedule. It is not my expectation that you read, respond, or follow up on this email outside your hours of work.

We acknowledge the traditional custodians of this land, the Gadigal peoples of the Eora Nation, and pay our respects to their Elders, past and present.

From: s 22

Sent: Wednesday, March 6, 2024 9:52 PM

To: s 22

Cc: s 22

Subject: Tickle v Giggle for Girls Pty Ltd - s42

[SEC=OFFICIAL:Sensitive]

Dear s 22

s42

s42

s42

s42

Kind regards,

s 22

Deputy General Counsel

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T s 22

E s 22

| W humanrights.gov.au



We acknowledge the traditional custodians of this land, the Gadigal peoples of the Eora Nation, and pay our respects to their Elders, past, present and future.

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: Tickle v Giggle for Girls - [REDACTED] SEC=OFFICIAL:Sensitive]
Date: Thursday, 28 March 2024 3:41:16 PM
Attachments: [REDACTED]

Dear [REDACTED]

s42

s42

s 22

Deputy General Counsel

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T s 22

E s 22

| W humanrights.gov.au

We acknowledge the Traditional Custodians of Country throughout Australia, and recognise their continuing connection to land, waters and culture. We pay our respects to their Elders - past, present and future.

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: Roxanne Tickle v Giggle for Girls Pty Ltd & Anor (NSD1148/2022) Our ref.: 23GIG001 [SEC=OFFICIAL]
Date: Thursday, 4 April 2024 12:08:05 PM
Attachments: [image001.png](#)

Dear [REDACTED]

S42

Kind regards,

[REDACTED]

Deputy General Counsel

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T [REDACTED]

E [REDACTED]

| W humanrights.gov.au

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: Tickle v Giggle - s42 [SEC=OFFICIAL:Sensitive]
Date: Friday, 5 April 2024 11:59:18 AM
Attachments: s42 [REDACTED]

s42

s 22

Deputy General Counsel

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T s 22

E

| W humanrights.gov.au



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HUMAN RIGHTS CONFERENCE
 6-7 June 2024

**REGISTER
NOW!**

We acknowledge the Traditional Custodians of Country throughout Australia, and recognise their continuing connection to land, waters and culture. We pay our respects to their Elders - past, present and future.

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: Tickle v Giggle - s42 [SEC=OFFICIAL:Sensitive]
Date: Friday, 5 April 2024 11:56:52 AM
Attachments: s42 [REDACTED]

s42

s 22

Deputy General Counsel

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T s 22

E s 22

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HUMAN RIGHTS CONFERENCE
 6-7 June 2024

**REGISTER
NOW!**

We acknowledge the Traditional Custodians of Country throughout Australia, and recognise their continuing connection to land, waters and culture. We pay our respects to their Elders - past, present and future.

From: s 22
To:
Cc:
Subject: RE: Tickle v Giggle - s42 [SEC=OFFICIAL:Sensitive]
Date: Saturday, 6 April 2024 2:02:46 PM

Hi s 22

s42

Kind regards,

s 22

From: s 22
Sent: Friday, April 5, 2024 4:54 PM
To: s 22

Subject: RE: Tickle v Giggle - s42 [SEC=OFFICIAL:Sensitive]

s42

Anna Cody (*she/her*)

Sex Discrimination Commissioner

Australian Human Rights Commission

GPO Box 5218

Sydney NSW 2001

E s 22 | [W humanrights.gov.au](http://www.humanrights.gov.au)

We acknowledge the traditional custodians of this land, the Gadigal peoples of the Eora Nation, and pay our respects to their Elders, past and present.



From: s 22
Sent: Friday, April 5, 2024 11:55 AM
To: s 22

Subject: Tickle v Giggle - s42 [SEC=OFFICIAL:Sensitive]

Dear s 22

s42

s42

s42

Kind regards,

s 22

Deputy General Counsel

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T s 22

E s 22

| W humanrights.gov.au



We acknowledge the Traditional Custodians of Country throughout Australia, and recognise their continuing connection to land, waters and culture. We pay our respects to their Elders - past, present and future.

From: s 22
 To: s 22
 Cc: s 22
 Subject: RE: Roxanne Tickle v Giggle for Girls Pty Ltd & Anor (NSD1148/2022) Our ref.: 23GIG001 [SEC=OFFICIAL:Sensitive]
 Date: Monday, 8 April 2024 2:01:09 PM
 Attachments: [image003.png](#)

Dear s 22

s42

Kind regards,

s 22

From: s 22
 Sent: Monday, April 8, 2024 1:50 PM
 To: s 22
 Cc: s 22
 Subject: RE: Roxanne Tickle v Giggle for Girls Pty Ltd & Anor (NSD1148/2022) Our ref.: 23GIG001 [SEC=OFFICIAL:Sensitive]

Dear s 22

s42

Anna Cody (*she/her*)

Sex Discrimination Commissioner

Australian Human Rights Commission

GPO Box 5218

Sydney NSW 2001

E s 22 | W [humanrights.gov.au](https://www.humanrights.gov.au)

We acknowledge the traditional custodians of this land, the Gadigal peoples of the Eora Nation, and pay our respects to their Elders, past and present.



From: s 22
 Sent: Monday, April 8, 2024 11:51 AM
 To: s 22
 Subject: FW: Roxanne Tickle v Giggle for Girls Pty Ltd & Anor (NSD1148/2022) Our ref.: 23GIG001 [SEC=OFFICIAL:Sensitive]

His 22

s42

Kind regards,

s 22

Deputy General Counsel

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T s 22

E s 22

| W humanrights.gov.au

From:
To:
Cc:
Subject:
Date:

s 22

Re: Roxanne Tickle v Giggle for Girls Pty Ltd & Anor (NSD1148/2022) - s42
[SEC=OFFICIAL]
Thursday, 11 April 2024 8:03:29 AM

Dear s 22

s42

Regards

s 22

Get [Outlook for iOS](#)

From: s 22

Sent: Wednesday, April 10, 2024 7:25:30 PM

To: s 22

Cc: s 22

Subject: FW: Roxanne Tickle v Giggle for Girls Pty Ltd & Anor (NSD1148/2022) - s42
[SEC=OFFICIAL]

Hi s 22

s42

s42

Kind regards,

s 22

Deputy General Counsel

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T **s 22**E **s 22**| W humanrights.gov.au

We acknowledge the Traditional Custodians of Country throughout Australia, and recognise their continuing connection to land, waters and culture. We pay our respects to their Elders - past, present and future.

s22

From: s 22
To:
Subject: RE: s42 [SEC=OFFICIAL]
Date: Thursday, 11 April 2024 10:08:17 AM

Hi s 22

s42

s 22

Advisor on SOGII

[Australian Human Rights Commission](#)

From: s 22

Sent: Thursday, April 11, 2024 10:05 AM

To: s 22

Subject: s42 [SEC=OFFICIAL]

s42

From: s 22

Sent: Thursday, April 11, 2024 10:02 AM

To: s 22

Subject: s42 [SEC=OFFICIAL]

Hi s 22

s42

Thanks

s 22

From: s 22

Sent: Thursday, April 11, 2024 10:00 AM

To: s 22

Subject: s42 [SEC=OFFICIAL]

s42

From: s 22

Sent: Thursday, April 11, 2024 9:58 AM

To: s 22

Subject: s42 [SEC=OFFICIAL]

Dear s 22

s42

Anna Cody (she/her)

Sex Discrimination Commissioner

Australian Human Rights Commission

GPO Box 5218

Sydney NSW 2001

E s 22 | W humanrights.gov.au

We acknowledge the traditional custodians of this land, the Gadigal peoples of the Eora Nation, and pay our respects to their Elders, past and present.

FREE+EQUAL

An Australian framework for human rights

Click here
to read the
final report



From: s 22

Sent: Thursday, April 11, 2024 9:15 AM

To: s 22

Subject: s42 SEC=OFFICIAL]

Hi team,

s42

Best wishes,

s 22

Advisor on SOGI

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T s 22

E s 22 | W humanrights.gov.au

Human rights: everyone, everywhere, everyday



FREE+EQUAL

HUMAN RIGHTS CONFERENCE

6-7 June 2024

REGISTER
NOW!

I acknowledge the traditional custodians of the land, skies and waterways where I work, the Gadigal peoples of the Eora Nation (Commission Office) and Wurundjeri peoples of the Kulin Nation (home), and pay my respects to their Elders, past and present. I commit to the Uluru Statement from the Heart, to Treaty and Truth. Always was, always

will be Aboriginal Land.

From:

To:

Cc:

Subject:

FW: Roxanne Tickle v Giggle for Girls Pty Ltd & Anor (NSD1148/2022) - s42

Date:

Monday, 29 April 2024 12:57:58 PM

Attachments:

[image001.png](#)

[image002.png](#)

s42

Dear s 22

s42

Kind regards,

s 22

Deputy General Counsel

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T s 22

E s 22

| W humanrights.gov.au



We acknowledge the Traditional Custodians of Country throughout Australia, and recognise their continuing connection to land, waters and culture. We pay our respects to their Elders - past, present and future.

s22

From: s 22
To:
Subject: FW: Tickle v Giggle judgment - FOR INFORMATION ONLY [SEC=OFFICIAL]
Date: Friday, 23 August 2024 5:25:54 PM

Sorry, meant to copy you in.

From: s 22
Sent: Friday, August 23, 2024 5:24 PM
To: s 22
[REDACTED]
[REDACTED]
Subject: Tickle v Giggle judgment - s42 [SEC=OFFICIAL]

Dear President and Commissioners,

s42

s42

s42

s42

Kind regards,

S 22

Deputy General Counsel

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T S 22

E S 22

| W humanrights.gov.au



We acknowledge the Traditional Custodians of Country throughout Australia, and recognise their continuing connection to land, waters and culture. We pay our respects to their Elders - past, present and future.

From: s 22
To:
Cc:
Subject: s42 | Tickle -v- Giggle NSD 1148 of 2022 | 23GIG001 [BN-GENERAL.144178.68.FID1137967] [SEC=OFFICIAL]
Date: Thursday, 29 August 2024 4:06:16 PM
Attachments: [image003.png](#)
[image004.png](#)

Dear s 22

s42

Anna Cody (*she/her*)

Sex Discrimination Commissioner

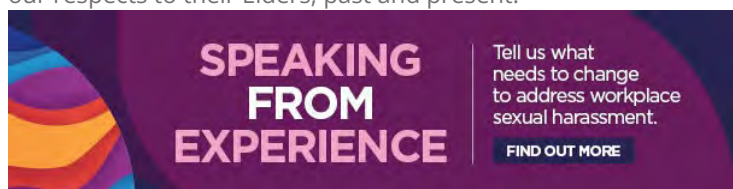
Australian Human Rights Commission

GPO Box 5218

Sydney NSW 2001

E s 22 | [W humanrights.gov.au](http://www.humanrights.gov.au)

We acknowledge the traditional custodians of this land, the Gadigal peoples of the Eora Nation, and pay our respects to their Elders, past and present.



From: s 22

Sent: Thursday, August 29, 2024 3:34 PM

To: s 22

Subject: s42 | Tickle -v- Giggle NSD 1148 of 2022 | 23GIG001 [BN-GENERAL.144178.68.FID1137967] [SEC=OFFICIAL]

Hi s 22

s42

s42

Kind regards,

s 22

Deputy General Counsel

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T s 22

E s 22

| W humanrights.gov.au



We acknowledge the Traditional Custodians of Country throughout Australia, and recognise their continuing connection to land, waters and culture. We pay our respects to their Elders - past, present and future.

s22

From: s 22
To: s 22
Cc:
Subject: s42 | Tickle -v- Giggle NSD 1148 of 2022 | 23GIG001 [BN-GENERAL.144178.68.FID1137967] [SEC=OFFICIAL:Sensitive]
Date: Friday, 30 August 2024 10:47:13 AM
Attachments: [image003.png](#)
[image004.png](#)

Dear s 22

s42

s 22

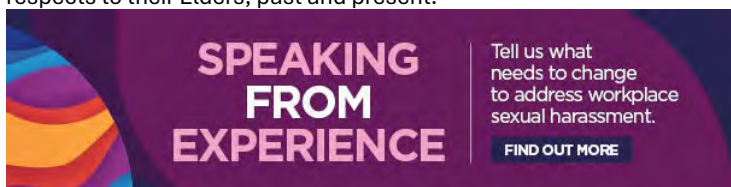
Australian Human Rights Commission

GPO Box 5218

Sydney NSW 2001

E s 22 | [W humanrights.gov.au](http://www.humanrights.gov.au)

We acknowledge the traditional custodians of this land, the Gadigal peoples of the Eora Nation, and pay our respects to their Elders, past and present.



From: s 22

Sent: Friday, August 30, 2024 10:06 AM

To: s 22

Subject: s42 | Tickle -v- Giggle NSD 1148 of 2022 | 23GIG001 [BN-GENERAL.144178.68.FID1137967] [SEC=OFFICIAL:Sensitive]

Importance: High

Hi s 22

s42

s42

Kind regards,

s 22

s22

From: s 22
To: s 22
Cc: s 22
Subject: s42 | Tickle -v- Giggle NSD 1148 of 2022 | 23GIG001 [BN-GENERAL.144178.68.FID1137967] [SEC=OFFICIAL:Sensitive]
Date: Friday, 30 August 2024 10:29:42 AM
Attachments: [image003.png](#)
[image004.png](#)

Hi s 22

s42

Anna Cody (*she/her*)

Sex Discrimination Commissioner

Australian Human Rights Commission

GPO Box 5218

Sydney NSW 2001

E s 22 | W [humanrights.gov.au](https://www.humanrights.gov.au)

We acknowledge the traditional custodians of this land, the Gadigal peoples of the Eora Nation, and pay our respects to their Elders, past and present.



From: s 22

Sent: Friday, August 30, 2024 10:06 AM

To: s 22

Subject: s42 | Tickle -v- Giggle NSD 1148 of 2022 | 23GIG001 [BN-GENERAL.144178.68.FID1137967] [SEC=OFFICIAL:Sensitive]

Importance: High

Hi s 22

s42

From: s 22
 To: s 22
 Cc: s 22
 Subject: RE: Roxanne Tickle v Giggle for Girls Pty Ltd & Anor (NSD1148/2022) - s42 [BN-GENERAL.144178.68.FID1137967] [SEC=OFFICIAL]
 Date: Thursday, 5 September 2024 12:53:30 PM
 Attachments: [image003.png](#)

s42

Anna Cody (*she/her*)
 Sex Discrimination Commissioner

Australian Human Rights Commission
 GPO Box 5218
 Sydney NSW 2001

E s 22 | W humanrights.gov.au

We acknowledge the traditional custodians of this land, the Gadigal peoples of the Eora Nation, and pay our respects to their Elders, past and present.



From: s 22
 Sent: Thursday, 5 September 2024 10:13 AM
 To: s 22

Subject: FW: Roxanne Tickle v Giggle for Girls Pty Ltd & Anor (NSD1148/2022) - s42
 s42 BN-GENERAL.144178.68.FID1137967] [SEC=OFFICIAL]

Hi s 22

s42

s 22

Deputy General Counsel

Australian Human Rights Commission
 GPO Box 5218, Sydney NSW 2001

T s 22
 E s 22 | W humanrights.gov.au



We acknowledge the Traditional Custodians of Country throughout Australia, and recognise their continuing connection to land, waters and culture. We pay our respects to their Elders - past, present and future.

s22

From: s 22
 To: s 22
 Cc: s 22
 Subject: RE: Roxanne Tickle v Giggle for Girls Pty Ltd & Anor (NSD1148/2022) - s42 [BN-GENERAL.144178.68.FID1137967] [SEC=OFFICIAL]
 Date: Thursday, 5 September 2024 1:12:11 PM
 Attachments: [image002.png](#)
[image003.png](#)

s42

Anna Cody (she/her)

Sex Discrimination Commissioner

Australian Human Rights Commission

GPO Box 5218

Sydney NSW 2001

E s 22 | W [humanrights.gov.au](https://www.humanrights.gov.au)

We acknowledge the traditional custodians of this land, the Gadigal peoples of the Eora Nation, and pay our respects to their Elders, past and present.



From: s 22

Sent: Thursday, 5 September 2024 1:10 PM

To: s 22

Cc: s 22

Subject: FW: Roxanne Tickle v Giggle for Girls Pty Ltd & Anor (NSD1148/2022) - s42
 [BN-GENERAL.144178.68.FID1137967] [SEC=OFFICIAL]

Hi s 22

s42

s 22

Deputy General Counsel

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T s 22

E s 22 | W [humanrights.gov.au](https://www.humanrights.gov.au)

From:
To:
Cc:
Subject:
Date:

s 22

Re: Tickle v Giggle for Girls Pty Ltd - s42 [SEC=OFFICIAL]
Thursday, 3 October 2024 3:56:16 PM

Dear s 22

s42

Regards

s 22

Get [Outlook for iOS](#)

From: s 22

Sent: Thursday, October 3, 2024 2:52:56 PM

To:

s 22

Cc:

Subject: Tickle v Giggle for Girls Pty Ltd - s42 [SEC=OFFICIAL]

Dear s 22

s42

s42

Kind regards,

s 22

Deputy General Counsel

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T s 22

E s 22

| W humanrights.gov.au



We acknowledge the Traditional Custodians of Country throughout Australia, and recognise their continuing connection to land, waters and culture. We pay our respects to their Elders - past, present and future.

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: Giggle for Girls Pty Ltd v Tickle - s42 [SEC=OFFICIAL:Sensitive]
Date: Thursday, 10 October 2024 3:06:11 PM
Attachments: s42 [REDACTED]

Hi s 22

s42

s42

Kind regards,

s 22

Deputy General Counsel

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T s 22

E s 22

| W humanrights.gov.au



We acknowledge the Traditional Custodians of Country throughout Australia, and recognise their continuing connection to land, waters and culture. We pay our respects to their Elders - past, present and future.

From: s 22
To:
Cc:
Subject: Giggle for Girls v Tickle appeal - s42 [SEC=OFFICIAL]
Date: Monday, 11 November 2024 4:36:00 PM
Attachments: s42

Hi s 22

s42

Kind regards,

s 22

Senior Lawyer

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T s 22

E s 22

W www.humanrights.gov.au



The Commission supports flexible working arrangements, and I am sending this message at a time that is convenient to me and my work schedule. It is not my expectation that you read, respond, or follow up on this email outside your hours of work.

We acknowledge the traditional custodians of this land, the Gadigal peoples of the Eora Nation, and pay our respects to their Elders, past and present.

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: [REDACTED] Giggle for Girls & anor v Tickle - FFC appeal [SEC=OFFICIAL]
Date: Tuesday, 11 March 2025 10:14:00 AM
Attachments: [REDACTED]

Good morning [REDACTED]

s42

Kind regards,

[REDACTED]

Senior Lawyer

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T [REDACTED]

E [REDACTED]

W www.humanrights.gov.au



The Commission supports flexible working arrangements, and I am sending this message at a time that is

convenient to me and my work schedule. It is not my expectation that you read, respond, or follow up on this email outside your hours of work.

We acknowledge the traditional custodians of this land, the Gadigal peoples of the Eora Nation, and pay our respects to their Elders, past and present.

From: s 22

Sent: Wednesday, 12 February 2025 5:15 PM

To: s 22

Cc: s 22

Subject: s42 Giggle for Girls & anor v Tickle - FFC appeal [SEC=OFFICIAL]

Dear s 22

s42

s42

Kind regards,

s 22

Senior Lawyer

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T s 22

E s 22

W www.humanrights.gov.au



The Commission supports flexible working arrangements, and I am sending this message at a time that is convenient to me and my work schedule. It is not my expectation that you read, respond, or follow up on this email outside your hours of work.

We acknowledge the traditional custodians of this land, the Gadigal peoples of the Eora Nation, and pay our respects to their Elders, past and present.

From: s 22
To:
Cc:
Subject: Giggle for Girls v Tickle appeal s42 [SEC=OFFICIAL]
Date: Friday, 13 June 2025 10:50:00 AM
Attachments: s42

Dear s 22

s42

Kind regards,

s 22

Senior Lawyer

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T s 22

E s 22

W www.humanrights.gov.au



The Commission supports flexible working arrangements, and I am sending this message at a time that is convenient to me and my work schedule. It is not my expectation that you read, respond, or follow up on this email outside your hours of work.

We acknowledge the traditional custodians of this land, the Gadigal peoples of the Eora Nation, and pay our respects to their Elders, past and present.

From: s 22
To:
Cc:
Subject: RE: Giggle v Tickle - s42 [SEC=OFFICIAL]
Date: Monday, 16 June 2025 8:00:17 AM

Dear s 22

s42

Anna Cody (*she/her*)

Sex Discrimination Commissioner

Australian Human Rights Commission

GPO Box 5218

Sydney NSW 2001

E s 22 | [W humanrights.gov.au](http://www.humanrights.gov.au)

We acknowledge the traditional custodians of this land, the Gadigal peoples of the Eora Nation, and pay our respects to their Elders, past and present.



From: s 22

Sent: Friday, 13 June 2025 11:09 AM

To: s 22

Subject: RE: Giggle v Tickle - s42 [SEC=OFFICIAL]

Hi s 22

s42

Kind regards,

s 22

Senior Lawyer

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T s 22

E s 22

W www.humanrights.gov.au



The Commission supports flexible working arrangements, and I am sending this message at a time that is convenient to me and my work schedule. It is not my expectation that you read, respond, or follow up on this email outside your hours of work.

We acknowledge the traditional custodians of this land, the Gadigal peoples of the Eora Nation, and pay our respects to their Elders, past and present.

s42

s42

From: s 22
To: s 22
Cc: s 22
Subject: RE: Giggle v Tickle appeal - s42 [SEC=OFFICIAL]
Date: Tuesday, 8 July 2025 2:39:00 PM
Attachments: s42

Hi s 22

s42

Kind regards,

s 22

From: s 22
Sent: Tuesday, 1 July 2025 3:17 PM
To: s 22
Cc: s 22
Subject: Giggle v Tickle appeal s42 [SEC=OFFICIAL]
Dear s 22

s42

Kind regards,

s 22

Deputy General Counsel

Australian Human Rights Commission
GPO Box 5218, Sydney NSW 2001

T s 22
E s 22

| W humanrights.gov.au



We acknowledge the Traditional Custodians of Country throughout Australia, and recognise their continuing connection to land, waters and culture. We pay our respects to their Elders - past, present and future.

From: s 22

Sent: Tuesday, 24 June 2025 10:57 AM

To: s 22

Cc: s 22

Subject: Giggle v Tickle appeal - s42

[SEC=OFFICIAL]

Morning s 22

s42

Kind regards,

s 22

Senior Lawyer

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T s 22

E s 22

| W www.humanrights.gov.au



The Commission supports flexible working arrangements, and I am sending this message at a time that is convenient to me and my work schedule. It is not my expectation that you read, respond, or follow up on this email outside your hours of work.

We acknowledge the traditional custodians of this land, the Gadigal peoples of the Eora Nation, and pay our respects to their Elders, past and present.

From: s 22
To:
Cc:
Subject: RE: Giggle for Girls v Tickle - s42 [SEC=OFFICIAL]
Date: Wednesday, 9 July 2025 6:36:01 PM
Attachments: [image002.png](#)

s42

Kind regards,

s 22

From: s 22
Sent: Wednesday, 9 July 2025 6:07 PM
To: s 22
Cc: s 22
Subject: RE: Giggle for Girls v Tickle - s42 [SEC=OFFICIAL]
Dear s 22

s42

Anna Cody (*she/her*)

Sex Discrimination Commissioner

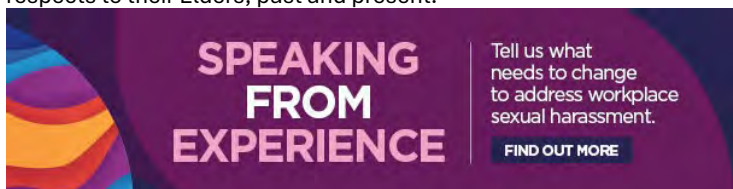
Australian Human Rights Commission

GPO Box 5218

Sydney NSW 2001

E s 22 | [W humanrights.gov.au](http://www.humanrights.gov.au)

We acknowledge the traditional custodians of this land, the Gadigal peoples of the Eora Nation, and pay our respects to their Elders, past and present.



From: s 22

Sent: Wednesday, 9 July 2025 3:12 PM

To: s 22

Subject: Giggle for Girls v Tickle - s42 [SEC=OFFICIAL]

Hi s 22

s42

Kind regards,

s 22

Deputy General Counsel

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T s 22

E s 22

| W humanrights.gov.au



We acknowledge the Traditional Custodians of Country throughout Australia, and recognise their continuing connection to land, waters and culture. We pay our respects to their Elders - past, present and future.

From: s 22
 To: s 22
 Cc: s 22
 Subject: RE: Giggle v Tickle - s42 [SEC=OFFICIAL]
 Date: Thursday, 10 July 2025 9:05:08 PM
 Attachments: image004.png

s 22
 s42

Anna Cody (*she/her*)
 Sex Discrimination Commissioner

Australian Human Rights Commission

GPO Box 5218

Sydney NSW 2001

E s 22 | [W humanrights.gov.au](http://www.humanrights.gov.au)

We acknowledge the traditional custodians of this land, the Gadigal peoples of the Eora Nation, and pay our respects to their Elders, past and present.



From: s 22
 Sent: Thursday, 10 July 2025 5:23 PM
 To: s 22
 Subject: Giggle v Tickle - s42 [SEC=OFFICIAL]
 Hi s 22

s42

s 22

Deputy General Counsel

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T s 22
 E s 22 | [W humanrights.gov.au](http://www.humanrights.gov.au)



We acknowledge the Traditional Custodians of Country throughout Australia, and recognise their continuing connection to land, waters and culture. We pay our respects to their Elders - past, present and future.

From: s 22
 To: s 22
 Cc: s 22
 Subject: RE: s42 [SEC=OFFICIAL]
 Date: Monday, 14 July 2025 4:25:29 PM

Hi s 22

s42

Anna Cody (she/her)

Sex Discrimination Commissioner

Australian Human Rights Commission

GPO Box 5218

Sydney NSW 2001

E s 22 | W humanrights.gov.au

We acknowledge the traditional custodians of this land, the Gadigal peoples of the Eora Nation, and pay our respects to their Elders, past and present.



From: s 22

Sent: Monday, 14 July 2025 3:47 PM

To: s 22

Subject: s42 [SEC=OFFICIAL]

Hi s 22

s42

Kind regards,

s 22

Senior Lawyer

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T s 22

E s 22 | W www.humanrights.gov.au



From: [REDACTED]
 To: [REDACTED]
 Cc: [REDACTED]
 Subject: Giggle for Girls v Tickle - s42 [SEC=OFFICIAL]
 Date: Friday, 18 July 2025 6:45:37 PM
 Attachments: s42 [REDACTED]

Hi s 22

s42

Kind regards,

s 22

Deputy General Counsel

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T s 22

E s 22

| W humanrights.gov.au



We acknowledge the Traditional Custodians of Country throughout Australia, and recognise their continuing connection to land, waters and culture. We pay our respects to their Elders - past, present and future.

From: s 22
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Giggle for Girls Pty Ltd v Tickle - s42 [SEC=OFFICIAL]
Date: Wednesday, 30 July 2025 4:28:00 PM
Attachments: s42 [REDACTED]

s42

Kind regards,

s 22

From: s 22

Sent: Wednesday, 30 July 2025 4:20 AM

To: s 22

Subject: RE: Giggle for Girls Pty Ltd v Tickle - s42 [SEC=OFFICIAL]

Dear s 22

s42

s42

Anna Cody (*she/her*)

Sex Discrimination Commissioner

Australian Human Rights Commission

GPO Box 5218

Sydney NSW 2001

E **s 22** | W humanrights.gov.au

I acknowledge the Traditional Custodians of Country throughout Australia, and recognise their continuing connection to land, waters and culture. I pay my respects to their Elders, past and present.

**New workplace sexual
harassment resources**

for workers and employers.

[FIND OUT MORE](#)



From: **s 22**

Sent: Tuesday, 29 July 2025 10:42 AM

To: **s 22**

Subject: RE: Giggle for Girls Pty Ltd v Tickle - **s42** [SEC=OFFICIAL]

Hi **s 22**

s42

s42

s42

Kind regards,

s 22

Deputy General Counsel

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T s 22
E s 22

| W humanrights.gov.au



We acknowledge the Traditional Custodians of Country throughout Australia, and recognise their continuing connection to land, waters and culture. We pay our respects to their Elders - past, present and future.

From: s 22

Sent: Saturday, 26 July 2025 7:29 PM

To: s 22

Subject: RE: Giggle for Girls Pty Ltd v Tickle - s42 [SEC=OFFICIAL]

Hi s 22

s42

Regards

s 22

Anna Cody (*she/her*)

Sex Discrimination Commissioner

Australian Human Rights Commission

GPO Box 5218

Sydney NSW 2001

Es 22 | **W** humanrights.gov.au

I acknowledge the Traditional Custodians of Country throughout Australia, and recognise their continuing connection to land, waters and culture. I pay my respects to their Elders, past and present.



From: s 22

Sent: Friday, 25 July 2025 5:08 AM

To: s 22

Subject: Giggle for Girls Pty Ltd v Tickle - s42 [SEC=OFFICIAL]

Hi s 22

s42

s42

s 22

Deputy General Counsel

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T s 22

E s 22

| W humanrights.gov.au



We acknowledge the Traditional Custodians of Country throughout Australia, and recognise their continuing connection to land, waters and culture. We pay our respects to their Elders - past, present and future.

From: s 22
To:
Cc:
Subject: Giggle for Girls Pty Ltd v Tickle - s42 [SEC=OFFICIAL]
Date: Wednesday, 6 August 2025 6:40:06 PM
Attachments: [image002.png](#)
[image003.png](#)

Dear s 22

s42

Kind regards,

s 22

Deputy General Counsel

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

s 22

s 22

| W humanrights.gov.au



We acknowledge the Traditional Custodians of Country throughout Australia, and recognise their continuing connection to land, waters and culture. We pay our respects to their Elders - past, present and future.

From: s 22
To:
Cc:
Subject: Update on Giggle for Girls & anor v Tickle - s42 [SEC=OFFICIAL]
Date: Wednesday, 12 February 2025 5:14:00 PM

Dear s 22

s42

s42

Kind regards,

s 22

Senior Lawyer

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T s 22

E s 22

W www.humanrights.gov.au

The Commission supports flexible working arrangements, and I am sending this message at a time that is convenient to me and my work schedule. It is not my expectation that you read, respond, or follow up on this email outside your hours of work.

We acknowledge the traditional custodians of this land, the Gadigal peoples of the Eora Nation, and pay our respects to their Elders, past and present.

From: s 22
 To: s 22
 Cc: s 22
 Subject: s42 Giggle v Tickle - s42 [SEC=OFFICIAL]
 Date: Monday, 11 May 2026 1:59:19 PM

Dear s 22

s42

Anna Cody (she/her)

Sex Discrimination Commissioner

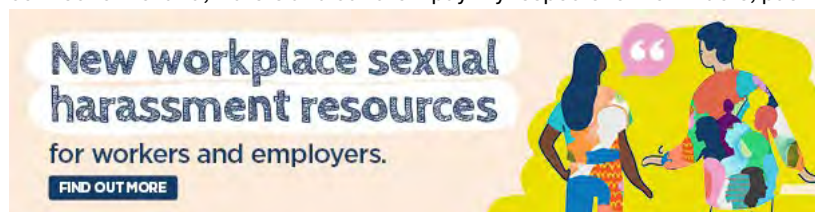
Australian Human Rights Commission

GPO Box 5218

Sydney NSW 2001

E s 22 | [W humanrights.gov.au](http://www.humanrights.gov.au)

I acknowledge the Traditional Custodians of Country throughout Australia, and recognise their continuing connection to land, waters and culture. I pay my respects to their Elders, past and present.



From: s 22

Sent: Monday, 11 May 2026 1:47 PM

To: s 22

Subject: s42 Giggle v Tickle - s42 [SEC=OFFICIAL]

Hi s 22

s42

Kind regards,

s 22

Deputy General Counsel

**Please note that I work a nine-day fortnight, and I do not work every second Wednesday.*

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T s 22

E s 22 | [W www.humanrights.gov.au](http://www.humanrights.gov.au)



The Commission supports flexible working arrangements. I am sending this message at a time that is convenient to me and my work schedule. It is not my expectation that you read, respond, or follow up on this email outside your hours of work.

From: s 22
 To: s 22
 Cc: s 22
 Subject: FW: Application for temporary exemption - Lesbian Action Group [SEC=OFFICIAL]
 Date: Monday, 7 August 2023 12:31:00 PM
 Attachments: [image001.png](#)

s42

Kind regards,

s 22

From: s 22
 Sent: Monday, August 7, 2023 11:34 AM

To: s 22

Cc: s 22

Subject: RE: Application for temporary exemption - Lesbian Action Group [SEC=OFFICIAL]

s42

Emeritus Professor Rosalind Croucher AM FAAL FRSA FACLM(Hon)
President

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T s 22

| F s 22

E s 22

| W humanrights.gov.au

Human rights: everyone, everywhere, everyday



We acknowledge the traditional custodians of this land, the Gadigal peoples of the Eora Nation, and pay our respects to their Elders, past, present and future.

From: s 22
 Sent: Monday, August 7, 2023 10:16 AM

To: s 22

Cc: s 22

s 22

Subject: Application for temporary exemption - Lesbian Action Group [SEC=OFFICIAL]

Dear s 22

s42

Kind regards,

s 22

Senior Lawyer

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T s 22

E

| W www.humanrights.gov.au

****Please note I do not work on Wednesdays***

Human rights: everyone, everywhere, everyday

We acknowledge the traditional custodians of this land, the Gadigal peoples of the Eora Nation, and pay our respects to their Elders, past, present and future.



Australian
Human Rights
Commission

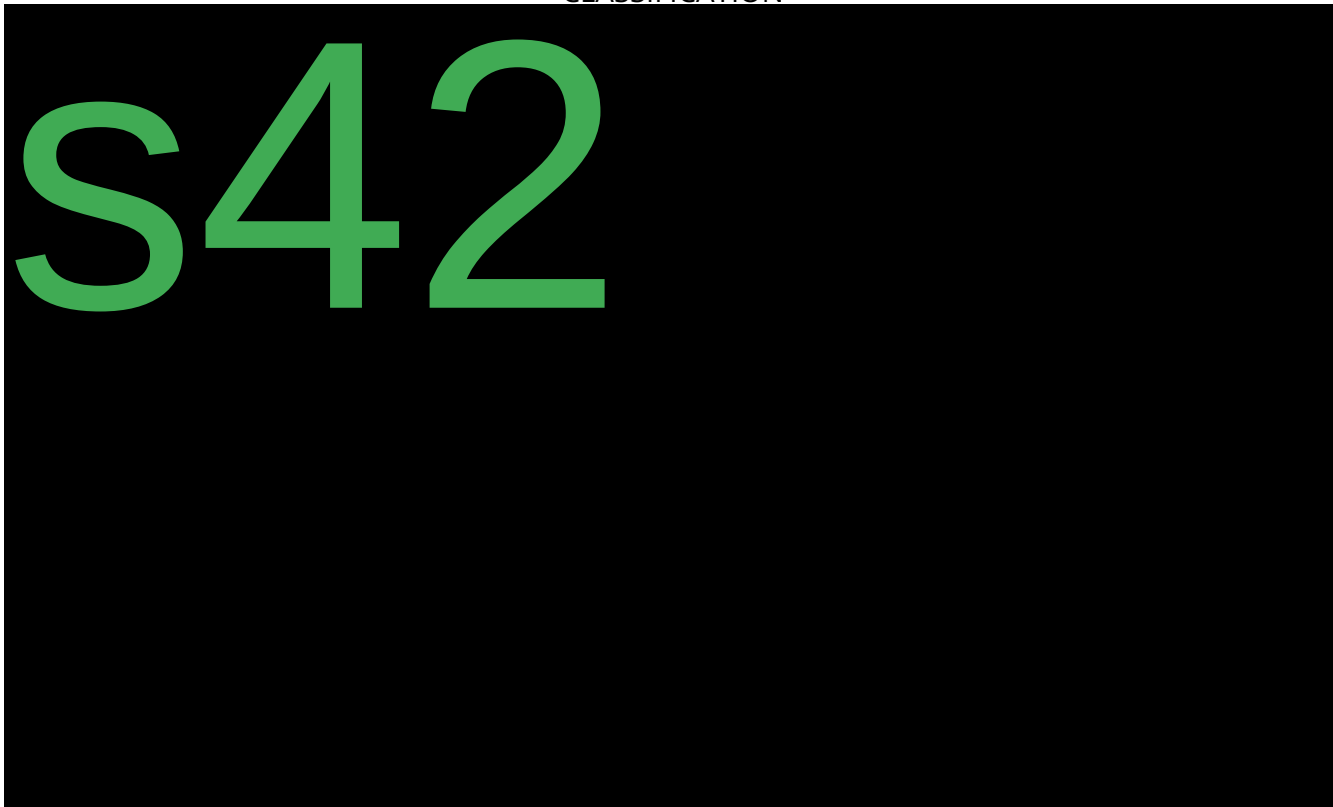
MEMO - CONFIDENTIAL

To: s 22
From: s 22 Senior Lawyer
CC: s 22 General Counsel
Date: 30 August 2023
Re: **Lesbian Action Group temporary exemption application**

Dear s 22

s42

s42



s42

Kind regards,

s 22

Senior Lawyer



Australian
Human Rights
Commission

Briefing Memo – Confidential

Re: **Lesbian Action Group temporary exemption application**

s42

To: s 22 Sex Discrimination Commissioner

From: s 22 Senior Lawyer

CC: s 22 General Counsel

Date: 13 September 2023

s42

s42

CLASSIFICATION



s42

s42

CLASSIFICATION

s42

s42

CLASSIFICATION



s42

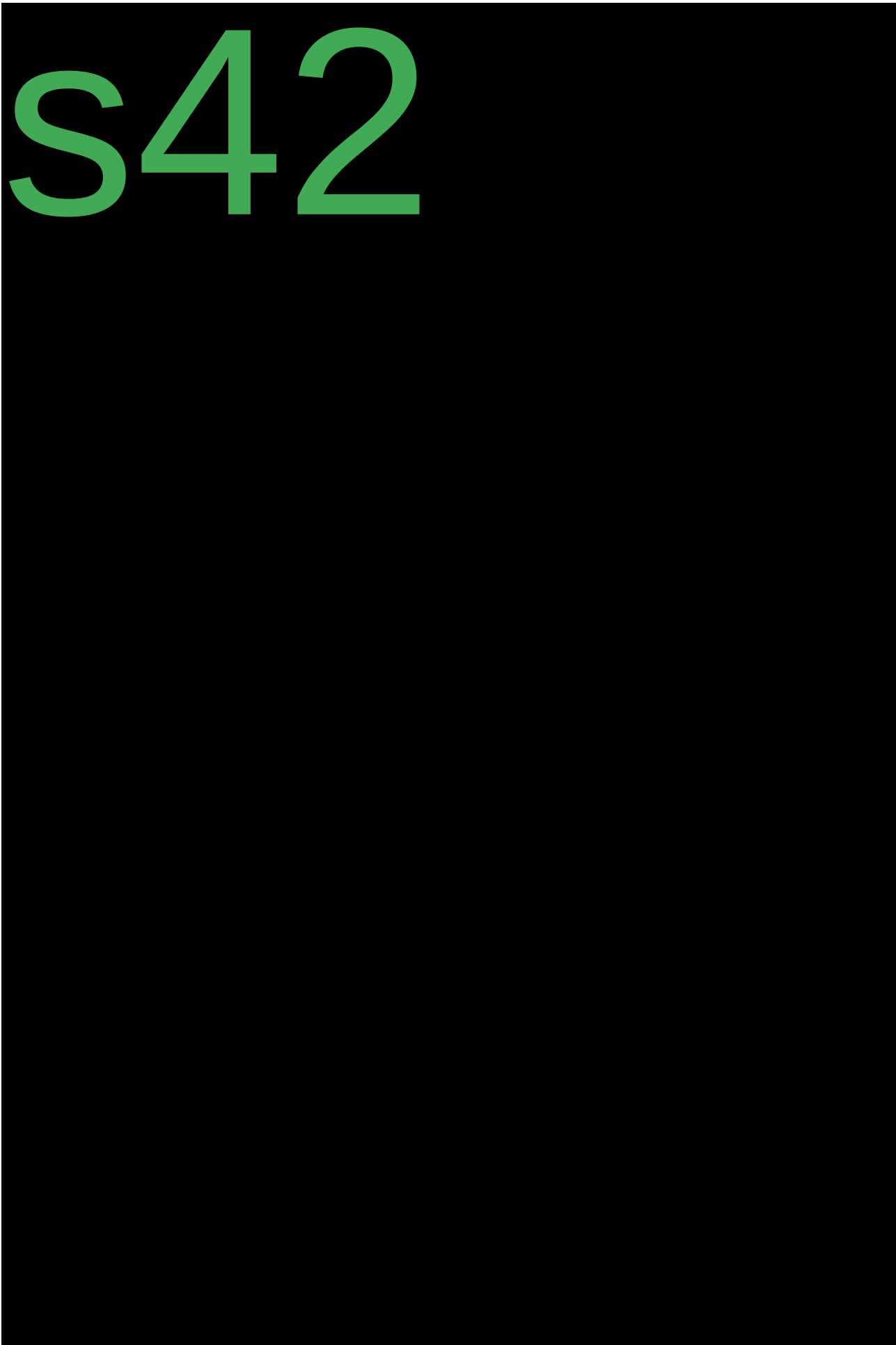
s42

s42



s42

CLASSIFICATION



s42

s42

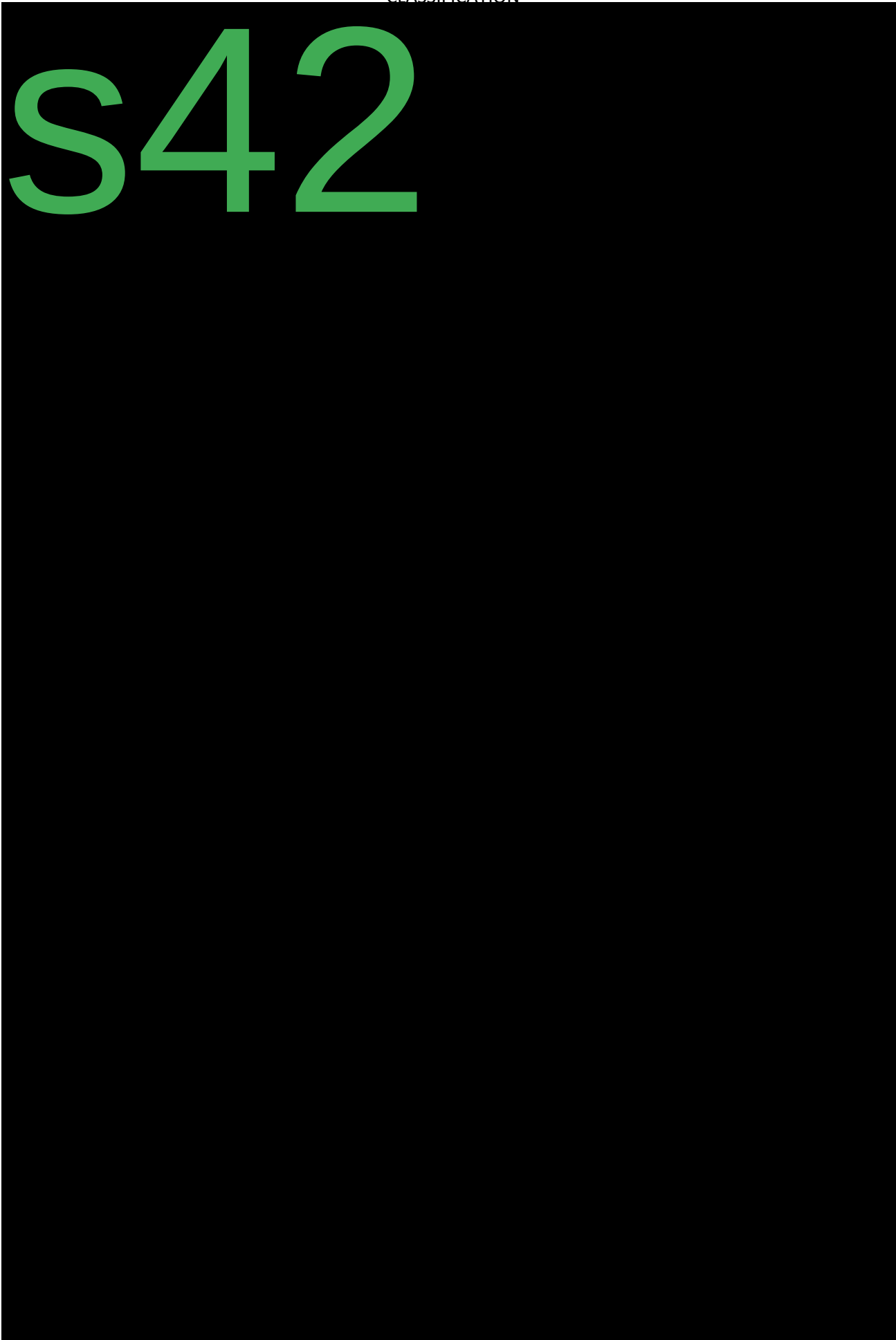
CLASSIFICATION



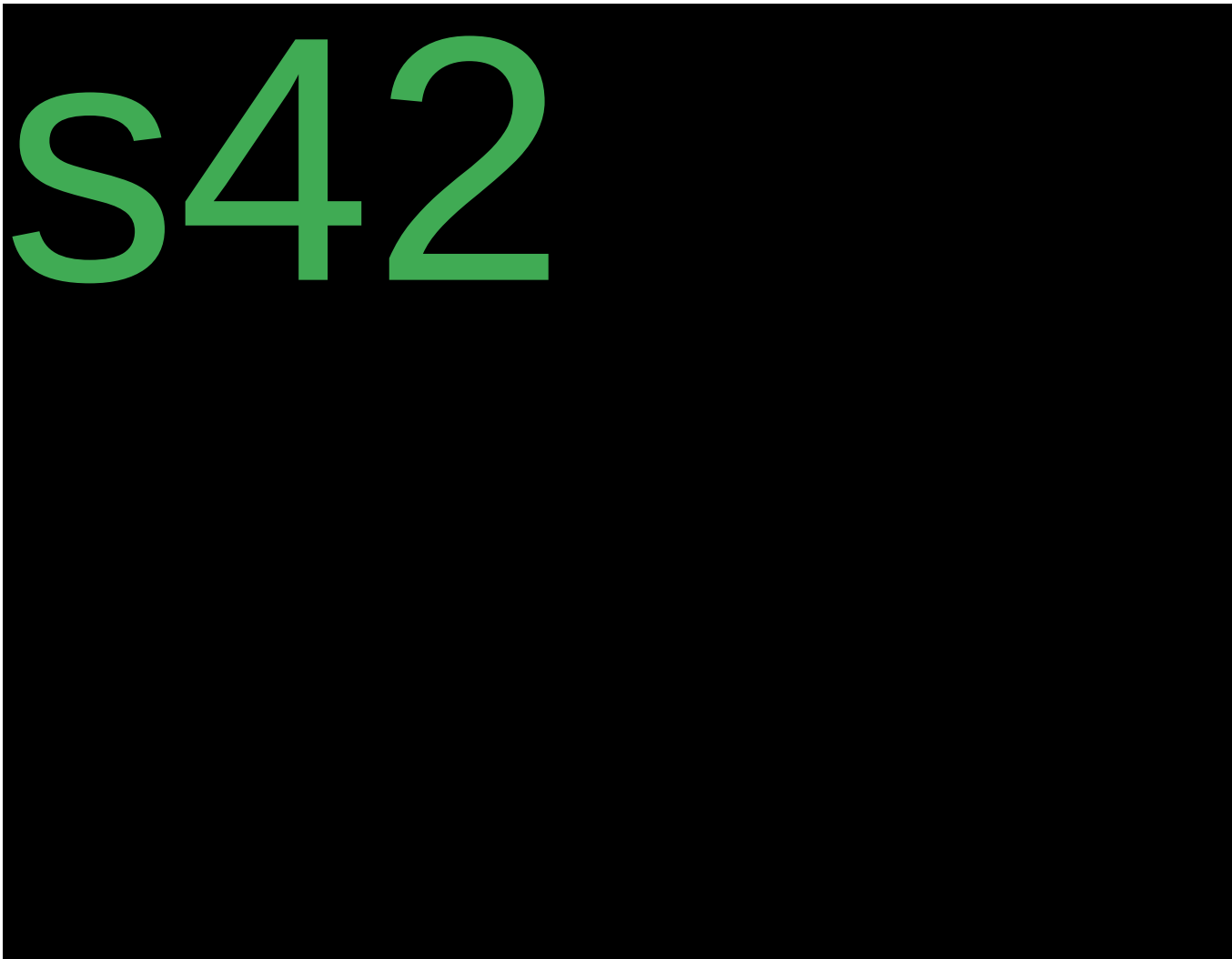
s42

s42

CLASSIFICATION

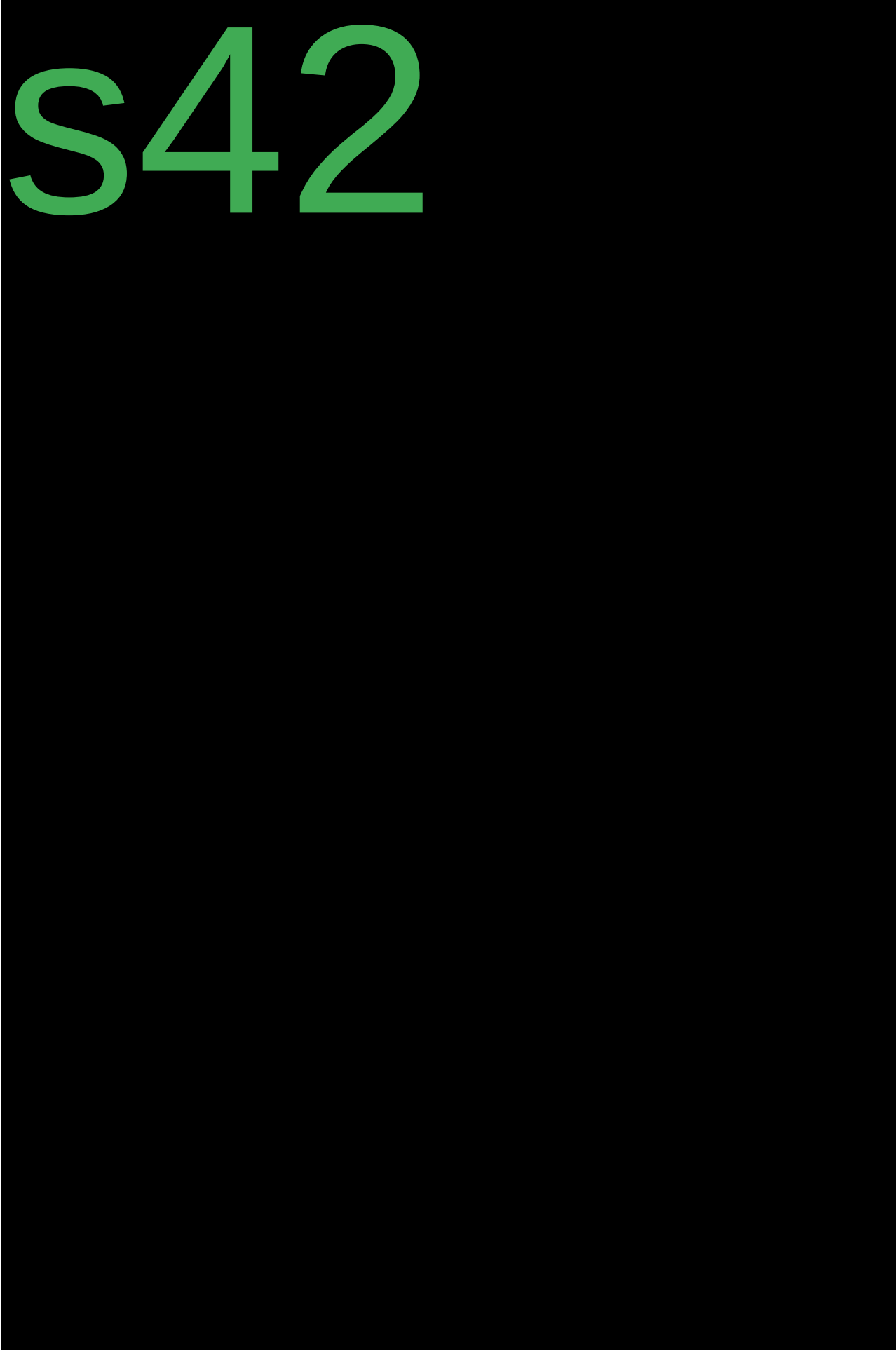


s42



s42

CLASSIFICATION



s42



14.9.23

s42

S42

From: s 22
To: [REDACTED]
Cc:
Subject: Re: s42 Lesbian Action Group exemption application [SEC=OFFICIAL:Sensitive]
Date: Thursday, 21 September 2023 1:22:47 PM

Dear all,

s42

regards

s 22

From: s 22
Sent: 21 September 2023 11:59
To: s 22
[REDACTED]
[REDACTED]
Subject: s42 Lesbian Action Group exemption application
[SEC=OFFICIAL:Sensitive]

s42

Many thanks,

s 22
Senior Lawyer

Australian Human Rights Commission
GPO Box 5218, Sydney NSW 2001

T S 22
E S 22 | W www.humanrights.gov.au

**Please note that I do not work on Wednesdays*

Human rights: everyone, everywhere, everyday

We acknowledge the traditional custodians of this land, the Gadigal peoples of the Eora Nation, and pay our respects to their Elders, past, present and future.

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: [REDACTED] Lesbian Action Group exemption application [SEC=OFFICIAL:Sensitive]
Date: Friday, 22 September 2023 9:47:00 AM
Attachments: [REDACTED]

Dear President and Commissioners,

s42

s42

s42

Kind regards

s 22
Senior Lawyer

Australian Human Rights Commission
GPO Box 5218, Sydney NSW 2001

T s 22
E s 22 | **W** www.humanrights.gov.au

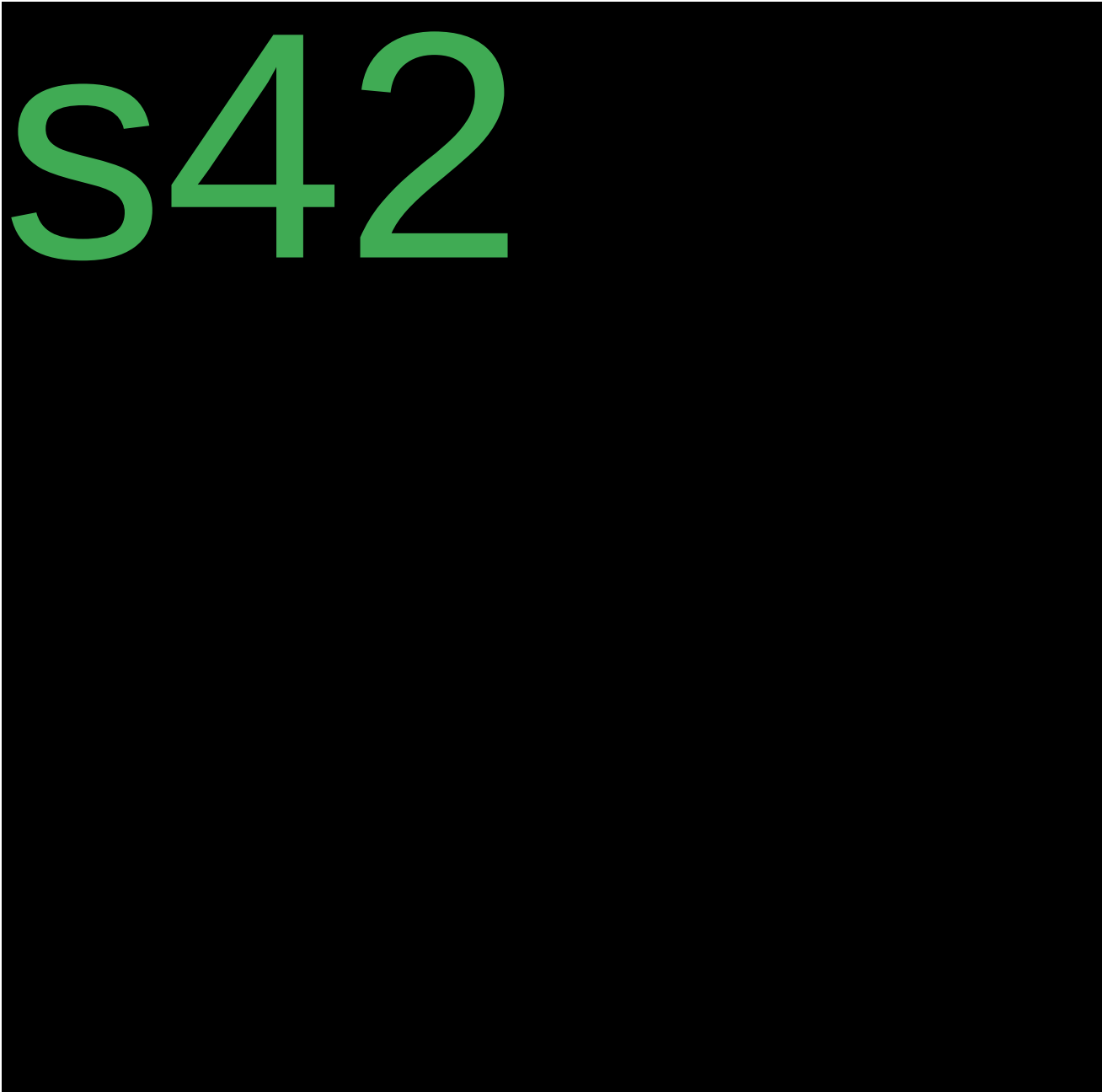
****Please note that I do not work on Wednesdays***

Human rights: everyone, everywhere, everyday

We acknowledge the traditional custodians of this land, the Gadigal peoples of the Eora Nation, and pay our respects to their Elders, past, present and future.

From: s 22
To:
Cc:
Subject: RE: Lesbian Action Group exemption Application: s42 [SEC=OFFICIAL:Sensitive]
Date: Wednesday, 11 October 2023 9:45:52 AM

Good morning s 22



Best wishes,

From: s 22
Sent: Wednesday, October 11, 2023 8:19 AM
To: s 22
[Redacted]
[Redacted]
Subject: RE: Lesbian Action Group exemption Application: Draft decision

[SEC=OFFICIAL:Sensitive]

s42

Kind regards

s 22

From: s 22

Sent: Tuesday, October 10, 2023 5:47 PM

To: s 22

Subject: RE: Lesbian Action Group exemption Application: s42

[SEC=OFFICIAL:Sensitive]

Dear s 22 and all,

s42

Anna Cody (*she/her*)

Sex Discrimination Commissioner

Australian Human Rights Commission

GPO Box 5218

Sydney NSW 2001

Es 22 | **W** humanrights.gov.au

We acknowledge the traditional custodians of this land, the Gadigal peoples of the Eora Nation, and pay our respects to their Elders, past and present.

From: s 22

Sent: Monday, October 9, 2023 8:53 PM

To: s 22

Subject: Lesbian Action Group exemption Application: s42 [SEC=OFFICIAL:Sensitive]

Dear s 22

s42

s42

Many thanks

s 22

s22

General Counsel

Australian Human Rights Commission

Level 3, 175 Pitt Street, Sydney NSW 2000

GPO Box 5218, Sydney NSW 2001

T S 22 | F S 22
E S 22 | W humanrights.gov.au

Human rights: everyone, everywhere, everyday

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Application for review to AAT by Lesbian Action Group [SEC=OFFICIAL:Sensitive]
Date: Wednesday, 13 March 2024 4:59:00 PM

Dear [REDACTED]

S42

Kind regards,

S 22

Senior Lawyer

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T S 22

E S 22 | **W** www.humanrights.gov.au

*****Please note that I do not work on Wednesdays***

Human rights: everyone, everywhere, everyday

We acknowledge the traditional custodians of this land, the Gadigal peoples of the Eora Nation, and pay our respects to their Elders, past, present and future.

From: **S 22**

Sent: Tuesday, March 12, 2024 11:32 PM

To: **S 22**

Subject: RE: Application for review to AAT by Lesbian Action Group [SEC=OFFICIAL:Sensitive]

Dear **S 22**

s42

Regards

S 22

Anna Cody (*she/her*)

Sex Discrimination Commissioner

Australian Human Rights Commission

GPO Box 5218

Sydney NSW 2001

E S 22 | **W** humanrights.gov.au

We acknowledge the traditional custodians of this land, the Gadigal peoples of the Eora Nation, and pay our respects to their Elders, past and present.



From: S 22

Sent: Tuesday, March 12, 2024 3:27 PM

To: S 22

Subject:

Subject: FW: Application for review to AAT by Lesbian Action Group [SEC=OFFICIAL:Sensitive]

Dear S 22

S42



s42

Kind regards,

s 22

Senior Lawyer

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T s 22

E s 22

| W www.humanrights.gov.au

*****Please note that I do not work on Wednesdays***

Human rights: everyone, everywhere, everyday

We acknowledge the traditional custodians of this land, the Gadigal peoples of the Eora Nation, and pay our respects to their Elders, past, present and future.

From: s 22

Sent: Tuesday, March 12, 2024 1:20 PM

To:

Subject: Re: Application for review to AAT by Lesbian Action Group [SEC=OFFICIAL:Sensitive]

Dear s 22



s42

Regards

s 22

Get [Outlook for iOS](#)

From: s 22

Sent: Monday, March 11, 2024 10:05:49 PM

To: s 22

Cc: s 22

Subject: Application for review to AAT by Lesbian Action Group [SEC=OFFICIAL:Sensitive]

Dear s 22

s42

Kind regards,

s 22

Senior Lawyer

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T s 22

E **S 22** | W www.humanrights.gov.au

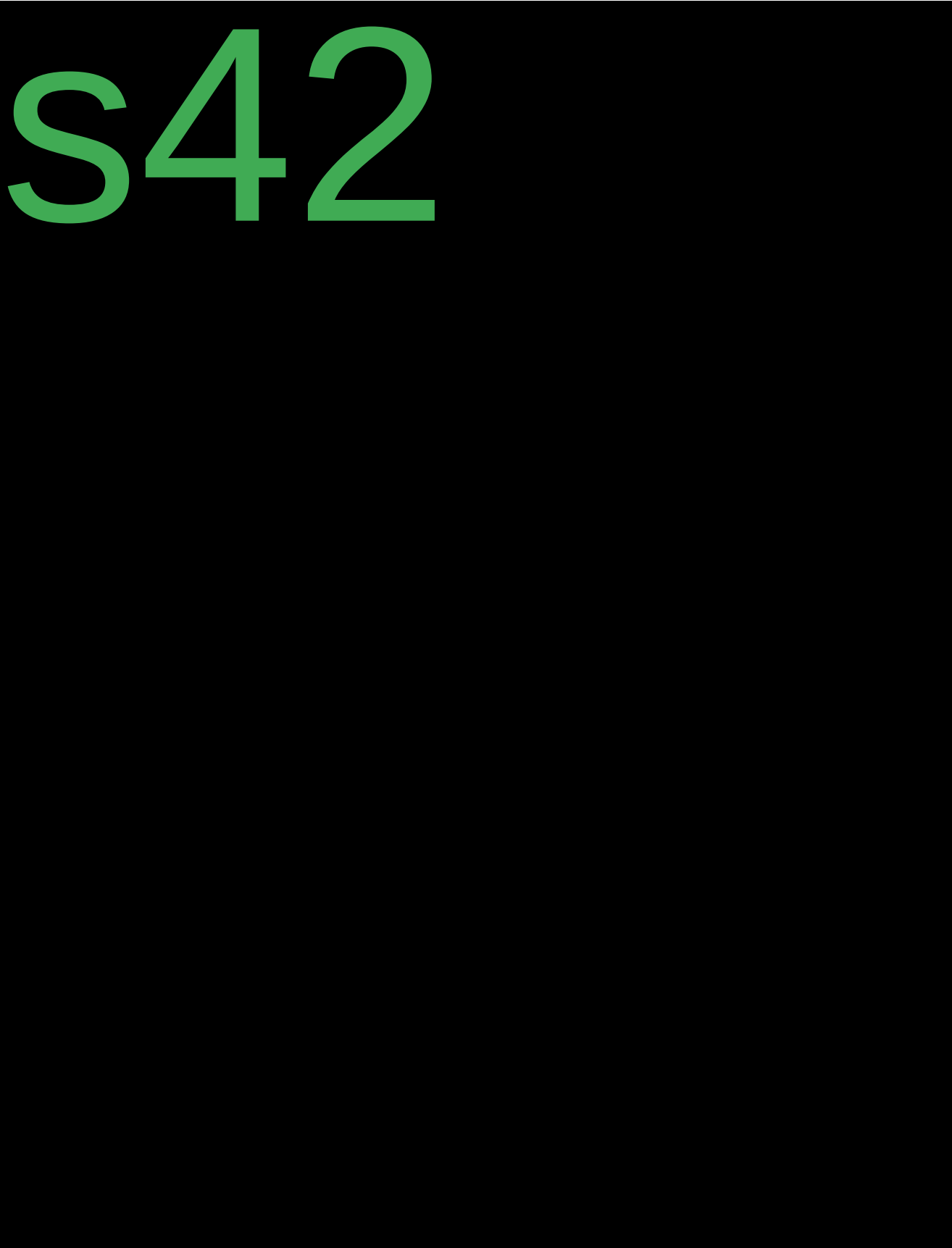
*****Please note that I do not work on Wednesdays***

Human rights: everyone, everywhere, everyday

We acknowledge the traditional custodians of this land, the Gadigal peoples of the Eora Nation, and pay our respects to their Elders, past, present and future.

From: [Redacted]
To: [Redacted]
Cc: [Redacted]
Subject: Application for review to AAT by Lesbian Action Group - [Redacted]
Date: Thursday, 21 March 2024 3:15:00 PM [SEC=OFFICIAL:Sensitive]

Dear [Redacted]



s42

Kind regards,

s 22

Senior Lawyer

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T s 22

E s 22

| W www.humanrights.gov.au

*****Please note that I do not work on Wednesdays***

Human rights: everyone, everywhere, everyday

We acknowledge the traditional custodians of this land, the Gadigal peoples of the Eora Nation, and pay our respects to their Elders, past, present and future.

From: s 22
To:
Cc:
Subject: s42 : AAT matter - Lesbian Action Group and AHRC [SEC=OFFICIAL]
Date: Tuesday, 23 July 2024 7:12:00 PM
Attachments: s42

Dear s 22



s42

s42

Warm regards,

s 22

From: s 22

Sent: Wednesday, July 3, 2024 12:31 PM

To: s 22

Subject: s42 AAT matter - Lesbian Action Group and AHRC [SEC=OFFICIAL]

Dear s 22

s42

s42

s42

Warm regards,

s 22

s 22

Senior Lawyer

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T s 22

E s 22

| W humanrights.gov.au

***** Please note that I work Monday - Thursday***

We acknowledge the Traditional Custodians of Country throughout Australia, and recognise their continuing connection to land, waters and culture. We pay our respects to their Elders – past, present and future.

From: s 22
To:
Cc:
Subject: s42 : Lesbian Action Group and AHRC, AAT proceeding
2023/8450 [SEC=OFFICIAL:Sensitive]
Date: Tuesday, 13 August 2024 6:07:00 PM
Attachments: image001.png
s42

Dear s 22

s42

Kind regards,

s 22

s 22

Senior Lawyer

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T s 22

E s 22 | [W humanrights.gov.au](https://www.humanrights.gov.au)

*** Please note that I work Monday - Thursday*

We acknowledge the Traditional Custodians of Country throughout Australia, and recognise their continuing connection to land, waters and culture. We pay our respects to their Elders – past, present and future.

From: s 22

Sent: Tuesday, August 6, 2024 7:34 PM

To: s 22

Subject: Lesbian Action Group and AHRC, AAT proceeding 2023/8450 [SEC=OFFICIAL:Sensitive]

Dear s 22

s42

s42

s42

s42

s42

Kind regards,

s 22

s 22

Deputy General Counsel

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T s 22

E s 22

| W humanrights.gov.au

We acknowledge the Traditional Custodians of Country throughout Australia, and recognise their continuing connection to land, waters and culture. We pay our respects to their Elders - past, present and future.

From: s 22
To: s42
Subject: s42 : Lesbian Action Group and AHRC, AAT proceeding 2023/8450 [SEC=OFFICIAL]
Date: Tuesday, 27 August 2024 9:10:00 AM
Attachments: [image002.png](#)
[image003.png](#)

Dear s 22

s42

Kind regards,

s 22

From: s 22
Sent: Tuesday, August 27, 2024 7:19 AM
To: s 22
Subject: s42 : Lesbian Action Group and AHRC, AAT proceeding 2023/8450 [SEC=OFFICIAL]

s42

Regards

s 22

From: s 22
Sent: Monday, August 26, 2024 10:03 PM
To: s 22
Subject: s42 : Lesbian Action Group and AHRC, AAT proceeding 2023/8450 [SEC=OFFICIAL]

Dear s 22

s42

s 22

Sex Discrimination Commissioner

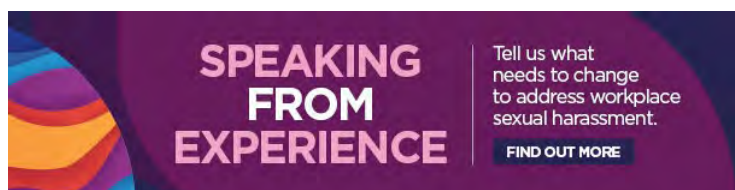
Australian Human Rights Commission

GPO Box 5218

Sydney NSW 2001

Es 22 | **W** humanrights.gov.au

We acknowledge the traditional custodians of this land, the Gadigal peoples of the Eora Nation, and pay our respects to their Elders, past and present.



From: s 22

Sent: Monday, August 26, 2024 4:53 PM

To: s 22

Subject: s42 : Lesbian Action Group and AHRC,
AAT proceeding 2023/8450 [SEC=OFFICIAL]

Hi s 22

s42

s42

Kind regards,

s 22

From: s 22

Sent: Monday, August 26, 2024 4:02 PM

To: s 22

Subject: s42 : Lesbian Action Group and AHRC,
AAT proceeding 2023/8450 [SEC=OFFICIAL]

Dear s 22

s42

s42

s 22

Sex Discrimination Commissioner

Australian Human Rights Commission

GPO Box 5218

Sydney NSW 2001

Es 22 | [W humanrights.gov.au](http://www.humanrights.gov.au)

We acknowledge the traditional custodians of this land, the Gadigal peoples of the Eora Nation, and pay our respects to their Elders, past and present.



From: s 22

Sent: Monday, August 26, 2024 1:42 PM

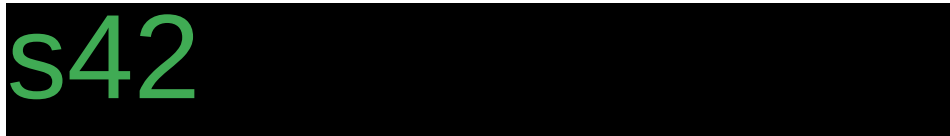
To: s 22

Subject: s42

Lesbian Action Group and AHRC, AAT
proceeding 2023/8450 [SEC=OFFICIAL]

Dear s 22

s42

s42

Kind regards,

s 22

From: s 22

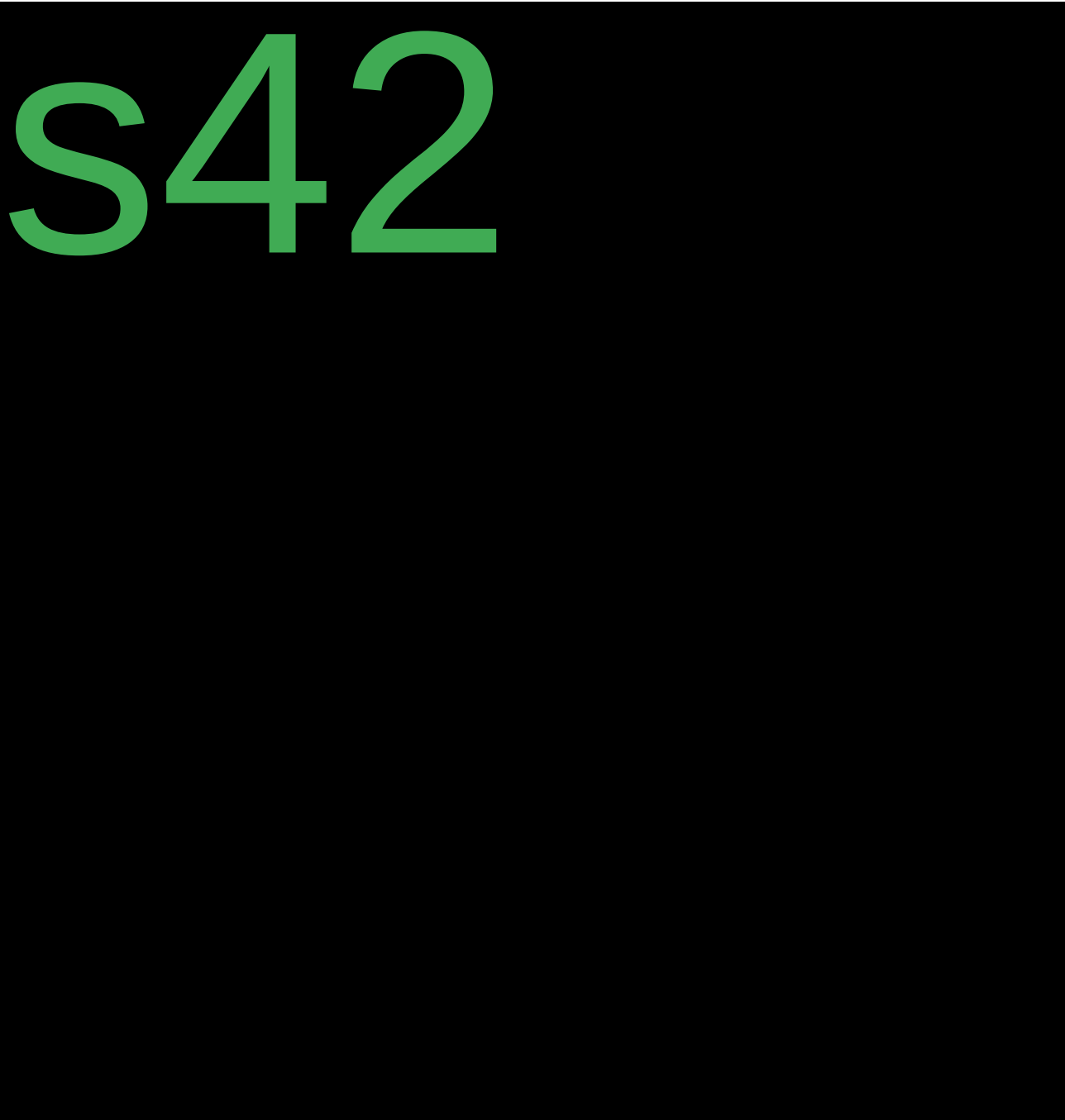
Sent: Thursday, August 22, 2024 4:34 PM

To: s 22

Cc: s 22

Subject: s42 Lesbian Action Group and AHRC, AAT proceeding 2023/8450 [SEC=OFFICIAL]

Good afternoon s 22

s42

s42

Kind regards,

s 22

s 22

Senior Lawyer



Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T s 22

E s 22

| W humanrights.gov.au

*** Please note that I work Monday – Thursday*

We acknowledge the Traditional Custodians of Country throughout Australia, and recognise their continuing connection to land, waters and culture. We pay our respects to their Elders – past, present and future.

From: s 22
To:
Cc:
Subject: s42 AAT 2023/8450, Lesbian Action Group and Australian Human Rights Commission
[SEC=OFFICIAL]
Date: Thursday, 29 August 2024 11:37:00 AM
Attachments: s42

Dear s 22

s42

s42

Kind regards,

s 22

From: s 22
To: s 22
Cc: s 22
Subject: Lesbian Action Group AAT proceeding - s42
[SEC=OFFICIAL]
Date: Friday, 6 September 2024 4:07:41 PM
Attachments: s42
image002.png

Dear s 22

s42

Kind regards,

s 22

s 22

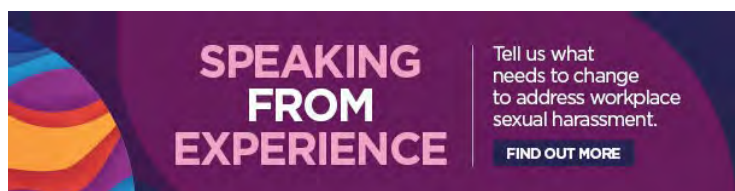
Deputy General Counsel

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T s 22

E s 22

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We acknowledge the Traditional Custodians of Country throughout Australia, and recognise their continuing connection to land, waters and culture. We pay our respects to their Elders - past, present and future.

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: [REDACTED] Lesbian Action Group and Australian Human Rights Commission
[SEC=OFFICIAL]
Date: Monday, 20 January 2025 5:44:00 PM
Attachments: [REDACTED]

Good afternoon [REDACTED]

s42

s42

Kind regards,

s 22

s22

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: s42 AAT Decision for Lesbian Action Group and Australian Human Rights Commission [SEC=OFFICIAL]
Date: Wednesday, 22 January 2025 9:18:00 AM
Attachments: s42 [REDACTED]

Dear President and the Commissioners

s42

s42

s42

s42

s42

s42

Kind regards,

s 22

s 22

Senior Lawyer

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T s 22

E s 22

| [W humanrights.gov.au](http://www.humanrights.gov.au)

*** Please note that I work Monday – Thursday*



We acknowledge the Traditional Custodians of Country throughout Australia, and recognise their continuing connection to land, waters and culture. We pay our respects to their Elders – past, present and future.

From: S 22
To:
Cc:
Subject: s42 - FCA - Lesbian Action Group Inc v Administrative Review Tribunal & Anor - VID 170/2025 [SEC=OFFICIAL]
Date: Wednesday, 28 January 2026 5:19:00 PM
Attachments: [image001.png](#)
[image003.png](#)
[image004.png](#)

Dear S 22

S42

Kind regards,

S 22

From: S 22

Sent: Tuesday, 6 January 2026 11:27 AM

To: S 22

Cc: s 22

Subject: s42 - FCA - Lesbian Action Group Inc v Administrative Review Tribunal & Anor - VID
170/2025 [SEC=OFFICIAL]

Dear s 22

s42

Kind regards,

s 22

From: s 22

Sent: Wednesday, 14 May 2025 11:42 AM

To: s 22

Subject: s42 - FCA - Lesbian Action Group Inc v Administrative Review Tribunal & Anor - VID
170/2025 [SEC=OFFICIAL]

Dear s 22

s42

s42

Kind regards,

s 22

From: **s 22**

Sent: Thursday, 27 March 2025 2:09 PM

To: s 22

[REDACTED]

Subject: s42 - FCA - Lesbian Action Group Inc v Administrative Review Tribunal & Anor - VID 170/2025 [SEC=OFFICIAL]

Dear s 22

s42

Kind regards,

s 22

From: s 22

Sent: Thursday, 27 March 2025 10:40 AM

To: s 22

[REDACTED]

Subject: s42 - FCA - Lesbian Action Group Inc v Administrative Review Tribunal & Anor - VID 170/2025 [SEC=OFFICIAL]

Dear s 22

s42

Kind regards,

s 22

From: s 22

Sent: Monday, 24 March 2025 4:30 PM

To: s 22

[REDACTED]

[REDACTED]

Subject: s42 - FCA - Lesbian Action Group Inc v Administrative Review
Tribunal & Anor - VID 170/2025 [SEC=OFFICIAL]

Dear s 22

s42

s42

Kind regards,

s 22

From: **s 22**

Sent: Wednesday, 19 March 2025 4:05 PM

To: **s 22**

Subject: **s42** - FCA - Lesbian Action Group Inc v Administrative Review Tribunal & Anor - VID 170/2025 [SEC=OFFICIAL]

Good afternoon **s 22**

s42

Kind regards,

s 22

From: s 22

Sent: Tuesday, 25 February 2025 12:21 PM

To: s 22

Subject: FOR s42 : FCA - Lesbian Action Group Inc v
Administrative Review Tribunal & Anor - VID 170/2025 [SEC=OFFICIAL]

Dear President and Commissioners

s42

s42

Kind regards,

s 22

Senior Lawyer

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T s 22

E s 22 | W humanrights.gov.au

*** Please note that I work Monday, Tuesday, Thursday, Friday*



We acknowledge the Traditional Custodians of Country throughout Australia, and recognise their continuing connection to land, waters and culture. We pay our respects to their Elders – past, present and future.

From: s 22
To: s 22
Cc: s 22
Subject: FW: VID170/2025 – Lesbian Action Group Inc v Australian Human Rights Commission [SEC=OFFICIAL]
Date: Wednesday, 15 April 2026 2:33:04 PM
Attachments: [LAG INC v AHRC \[2026\] FCA 432.pdf](#)

Dear s 22

s42

Kind regards,

s 22

General Counsel

Australian Human Rights Commission

GPO Box 5218, Sydney NSW 2001

T s 22

E s 22

| W humanrights.gov.au



We acknowledge the Traditional Custodians of Country throughout Australia, and recognise their continuing connection to land, waters and culture. We pay our respects to their Elders - past, present and future.

s22



DECISION

Fair Work Act 2009

s.185 - Application for approval of a single-enterprise agreement

Commonwealth Of Australia Represented By The Australian Human Rights Commission T/A Australian Human Rights Commission
(AG2024/917)

AUSTRALIAN HUMAN RIGHTS COMMISSION ENTERPRISE AGREEMENT 2024-2027

Commonwealth employment

DEPUTY PRESIDENT MASSON

MELBOURNE, 3 APRIL 2024

Application for approval of the Australian Human Rights Commission Enterprise Agreement 2024-2027

[1] An application has been made for approval of an enterprise agreement known as the *Australian Human Rights Commission Enterprise Agreement 2024-2027* (the Agreement). The application was made pursuant to s.185 of the *Fair Work Act 2009* (the Act). It has been made by Commonwealth of Australia (represented by the Australian Human Rights Commission). The Agreement is a single enterprise agreement.

[2] The *Fair Work Legislation Amendment (Secure Jobs, Better Pay) Act 2022* (Cth) (Amending Act) made a number of changes to enterprise agreement approval processes in Part 2-4 of the *Fair Work Act*, that commenced operation on 6 June 2023. The notification time for the Agreement under s.173(2) was 27 February 2023 and the Agreement was made on 15 March 2024. Accordingly, both the genuine agreement and the better off overall test requirements are those applying on and from 6 June 2023.

[3] I am satisfied that each of the requirements of ss.186, 187 and 188 as are relevant to this application for approval have been met.

[4] The Community and Public Sector Union (CPSU), being a bargaining representative for the Agreement, has given notice under s.183 of the Act that it wants the Agreement to cover it. In accordance with s.201(2) I note that the Agreement covers the organisation.

[5] The Agreement is approved and, in accordance with s.54 of the Act, will operate from 10 April 2024. The nominal expiry date of the Agreement is 28 February 2027.



DEPUTY PRESIDENT

Printed by authority of the Commonwealth Government Printer

<AE524060 PR773060>



Australian
Human Rights
Commission

Australian Human Rights Commission **Enterprise** **Agreement 2024–2027**



Signatories

This agreement is made under Section 172 of the *Fair Work Act 2009*.

Employer

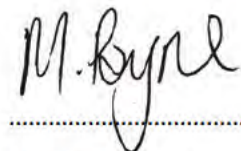
Signed for the Australian Human Rights Commission



Emeritus Professor Rosalind Croucher AM
President
Australian Human Rights Commission
Level 5, 175 Pitt St, Sydney NSW 2000

Bargaining representative: Community and Public Service Union (CPSU)

Signed for the Community and Public Service Union (CPSU)



Melissa Payne
Assistant National Secretary
54-58 Foveaux St, Surry Hills NSW 2010

Contents

Section 1: Technical matters.	8
Title	8
Parties to the Agreement	8
Operation of the Agreement	8
Delegations	8
National Employment Standards (NES) precedence	8
Closed comprehensive agreement	8
Objectives and Principles	9
Code of Conduct and APS values	9
Individual flexibility arrangements	10
Definitions	11
Section 2: Remuneration	13
Salary	13
Payment of salary	13
Salary setting	13
Incremental advancement	14
Superannuation	15
Method for calculating superannuation salary	15
Payment during unpaid parental leave	15
Overpayments	15
Supported Wage System	16
Section 3: Allowances and reimbursements.	17
Higher duties allowance	17
Workplace responsibility allowances	18
Community language allowance	19
Section 4: Classifications and broadbands.	20
Entry level programs/Graduates	20
Broadband	20
Work Level Standards	20
Section 5: Working hours and arrangements.	21
Job security	21
Commitment to ongoing employment and rebuilding APS capacity	21
Reporting	21
Pathways to permanency	21
Casual (irregular or intermittent) employment	21
Non-ongoing employment	22
Working hours	22
Flex-time for APS 1-6 classifications	23
Executive Level Time Off in Lieu (EL TOIL)	23
Overtime and restriction	24

Flexible working arrangements and Work Life Balance	25
Requesting formal flexible working arrangements	26
Varying, pausing or terminating flexible working arrangements	27
Working from home	28
Ad-hoc arrangements	28
Altering span of hours	28
Employees with caring responsibilities	29
Retirement transition	29
Range of locations of work	29
Part-time work	29
Christmas closedown	29
Public holidays	30
Section 6: Leave	31
Annual leave	31
Purchased leave	31
Personal/carer's leave	32
Accrual of personal/carer's leave from commencement of the agreement	32
Accrual of personal/carer's leave post transitional arrangement	33
Transitional arrangements	33
Documentary Evidence	33
Notification of personal/carer's leave	33
Invalidity	33
Portability of leave	34
Re-crediting of leave	34
Long service leave	35
Miscellaneous leave	35
Cultural, ceremonial and NAIDOC leave	35
NAIDOC leave	35
First Nations ceremonial leave	35
Cultural leave	36
Parental leave	36
Payment during parental leave	36
Adoption and long-term foster care	37
Stillbirth	38
Pregnancy loss leave	38
Premature birth leave	38
Transitional provisions	38
Compassionate leave	38
Bereavement leave	39
Elder and Disability Carer's leave	39
Moving house leave	39
Sabbatical leave/Career break	39
Emergency response leave	39
Jury duty	40
Community Volunteer leave	40

Defence reservist leave	40
Defence service sick leave.....	41
Leave to attend proceedings	42
Section 7: Employee support and workplace culture	43
Blood donation	43
Vaccinations	43
Employee Assistance Program.....	43
Healthy Lifestyle Allowance	43
Work health and Safety (WHS)	43
Reasonable Adjustment.....	44
Respect at work (Respect@Work)	44
Principles	44
Consultation	44
Family and domestic violence support.....	44
Integrity in the APS.....	46
First Nations cultural competency training	46
Diversity	46
Lactation and breastfeeding support	47
Disaster support	47
Section 8: Performance and development	48
Performance management	48
Managing underperformance	48
Workloads.....	49
Study leave and study assistance	49
Study Leave.....	50
Study Assistance	50
Learning and development	50
Professional qualifications.....	51
Section 9: Travel and location-based conditions.....	52
Travel	52
Motor vehicle allowance	53
Airline Lounge Membership	53
Overseas Travel.....	53
Relocation assistance	54
Loss, damage and indemnity	54
Section 10: Consultation, representation and dispute resolution.....	55
Consultation.....	55
Principles	55
When consultation is required.....	55
Provisions for consultation on major change and introduction of a change to regular roster or ordinary hours of work of employees	56
Representation	56
Major change.....	56
Change to regular roster or ordinary hours of work.....	57

Interaction with emergency management activities	58
Commission consultative committee	58
APS consultative committee	58
Dispute resolution	58
Leave of absence to attend proceedings	59
Delegates' rights	60
Supporting the role of union delegates	60
Section 11: Separation and retention	61
Resignation	61
Payment on death of an employee	61
Redeployment, retraining, redundancy	61
Excess Employee	61
Consultation process	62
Early Separation	62
Separation with consent	62
Redundancy benefit	63
Period of notice	63
Periods of service	63
Redeployment	64
Salary Maintenance	65
Involuntary termination of employment	65
Absence without approval and abandonment of employment	66
Attachment A – Base salaries	67
Attachment B – Supported Wage System	68
Definitions	68
Eligibility criteria	68
Supported wage rates	69
Assessment of capacity	69
Lodgement of SWS wage assessment agreement	69
Review of assessment	70
Other terms and conditions of employment	70
Workplace adjustment	70
Trial period	70

Section 1: Technical matters

Title

1. This agreement will be known as the Australian Human Rights Commission Enterprise Agreement 2024-2027.

Parties to the Agreement

2. This Agreement covers:
 - a) the President of the Australian Human Rights Commission (Commission), for and on behalf of the Commonwealth of Australia as the employer;
 - b) all employees in the Commission employed under the *Public Service Act 1999* (PS Act) other than:
 - i) Senior Executive Service employees or equivalent; and
 - c) subject to notice being given in accordance with section 183 of the FW Act, the following employee organisation/s which were bargaining representative for this agreement:
 - i) Community and Public Sector Union (CPSU).

Operation of the Agreement

3. This Agreement will commence operation seven days after approval by the Fair Work Commission.
4. This Agreement will nominally expire on 28 February 2027.

Delegations

5. The President may delegate to or authorise any person to perform any or all of the President's powers or functions under this Agreement, including the power of delegation, and may do so subject to conditions but no such delegation shall prevent the personal exercise by the President of a power or function so delegated.

National Employment Standards (NES) precedence

6. The terms of this Agreement are intended to apply in a manner that does not derogate from the NES. The NES will continue to apply to the extent that any term of this Agreement is detrimental to an employee of the Commission in any respect when compared with the NES.

Closed comprehensive agreement

7. This Agreement states the terms and conditions of employment of employees covered by this Agreement, other than terms and conditions applying under relevant Commonwealth laws.
8. This Agreement will be supported by policies and guidelines, as implemented and varied from time to time.

9. Policies and guidelines are not incorporated into and do not form part of this Agreement. To the extent that there is any inconsistency between policies and guidelines and the terms of this Agreement, the terms of this Agreement will prevail.

Objectives and Principles

10. This Agreement is to assist the Commission in achieving its purpose, vision, and strategic goals as reflected in the Commission's Corporate Plan.
11. Consistent with the APS Values, the Commission is committed to effective workplace relations that value communication, consultation with employees and their representatives and cooperation and input from employees about matters that affect their workplace, including employment guidelines, procedures and policies. The Commission will allow reasonable time for such consultation and establish ad-hoc committees as necessary. Consultation on major changes affecting the Commission will be in accordance with *Section 10 – Consultation, representation and dispute resolution* of this Agreement.
12. The role of workplace representatives, including union delegates and employee representatives, will be respected and facilitated, in accordance with the FW Act.

Code of Conduct and APS values

13. In implementing this Agreement and in undertaking their duties, an employee shall comply with Australian Public Service Values and APS Code of Conduct and shall not behave in a manner contrary to the interests of the Commission. Employees are required to comply with all Commission policies and guidelines as a condition of employment.
14. The following actions are required standards of conduct, employees:
 - a) who participate in a private capacity in public discussions must:
 - i) ensure that the audience is clear that the public comment is being made in a private capacity and that the employee is not speaking on behalf of the Commission or the Government; and
 - ii) ensure that the public comment cannot be seen as compromising their ability to continue to carry out their official duties in an unbiased and apolitical manner; and
 - iii) not make public comment in circumstances where the employee's status or other reasons will make it difficult for the audience to believe that the comments are being made in a private capacity.
 - b) must comply with Commission policies and use the resources, equipment and facilities of the Commission in a proper and lawful manner, recognising the particular nature of the Commission's role and functions.
 - c) must seek approval if they wish to engage in outside employment. Any outside employment must not pose a conflict of interest with their employment in the Commission.

Individual flexibility arrangements

15. The Commission and an employee covered by this Agreement may agree to make an individual flexibility arrangement to vary the effect of terms of the Agreement if:
 - a) the Agreement deals with one or more of the following matters:
 - i) arrangements about when work is performed;
 - ii) overtime rates;
 - iii) penalty rates;
 - iv) allowances;
 - v) remuneration; and
 - vi) leave and leave loading; and
 - b) the arrangement meets the genuine needs of the Commission and employee in relation to one or more of the matters mentioned in clause 15a; and
 - c) the arrangement is genuinely agreed to by the Commission and employee.
16. The Commission must ensure that the terms of the individual flexibility arrangement:
 - a) are about permitted matters under section 172 of the FW Act;
 - b) are not unlawful terms under section 194 of the FW Act; and
 - c) result in the employee being better off overall than the employee would be if no arrangement was made.
17. The Commission must ensure that the individual flexibility arrangement:
 - a) is in writing;
 - b) includes the name of the Commission and employee;
 - c) is signed by the President of the Commission or the President's delegate and the employee and, if the employee is under 18 years of age, signed by a parent or guardian of the employee; and
 - d) includes details of:
 - i) the terms of the enterprise agreement that will be varied by the arrangement;
 - ii) how the arrangement will vary the effect of the terms;
 - iii) how the employee will be better off overall in relation to the terms and conditions of their employment as a result of the arrangement; and
 - e) states the day on which the arrangement commences.
18. The Commission must give the employee a copy of the individual flexibility arrangement within 14 days after it is agreed to.
19. The Commission or employee may terminate the individual flexibility arrangement:
 - a) by giving no more than 28 days written notice to the other party to the arrangement; or
 - b) if the Commission and employee agree in writing – at any time.
20. The Commission and employee are to review the individual flexibility arrangement at least every 12 months.

Definitions

21. The following definitions apply to this Agreement:

Agreement means the Australian Human Rights Commission Enterprise Agreement 2024-2027.

APS means the Australian Public Service.

APS agency means an agency whose employees are employed under the PS Act, including an agency as defined in section 7 of the PS Act whose employees are employed under that Act.

APS consultative committee means the committee established by the APS Commissioner to consider matters pertaining to the (APS) employment relationship and of interest to the APS as a whole.

Australian Defence Force Cadets means the Australian Navy Cadets, Australian Army Cadets, or the Australian Air Force Cadets.

Bandwidth means the span of hours during which an employee can perform ordinary hours.

Broadband refers to the allocation of more than one approved classification by the President to a group of duties involving work value applying to more than one classification under sub-rule 9(4) of the *Public Service Classification Rules 2000*. A broadband encompasses the full range of work value of the classifications contained within it.

Casual employee (irregular or intermittent employee) means an employee engaged under section 22(2)(c) of the PS Act who:

- a) is a casual employee as defined by the FW Act; and
- b) works on an irregular or intermittent basis.

Child means a biological child, adopted child, foster child, stepchild, or ward, as defined under section 17(1) of the FW Act.

Classification or classification level means the approved classifications as set out in rule 5 of the *Public Service Classification Rules 2000*.

Commission means the Australian Human Rights Commission and shall include any person with an appropriate delegation to act on its behalf.

De facto partner means a person who, regardless of gender, is living in a common household with the employee in a bona fide, domestic, interdependent partnership, although not legally married to the employee. This includes a former de facto partner.

Delegate means someone to whom a power or function has been delegated.

Dependant means the employee's spouse or de facto partner, a child, parent or aged relative of the employee or the employee's spouse or de facto partner, who ordinarily lives with the employee and who is substantially dependent on the employee. Dependant also includes a child of the employee who does not ordinarily live with the employee but for whom the employee provides substantial financial support.

Employee means an employee of the Commonwealth engaged under section 22(2) of the PS Act who is covered by this Agreement (whether full-time, part time or casual, ongoing or non-ongoing).

Employee representative means a person (whether an employee or not) elected or chosen by an employee, or elected or chosen by a group of employees in a workplace, to represent the individual and/or collective views of those employees in relation to a matter under this Agreement.

Family means:

- a) a spouse, former spouse, de facto partner or former de facto partner of the employee;
- b) a child, parent, grandparent, grandchild, or sibling of the employee;
- c) a child, parent, grandparent, grandchild, or sibling of a spouse, former spouse, de facto partner or former de facto partner of the employee;

- d) a member of the employee's household; or
- e) a person with whom the employee has a relationship of traditional kinship where there is a relationship or obligation, under customs and traditions of the community or group to which the employee belongs.

Family and domestic violence has the same meaning as in section 106B(2) of the FW Act.

Full-time employee means an employee employed to work an average of 36 hours and 45 minutes per week in accordance with this Agreement.

FW Act means the *Fair Work Act 2009* as amended from time to time.

Manager means an employee's direct manager who is usually the person to whom an employee reports to on a day-to-day basis for work related matters, and may include a person referred to as a supervisor.

ML Act means the *Maternity Leave (Commonwealth Employees) Act 1973* as amended from time to time and any successor legislation.

NES means the National Employment Standards at Part 2-2 of the FW Act.

Non-ongoing employee means an employee engaged under section 22(2)(b) of the PS Act for a specified term or for the duration of a specified task, and consistent with the FW Act.

Ongoing employee means an employee engaged under section 22(2)(a) of the PS Act.

Ordinary hours, duty or work means an employee's usual hours worked in accordance with this Agreement and does not include additional hours.

Parliamentary service means employment under the *Parliamentary Service Act 1999*.

Partner means a spouse, former spouse, de facto partner or former de facto partner.

Part-time employee means an employee whose ordinary hours are less than 36 hours and 45 minutes per week in accordance with this Agreement.

President means the President of the Australian Human Rights Commission appointed under s 8A of the *Australian Human Rights Commission Act 1986*, or the President's delegate.

Primary caregiver for the purposes of the parental leave clause means a pregnant employee with an entitlement under the ML Act, or an employee other than a casual employee who has primary care responsibility for a child who is born to them or who is adopted or in long-term foster care as per the clauses on adoption and long-term foster care in this Agreement.

PS Act means the *Public Service Act 1999* as amended from time to time.

Registered Health Practitioner a person who is registered or licenced as a health practitioner (or a health practitioner of a particular type) under a law of a State or Territory. [Australian Health Practitioner Regulation Agency - Register of practitioners \(ahpra.gov.au\)](https://www.ahpra.gov.au).

Relevant employee means an affected employee.

Salary is the employee's rate of pay (in accordance with the salary/pay rates at *Attachment A – Base Salaries*) for all purposes. Specifically, where salary sacrifice arrangements (and purchased leave options, or other relevant arrangements) are in place, the employee's salary for purposes of superannuation, severance and termination payments will be determined as if the salary sacrifice (or other) arrangement had not been entered into.

Secondary caregiver for the purposes of the parental leave clause means an employee, other than a pregnant employee or casual employee, who has secondary care responsibility for a child who is born to them, or for a child who is adopted or in long-term foster care as per the clauses on adoption and long-term foster care in this Agreement.

SES means Senior Executive Service.

Section 2: Remuneration

Salary

22. Salary rates will be as set out in *Attachment A – Base salaries* of this Agreement.
23. The base salary rates in *Attachment A – Base salaries* include the following increases:
 - a) 4.0 per cent from the first full pay period on or after 1 March 2024 (the 14 March 2024);
 - b) 3.8 per cent from the first full pay period on or after 1 March 2025 (the 13 March 2025); and
 - c) 3.4 per cent from the first full pay period on or after 1 March 2026 (the 12 March 2026).
24. In recognition of a common alignment date of the first full pay period on or after 1 March each year, the base salary rates in *Attachment A – Base salaries* were calculated based on base salary rates as at 31 August 2023.

Payment of salary

25. Employees will be paid fortnightly in arrears by electronic funds transfer into a financial institution account of the employee's choice, based on their annual salary using the following formula:

$$\text{Fortnightly salary} = \frac{\text{Annual salary} \times 12}{313}$$

Note: This formula is designed to achieve a consistent fortnightly pay rate without significant variability year-to-year. It reflects that the calendar year is not neatly divisible into 26 fortnightly periods. There are 313 fortnightly pay cycles within a 12-year period.

Salary setting

26. The range of duties assigned to each position, and the employees engaged to perform them, shall be allocated an approved APS classification within the classification structure included in *Attachment A – Base Salaries*.
27. Where an employee is engaged, moves to, or is promoted in the Commission, the employee's salary will be paid at the minimum of the salary range of the relevant classification, unless the President determines a higher salary within the relevant salary range under these salary setting clauses.
28. The President may determine the payment of salary at a higher value within the relevant salary range of the relevant classification and the date of effect at any time. The President may authorise payment above the maximum point of the salary range, where immediately prior to commencing with the Commission, the employee was in receipt of salary above the maximum point in the current salary range.
29. In determining a salary under these provisions, the President will have regard to a range of factors (as relevant) including the employee's experience, qualifications, skills, market considerations and equity with other employees.

30. Where an employee commences ongoing employment in the Commission immediately following a period of non-ongoing employment in the Commission, for a specified term or task, the President will determine the payment of the employee's salary within the relevant salary range of the relevant classification which recognises the employee's prior service as a non-ongoing employee in the Commission.
31. Where an employee commences ongoing employment in the Commission immediately following a period of casual employment in the Commission, the President will determine the payment of salary within the relevant salary range of the relevant classification which recognises the employee's prior service as a casual employee in the Commission.
32. Where an APS employee moves to the Commission at level from another APS agency, and their salary is above the maximum of the salary range for their classification, the President will maintain the employee's salary at that level, until it is absorbed into the salary range for that classification.
33. Where the President determines that an employee's salary has been incorrectly set at an incorrect salary point within the applicable salary range, the President may determine in writing the correct salary and the date of effect.
34. Where an employee requests in writing to perform work at a lower work value level the Commission may determine in writing that the employee shall be paid a rate of salary applicable to the lower work value position classification.

Incremental advancement

35. Advancement through the pay points of the employee's position classification can only occur when an employee receives a rating of 'effective' or above in their annual performance assessment.
36. Consistent eligibility rules for salary progression will include:
 - a) 6 months of aggregate eligible service in the Commission at or above the relevant classification level during the most recent annual performance management cycle. If an employee has less than 6 months of aggregate eligible service, the President may exercise their discretion to determine a higher salary under the salary setting clause in this Agreement.
37. Eligible service for salary progression will include:
 - a) periods of paid leave and unpaid parental leave;
 - b) periods of unpaid leave that count as service; and
 - c) service while employed on a non-ongoing basis.
38. During a period of unpaid parental leave employees will be eligible to advance a maximum of one increment, regardless of the length of unpaid parental leave.
39. Employees who are acting at a higher classification, and satisfy other eligibility criteria, will be eligible for salary progression at both their substantive and acting classifications.
40. Salary progression while acting at a higher classification, will be retained for future acting duties at, or promotion to, that classification regardless of elapsed time.
41. Casual employees will not usually be eligible for incremental advancement.

Superannuation

42. The Commission will make compulsory employer contributions as required by the applicable legislation and fund requirements.
43. Employer superannuation contributions will be paid on behalf of employees during periods of paid leave that count as service.
44. The Commission will make employer superannuation contributions to any eligible superannuation fund, provided that it accepts payment by fortnightly electronic funds transfer (EFT) using a file generated by the Commission's payroll system.

Method for calculating superannuation salary

45. The Commission will provide an employer contribution of 15.4 per cent of the employee's Fortnightly Contribution Salary (FCS) for employees in the Public Sector Superannuation Accumulation Plan (PSSap) and employees in other accumulation superannuation funds.
46. Employer contributions will be made for all employees covered by this Agreement.
47. Employer contributions will not be reduced by any other contributions made through salary sacrifice arrangements.

Payment during unpaid parental leave

48. Employer contributions will be paid on periods of unpaid parental leave in accordance with the requirements of the PSSap fund where the employee is a member of the PSSap, and up to a maximum of 52 weeks where the employee is a member of an accumulation fund other than PSSap.

Overpayments

49. An overpayment occurs if the President (or the Commission) provides an employee with an amount of money to which the employee was not entitled (including but not limited to salary, entitlements, allowances, travel payment and/or other amount payable under this Agreement).
50. Where the President considers that an overpayment has occurred, the President will provide the employee with notice in writing. The notice will provide details of the overpayment.
51. If an employee disagrees that there has been an overpayment including the amount of the overpayment, they will advise the President in writing within 28 calendar days of receiving the notice. In this event, no further action will be taken until the employee's response has been reviewed.
52. If after considering the employee's response (if any), the President confirms that an overpayment has occurred, the overpayment will be treated as a debt to the Commonwealth that must be repaid to the Commission in full by the employee.
53. The President and the employee will discuss a suitable recovery arrangement. A recovery arrangement will take into account the nature and amount of the debt, the employee's circumstances and any potential hardship to the employee. The arrangement will be documented in writing.
54. The Commission and employee may agree to make a deduction from final monies where there is an outstanding payment upon cessation of employment.
55. Interest will not be charged on overpayments.

56. Nothing in clauses 49 to 55 prevents:
- a) the Commission from pursuing recovery of the debt in accordance with an Accountable Authority Instruction issued under the *Public Governance, Performance and Accountability Act 2013*;
 - b) the Commission from pursuing recovery of the debt through other available legal avenues; or
 - c) the employee or the Commission from seeking approval to waive the debt under the *Public Governance, Performance and Accountability Act 2013*.

Supported Wage System

57. An employee engaged by the Commission eligible for the Supported Wage System may be paid a percentage of the relevant pay rate for their classification in line with their assessed capacity to do the work if they:
- a) have a disability;
 - b) meet the criteria for a Disability Support Pension; and
 - c) are unable to perform duties to the capacity required.
58. Specific conditions relating to the supported wage system are detailed in *Attachment B - Supported Wage System*.

Section 3: Allowances and reimbursements

Higher duties allowance

59. Where a role needs to be filled for 1 or more working weeks, higher duties allowance (pro-rated for partial or part-time duties) will be paid to any employee temporarily occupying the role acting at a classification level higher than their substantive classification level.
60. The President may shorten the qualifying period for higher duties allowance on a case-by-case basis, having regard to the operational nature of the position and/or operational requirements of the section.
61. Higher duties allowance will be equal to the difference between the employee's current salary and the salary that would be payable if they were promoted to the higher classification level with the remuneration at the minimum rate applicable to the higher classification, or a higher amount determined by the President.
62. Where an employee is assigned only part of the higher duties, the President will determine the amount of allowance payable.
63. Higher duties allowance will be payable while an employee is acting at a higher classification level as part of a job-sharing arrangement where the duration of the arrangement is at least 1 working week.
64. Where an employee is found to be eligible for salary progression at their acting classification level they will receive an appropriate increase in the rate of higher duties allowance, subject to clause 39. The employee's salary level will be retained for all future periods of acting regardless of elapsed time.
65. An employee temporarily assigned duties at a higher classification level shall be entitled to receive the rate applicable for the higher classification position during a period of paid leave or public holidays provided that the employee would have received the rate applicable for the higher classification position if the employee had not been absent from the workplace for the period of the paid leave or the public holiday.
66. Where non-Senior Executive Service employees are acting in or temporarily assigned duties in Senior Executive Service roles, the allowance payable will be determined by the President.

Workplace responsibility allowances

67. A workplace responsibility allowance will be paid where the Commission has appointed or elected an employee to one of the following roles:
 - a) First Aid Officer;
 - b) Mental Health First Aid Officer;
 - c) Health and Safety Representative;
 - d) Fire and Emergency Warden; and
 - e) Wellbeing and Respect Officer.
68. An employee is not to receive more than one workplace responsibility allowance unless approved in writing by the President due to operational requirements.
69. As a salary-related allowance, this value will continue to be increased in line with headline wage increases. This will be applicable for the duration of this Agreement.
70. The full allowance is payable regardless of flexible work and part-time arrangements.
71. An employee's physical availability to undertake the role will be considered by agencies when appointing and reappointing employees to these roles. This is noting that not all workplace responsibility roles will necessarily require a physical presence in the workplace for the role to be successfully undertaken, such as Wellbeing and Respect Officers and Health and Safety Representatives depending on work group arrangements.
72. Payment of workplace responsibility allowances will be conditional on the employee obtaining the required certification, completion of nominated training courses as determined by the Commission and attendance at the meetings and activities in relation to the nominated workplace responsibility role.
73. The cost of obtaining and maintaining relevant training, accreditation and qualifications will be covered by the Commission. Participation in activities required for any of the appointed or elected roles will be considered work time.
74. Casual employees who are eligible to receive a workplace responsibility allowance will be paid the full amount (noting the minimum rate), as varied from time to time.
75. The rates will be:

Workplace Responsibility Allowance	Rate from commencement of the Agreement (\$ per fortnight)	Rate from 13 March 2025 (\$ per fortnight) (+3.8%)	Rate from 12 March 2026 (\$ per fortnight) (+3.4%)
First Aid Officer	\$45.47	\$47.20	\$48.80
Mental Health First Aid Officer	\$30.51	\$31.67	\$32.75
Health and Safety Representative	\$30.51	\$31.67	\$32.75
Fire and Emergency Warden	\$30.51	\$31.67	\$32.75
Wellbeing and Respect Officer	\$30.51	\$31.67	\$32.75

Community language allowance

76. A community language allowance will be paid where the President determines that an employee is regularly required to use their ability to communicate in Braille or a language other than English (including First Nations languages and AUSLAN) in the course of their work, and the employee meets the required level of competency set by the President. Further information is included in policy.
77. The allowance is paid in accordance with the employee's level of competency:

Table 1: Community language allowance rates

Rate	Standard	Rate from commencement of the Agreement	Rate from 13 March 2025 (\$ per fortnight) (+3.8%)	Rate from 12 March 2026 (\$ per fortnight) (+3.4%)
1	An employee who has adequate language skills, as determined by an individual or body approved by the President, for simple communication.	\$1,435 per annum	\$1,490 per annum	\$1,541 per annum
2	An employee who is certified by the National Accreditation Authority for Translators and Interpreters (NAATI) as a Translator or Interpreter at any level; or is assessed to be at the equivalent level by an individual or body approved by the President.	\$2,870 per annum	\$2,979 per annum	\$3,080 per annum

78. The allowance is calculated annually and paid fortnightly.
79. The full allowance is payable regardless of flexible work and part-time arrangements.
80. The allowance is payable during periods of paid leave.
81. The allowance counts as salary for superannuation purposes and for calculating retirement and redundancy entitlements.

Section 4: Classifications and broadbands

Entry level programs/Graduates

82. The Commission may engage employees on entry-level programs such as the Graduate program or established APS wide programs, in accordance with the terms of the relevant program and as set out in the employment offer.
83. Graduates will be engaged by the President at an APS3/APS4 classification level, having regard to the participant's qualifications, work experience, skills and the program the employee is undertaking.
84. Entry level employees are required to undertake the program and course of training determined by the Commission and complete the specific requirements of the nominated entry level program.
85. On successful completion of the program, employees will be advanced through the nominated broadband as set out in the letter of offer.
86. Advancement will be subject to:
 - a) all training and program requirements have been satisfactorily met;
 - b) employee has the necessary skill and proficiency;
 - c) performance rating of 'effective' or above; and
 - d) sufficient work is available at the higher classification level.

Broadband

87. The Commission may approve the movement from APS1 to APS2 and APS3 to APS4 in a broadband, following a performance rating of 'effective' or above where the employee has the necessary skill and proficiency, and subject to work availability.

Work Level Standards

88. The APS Work Level Standards continue to operate and describe the work at each of the classification levels in this Agreement, consistent with the *Public Service Classification Rules 2000*, made in accordance with section 23 of the PS Act.
89. The range of duties assigned to each position, and the employees engaged to perform them, shall be allocated an approved APS classification within the classification structure included in *Attachment A – Base Salaries*.

Section 5: Working hours and arrangements

Job security

Commitment to ongoing employment and rebuilding APS capacity

90. The APS is a career-based public service. In its engagement decisions, the Commission recognises that the usual basis for engagement is as an ongoing APS employee.

Reporting

91. Where a consultative committee is in place, the Commission will report to the Commission's consultative committee on an annual basis, or more frequently if agreed, on the number, duration, classification and location of ongoing, non-ongoing and casual employees engaged by the Commission.

Pathways to permanency

92. The Commission and the APS will comply with the casual conversion provision(s) of the FW Act. In addition, the Commission recognises that a proactive approach, including regularly reviewing casual and non-ongoing arrangements, is both a fair and efficient approach to supporting ongoing employment as the usual form of employment.

Casual (irregular or intermittent) employment

93. A casual (irregular or intermittent) employee is defined in the definitions section.
94. A decision to expand the use of casual employees is subject to *Section 10 – Consultation, representation and dispute resolution* of this Agreement.
95. The Commission will regularly review the working arrangements of casual employees to assess if they are genuinely performing irregular or intermittent duties, and report de-identified outcomes to the consultative committee, where one is in place.
96. Remuneration for casual employees is on an hourly basis. A casual employee will receive a 25 per cent loading on the base hourly rate of their classification as set out in this Agreement.
97. The casual loading is paid in lieu of payment for public holidays not worked, notice of termination of employment, redundancy benefits and all paid leave entitlements, other than leave required by legislation including long service leave in accordance with the *Long Service Leave (Commonwealth Employees) Act 1976* and leave for family and domestic violence support.
98. A casual employee will be engaged for a minimum of 3 hours per engagement or shall be paid for a minimum of 3 hours at the appropriate casual rate.
99. A casual employee who is eligible for a Workplace Responsibility Allowance will be paid the full amount.

Non-ongoing employment

100. A non-ongoing employee is defined in the definitions section.
101. Non-ongoing employees will generally have the same terms and conditions of employment as ongoing employees under this Agreement's terms, except:
 - a) personal/carer's leave accrual at clause 205;
 - b) redundancy provisions at clause 465, subject to clause 102; and
102. If the non-ongoing employee's contract is not permitted by section 333E of the FW Act, then the redundancy provisions at clause 465 will apply.
103. If the redundancy provisions apply to an employee under clause 102, the Commission must adhere to the consultation requirements in *Section 10 – Consultation, representation and dispute resolution* of this Agreement.

Working hours

104. **Standard hours:** Standard hours of work shall be 147 hours in each four week settlement period.
105. **Standard hours and Bandwidth:** Standard hours shall be worked within the bandwidth of 7:00 am to 6:30 pm, Monday to Friday. A standard day is 8:30 am to 4:51 pm with an hour for lunch between 12:30 pm and 1:30 pm.
106. Notwithstanding clause 105, standard hours may be worked outside of the bandwidth stipulated with agreement, where operational requirements may be met and with the approval of the President.
107. **Core hours:** Core hours will be 10:00 am to 12:00 pm and 2:00 pm to 4:00 pm unless varied by agreement by an employee and their manager based on operational needs and with the approval of the President. Employees shall ordinarily be present at work during core hours.
108. **Unpaid meal breaks:** An employee must not work for longer than 5 hours without an unpaid meal break of a minimum of thirty minutes and no longer than 2 hours.
109. **Start and finish times:** Start and finish times within the bandwidth are to be determined by the Commission, after consultation with the employee. To optimise effective client service, managers may require employees (including part-time employees where this is consistent with their ordinary hours) to attend at specific times during general business hours of 8:30 am to 5:00 pm.
110. An employee will not be expected to respond to emails or any other form of communication outside of bandwidth hours or agreed working hours, except for the following situations:
 - a) cases of an emergency or exceptional circumstances that impact the Commission's operations,
 - b) when the employee is paid an on-call allowance, and;
 - c) when the communication is related to return from leave, WHS or employee welfare matters.
111. These working hours and arrangements provide employees flexibility to balance work and personal obligations subject to operational requirements of the Commission, the need for appropriate supervisory arrangements to be in place and Work Health and Safety principles observed.

Flex-time for APS 1–6 classifications

112. Employees classified as APS1–APS6 must record their attendance in the Commission's timekeeping system for manager approval.
113. Employees classified as APS1–APS6 who work more or less than their ordinary hours within the standard hours and bandwidth will incur a one-for-one flex credit or debit. Flex-time credits will accrue only for time worked within the standard hours and bandwidth or where there is an agreement to work outside the bandwidth.
114. A maximum of 4 standard days can be carried over at the conclusion of any settlement period and a maximum of 10 hours of flex debit is permitted.
115. Managers are responsible for ensuring that employees do not accrue excessive flex-time and, carry over of flex-time balances beyond the settlement period will only be approved in exceptional circumstances. Further information can be found in the Commission's *Attendance, Flex and Overtime Guidelines*.

Executive Level Time Off in Lieu (EL TOIL)

116. Executive level (EL) employees are sometimes required to work reasonable additional hours. Consistent with the NES, employees may refuse to work unreasonable additional hours.
117. EL employees seeking to access time off in lieu (TOIL) are required to keep records of their working hours using a method determined by the Commission.
118. A manager is to grant TOIL in recognition of reasonable additional hours worked. TOIL granted to employees can be taken as whole or part days. Further information can be referred to in the Commission's *TOIL Guidelines*.
119. The working arrangements for an EL employee should be agreed through discussion between the manager and the EL employee. The discussion should include consideration of the work requirements that will safely get the job done and reasonably allow the employee to balance their work and personal life.
120. An EL employee's working arrangements and actual hours worked should be discussed on at least a quarterly basis between the EL employee and their manager.
121. The pattern of hours is to be flexible enough to accommodate short-term peaks and troughs in workload, and include expected reasonable additional hours. The agreed pattern of hours is to be recorded.
122. Requests from EL employees to access flexible time off which are consistent with their agreed working arrangements are to be supported, subject to operational requirements.

Overtime and restriction

123. An employee who may be directed by the Commission to work outside of standard hours shall be working overtime and shall be entitled to be paid or to receive time off in lieu in accordance with this clause.
124. The hourly rate for overtime payment will be ascertained by applying the following formulae:

Time and a half rate

$$\frac{\text{annual salary}}{313} \times \frac{6}{36 \frac{3}{4}} \times 1.5$$

Double time rate

$$\frac{\text{annual salary}}{313} \times \frac{6}{36 \frac{3}{4}} \times 2$$

Double time and a half rate

$$\frac{\text{annual salary}}{313} \times \frac{6}{36 \frac{3}{4}} \times 2.5$$

125. For the purpose of calculation the formula at clause 124 prescribed weekly hours before overtime is payable will be $36 \frac{3}{4}$.
126. Payment of overtime will only be approved for Executive Level employees in exceptional circumstances. Where the Commission has approved payment to employees at the Executive Level 1 or 2, payment shall be made at the maximum rate applicable to an APS6.
127. Where the Commission and an employee agree, time off in lieu of payment for overtime may be taken, with the time off accrued at the overtime multiplier, within four weeks or such other agreed period from the time of working the overtime. Where the time off is not taken within four weeks or such other agreed period then payment for the overtime shall be made.
128. Overtime worked Monday to Saturday will be paid at time and a half for the first 3 hours each day and double time thereafter. Overtime worked on a Sunday will be paid at the rate of double time. Overtime on a Public Holiday will be paid at time and a half during standard hours and double time and a half outside of standard hours as defined in clause 105.
129. An employee who works so much overtime that the employee has not had at least eight consecutive hours off duty plus reasonable travelling time:
- between the termination of the employee's ordinary duty on any day or shift, and the commencement of the employee's ordinary work on the next day or shift; or
 - on a Saturday, Sunday or a public holiday, not being an ordinary working day, or on a rostered day off, in the 24 hours preceding the employee's ordinary commencing time on the employee's next ordinary day or shift;
- will be granted time off under clause 130.
130. An employee who works so much overtime that the employee meets the conditions of clause 129 will:
- be allowed to leave work after such overtime for a period of eight consecutive hours off duty, plus reasonable traveling time, and will suffer no loss of pay for ordinary working time occurring during the employee's absence;

- b) provided that if an employee is required to resume or continue work on the specific written instruction of the Commission, without having had eight consecutive hours off duty plus reasonable travelling time, the employee will be paid at double ordinary time rates (for time worked) until the employee has had eight consecutive hours off duty plus reasonable traveling time; and
 - c) suffer no loss of pay for ordinary working time occurring during the employee's absence.
131. Where an employee is required to perform overtime duty and such duty is not continuous with ordinary duty, the minimum overtime payment for each separate overtime attendance will be four hours at the prescribed overtime rate.
 132. Where more than one attendance is involved, the minimum overtime payment provision will, subject to the prescribed minimum payment, not operate to increase an employee's overtime remuneration beyond that to which the employee would have been entitled had the employee remained on duty from the commencing time of duty on one attendance to the ceasing time of duty on a subsequent attendance.
 133. For the purposes of determining whether an overtime attendance is or is not continuous with ordinary duty; or, is or is not separate from other duty; meal periods will be disregarded.
 134. Where an overtime attendance, not continuous with ordinary duty, involves duty both before and after midnight, the minimum payment provisions of this clause will be satisfied when the total payment for the whole of the attendance equals or exceeds the minimum payment applicable to one day. Where a higher overtime rate applies on one of the days, the minimum payment will be calculated at the higher rate.
 135. Where an employee is required to work overtime for periods of three or more hours a meal allowance shall be paid in accordance with the ATO Reasonable Allowances rates. Payment will be made through the Commission's payroll system. An additional amount may be paid for overtime worked in excess of 10 hours. In exceptional circumstances the delegate may consider a further payment.
 136. Where an employee agrees or is directed to work overtime the Commission will, subject to prior approval of such arrangements including the cost, reimburse reasonable additional expenses arising from any additional care arrangements due to the requirement to work overtime.

Flexible working arrangements and Work Life Balance

137. The Commission, employees and their union recognise:
 - a) the importance of an appropriate balance between employees' personal and working lives, and the role flexible working arrangements can play in helping to achieve this balance;
 - b) access to flexible work can support strategies to improve diversity in employment and leadership in the APS;
 - c) access to flexible work supports APS capability, and can assist in attracting and retaining the employees needed to deliver for the Australian community, including employees located at a wider range of locations;
 - d) that flexibility applies to all roles in the Commission, and different types of flexible working arrangements may be suitable for different types of roles or circumstances; and
 - e) requests for flexible working arrangements are to be considered on a case-by-case basis, with a bias towards approving requests.

138. The Commission is committed to engaging with employees and their union to build a culture that supports flexible working arrangements across the Commission at all levels. This may include developing and implementing strategies through a Commission consultative committee.
139. Flexible working arrangements include, but are not limited to, changes in hours of work, changes in patterns of work and changes in location of work.

Requesting formal flexible working arrangements

140. The following provisions do not diminish an employee's entitlement under the NES.
141. An employee may make a request for a formal flexible working arrangement.
142. The request must:
- a) be in writing;
 - b) set out details of the change sought (including the type of arrangement sought and the proposed period the arrangement will operate for); and
 - c) set out the reasons for the change, noting the reasons for the change may relate to the circumstances set out at section 65(1A) of the FW Act.
143. The President must provide a written response to a request within 21 days of receiving the request.
144. The response must:
- a) state that the President approves the request and provide the relevant detail in clause 145; or
 - b) if following discussion between the Commission and the employee, the Commission and the employee agree to a change to the employee's working arrangements that differs from that set out in the request – set out the agreed change; or
 - c) state that the President refuses the request and include the following matters:
 - i) details of the reasons for the refusal; and
 - ii) set out the Commission particular business grounds for refusing the request, explain how those grounds apply to the request; and
 - iii) either:
 - a) set out the changes (other than the requested change) in the employee's working arrangements that would accommodate, to any extent, the employee's circumstances outlined in the request and that the Commission would be willing to make; or
 - b) state that there are no such changes; and
 - iv) state that a decision to refuse the request, or failure to provide a written response within 21 days is subject to the dispute resolution procedures of this Agreement, and if the employee is an eligible employee under the FW Act, the dispute resolution procedures outlined in sections 65B and 65C of the FW Act.
145. Where the President approves the request this will form an arrangement between the Commission and the employee. Each arrangement must be in writing and set out:
- a) any security and work health and safety requirements;
 - b) a review date (subject to clause 149); and
 - c) the cost of establishment (if any).

146. The President may refuse to approve the request only if:
- a) the Commission has discussed the request with the employee; and
 - b) the Commission has genuinely tried to reach an agreement with the employee about making changes to the employee's working arrangements to accommodate the employee's circumstances (subject to any reasonable business grounds for refusal); and
 - c) the Commission and the employee have not reached such an agreement; and
 - d) the Commission has had regard to the consequences of the refusal for the employee; and
 - e) the refusal is on reasonable business grounds.
147. Reasonable business grounds include, but are not limited to:
- a) the new working arrangements requested would be too costly for the Commission;
 - b) there is no capacity to change the working arrangements of other employees to accommodate the new working arrangements requested;
 - c) it would be impractical to change the working arrangements of other employees, or to recruit new employees, to accommodate the new working arrangements requested;
 - d) the new working arrangements requested would be likely to result in a significant loss in efficiency or productivity;
 - e) the new working arrangements requested would be likely to have a significant negative impact on customer service; and
 - f) it would not be possible to accommodate the working arrangements without significant changes to security requirements, or where work health and safety risks cannot be mitigated.
148. For First Nations employees, the Commission must consider connection to country and cultural obligations in responding to requests for altering the location of work.
149. Approved flexible working arrangements will be reviewed by the Commission and the employee after 12 months, or a shorter period, if agreed by the employee. This is to ensure the effectiveness of the arrangement.

Varying, pausing or terminating flexible working arrangements

150. An employee may request to vary an approved flexible working arrangement in accordance with clause 145. An employee may request to pause or terminate an approved flexible working arrangement.
151. The President may vary, pause or terminate an approved flexible working arrangement on reasonable business grounds, subject to clause 153.
152. The Commission must provide reasonable notice if varying, pausing or terminating a flexible working arrangement without the agreement of the employee, having regard to the circumstances of the employee. Exceptions to this requirement are urgent and critical operational circumstances or an employee's demonstrated and repeated failure to comply with the agreed arrangements.
153. Prior to the President varying, pausing or terminating the arrangement under clause 151, the Commission must have:
- a) discussed with the employee their intention to vary, pause or terminate the arrangement with the employee;

- b) genuinely tried to reach an agreement with the employee about making changes to the employee's working arrangements to accommodate the employee's circumstances (subject to any reasonable business grounds for alteration);
- c) had regard to the consequences of the variation, pause or termination for the employee;
- d) ensured the variation, pause or termination is on reasonable business grounds; and
- e) informed the employee in writing of the variation, pause or termination to the approved flexible working arrangement, including details set out in clause 144c.

Working from home

- 154. The Commission will not impose caps on groups of employees on the time that may be approved to work from home or remotely, with each request to be considered on its merits.
- 155. The Commission may provide equipment necessary for, or reimbursement, for all or part of the costs associated with establishing a working from home arrangement.
- 156. An employee working from home is covered by the same employment conditions as an employee working at an office site under this Agreement.
- 157. The Commission will provide employees with guidance on working from home safely.
- 158. Employees will not be required by the Commission to work from home unless it is lawful and reasonable to do so. This may include where circumstances prevent attendance at an office during a pandemic or natural disaster. In these situations, the Commission will consider the circumstances of the employees and options to achieve work outcomes safely.

Ad-hoc arrangements

- 159. Employees may request ad-hoc flexible working arrangements. Ad-hoc arrangements are generally one-off or short-term arrangements for circumstances that are not ongoing.
- 160. Employees should, where practicable, make the request in writing and provide as much notice as possible.
- 161. Requests for ad-hoc arrangements are not subject to the request and approval processes detailed in clauses 140-149.
- 162. The Commission should consider ad-hoc requests on a case-by-case basis, with a bias to approving ad-hoc requests, having regard to the employee's circumstances and reasonable business grounds.
- 163. Where a regular pattern of requests for ad-hoc arrangements from an employee emerges, the Commission should consider whether it is appropriate to seek to formalise the arrangement with the employee.

Altering span of hours

- 164. An employee may request to work an alternative regular span of hours (bandwidth hours). If approved by the President, hours worked on this basis will be treated as regular working hours and will not attract overtime payments. The Commission will not request or require that any employee alter their regular span of hours (bandwidth hours) under these provisions.

Employees with caring responsibilities

- 165. Where the Commission requires employees to be away from home outside bandwidth hours (including normal travel time) or to work outside their regular hours managers will approve payment or reimbursement of the reasonable costs of additional family care arrangements on the production of receipts.
- 166. To assist employees balance their work and family/personal life responsibilities, workplace meetings will not be scheduled before 9 am and will conclude by 4.30 pm unless previously agreed. Where possible having regard for operational requirements, meetings will be generally scheduled after 10 am.

Retirement transition

- 167. Employees who have stated an intention to retire from the workforce within 2 years are able to participate in a retirement transition arrangement. Financial assistance of up to \$500 (in total per employee) will be provided for access to retirement seminars and/or superannuation and financial advice. Transition arrangements may vary between individuals as both individual and operational needs are considered but may include access to part-time work and/or changes in work level or responsibilities by agreement.

Range of locations of work

- 168. The Commission's office premises are in Sydney. Staff are employed across a number of states and territories based on individual arrangements, aligned to operational requirements of the Commission.

Part-time work

- 169. All applications for part-time work must be in writing. All requests will be considered in line with the principles set out in the *Flexible work arrangements and Work Life Balance* section of this Agreement.
- 170. A part-time employee shall accrue all entitlements under this Agreement, other than entitlements to reimbursement and expense related allowances, on a pro-rata basis.
- 171. Proposals for part-time work may be initiated by managers, in consideration of an employee's health and wellbeing.
- 172. Employees engaged on a full-time basis will not be compelled to convert to part-time employment.
- 173. Employees engaged on a part-time basis will not be compelled to convert to full-time employment.

Christmas closedown

- 174. The Commission will close its normal operations from close of business on the last working day before Christmas, with business resuming on the first working day after New Year's Day.
- 175. Employees will be provided with time off for the working days between Christmas and New Year's Day and will be paid in accordance with their ordinary hours of work. Where an employee is absent on leave, payment for the Christmas closedown provision will be in accordance with the entitlement for that form of leave, (e.g. if on long service leave on half pay, payment is on half pay).
- 176. No deductions from annual or personal/carer's leave credits for the closedown period will be made.

Public holidays

177. Employees are entitled to the following holidays each year as observed at their normal work location in accordance with the FW Act:
 - a) 1 January (New Year's Day);
 - b) 26 January (Australia Day);
 - c) Good Friday and the following Monday (Easter Monday);
 - d) 25 April (Anzac Day);
 - e) the King's birthday holiday (on the day on which it is celebrated in a State or Territory or a region of a State or Territory);
 - f) 25 December (Christmas Day);
 - g) 26 December (Boxing Day); and
 - h) any other day, or part day, declared or prescribed by or under a law of a State or Territory to be observed generally within the State or Territory, or a region of the State or Territory, as a public holiday, other than a day or part day, or a kind of day or part day, that is excluded by the *Fair Work Regulations 2009* from counting as a public holiday.
178. If a public holiday falls on a Saturday or Sunday, and if under a State or Territory law, a day or part day is substituted for one of the public holidays listed above, then the substituted day or part day is the public holiday.
179. The President and an employee may agree on the substitution of a day or part day that would otherwise be a public holiday, having regard to operational requirements.
180. The President and an employee may agree to substitute a cultural or religious day of significance to the employee for any day that is a prescribed holiday. If the employee cannot work on the prescribed holiday, the employee will be required to work make-up time at times to be agreed. This substitution does not impact or reduce an employee's entitlement to First Nations ceremonial leave, NAIDOC leave or cultural leave.
181. Where an employee substitutes a public holiday for another day, they will not be paid penalty rates for working their normal hours on the public holiday.
182. Where a public holiday falls during a period when an employee is absent on leave (other than annual leave, paid personal/carer's leave or defence service sick leave) there is no entitlement to receive payment as a public holiday. Payment for that day will be in accordance with the entitlement for that form of leave (e.g. if on long service leave on half pay, payment is at half pay).
183. If under a law of a State or Territory every Sunday is declared or prescribed by or under that law to be a public holiday, there is no entitlement to receive payment as a public holiday if the employee would have worked, or does perform work, on that day. In these circumstances, payment will only be made at the public holiday rate if the employee performs work on that day, and the Sunday would otherwise be a public holiday under clause 177.
184. An employee who is absent on a day or part day that is a public holiday in their normal work location, is entitled to be paid for the part or full day absence as if that day or part day was not a public holiday, except where that person would not normally have worked on that day.
185. Where a full-time employee, including but not limited to employees on compressed hours, has a regular planned day off which would fall on a public holiday, the President may allow the employee to change their planned day off so that it does not fall on a public holiday. If it is not possible to change their planned day off, the employee will be credited an equivalent amount of time to their regular hours for the day in flex credits or EL TOIL in recognition of their planned day off.

Section 6: Leave

Annual leave

186. Full-time employees (other than casual employees) are entitled to 4 weeks (20 days) paid annual leave per completed year of service, accruing daily and credited on a monthly basis. Annual leave for part-time employees accrues on a pro-rata basis.
187. A pro-rata accrual of annual leave may be accessed prior to the completion of a year of service (e.g. an employee with six months completed service may apply for and be granted 10 days of annual leave).
188. Annual leave may be taken at half pay. However, unless approved by the President (or delegate), it may not be taken at half pay where the employee has an excessive leave balance.
189. Annual leave shall be taken at such time or times and in such a period or periods as may be agreed between the employee and the employee's manager subject to operational requirements. Annual leave will not be prepaid.
190. Employees are encouraged to take their annual leave in the year of accrual and are expected to take at least two weeks per annum.
191. Employees with annual leave in excess of six weeks (pro-rata for part-time employees) may be directed to take leave until the excess credit is cleared.
192. Where annual leave is cancelled or the employee is recalled to duty, the employee will be reimbursed travel costs not recoverable from insurance or other sources. Evidence of costs may be required.
193. **Cash out of Annual Leave:** An employer and an employee may agree to the employee cashing out an amount of the employee's accrued paid annual leave subject to:
 - a) paid annual leave not cashed out if the cashing out would result in the employee's remaining accrued entitlement to paid annual leave being less than 4 weeks;
 - b) each cashing out of an agreed amount of paid annual leave must be by a separate agreement in writing between the employee and the employee's manager; and
 - c) the employee must be paid at least the full amount that would have been payable to the employee had the employee taken the leave that the employee has not taken.
194. Employees will receive payment in lieu of any untaken annual leave upon separation from the APS.

Purchased leave

195. An employee may, with the approval of the President, purchase from one to six additional weeks of leave from the Commission. Further information on application requirements can be referred to in the Commissions' *Purchased Leave Policy*.

Personal/carer's leave

196. Personal/carer's leave may be taken:
 - a) due to personal illness or injury;
 - b) to attend appointments with a Registered Health Practitioner;
 - c) to manage a chronic condition; and/or
 - d) to provide care or support for a family member (including a household member) or a person they have caring responsibilities for, because of:
 - i) a personal illness or injury affecting the person; or
 - ii) an unexpected emergency affecting the other person.
197. Carer's leave may be taken to care for a person that the employee has caring responsibilities for. A person that an employee has caring responsibilities for may include a person who needs care because they:
 - a) have a medical condition, including when they are in hospital;
 - b) have a mental illness;
 - c) have a disability;
 - d) are frail or aged; and/or
 - e) are a child, not limited to a child of the employee.
198. An employee will be entitled to 18 days of paid personal/carer's leave per annum (pro-rata for part-time employees).
199. Personal/carer's leave at half pay may be approved by the President.
200. A casual employee may be absent without pay when not fit for work due to personal illness or injury. A casual employee may access 2 days unpaid carer's leave per occasion, consistent with the NES.
201. Absences from the workplace on account of illness for a period below one day may be taken as flex-time, where flex-time arrangements apply and credits are available.
202. An employee in receipt of compensation for more than 45 weeks will accrue personal/carer's leave on the basis of the hours actually worked.
203. Unused personal/carer's leave will accumulate from year to year but will not be paid out on separation.

Accrual of personal/carer's leave from commencement of the agreement

204. An ongoing employee shall be entitled to 18 days paid personal/carer's leave upon engagement and shall accumulate 18 days paid personal/carer's leave per completed year of service.
205. A non-ongoing employee shall accumulate paid personal/carer's leave progressively with 1.5 days accruing progressively, for each month of employment.
206. If a non-ongoing employee is then engaged on an ongoing basis, they shall be credited with a full entitlement to personal/carer's leave as if they had accrued from the date of their commencement in the Commission less any leave already taken.
207. An employee in receipt of compensation for more than 45 weeks will accrue personal/carer's leave on the basis of the hours actually worked.

Accrual of personal/carer's leave post transitional arrangement

208. The Commission will implement accrual methods outlined in clauses 209 and 210 by 1 January 2026
209. For an ongoing employee, 18 days personal/carer's leave will be credited upon the employee's commencement with the APS. After 12 months, the employee's leave will accrue daily, credited at least monthly.
210. For a non-ongoing employee, the personal/carer's leave will be credited upon the employee's commencement with the Commission. This will be 18 days leave pro-rated based on the employee's initial contract period and is capped at 18 days. After the initial contract period or 12 months, whichever is shorter, or where the employee has an existing entitlement to personal/carer's leave, leave will accrue daily, credited at least monthly.

Transitional arrangements

211. Where an employee:
- a) has, or cares for someone with, a chronic condition or other ongoing illness; or
 - b) is recovering from surgery; or
 - c) is pregnant; or
 - d) is returning from parental leave or has a child commencing day care;
- and, as a result of the transition to daily accrual of personal/carer's leave, does not have sufficient credit to cover an absence for which they would otherwise be able to take personal/carer's leave, the President will advance the employee's accrual up to the 12-month anniversary when their leave would otherwise be credited.

Documentary Evidence

212. Evidence may be requested to accompany an application for personal/carer's leave for a period of more than three consecutive days. Acceptable evidence includes: a certificate from a Registered Health Practitioner, a statutory declaration made by the employee or any other form of evidence approved by the President.
213. There will be no requirement to produce a certificate to support an application for personal/carer's leave (less than four days) for the first 15 days taken in any accrual year. The President may request the employee to provide a certificate from a Registered Health Practitioner, a statutory declaration made by the employee or any other form of evidence approved by the President when any future absence on personal/carer's leave occurs.
214. A certificate from a Registered Health Practitioner may be used as evidence of a chronic condition for up to 12 months for both personal and carer's leave.

Notification of personal/carer's leave

215. An employee absent from the workplace when intending to access personal/carer's leave shall take reasonable steps to inform (by an agreed method) their manager as soon as reasonably practicable.

Invalidity

216. An employee will not, without the employee's consent, be retired on invalidity grounds before the employee's paid personal leave credit has expired except as otherwise provided by legislation.

Portability of leave

217. Where an employee moves into the Commission from another APS agency where they were an ongoing employee, the employee's unused accrued annual leave and personal/carer's leave will be transferred, provided there is no break in continuity of service.
218. Where an employee is engaged in the Commission immediately following a period of ongoing employment in the Parliamentary Service or the ACT Government Service, the employee's unused accrued annual leave and personal/carer's leave will be recognised unless the employee received payment in lieu of those entitlements on cessation of employment.
219. Where an employee is engaged as an ongoing employee in the Commission, and immediately prior to the engagement the person was employed as a non-ongoing APS employee (whether in the agency or another), at the employee's request, any unused accrued annual leave (excluding accrued leave paid out on separation) and personal/carer's leave will be recognised.
220. Where an employee is engaged as a non-ongoing APS employee, and immediately prior to the engagement the person was employed as a non-ongoing APS employee (whether in the agency or another) at the employee's request, any unused accrued annual leave (excluding accrued leave paid out on termination of employment) and personal/carer's leave will be recognised.
221. Where an employee is engaged as an ongoing employee in the Commission, and immediately prior to the engagement the person was employed by a Commonwealth employer (other than in the Parliamentary Service which are covered in clause 218), the President will recognise any unused accrued personal/carer's leave at the employee's request. The President will advise the employee of their ability to make this request.
222. Where an employee is engaged as an ongoing employee in the Commission, and immediately prior to the engagement the person was employed by a State or Territory Government, the President may recognise any unused accrued personal/carer's leave, provided there is not a break in continuity of service.
223. For the purposes of clauses 217 to 222, an employee with a break in service of less than 2 months is considered to have continuity of service.

Re-crediting of leave

224. When an employee is on:
 - a) annual leave;
 - b) purchased leave;
 - c) defence reservist leave;
 - d) First Nations ceremonial leave;
 - e) NAIDOC leave;
 - f) cultural leave; or
 - g) long service leave; andbecomes eligible for, under legislation or this Agreement:
 - a) personal/carer's leave;
 - b) compassionate or bereavement leave;
 - c) jury duty;
 - d) emergency services leave;

- e) leave to attend to family and domestic violence circumstances; or
 - f) parental leave, premature birth leave, stillbirth leave or pregnancy loss leave;
- the affected period of leave will be re-credited.

225. When an employee is on personal/carer's leave and becomes eligible for parental leave, premature birth leave, stillbirth leave or pregnancy loss leave, the affected period of leave will be re-credited.
226. Re-crediting is subject to appropriate evidence of eligibility for the substituted leave.

Long service leave

227. An employee is eligible for long service leave in accordance with the *Long Service Leave (Commonwealth Employees) Act 1976*.
228. The minimum period for which long service leave will be granted is 7 calendar days (whether taken at full or half pay). Long service leave cannot be broken with other periods of leave, except as otherwise provided by legislation or provided for in the re-crediting of leave clause at 226 of this Agreement.

Miscellaneous leave

229. Miscellaneous leave may be granted with or without pay for an appropriate purpose that is not provided for elsewhere in this Agreement. The President will consider requests in line with the supporting evidence provided by the employee. Further information can be found in the Commission's *Miscellaneous Leave Policy*.
230. Miscellaneous leave may be granted by the President for a number of purposes including but not limited to: management of a disability, gender affirmation, workplace relations training or where other leave entitlements are exhausted.
231. A casual employee may be provided with paid miscellaneous leave for the purposes of family and domestic violence support and otherwise by Government directive.
232. The President may refuse an employee's request for miscellaneous leave and will provide a response in writing within 21 days the reasons for any refusal of the request.

Cultural, ceremonial and NAIDOC leave

NAIDOC leave

233. First Nations employees may access up to one day of paid leave per calendar year to participate in NAIDOC week activities. The President may provide additional paid leave for this purpose.
234. NAIDOC leave can be taken in part days.

First Nations ceremonial leave

235. First Nations employees may access up to 6 days of paid leave over 2 calendar years to participate in significant activities associated with their culture or to fulfil ceremonial obligations.
236. The President may approve additional leave for cultural or ceremonial purposes as miscellaneous leave, with or without pay.
237. First Nations ceremonial leave can be taken as part days.
238. First Nations ceremonial leave is in addition to compassionate and bereavement leave.

Cultural leave

- 239. The President may grant up to 3 days of paid leave per calendar year for the purpose of attending significant religious or cultural obligations associated with the employees' particular faith or culture.
- 240. The President may approve additional leave for cultural purposes as miscellaneous leave, with or without pay.
- 241. Cultural leave can be taken as part days.
- 242. For the avoidance of doubt, this leave does not cover cultural purposes or obligations which are eligible for paid leave under clause 235.

Parental leave

- 243. A primary caregiver, secondary caregiver and ML Act is defined in the definitions section.
- 244. An employee who is a **primary caregiver** or **secondary caregiver** is entitled to parental leave up until 24 months from the date of the child's birth or placement (**parental leave period**). For the avoidance of doubt, this is inclusive of all legislated leave entitlements. The parental leave period does not extend non-ongoing employment where the employment period remaining is less than 24 months. An employee is only eligible for parental leave with pay as either a primary caregiver or a secondary caregiver for the particular parental leave period, and cannot switch roles for the purpose of accessing additional paid leave.
- 245. For the pregnant employee, the parental leave period starts on commencement of maternity leave as per ML Act requirements, and ceases 24 months from the date of birth. Medical certification requirements for the pregnant employee will be as required by the ML Act.
- 246. Conditions in this Agreement will continue to apply in circumstances where successor legislation to the ML Act does not provide parental leave conditions included in this Agreement.

Payment during parental leave

- 247. An employee is entitled to parental leave with pay as per clauses 249 and 250 within the parental leave period. Any further parental leave during the parental leave period is without pay. Unused paid parental leave remaining at the end of the employee's parental leave period will lapse. An employee may choose to use their accrued paid leave entitlements in accordance with usage and eligibility requirements in this Agreement during the parental leave period that would otherwise be without pay.
- 248. Employees newly engaged in the Commission or who have moved to the Commission from another APS agency are eligible for the paid parental leave in clauses 249 and 250 where such paid leave had not already been provided by another APS agency or Commonwealth employer in the 24 months since the child's date of birth or placement. If the paid leave used by the employee with the previous Commonwealth employer or APS agency is less than the limits specified in clauses 249 and 250, the balance is available to the employee.
- 249. An employee who is a primary caregiver is entitled to parental leave with pay during the parental leave period to a maximum of 18 weeks as provided in **Table 2** below.

Table 2: Primary caregivers – circumstances for paid parental leave

Paid leave entitlement under the ML Act	Additional parental leave with pay under this Agreement for the primary caregiver
12 weeks' paid maternity leave, including any reduced paid maternity leave period due to ML Act qualifying period rules	Paid leave to bring the total period of paid parental leave to 18 weeks.
No ML Act eligibility or coverage	18 weeks

250. An employee who is a secondary caregiver is entitled to parental leave with pay during the parental leave period as provided in **Table 3** below.

Table 3: Secondary caregivers – circumstances for paid parental leave

Period which coincides with the parental leave period for the secondary caregiver	Parental Leave with pay under this Agreement
Date of commencement of this Agreement to 28 February 2025	8 weeks, or top up to 8 weeks where a lesser period of parental leave has already been provided
1 March 2025 to 28 February 2026	11 weeks, or top up to 11 weeks where a lesser period of parental leave has already been provided
1 March 2026 to 27 February 2027	14 weeks, or top up to 14 weeks where a lesser period of parental leave has already been provided
On and from 28 February 2027	18 weeks, or top up to 18 weeks where a lesser period of parental leave has already been provided

251. **Flexibility:** Parental leave with pay, whether provided as maternity leave under the ML Act or under this Agreement, can be accessed flexibly during the parental leave period and does not have to be taken in a single block. For the avoidance of doubt, parental leave can be used to replicate a part time work arrangement, and can be taken concurrently with another parent in relation to the same child.
252. **Rate of payment** during paid parental leave is the same as for an absence on personal/carer's leave and based on the employee's weekly hours at the time of the absence.
253. **Half-pay option:** The payment of any paid parental leave may be spread over a maximum period of 36 weeks at the rate of, no less than, half the normal rate of salary. All paid parental leave counts as service for all purposes, where permitted by legislation.

Adoption and long-term foster care

254. An employee who is a primary caregiver or secondary caregiver is entitled to parental leave in accordance with this Agreement for adoption or long-term foster care, provided that the child:
- is under 16 as at the day (or expected day) of placement;
 - has not lived continuously with the employee for a period of six months or more as at the day (or expected day) of placement; and
 - is not (otherwise than because of the adoption) a child of the employee or the employee's spouse or de facto partner.
255. Documentary evidence of approval for adoption or enduring parental responsibilities under formal fostering arrangements must be submitted when applying for parental leave for adoption or long-term foster carer purposes.

Stillbirth

256. Parents of a stillborn child remain eligible for parental leave, except for paid leave for the secondary caregiver which is two weeks.
257. A stillborn child is a child:
- a) who weighs at least 400 g at delivery or whose period of gestation was 20 weeks or more; and
 - b) who has not breathed since delivery; and
 - c) whose heart has not beaten since delivery.

Pregnancy loss leave

258. A pregnant employee who experiences, or an employee whose spouse or partner experiences, pregnancy loss is entitled to one weeks' paid leave. Pregnancy loss is a miscarriage or other loss of pregnancy that occurs between 12 and 20 weeks' gestation that is not a stillbirth.
259. Pregnancy loss leave is in addition to entitlements to compassionate leave for miscarriage provided under the FW Act and this Agreement.

Premature birth leave

260. In circumstances of a live birth before 37 weeks' gestation a pregnant employee, or an employee whose spouse or partner has given birth prematurely, is entitled to paid premature birth leave from the date of the child's birth up to just before 37 weeks' gestation. Parental leave with pay is then available from what would have been 37 weeks' gestation in accordance with Parental leave in this Agreement, noting the parental leave period commences on the child's date of birth.

Transitional provisions

261. Employees eligible for paid leave under the ML Act are required under legislation to use their paid maternity leave first. In this circumstance, the employee may postpone their paid premature birth leave otherwise payable under clause 260 until after the legislated paid maternity leave is used.

Compassionate leave

262. Employees will be eligible for 3 days paid compassionate leave on each occasion when:
- a) a member of their family (including a member of their household) or someone they have a close personal relationship with contracts, develops or sustains a life-threatening illness or injury; or
 - b) the employee or their partner has a miscarriage.
263. An employee may be asked to provide evidence to support their absences on compassionate leave.
264. Compassionate leave for an occasion may be taken as 3 consecutive days or in separate periods totalling 3 days. This can include part days.
265. For casual employees, compassionate leave is unpaid.

Bereavement leave

266. Employees will be eligible for 3 days paid bereavement leave on each occasion when:
- a) a member of their family (including a member of their household) or someone they had a close personal relationship with dies; or
 - b) a child is stillborn, where the child was a member of their family (including a member of their household).
267. An employee may be asked to provide evidence to support their absences on bereavement leave.
268. Bereavement leave for an occasion may be taken as 3 consecutive days or in separate periods totalling 3 days. This can include part days.
269. For casual employees, bereavement leave is unpaid.

Elder and Disability Carer's leave

270. An employee with 12 months of continuous service may request unpaid discretionary leave of up to 12 months to provide care or support to:
- a) an elderly parent;
 - b) a child with disability;
 - c) a family member with high support needs,
- where there is a requirement for ongoing care or support.

Moving house leave

271. One day paid leave per annum may be granted by the President for the purpose of moving house.

Sabbatical leave/Career break

272. Employees will be eligible to apply for a three-month unpaid sabbatical/career break leave after they have been employed for five years and for a further three months unpaid sabbatical/career break leave period for each subsequent 5 year period. The three-month period is in calendar days and will be non-cumulative.
273. The President may approve all periods of sabbatical/career break leave, subject to operational requirements and the negotiation of a mutually agreeable period of leave/absence.
274. Where the sabbatical/career break leave is of direct benefit to the work of the Commission and the career development of the employee it will count as service unless otherwise required by legislation.

Emergency response leave

275. In line with section 108 of the FW Act, an employee who engages in an eligible community service activity is entitled to emergency response leave to volunteer for emergency management duties for:
- a) the time engaged in the activity;
 - b) reasonable travelling time; and
 - c) reasonable recovery time.

276. Full-time and part-time employees will be able to access 20 working days of paid emergency response leave at their full rate of pay per year if required. The President may provide additional emergency response leave with pay.
- a) For the purpose of this clause, full rate of pay is to be as if the employee was at work.
277. Paid leave may be refused where the employee's role is essential to the Commission response to the emergency.
278. An employee must provide evidence that the organisation requests their services. Employees can provide evidence before or as soon as practical after their emergency service activity.
279. The President may approve reasonable paid or unpaid leave for ceremonial duties and training.
280. Emergency response leave, with or without pay, will count as service.

Jury duty

281. Employees who are required by a court to attend either for jury selection, or to act as a juror, will be released from duty for the required period, without the need to apply for leave.
282. Full and part-time employees will be released from duty on their full rate of pay. Payment for casuals will be as per the relevant state legislation.
- a) For the purposes of this clause, full rate of pay is to be as if the employee was at work.
283. The employee is required to inform their manager before they are released from duty and provide evidence of the need to attend.
284. If the employee receives a payment from the court for attendance (which are not expense related such as allowances and reimbursements in relation to meals, accommodation, fares etc.), they must repay that amount to the Commission for the period of absence. This will be administered in accordance with the overpayments clause.

Community Volunteer leave

285. The President may support community volunteer leave of one paid day per calendar year for employees to undertake voluntary work for a not-for-profit community organisation.
286. The timing of the leave must be approved by the manager.
287. Additional unpaid leave of up to 4 days per calendar year may be approved based on operational requirements.

Defence reservist leave

288. The President will give an employee leave with or without pay to undertake:
- a) Australian Defence Force (ADF) Reserve and continuous full-time service (CFTS); and
- b) Australian Defence Force Cadet obligations.
289. An employee who is a Defence Reservist can take leave with pay for:
- a) up to 4 weeks (20 days) in each financial year (pro-rata for part-time employees); and
- b) an extra 2 weeks (10 days) in the first year of ADF Reserve service (pro-rata for part-time employees).

290. Leave can be built up and taken over 2 consecutive years. This includes the extra 2 weeks in the first year of service.
291. An employee who is an Australian Defence Force Cadet officer or instructor can get paid leave up to 3 weeks in each financial year to perform their duties. Australian Defence Force Cadets means:
- a) Australian Navy Cadets;
 - b) Australian Army Cadets; and
 - c) Australian Air Force Cadets.
292. In addition to the entitlement at clause 289, paid leave may be granted to an employee to attend an interview or medical examination in connection with the enlistment of the employee in a Reserve Force of the Defence Force.
293. Paid defence reservist leave counts for service.
294. Unpaid defence reservist leave for 6 months or less counts as service for all purposes. This includes periods of CFTS.
295. Unpaid leave taken over 6 months counts as service, except for annual leave.
296. An employee will not need to pay their tax free ADF Reserve salary to their agency for any reason.

Defence service sick leave

297. An employee is eligible for defence service sick leave credits when the Department of Veterans Affairs (DVA) has certified that an employee's medical condition is as a result of either:
- a) warlike service; or
 - b) non-warlike service.
298. An eligible employee can get 2 types of credits:
- a) an initial credit of 9 weeks (45 days) defence service sick leave will apply as of the later below option:
 - i) they start employment with the APS; or
 - ii) DVA certifies the condition; and
 - b) an annual credit of 3 weeks (15 days) defence service sick leave.
299. An employee can use their defence service sick leave when a recognised medical practitioner provides a certificate that says they were away due to their DVA certified medical condition.
300. Unused annual credits can be built up to 9 weeks.
301. An employee cannot use annual credits until the initial credit is exhausted.
302. Defence service sick leave is paid and counts as service for all purposes.

Leave to attend proceedings

- 303. An employee giving evidence before a Court, Tribunal or Royal Commission on behalf of the Commonwealth or a Commonwealth party in the course of their duties, will be considered on duty.
- 304. An employee who is not covered under clause 303, and is required to give evidence to, appear before or attend to instruct a representative at a Court, Tribunal or Royal Commission in relation to their duties will be released from duty without loss of pay. This includes in proceedings relating to a dispute between the employee and the Commission.
- 305. An employee may otherwise be granted paid or unpaid miscellaneous leave by the President if required to give evidence to a Court, Tribunal or Royal Commission for any other reason. Where approval for unpaid leave is given, the employee may elect to use accrued annual leave, flex leave or time off in lieu.
- 306. The President may refuse to release an employee from duty having regard to business requirements and whether the employee's attendance is necessary for the Court, Tribunal or Royal Commission hearing.

Section 7: Employee support and workplace culture

Blood donation

- 307. An employee can take reasonable time away from duty during their ordinary work hours to donate blood, plasma or platelets. It includes reasonable travel time and employers will consider employees on duty.
- 308. The employee must inform their manager in advance of when they will be away from work before donating blood, plasma or platelets.

Vaccinations

- 309. The Commission will offer annual influenza vaccinations to all employees at no cost.
- 310. Where the Commission requires an employee performing a role to be vaccinated for a particular condition, this vaccination will be offered at no expense to the employee.

Employee Assistance Program

- 311. Employees, their partners, their dependants/children and members of the employee's household will have access to a confidential, professional counselling service to assist employees to manage personal and work issues. This service will be provided at no cost to employees by the Commission and will be accessible on paid time.
- 312. On commencement employees will be advised of the availability of the employee assistance program (EAP).
- 313. There will be no initial cost to employees who contact the counselling service, however if the counselling service refers the employee to another service or agrees to provide services in addition to those under contract to the Commission then the employee will be responsible for any costs which may arise.
- 314. Managers may access the service to support them in their roles and should encourage employees to use the service where appropriate.

Healthy Lifestyle Allowance

- 315. The Commission encourages its employees to consider healthy lifestyle activities as a means to develop and maintain work and life balance. The Commission will reimburse up to \$275 per financial year for approved health and wellbeing activities. Further information can be found in the Commission's *Healthy Lifestyle Program Guidelines*.
- 316. The Healthy Lifestyle allowance will be payable to non-ongoing employees if their contract term is six months or greater.

Work health and Safety (WHS)

- 317. The Commission and its employees will work collaboratively on WHS matters. Further information can be referred to in the Commission's *WHS, Rehabilitation and First Aid Policies*.

Reasonable Adjustment

318. The Commission is committed to providing any essential work related aids and equipment to ensure that employees are provided with the opportunity to work as efficiently and effectively as possible. The Commission will make workplace adjustments to accommodate the needs of employees wherever it is necessary, possible, and reasonable.

Respect at work (Respect@Work)

Principles

319. The Commission values a safe, respectful and inclusive workplace free from physical and psychological harm, harassment, discrimination and bullying. The Commission recognises that preventing sexual harassment, sex discrimination, sex-based harassment and victimisation in the workplace is a priority.
320. The Commission recognises that approaches to prevent sexual harassment, sex discrimination, sex-based harassment and victimisation in the workplace should be holistic and consistent with the Commission's guidance, including the *Good Practice Indicators Framework for Preventing and Responding to Workplace Sexual Harassment* and the Commission's *Respectful Behaviour and Unlawful Conduct Policy*.

Consultation

321. The Commission will consult with employees and their unions in developing, reviewing and evaluating approaches to prevent sexual harassment, sex discrimination, sex-based harassment and victimisation in the workplace.

Family and domestic violence support

322. The Commission will provide support for employees affected by family and domestic violence, depending on the employee's circumstances.
323. The Commission recognises that a holistic approach should be taken to support the employee, appropriate for the employee's individual circumstances.
324. Family and domestic violence support, including paid leave, are available to all employees covered by this Agreement.
325. An employee experiencing family and domestic violence is able to access paid miscellaneous leave. Reasons an employee experiencing family and domestic violence may access this leave include, but are not limited to:
- a) illness or injury affecting the employee resulting from family and domestic violence;
 - b) providing care or support to a family member (including a household member) who is also experiencing family and domestic violence, and is ill or injured as a result of family and domestic violence;
 - c) providing care or support to a family member (including a household member) who is also experiencing family and domestic violence, and is affected by an unexpected emergency as a result of family and domestic violence;
 - d) making arrangements for the employee's safety, or the safety of a close relative;
 - e) accessing alternative accommodation;
 - f) accessing police services;
 - g) attending court hearings;

- h) attending counselling; and
- i) attending appointments with medical, financial or legal professionals.

326. This entitlement exists in addition to an employee's existing leave entitlements and may be taken as consecutive days, single days or part days and will count as service for all purposes.
327. Given the emergency context in which leave may need to be accessed, employees can proceed to take the leave and seek approval at a later date, as soon as practicable.
328. These family and domestic violence support clauses do not reduce an employee's entitlement to family and domestic violence leave under the NES.
329. Paid miscellaneous leave available under this clause is paid for ongoing and non-ongoing employees at their full rate as if they were at work.
330. Paid leave for casual employees under this clause is paid at their full pay rate for the hours they were rostered to work in the period they took leave.
331. Evidence may be requested to support the Commission in approving leave. In most cases, this will not be required. Where it is required, this will be discussed with the employee and a statutory declaration is the only form of evidence the Commission will require, unless the employee chooses to provide another form of evidence.
332. An employee may also choose to provide other forms of evidence, including a medical certificate, or document issued by the Police Service, a Court, a Doctor, district Nurse, a Family Violence Support Service or Lawyer.
333. The Commission will take all reasonable measures to treat information relating to family and domestic violence confidentially. The Commission will adopt a 'needs to know' approach regarding communication of an employee's experience of family and domestic violence, subject to steps the Commission may need to take to ensure the safety of the employee, other employees or persons, or mandatory reporting requirements.
334. Where the Commission needs to disclose confidential information for purposes identified in clause 333, where it is possible the Commission will seek the employee's consent and take practical steps to minimise any associated safety risks for the employee and/or privacy breaches.
335. The Commission will not store or include information on the employee's payslip in relation to the employee's experience of family and domestic violence; any leave accessed for the purposes of family and domestic violence; or support(s) provided by the employer, unless otherwise required by legislation.
336. Other available support may include, but is not limited to, flexible working arrangements, additional access to EAP, changes to their span of hours or pattern of hours and/or shift patterns and/or location of work where reasonably practicable.
337. The Commission will acknowledge and take into account an employee's experience of family and domestic violence if an employee's attendance or performance at work is affected.
338. Further information about leave and other support available to employees affected by family and domestic violence may be found in the Commission's *Domestic and Family Violence Policy*.

Integrity in the APS

339. The Commission understands that procedural fairness is essential in building and maintaining trust with APS employees, and that it requires fair and impartial processes for employees affected by APS-wide or Commission decisions.
340. Employees are to give advice that is frank, honest, timely and based on the best available evidence. This includes scientific and engineering advice based on evidence-based facts guided by the best available science and data. Employees will not be disadvantaged or discriminated against because they have given advice in accordance with their expertise or professional qualifications and in accordance with the APS Code of Conduct in the PS Act.
341. Employees can, during their ordinary work hours, take time to:
- a) access an APS-wide ethics advisory service or another similar service provided by a professional association such as a law society or in the Commission; and
 - b) attend the Commission's mandated training about integrity.

First Nations cultural competency training

342. The President will take reasonable steps to ensure all substantive, ongoing EL2 employees employed at the commencement of this Agreement or any new substantive, ongoing EL2 employees who commence within the first 6 months of this Agreement will complete relevant First Nations cultural competency training within 12 months of the commencement of the Agreement.
343. Any new substantive, ongoing EL2 employee who commences after 6 months of the commencement of this Agreement will be required to complete a relevant First Nations cultural competency training course within 6 months of their engagement or promotion.

Diversity

344. The Commission is an organisation which values fairness, equity and diversity. As the body with a statutory responsibility to ensure the observance of human rights in Australia it is important that respect and acceptance of diversity is an integral part of our own workplace. Consistent with that aim, the Commission is committed to preventing and eliminating racial hatred/prejudice and sexual harassment as well as discrimination on the grounds of race, colour, descent, national or ethnic origin, national extraction, immigration status, sex, gender identity, intersex status and sexual orientation, marital or relationship status, breastfeeding, family responsibilities, pregnancy, potential pregnancy, age, disability, religion, political opinion, irrelevant criminal record, membership or non-membership of a trade union or social origin.
345. The Commission is committed to celebrating diversity, increasing employment opportunities and accessibility for all who experience employment disadvantage and/or marginalisation including but not limited to, people with disability, Aboriginal and Torres Strait Islander peoples, people from culturally and linguistically diverse (CALD) backgrounds, culturally and racially marginalised (CARM) workers and people with diverse identities and background eg. sexual orientation, gender identity and expression, and sex characteristics (SOGIESC).

Lactation and breastfeeding support

346. Reasonable paid time during work hours will be provided for lactation breaks for breastfeeding, expressing milk and other associated activities.
347. The Commission will provide access to appropriate facilities for the purpose of breastfeeding or expressing milk, subject to clause 348. In considering whether a space is appropriate, the Commission should consider whether:
 - a) there is access to refrigeration;
 - b) the space is lockable; and
 - c) there are facilities needed for expressing, such as appropriate seating.
348. Where it is not practicable for the Commission site to have a designated space, a flexible approach will be taken so that the employee can access the support required.
349. The Commission will facilitate discussion between individual employees and their managers about accommodating the employee's lactation needs and practical arrangements to meet these needs.
350. The manager and employee shall discuss any flexible working arrangements that may be needed to support lactation. This may include consideration of arrangements such as working from home and/or remote working or varying work hours on an ad-hoc or regular basis. Wherever possible, requests by an employee will be accommodated, noting these needs may be changed over time.

Disaster support

351. Where an official disaster or emergency is declared and this prevents an employee from reasonably attending work, or where it impacts their household or home, the President will consider flexible working arrangements to assist the employee to perform their work.
352. Where flexible working arrangements are not appropriate, the President may grant paid miscellaneous leave to an employee with regard to the scale and nature of the emergency. This leave counts as service and may be approved retrospectively.
353. In considering what period of leave is appropriate, the President will take into account the safety of the employee, their family (including their household) and advice from local, State and Commonwealth authorities.

Section 8: Performance and development

Performance management

354. The purpose of the Commission's Performance Management Framework is to strengthen and support the Commission in performing its functions by providing regular and formal assessment of employees' work performance and to provide employees with skill development and career advancement opportunities.
355. Annual assessment of an employee's performance will be the basis of salary progression within the pay points assigned to their classification and may also be taken into account:
- a) when considering an employee for temporary reassignment of duties or promotion; or
 - b) as a basis to commence proceedings in relation to the unsatisfactory performance of duties or misconduct.
356. Employees and managers will develop a performance agreement and employees will have their work performance rated by their immediate manager using a four-point scale. Employees will advance by one salary point in the relevant classification pay range subject to meeting the performance standard rating of 'effective' or above. Employees rated 'not effective' will not be eligible for salary progression and may be subject to an underperformance process.
357. Employees who are not satisfied with their manager's assessment may request a review of the manager's assessment by escalating their concerns to the manager-one-removed/skip manager. The employee may also follow the APS guidelines on Review of Actions.

Managing underperformance

358. There may be occasions when an employee's performance is consistently falling below the expected standard, even though the employee's manager has taken measures to overcome the problems as part of their day-to-day management responsibilities. It is important that these matters be addressed promptly and fairly rather than waiting until the next formal performance management feedback session and any relevant matters must be included in the next formal feedback session if ongoing action is required. The procedure for handling unsatisfactory performance can be found in the Commission's *Managing Underperformance Guidelines* and applies to all employees except for the following, who are dealt with/managed under the terms of their engagement:
- a) an ongoing employee who is on probation;
 - b) a non-ongoing employee who is employed for a specified term or for the duration of a specified task; and
 - c) a non-ongoing employee engaged on an irregular or intermittent basis.

359. The process will include written warnings and a structured performance improvement/assessment plan developed with the employee. The plan will be implemented over a period of 2 months unless there are exceptional circumstances. An employee may choose to have a support person accompany them in a discussion with a manager where there are issues about the employee's performance.
360. The underperformance process must have regard for the principles of procedural fairness and natural justice.
361. Where the delegate determines, on the basis of assessment, that the employee's performance remains unsatisfactory; action will be commenced to:
 - a) assign the employee to other duties, or
 - b) reduce the employee's classification, or
 - c) take some other form of appropriate action, or
 - d) terminate the employment.

Workloads

362. The Commission recognises the importance of employees balancing their work and personal life. While it is acknowledged that at times it may be necessary for some extra hours being worked by some employees, this should be regarded as the exception rather than the rule.
363. When determining workloads for an employee or group of employees, the Commission will consider the need for employees to strike a balance between their work and personal life.
364. Where an employee or group of employees raise that they have experienced significant workload pressures over a prolonged period of time, the Commission and employee/s together must review the employees' workloads and priorities and determine appropriate strategies to manage the impact on the employee or group of employees.

Study leave and study assistance

365. Employees may be entitled to paid time off from work to engage in further study ('Study Leave') and/or financial assistance provided by the Commission ('Study Assistance').
366. Employees can apply for study leave and/or study assistance upon commencement at the Commission.
367. Approval for study assistance is not an automatic entitlement. The following factors will be considered in assessing a study leave and/or a study assistance application:
 - a) relevance of the proposed study to the needs of the Commission;
 - b) operational priorities and resource capacity;
 - c) career development needs of the individual;
 - d) budgetary considerations of the section; and
 - e) equity with other employees of the Commission.
368. Non-ongoing staff may be eligible to apply provided the unit/subject undertaken commences after their commencement date at the Commission. If approved by the President, study leave will be available, and study assistance would be reimbursed to the employee on successful completion of the unit/subject provided the staff member is still employed at the Commission.
369. Approval for all applications will be assessed and determined by the President.
370. Study leave and study assistance will depend on the Commission's budget availability and operational requirements at the time of each request.

Study Leave

- 371. Approved employees will be able to access study leave as outlined in clause 372 for study that aligns to their course requirements and as outlined in the Commission's *Studies Assistance Policy*.
- 372. Study leave up to 8 days per six-month period within a calendar year is available to attend classes, lectures or other course requirements that are scheduled during normal working hours (pro-rata for part-time staff). Study leave not utilised will not carry over the following period.
- 373. Examination leave up to 8 hours per six month period within a calendar year is available to attend examinations that are scheduled during working hours.
- 374. Aboriginal and Torres Strait Islander employees or employees with disability (where their disability impacts their ability to study) can apply to the President for consideration of additional study leave to meet the course and study requirements.
- 375. Assistance may be provided to staff enrolled in other research studies not requiring attendance during normal working hours at the discretion of the President, on a case-by-case basis and, having consideration for the requirements of the qualification and operational requirements.

Study Assistance

- 376. Employees who have received approval for study assistance may apply for financial assistance to cover cost of the tuition fees up to \$1,000 per completed subject during a calendar year, with an annual maximum cap amount of \$4,000 per calendar year.
- 377. Employees undertaking relevant Vocational Education and Training Sector accredited qualifications are entitled to reimbursement for up to 50% of their entire qualification fees, up to a maximum of \$3,000 per certification on successful completion. This entitlement is not in addition to the entitlement provided for in clause 376. Approval considerations in clause 367 will apply.

Learning and development

- 378. The Commission will provide employees with support to access learning and development activities that:
 - a) have a clear connection with the work of the Commission;
 - b) have a direct link to individuals' work responsibilities; and
 - c) assist ongoing career development.
- 379. Learning and development activities include on and off the job training, acting/higher duties/secondment opportunities, stretch projects and opportunities, formal study, attendance at courses/seminars/workshops, online learning (blended learning approach) and will be specified in annual performance agreements for each employee.
- 380. The Commission will, subject to prior approval of such arrangements including the cost, reimburse reasonable additional expenses arising from additional care arrangements when the employee is required to attend a particular training activity outside normal hours of work or away from their normal work location.

Professional qualifications

381. The Commission may support (study leave and/or study assistance) the employee obtaining or maintaining a professional qualification and/or accreditation that is requirement for the role undertaken.
382. The President may consider other requests from employees for other support as needed, based on operational requirements.

Section 9: Travel and location-based conditions

Travel

383. A travelling allowance shall be payable to an employee who undertakes travel on official business and is required to be absent overnight.
384. Travelling allowances are in addition to the cost of conveyance.
385. An employee who is travelling to a place of work in anticipation of a permanent move to that place of work, and who has been advised in writing that the move is to be made permanent, will not be eligible to receive travelling allowance during employment at that place of work.
386. An employee who is required to be absent overnight from the employee's usual place of work on official business, under clause 383 will be paid, prior to undertaking the travel, in accordance with the Australian Taxation Office rulings on reasonable daily travel allowance amounts (equivalent non-SES rates). These rates are contained in the Commission's *Official Business Travel Rates Guidelines* and updated annually in accordance with the ATO ruling.
387. Where commercial accommodation is not required the employee is not eligible to receive a payment under clause 386. The employee will be eligible to receive a payment for every overnight absence in accordance with Australian Taxation Office rulings for reasonable daily travel allowance (equivalent non-SES) amounts for meals and incidentals (for capital cities) published annually.
388. After an employee has resided in the one locality for a period of 21 days, the employee will be paid an allowance equal to the amount expended on accommodation, meals and incidentals, or an amount which the Commission considers to be reasonable in the circumstances.
389. It is recognised that employees may be required to be absent for more than a standard day when travelling to attend meetings in regional areas or interstate. To compensate an employee for time spent travelling and additional costs, an employee who is required to be absent from the employee's usual place of work on official business for a period of not less than 10 hours but is not absent overnight, may be paid \$100.
390. Where proof is provided to the satisfaction of the Commission that the allowance payable to an employee under clauses 383, 386 and 389 is either insufficient to cover, or in excess of, expenses which have been or may be, incurred, the Commission may direct the payment in lieu of that allowance as is necessary to meet those expenses.
391. An employee who fails to undertake the anticipated travel, or who undertakes the travel for a lesser period than anticipated, will repay either the full travel allowance, or the difference between the allowance paid and the amount that would have been payable for the actual absence.
392. Where an employee is provided with either accommodation or adequate meals, or both, at Commonwealth expense:
- a) The employee will not be paid those components of the allowance under clause 383 in respect of any accommodation or meals provided; and
 - b) Payment will be made in respect of incidental expenses during the period as the Commission directs.

393. Where an employee who is absent on duty from the employee's usual place of work takes personal/carer's leave for a condition for which the employee is not at fault and is unable to return home, the employee is entitled to be reimbursed an amount equal to the costs incurred by the employee up to the amount that would be payable under clause 383.
394. Where an employee is required to travel for the purpose of official duty away from their usual place of work the employee will, subject to prior approval of the arrangements and the cost, be entitled to be re-imbursed for any additional costs associated with additional care arrangements.
395. Employees who are on flex-time under clauses 112 and 113 may claim domestic business related travel time during the additional bandwidth hours of 6:00 am and 7:30 pm as recognition of this additional travel time.

Motor vehicle allowance

396. Where the Commission considers that it will result in greater efficiency or involve less expense, it may authorise an employee to use a private motor vehicle owned or hired by that employee at their own expense for official purposes.
397. Motor vehicle allowance will be payable in accordance with the ATO Reasonable Allowance rates, as varied from time to time.

Airline Lounge Membership

398. Employees who undertake work related travel and are not eligible to be considered under the Commission's corporate business lounge membership may enter into a salary sacrifice arrangement. Employees must certify that their travel is predominately work related for Fringe Benefit Tax purposes.

Overseas Travel

399. An employee required to travel on official business overseas will be provided with a recoverable cash advance to meet reasonable accommodation, meal and incidental expenses. The cash advance will be administered on a case-by-case basis having regard to the costs associated with the country being visited. The rates in accordance with the Australian Tax Office rulings will be used as a basis determining reasonable expenses.
400. An employee will be required to comply with the conditions for overseas travel set out in the Commission's overseas diary and acquit any payments.
401. An employee is entitled to economy class where required to travel on official business within Australia.
402. An employee is entitled to business class where required to travel on official business overseas.

Relocation assistance

403. Where an existing employee is required to relocate at the request of the Commission the employee will be provided with financial relocation assistance. Employees who relocate on a temporary basis to take up higher duties are entitled to removal expenses if they relocate for a period of 13 weeks or more.
404. Where an employee is required to relocate on engagement with the Commission, the employee will be provided with financial relocation assistance.
405. Reasonable expenses associated with the relocation include:
- a) the cost of transport of the employee, their dependents and partner by the most economical means;
 - b) removal expenses, namely the reimbursement of reasonable incurred costs of the removal of furniture and household effects of the employee, dependants and partner;
 - c) the reimbursement of the cost of the insurance premium based on a reasonable replacement value; and
 - d) the reasonably incurred expenses in kennelling and transport of pets, up to the amount specified in the APS Award.
406. Additional relocation assistance may be considered by President discretion.

Loss, damage and indemnity

407. The Commission may approve reimbursement to an employee for loss or damage to clothing or personal effects which occurred in the course of the employee's work.

Section 10: Consultation, representation and dispute resolution

Consultation

Principles

408. Genuine and effective consultation with employees and the relevant union(s), taking into account the diverse needs of employees, fosters a positive and inclusive workplace, enabling the views of employees to be considered.
409. The Commission recognises:
- a) the importance of inclusive and respectful consultative arrangements;
 - b) employees and the relevant union(s) should have a genuine opportunity to influence decisions;
 - c) the nature and extent of consultation will vary depending on the proposed change and the likely impact on employees. Consultation on Commission policies may occur over at least 2 weeks, whereas a major change is likely to require a more extensive consultation process;
 - d) consultation with employees and relevant unions(s) on workplace matters that significantly affect or materially impact them is sound management practice; and
 - e) the benefits of employee and union involvement and the right of employees to be represented by their union.
410. Genuine and effective consultation involves:
- a) providing employees and the relevant union(s) with a genuine opportunity to influence the decision prior to a decision being made;
 - b) providing all relevant information to employees and the relevant union(s) in a timely manner to support consideration of the issues;
 - c) considering feedback from employees and the relevant union(s) in the decision-making process; and
 - d) advising employees and the relevant union(s) of the outcome of the process, including how their feedback was considered in the decision-making process.

When consultation is required

411. Consultation is required in relation to:
- a) changes to work practices which materially alter how an employee carries out their work;
 - b) changes to or the introduction of policies or guidelines relevant to workplace matters (unless the changes are minor or procedural);
 - c) major change that is likely to have a significant effect on employees;
 - d) implementation of decisions that significantly affect employees;
 - e) changes to employees' regular roster or ordinary hours of work (subject to any other relevant provisions in this Agreement); and
 - f) other workplace matters that are likely to significantly or materially impact employees.

412. The Commission, employees and the relevant union(s) recognise that consultation prior to a decision may not be practicable where a decision is made by Government or is required due to matters beyond the reasonable control of the Commission. In these circumstances, consultation regarding the implementation of the decision will occur as early as is reasonably practicable.

Provisions for consultation on major change and introduction of a change to regular roster or ordinary hours of work of employees

413. This clause applies if the Commission:
- a) proposes to introduce a major change to production, program, organisation, structure or technology in relation to its enterprise that is likely to have a significant effect on the employees; or
 - b) proposes to introduce a change to the regular roster or ordinary hours of work of employees.

Representation

414. Employees may appoint a representative for the purposes of the procedures in this clause. A representative for the purpose of this clause may be a union representative.
415. The Commission must recognise the representative if:
- a) a relevant employee appoints, or relevant employees appoint, a representative for the purposes of consultation; and
 - b) the employee or employees advise the employer of the identity of the representative.

Major change

416. In this clause, a major change is 'likely to have a significant effect on employees' if it results in, for example:
- a) the termination of the employment of employees; or
 - b) major change to the composition, operation or size of the employer's workforce or to the skills required of employees; or
 - c) the elimination or diminution of job opportunities (including opportunities for promotion or tenure); or
 - d) the alteration of hours of work; or
 - e) the need to retrain employees; or
 - f) the need to relocate employees to another workplace; or
 - g) the restructuring of jobs.
417. The following additional consultation requirements in clauses 418 to 424 apply to a proposal to introduce a major change referred to in clause 411c).
418. Consultation with employees and the relevant union(s) and/or recognised representatives will occur prior to a decision being made, subject to clause 412.
419. Where practicable, a Commission change manager or a primary point of contact will be appointed and their details provided to employees and the relevant union(s) and/or their recognised representatives.
420. The Commission must notify employees and relevant union(s) and/or recognised representatives of the proposal to introduce the major change as soon as practicable.

421. As soon as practicable after proposing the change, or notifying of the change in circumstances described at clause 412, the Commission must:
- a) discuss with affected employees and relevant union(s) and/or other recognised representatives:
 - i) the proposed change;
 - ii) the effect the proposed change is likely to have on the employees; and
 - iii) proposed measures to avert or mitigate the adverse effect of the proposed change on the employees; and
 - b) for the purposes of the discussion – provide, in writing, to employees and the relevant union(s) and/or other recognised representatives:
 - i) all relevant information about the proposed change, including the nature of the change proposed; and
 - ii) information about the expected effects of the proposed change on the employees; and
 - iii) any other matters likely to affect the employees.
422. The Commission must give prompt and genuine consideration to matters raised about the major change by employees and the relevant union(s) and/or other recognised representatives.
423. However, the Commission is not required to disclose confidential or commercially sensitive information to employees and the relevant union(s) and/or other recognised representatives.
424. If a term in this Agreement provides for a major change to production, program, organisation, structure or technology in relation to the enterprise of the Commission, the requirements set out in clauses 418 to 423 are taken not to apply.

Change to regular roster or ordinary hours of work

425. The following additional consultation requirements in clauses 426 to 428 apply to a proposal to introduce a change referred to in clause 411e).
426. The Commission must notify affected employees and the relevant union(s) and/or other recognised representatives of the proposed change.
427. As soon as practicable after proposing to introduce the change, the Commission must:
- a) discuss with employees and the relevant union(s) and/or other recognised representatives:
 - i) the proposed introduction of the change; and
 - b) for the purposes of the discussion – provide to the employees and relevant union(s) and/or other recognised representatives:
 - i) all relevant information about the proposed change, including the nature of the proposed change; and
 - ii) information about what the employer reasonably believes will be the effects of the proposed change on the employees; and
 - iii) information about any other matters that the employer reasonably believes are likely to affect the employees; and
 - c) invite employees and the relevant union(s) and/or other recognised representatives to give their views about the impact of the change (including any impact in relation to their family or caring responsibilities). However, the Commission is not required to disclose confidential or commercially sensitive information to the relevant employees and the relevant union(s) and/or other recognised representatives.

428. The Commission must give prompt and genuine consideration to matters raised about the proposed change by the employees and the relevant union(s) and/or other recognised representatives.

Interaction with emergency management activities

429. Nothing in this term restricts or limits the ability of a designated emergency management body to undertake activities provided at section 195A(1) of the FW Act.

Commission consultative committee

430. The President may establish a Commission consultative committee to discuss relevant workplace matters.
431. The Commission's consultative committee will operate subject to an agreed terms of reference and structure for the term of the Agreement. Representation on the committee will be in accordance with the terms of reference.

APS consultative committee

432. The President will support the operation of the APS consultative committee to the extent possible. This includes providing information requested by the Australian Public Service Commission to support the operation of the APS consultative committee, subject to legislative requirements.

Dispute resolution

433. If a dispute relates to:
- a) a matter arising under the Agreement; or
 - b) the National Employment Standards;
- this term sets out procedures to settle the dispute.
434. An employee or union who is covered by this Agreement may initiate and/or be a party to a dispute under this term.
435. An employee who is a party to the dispute may appoint a representative for the purposes of the procedures in this term. Representatives will be recognised and dealt with in good faith.
436. Parties to the dispute must attempt to resolve the dispute at the workplace level, by discussion between the employee or employees and relevant managers. Parties to the dispute will notify higher level managers to assist in the resolution of the dispute. Parties will give genuine consideration to proposals to resolve the dispute.
437. If a dispute about a matter arising under this Agreement is unable to be resolved at the workplace level, and all appropriate steps under clause 436 have been taken, a party to the dispute may refer the dispute to the Fair Work Commission.
438. The Fair Work Commission may deal with the dispute in 2 stages:
- a) the Fair Work Commission will first attempt to resolve the dispute as it considers appropriate, including by mediation, conciliation, expressing an opinion or making a recommendation; and
 - b) if the Fair Work Commission is unable to resolve the dispute at the first stage, the Fair Work Commission may then:

- i) arbitrate the dispute; and
- ii) make a determination that is binding on the parties.

Note: If the Fair Work Commission arbitrates the dispute, it may also use the powers that are available to it under the FW Act. A decision that the Fair Work Commission makes when arbitrating a dispute is a decision for the purpose of Div 3 of Part 5-1 of the FW Act. Therefore, an appeal may be made against the decision.

439. While the parties are attempting to resolve the dispute using the procedures in this term:
- a) an employee must continue to perform their work as they would normally in accordance with established custom and practice at the Commission that existed immediately prior to the dispute arising unless they have a reasonable concern about an imminent risk to their health or safety; and
 - b) subject to clause 439.a), an employee must comply with a direction given by the employer to perform other available work at the same workplace, or at another workplace, unless:
 - i) the work is not safe; or
 - ii) applicable work health and safety legislation would not permit the work to be performed; or
 - iii) the work is not appropriate for the employee to perform; or
 - iv) there are other reasonable grounds for the employee to refuse to comply with the direction.
440. The parties to the dispute agree to be bound by a decision made by the Fair Work Commission in accordance with this term.
441. Any disputes arising under the *Australian Human Rights Enterprise Agreement 2016-2019* or the National Employment Standards that were formally notified under clause 8 of that agreement before the commencement of this Agreement, that remain unresolved at the date of commencement of this Agreement, will be progressed under the dispute resolution procedures in this Agreement.

Leave of absence to attend proceedings

442. Where the provisions of clauses 437 to 441 have been complied with, and to assist in the resolution of the matter, the employee, and/or the union delegate or other employee representative referred to in clause 434, or employee required to provide evidence, will be granted paid time to attend dispute resolution processes and proceedings in the Fair Work Commission arising from referral of the matter in clause 437.

Delegates' rights

- 443. Union delegates play an important and legitimate role in the workplace. This includes representing their members and supporting employee access to union officials, and providing employee views to the Commission.
- 444. The role of union delegates is to be respected and supported.
- 445. The Commission and union delegates will work together respectfully and collaboratively.

Supporting the role of union delegates

- 446. The Commission respects the role of union delegates to:
 - a) provide information, consult with and seek feedback from employees in the workplace on workplace matters;
 - b) consult with other delegates and union officials, and get advice and assistance from union officials;
 - c) represent the interests of members to the employer and industrial tribunals; and
 - d) represent members at relevant union forums, consultative committees or bargaining.
- 447. The Commission and union delegates recognise that undertaking the role of a union delegate is not the primary purpose of an employee's engagement, and must work with and not unreasonably impact their regular duties. Union delegates may request additional time and facilities from time to time.
- 448. Union delegates will be provided with reasonable paid time during their normal working hours to perform their union delegate role. The paid time provided should not result in disruption to critical services or operational requirements.
- 449. To support the role of union delegates, the Commission will, subject to legislative and operational requirements, including privacy and security requirements:
 - a) provide union delegates with reasonable access to Commission facilities and resources, including for paid or unpaid meetings between employees and their unions and to communicate with union officials;
 - b) advise union delegates and other union officials of the Commission facilities and resources available for their use, which may include telephone, photocopying, internet, and email;
 - c) allow reasonable official union communication appropriate to the Commission from union delegates with employees, including through email, intranet pages and notice boards. This may include providing a link to a union website for employees to access union information. Any assistance in facilitating email communications does not include the Commission vetoing reasonable communications;
 - d) provide access to new employees as part of induction; and
 - e) provide reasonable access to union delegates to attend appropriate paid time training in workplace relations matters, during normal working hours.
- 450. Where APS employees are elected as officials of a trade union or professional association, they are not required to seek permission from the workplace or Commission before speaking publicly in that capacity, subject to the APS Code of Conduct and legislative requirements.

Section 11: Separation and retention

Resignation

- 451. An employee may resign from their employment by giving the President at least 14 calendar days' notice.
- 452. At the instigation of the President, the resignation may take effect at an earlier date within the notice period. In such cases, the employee will receive paid compensation in lieu of the notice period which is not worked.
- 453. The President has the discretion to agree to a shorter period of notice or waive the requirement to give notice.

Payment on death of an employee

- 454. When an employee dies, or the President has directed that an employee is presumed to have died on a particular date, subject to any legal requirements, the President must authorise payments to the partner, dependants or legal representative of the former employee, the amount to which the former employee would have been entitled had they ceased employment through resignation or retirement, or where legislation provides specifically for amounts calculated based on the death of the employee, those amounts. If payment has not been made within a year of the former employee's death, it should be made to their legal representative.

Redeployment, retraining, redundancy

Excess Employee

- 455. The procedure for handling excess employees set out below applies to all employees except:
 - a) an ongoing employee who is on probation;
 - b) a non-ongoing employee.
- 456. When the President is aware that an employee is likely to become excess, the President will advise the employee of the situation at the earliest practicable time. An employee is an excess employee if:
 - a) the Commission has a greater number of employees than is necessary for the effective performance of a particular role or function within the Commission;
 - b) the services of the employee cannot be effectively used because of technological or other changes in the work methods of the Commission or changes in the nature, extent or organisation of the functions of the Commission; or
 - c) where the duties usually performed by the employee are to be performed at a different locality, the employee is not willing to perform duties at the locality and the President has determined that the provisions of this clause will apply to that employee.

Consultation process

457. The President will hold discussions with an excess employee. The maximum period allowed for such consultations should not exceed 4 weeks. Discussions will be held to consider:
- a) measures that could be taken to resolve the situation, including redeployment opportunities for the employee, at or below level, within or outside the Commission;
 - b) whether termination of employment (voluntary redundancy) might be appropriate;
 - c) where the employee chooses a representative, the President will hold the discussions with the employee's representative.

Early Separation

458. Where an employee is likely to be the subject of action under these provisions, the President may provide to that employee an early separation opportunity.
459. This option provides for separation to occur within 14 days of the employee being advised that they are excess under clauses 455 and 456.
460. This option attracts an additional payment of 8 week's salary (or 10 weeks for an employee over 45 years of age with at least 5 years continuous service), over and above any other amount paid on separation in accordance with clause 465.
461. The payment is in lieu of the time that may have reasonably been expected to elapse for the purposes of the consultation, consideration periods and notice periods.

Separation with consent

462. Where an employee is advised in writing that they are excess and that it is proposed to terminate the employee in accordance with s 29 of the PS Act, the employee will have a maximum period of one month to consider their position and provide their consent to the termination of their employment or request redeployment assistance.
463. The President will not give an employee notice of termination of their employment under s 29 of the PS Act until the expiration of that one-month period (unless the employee requests an earlier termination of employment date within that one-month period).
464. Within that month, unless agreed otherwise, an employee consenting to termination of employment must be given all the relevant financial information, including:
- a) amount of redundancy pay, pay in lieu of notice and cashable leave credits;
 - b) amount of accumulated superannuation contributions;
 - c) options open to the employee concerning superannuation;
 - d) taxation rules applying to the various payments;
 - e) assistance up to a maximum of \$800 for financial advice and career counselling, reimbursed on production of receipts; and
- the employee is only entitled to receive one offer of voluntary retirement.

Redundancy benefit

465. Where the provisions of this clause provide for less than the National Employment Standards (NES), the NES will prevail.
- a) An excess employee who agrees to be voluntarily retrenched (including with an early separation offer) and whose employment is terminated by the delegate under s 29 of the PS Act on the grounds they are excess to requirements is entitled to be paid a sum equal to two weeks' salary for each completed year of continuous service, plus a pro rata payment for completed months of service since the last completed year of service, subject to any minimum amount the employee is entitled to under the NES.
 - b) The minimum sum payable will be 4 weeks salary and the maximum will be 48 weeks salary.
 - c) The redundancy benefit will be calculated on a pro-rata basis for any period where an employee has worked part-time hours during their period of service and the employee has less than 24 years full-time service.
 - d) For the purpose of calculating payment, salary will include:
 - i) the employee's salary;
 - ii) the salary including higher duties, where the employee has been receiving higher duties allowance for a continuous period of at least 12 months immediately preceding the date on which the employee is given notice of termination of employment;
 - iii) other allowances in the nature of salary which are paid during periods of annual leave and on a regular basis, excluding allowances which are a reimbursement for expenses incurred, or a payment for disabilities associated with the performance of duty.

Period of notice

466. Where the excess employee agrees to be voluntarily retrenched, the President may terminate the employment of the employee by giving the required notice of termination of employment under s 29 of the PS Act. The period of notice will be 4 weeks (or 5 weeks for an employee over 45 years of age with at least 5 years of continuous service).
467. Where an employee whose employment is terminated at the beginning of or within the notice period, the employee will receive payment in lieu of notice for the unexpired portion of the notice period. This amount is additional to any redundancy benefit payment.

Periods of service

468. For earlier periods of service to count there must be no breaks between the periods of service, except where:
- a) the break in service is less than 1 month and occurs where an offer of employment with the new employer was made and accepted by the employee before ceasing employment with the preceding employer; or
 - b) the earlier period of service was with the APS and ceased because the employee was deemed to have resigned from the APS on marriage under the then section 49 (as repealed in 1966) of the repealed *Public Service Act 1922*.

469. Subject to clause 470i) service for redundancy pay purposes means:
- a) service with the Commission;
 - b) Government service as defined in section 10 of the *Long Service Leave Act 1976*;
 - c) service with the Commonwealth (other than service with a joint Commonwealth-State body corporate in which the Commonwealth has a controlling interest) which is recognised for long service leave purposes;
 - d) service with the Australian Defence Forces;
 - e) APS service immediately preceding deemed resignation under the then section 49 (as repealed in 1966) of the repealed *Public Service Act 1922*, if the service has not previously been recognised for severance pay purposes; and
 - f) service in another organisation where an employee was moved from the APS to give effect to an administrative re-arrangement; or where an employee is engaged as an APS employee as a result of an administrative re-arrangement; and such service is recognised for long service leave.
470. Any period or service which ceased through termination of employment on the following grounds will not count as service for redundancy pay purposes:
- a) the employee lacks, or has lost an essential qualification for performing their duties;
 - b) non-performance, or unsatisfactory performance of duties;
 - c) inability to perform duties because of physical or mental incapacity;
 - d) failure to satisfactorily complete an entry level training course;
 - e) failure to meet a condition imposed under subsection 22(6) of the PS Act, including probation;
 - f) a breach of the Code of Conduct;
 - g) for a reason equivalent to a reason listed above at (a) to (f) under the repealed *Public Service Act 1922*;
 - h) any other ground prescribed by the Public Service Regulations;
 - i) through voluntary retrenchment at or above the minimum retiring age applicable to the employee; or
 - j) with the payment of a redundancy benefit or similar payment or an employer financed retirement benefit.
471. Absences from work which do not count as service for long service leave purposes will not count as service for severance pay purposes.

Redeployment

472. The President will assist employees throughout the redeployment process by providing, amongst other things, reasonable expenses and time off to attend necessary employment interviews where costs are not met by the prospective employer.
473. If an excess employee wishes to be redeployed rather than consent to termination of employment, the President will take all reasonable steps, consistent with the efficient management of the Commission, to assign duties to that employee in accordance with s 25 of the PS Act.
474. In the first instance, this placement will be handled within the Commission. APS redeployment options may also be considered in accordance with APS redeployment policy.

475. The President may also choose to offer the services of a selected outplacement/career management provider at any point in the process (on and from the point the employee is advised that they are likely to become excess).
476. The redeployment process commences from the date the employee is advised, in writing, that they are an excess employee.
477. Where the President is satisfied that there is insufficient productive work available for the employee within the Commission during the remainder of their redeployment period, the President may, with the agreement of the employee, terminate the employee's employment under s 29 of the PS Act and pay an agreed lump sum not greater than the salary which would be payable for the balance of the redeployment period.
478. It remains open to an employee to consent to termination at the end of two months, in preference to continuing redeployment action. If an employee consents to termination of employment at this point and this employment is terminated by the President under s 29 of the PS Act on the grounds the employee is excess to requirements they will be eligible to receive the full redundancy benefit.

Salary Maintenance

479. Where the President reduces the classification of an employee under s 23 of the PS Act, salary maintenance will be applied from the date of reduction in classification for a period of 6 months. Salary maintenance will be calculated on the basis of the employee's regular and ongoing salary.

Involuntary termination of employment

480. If after 13 weeks from the date an employee has been identified as an excess employee:
- the President has been unable to assign duties to the employee (at or below level) despite having taken all reasonable steps to do so; and
 - the employee has not consented to termination of employment,
 - the President may decide to involuntarily terminate the employment of the excess employee under s 29 of the PS Act.
481. An excess employee cannot have their employment terminated involuntarily unless they have rejected the opportunity to provide their consent to their termination of employment.
482. An excess employee will not be compulsorily terminated without being given the required period of notice of 4 weeks (or five weeks in the case of an employee over 45 years of age with at least five years' service).
483. In practice, notice of termination will be given four or five weeks before the end of the redeployment period described above to satisfy the requirements of the FW Act. If redeployment arrangements are subsequently made after the issue of the notice of termination, the notice will be withdrawn.
484. Employees whose employment has been terminated involuntarily by the President under s 29 of the PS Act will receive the same entitlements on termination as employees who consent to termination of employment except that the redundancy benefit will be reduced to account for salary payments received during the redeployment period. The reduction in the amount of the redundancy benefit cannot be more than half the amount the employee would have received if they had provided their consent to termination of their employment subject to any minimum amount the employee is entitled to under the NES.

485. An employee with less than 12 years of service, who elects for redeployment, will have the 13-week redeployment period reduced to the period as set out below.

Years of Service	Redeployment Period	NES Redundancy Period
1	11 weeks	4 weeks
2	9 weeks	6 weeks
3	9 weeks	7 weeks
4	9 weeks	8 weeks
5	8 weeks	10 weeks
6	8 weeks	11 weeks
7	7 weeks	13 weeks
8	7 weeks	14 weeks
9	6 weeks	16 weeks
10	11 weeks	12 weeks
11	12 weeks	12 weeks

Absence without approval and abandonment of employment

486. Where an employee is absent from work without approval (except under reasonable circumstances) eg without the express approval of their manager, or not in accordance with a term of this Agreement, the absence will be treated as an 'unauthorised absence' and will not count as service for any purpose under this Agreement, including remuneration and leave accrual. Any amounts paid to an employee in respect of an unauthorised absence are overpayments and the President will seek to recover those amounts in accordance with the provisions of the Accountable Authority Instructions.
487. Where an employee is absent from duty without permission for more than 21 calendar days, they will be considered to have abandoned their employment unless they can prove to the satisfaction of the President that the absence was, in all the circumstances, warranted. Where an employee is unable to substantiate that their absence from duty is or was warranted, their employment may be terminated under s 29 of the PS Act, subject to Part 3-2 of the FW Act, on the ground of 'non-performance of duties'.

Attachment A – Base salaries

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Classification	Salary levels	As at 31 August 2023	From the later of commencement of the Agreement or 14 March 2024 (4% increase)	From 13 March 2025 (3.8% increase)	From 12 March 2026 (3.4% increase)
APS1	APS1.1	\$48,384	\$52,000	\$54,516	*
	APS1.2	\$51,455	\$53,513	\$55,546	\$57,497
	APS1.3	\$54,524	\$56,705	\$58,860	\$60,946
APS2	APS2.1	\$56,266	\$58,517	\$60,741	\$62,806
	APS2.2	\$59,090	\$61,454	\$63,789	\$65,958
	APS2.3	\$61,914	\$64,391	\$66,838	\$69,110
APS3	APS3.1	\$62,371	\$64,866	\$67,331	\$70,477
	APS3.2	\$65,504	\$68,124	\$70,713	\$73,117
	APS3.3	\$68,636	\$71,381	\$74,093	\$76,820
APS4	APS4.1	\$69,513	\$72,294	\$75,041	\$79,125
	APS4.2	\$73,233	\$76,162	\$79,056	\$81,744
	APS4.3	\$76,955	\$80,033	\$83,074	\$85,899
	APS4.4	**			\$86,246
APS5	APS5.1	\$77,533	\$80,634	\$84,228	\$88,834
	APS5.2	\$81,458	\$84,716	\$87,935	\$90,925
	APS5.3	\$85,383	\$88,798	\$92,172	\$96,829
APS6	APS6.1	\$85,826	\$90,199	\$94,563	\$99,734
	APS6.2	\$91,953	\$95,631	\$99,265	\$102,640
	APS6.3	\$98,079	\$102,002	\$105,910	\$109,478
	APS6.4	**			\$111,701
EL1	EL1.1	\$107,355	\$111,649	\$115,892	\$121,755
	EL1.2	\$113,696	\$118,244	\$122,737	\$126,910
	EL1.3	\$120,035	\$124,836	\$129,580	\$133,986
EL2	EL2.1	\$129,072	\$134,235	\$139,336	\$144,073
	EL2.2	\$143,204	\$148,932	\$154,591	\$159,847
	EL2.3	\$151,691	\$157,759	\$163,754	\$169,322

* Uplifted by pay fragmentation

** New pay point created by pay fragmentation

Attachment B – Supported Wage System

1. This schedule defines the conditions which will apply to employees because of the effects of a disability and who are eligible for a supported wage under the terms of this Agreement.

Definitions

2. In this schedule:

Approved assessor means a person accredited by the management unit established by the Commonwealth under the supported wage system to perform assessments of an individual's productive capacity within the supported wage system.

Assessment instrument means the tool provided for under the supported wage system that records the assessment of the productive capacity of the person to be employed under the supported wage system.

Disability Support Pension means the Commonwealth Government pension scheme to provide income security for persons with a disability as provided under the *Social Security Act 1991* (Cth), as amended from time to time, or any successor to that scheme.

Relevant minimum wage means the minimum wage prescribed in this Agreement for the class of work for which an employee is engaged.

Supported Wage System (SWS) means the Commonwealth Government system to promote employment for people who cannot work at full agreement wages because of a disability, as documented in the Supported Wage System Handbook. The Handbook is available from the JobAccess website (www.jobaccess.gov.au).

SWS wage assessment agreement means the document in the form required by the Department of Social Services that records the employee's productive capacity and agreed wage rate.

Eligibility criteria

3. Employees covered by this schedule will be those who are unable to perform the range of duties to the competence level required within the class for which the employee is engaged under this Agreement, because of the effects of a disability on their productive capacity and who meet the impairment criteria for receipt of a disability support pension.
4. The schedule does not apply to any existing employee who has a claim against the employer which is subject to the provisions of workers compensation legislation or any provision of this Agreement relating to the rehabilitation of employees who are injured in the course of their employment.

Supported wage rates

5. Employees to whom this clause applies shall be paid the applicable percentage of the relevant minimum wage according to the following schedule:

Table 3: Applicable percentage of relevant minimum wage paid to applicable employees

Assessed capacity	Percentage of agreement rate
10 per cent	10 per cent
20 per cent	20 per cent
30 per cent	30 per cent
40 per cent	40 per cent
50 per cent	50 per cent
60 per cent	60 per cent
70 per cent	70 per cent
80 per cent	80 per cent
90 per cent	90 per cent

6. Provided that the minimum amount payable to an employees to whom the SWS applies is not less than the amount prescribed in the National Minimum Wage Order. Note: The minimum amount payable is reviewed every year in July.
7. Where an employee's assessed capacity is 10 per cent, they must receive a high degree of assistance and support.

Assessment of capacity

8. For the purposes of establishing the percentage of the relevant minimum wage, the productive capacity of the employee will be assessed in accordance with the Supported Wage System by an approved assessor, having consulted the employer and the employee, and if the employee so desires, a union which the employee is eligible to join.
9. Assessment made under this schedule must be documented in a SWS wage assessment agreement, and retained by the employer as a time and wages record in accordance with the FW Act.

Lodgement of SWS wage assessment agreement

10. All SWS wage assessment agreements under the conditions of this schedule, including the appropriate percentage of the relevant minimum wage to be paid to the employee, must be lodged by the employer with the Fair Work Commission.
11. All SWS wage assessment agreements must be agreed and signed by the employee and employer parties to the assessment. Where a union which has an interest in the agreement is not a party to the assessment, the assessment will be referred by the Fair Work Commission to the union by certified mail and the agreement will take effect unless an objection is notified to the Fair Work Commission within 10 working days.

Review of assessment

12. The assessment of the applicable percentage should be subject to annual review or more frequent review on the basis of a reasonable request for such a review. The process of review must be in accordance with the procedures for assessing capacity under the supported wage system.

Other terms and conditions of employment

13. Where an assessment has been made, the applicable percentage will apply to the relevant wage rate only. Employees covered by the provisions of the schedule will be entitled to the same terms and conditions of employment as all other workers covered by this Agreement paid on a pro-rata basis.

Workplace adjustment

14. An employer wishing to employ a person under the provisions of this schedule must take reasonable steps to make changes in the workplace to enhance the employee's capacity to do the job. Changes may involve redesign of job duties, working time arrangements and work organisation in consultation with other workers in the area.

Trial period

15. In order for an adequate assessment of the employee's capacity to be made, an employer may employ a person under the provisions of this schedule for a Trial Period not exceeding 12 weeks, except that in some cases additional work adjustment time (not exceeding 4 weeks) may be needed.
16. During that Trial Period the assessment of capacity will be undertaken and the percentage of the relevant minimum wage for a continuing employment relationship will be determined.
17. The minimum amount payable to the employee during the Trial Period must be no less than the current weekly rate, as determined by the Fair Work Commission.
18. Work trials should include induction or training as appropriate to the job being trialled.
19. Where the employer and employee wish to establish a continuing employment relationship following the completion of the Trial Period, a further contract of employment will be entered into based on the outcome of assessment under clauses 8 and 9.



Australian
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Commission

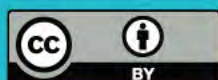
46

Australian Human Rights Commission

ANNUAL REPORT
2022–2023



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Cover photo Mahboba Rawl and Nawid Cina, of Not for Profit Mahboba's Promise winners of the Human Rights Medal at the Commission 2022 Human Rights Award. Photograph: Matthew Syres.

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Contents

1. About the Commission	6
1.1 Our Purpose	6
1.2 Achieving our Purpose	7
2. Our Structure and Governance	8
2.1 Organisational Structure 2022–23	8
2.2 President, Commissioners and Chief Executive over the 2022–23 period	9
2.3 Location and National Reach	10
2.4 Governance	10
2.5 Audit and Risk Committee	11
3. Our Legislation and Functions	12
3.1 Legislation	12
3.2 Functions	12
3.5 Approach to exercising our Functions	16
3.6 Responsible Minister	16
4. The year in review	18
4.1 From the President	18
5. Annual Performance Statement	23
5.1 Introduction to Results	24
5.2 Statement Against Outcomes	24
6. Financial Statements	71
Independent Auditor's Report	71
Statement by the Accountable Authority, Chief Executive and Chief Financial Officer	73
Statement of Comprehensive Income	74
Statement of Financial Position	75
Statement of Changes in Equity	77
Cash Flow Statement	79
Overview	81
Financial Performance	82
Financial Position	86
People and relationships	92
Managing Uncertainties	94
Other Information	98
7. Executive Remuneration	99
7.1 Introduction	99
7.2 Remuneration Policies and Practices	99
8. Other Reporting Requirements	101
8.1 Environment Statement	101
8.2 Workplace Health and Safety	102
8.3 Payments to advertising, market research, and other designated organisations	103
9. Appendices	104
Appendix 1: Performance measurement framework table 2022–23	104
Appendix 2: Employee statistics	109
Appendix 3: Information on the Accountable Authority	110
Appendix 4: Key activities, program areas and services 2022–2023	111
Appendix 5: Major events, reports, publications and resources	113
List of Annual Report requirements	115



25 September 2023

The Hon Mark Dreyfus KC MP
 Attorney-General
 Parliament House
 CANBERRA ACT 2600

Dear Attorney-General,

Letter of Accountable Authority

It is my pleasure to present the Annual Report of the Australian Human Rights Commission for the period ending 30 June 2023. The Report has been prepared in accordance with section 45 of the *Australian Human Rights Commission Act 1986* (Cth) and section 46 of the *Public Governance, Performance and Accountability Act 2013* (Cth).

As the Accountable Authority for the Australian Human Rights Commission, I am responsible for preparing and giving this report to you. I can confirm that our performance in 2022–23 is accurately described in the report, is consistent with the Commission's responsibility and duties, and has contributed towards achieving our purpose.

The Annual Report was prepared under my authority and approved by signing of a memorandum.

Emeritus Professor Rosalind Croucher AM FAAL FRSA FACLM (Hon)
President

A handwritten signature in black ink that reads "Rosalind Croucher".

T: +61 2 9284 9614

E: president.ahrc@humanrights.gov.au

1. About the Commission

1.1 Our Purpose

Our purpose is to ensure that Australians have access to effective, independent complaints handling and public inquiry processes on human rights and discrimination matters, and benefit from our human rights education, advocacy, monitoring and compliance activities.

Portfolio Budget Statement

The Australian Human Rights Commission (Commission) is Australia's national human rights institution. We are an independent statutory organisation, established on a permanent basis by the *Australian Human Rights Commission Act 1986* (Cth) and exercising functions under Australia's four federal discrimination laws. We work to ensure that human rights are respected, protected and promoted in Australia and internationally. The Commission also has specific responsibilities under the *Native Title Act 1993* (Cth) and the *Fair Work Act 2009* (Cth).

As Australia's national human rights institution, we work to promote and protect the human rights of everyone in Australia. Our vision is an Australian society in which human rights are respected, promoted and protected. Where every person is free and equal in dignity and rights.

Our strategic priorities and operations are determined independently of government in line with our [2022–2025 Strategic Plan](#) and internal governance framework.

We are accredited internationally as an 'A status' national human rights institution (NHRI). This

accreditation is regularly reviewed through United Nations sanctioned processes by the Global Alliance of NHRIs (GANHRI). To achieve 'A status', NHRIs must be established and operate in compliance with the United Nations Principles Relating to the Status of National Institutions for the Promotion and Protection of Human Rights – commonly known as the 'Paris Principles'. The Principles require us to operate in a robust, independent manner to provide accountability for human rights in Australia.

Our vision is an Australian society in which human rights are respected, promoted and protected. Where every person is free and equal in dignity and rights. Where the Commission is connected to Australian communities and is a valued national institution having a positive impact on the human rights priorities facing Australia.

Our purpose is to promote and protect the human rights of everyone in Australia. We do this through advising all arms of government and a range of public and private institutions; contributing to stronger law, policy and practice; delivering accessible and effective investigation and conciliation services; engaging inclusively with civil society communities and the private sector; raising

human rights awareness and providing human rights education; and working with partners to build a stronger culture of respect for human rights.

We work with other national human rights institutions and human rights bodies around the world.

1.2 Achieving our Purpose

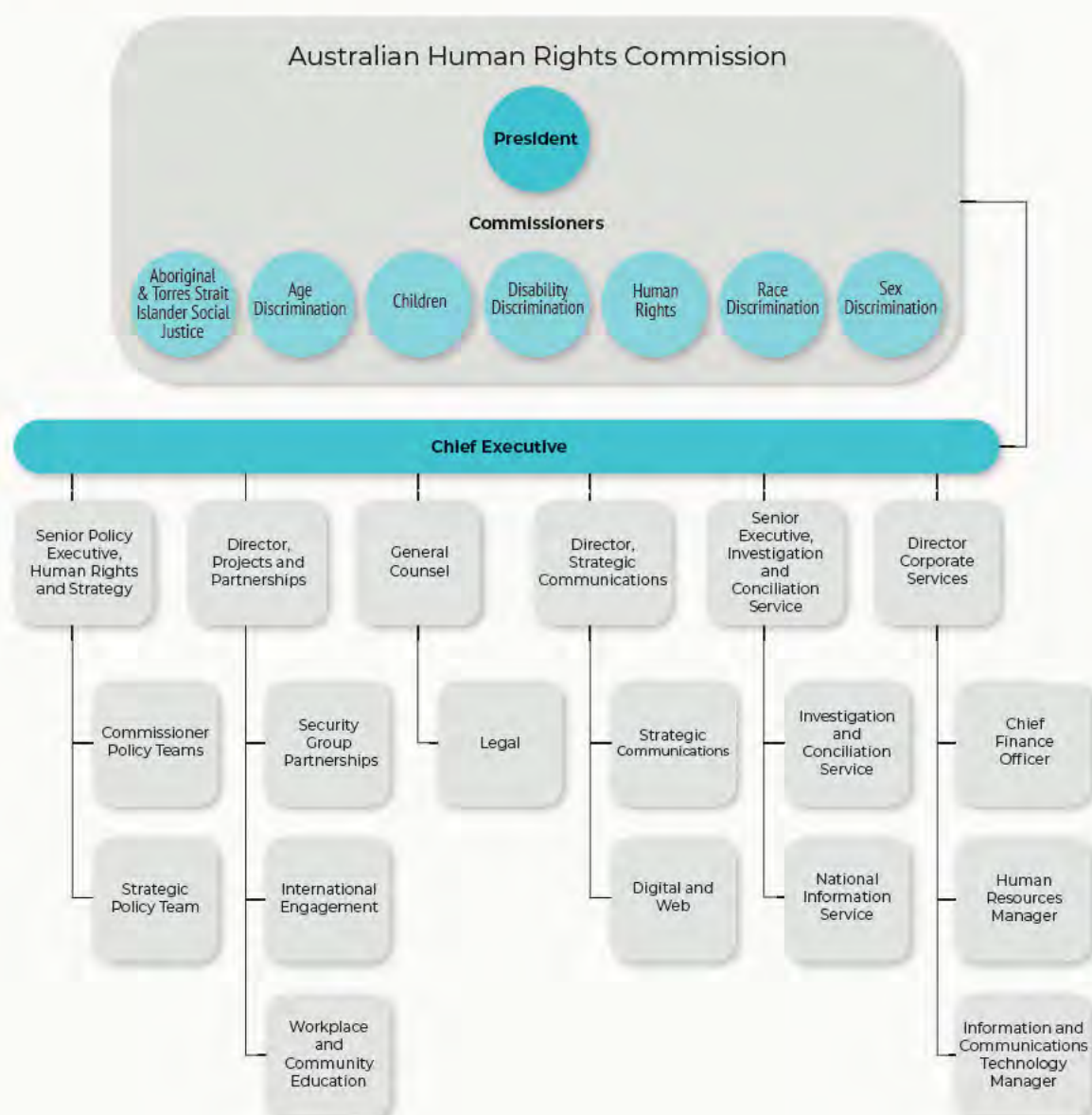
Driving real and systemic change to improve the enjoyment of human rights by all is a complex and long-term endeavour. We do this through

supporting individuals, collaborating with communities and partners, and advocating and supporting the rights-based approach in Australia's institutions, laws and systems.

Our Corporate Plan is the roadmap that guides the Commission's work for the reporting period. The Corporate Plan includes the Commission's performance framework, which links the performance criteria outlined in our 2022–2023 Portfolio Budget Statement to the results in this Annual Report. The Commission's performance measurement framework is detailed in Appendix 1.

2. Our Structure and Governance

2.1 Organisational Structure 2022–23



2.2 President, Commissioners and Chief Executive over the 2022–23 period



The Hon Dr Kay Patterson AO
Age Discrimination Commissioner



June Oscar AO
Aboriginal and Torres Strait
Islander Social Justice
Commissioner



Dr Ben Gauntlett
Disability Discrimination
Commissioner



Anne Hollonds
National Children's
Commissioner



Chin Tan
Race Discrimination
Commissioner



Lorraine Finlay
Human Rights
Commissioner



Leanne Smith
Chief Executive



Kate Jenkins
Sex Discrimination
Commissioner
until April 2023



Emeritus Professor
Rosalind Croucher AM
President

2.3 Location and National Reach

The office location of the Commission is in Sydney. Like other Commonwealth agencies, we have a growing number of staff working remotely from locations across the country.

The Commission conducts its activities nationally, including by maintaining a National Information Service, and conducting consultations, meetings, and events across Australia.

2.4 Governance

The Commission operates under the *Australian Human Rights Commission Act 1986* (Cth) (AHRC Act), the *Public Service Act 1999* (Cth), the *Public Governance, Performance and Accountability Act 2013* (Cth) (PGPA Act), and various instruments made under those Acts. The implementation of these responsibilities is outlined in the Commission's Governance Framework 2022, detailing how the Commission is to be governed and its guiding principles, functions, responsibilities and roles, and operating procedures. The Governance Framework is supported by instructions issued under the PGPA Act and an extensive network of internal policies and procedures which inform officials of their responsibilities and internal processes.

The *Australian Human Rights Commission Act 1986* (Cth) (AHRC Act) creates the Commission which comprises of the President and Commissioners as Commission Members. Commission Members meet formally as the Commission, to which the Chief Executive reports four times a year. These meetings facilitate comprehensive regular reporting of progress against the Commission's Strategic Plan and annual work plan, and the President and Commissioners' term goals, and provide space for

key strategic decision making. Senior management, comprising the Chief Executive, Senior Executives and Directors, provide updates from across the Commission's work.

In line with our Governance Framework the Commission has four governance Sub-Committees: Budget; Partnership and Projects; Organisational Development and Culture; and Strategic Issues and Engagement. Each governance Sub-Committees is chaired by a Commissioner with staff representation in membership. They each meet monthly and report to the quarterly Commission meetings.

Our Governance Framework requires to approve acts such as reports, submissions, interventions in court proceedings, and the granting of temporary exemptions. The Commission obtains appropriate ethics approval for all relevant major activities.

As identified in the Commission's Risk Management Policy and Framework, we adopt a positive risk management culture that promotes an open and proactive approach to managing risk. We achieve this through our governance, risk and compliance mechanisms, such as the Audit and Risk Committee and Governance Framework Sub-Committees. Our strategic and corporate planning processes are conducted at all levels of the organisation and include an assessment of our strengths, weaknesses, opportunities and threats. Our internal and external auditing processes also assess risk.

Our Risk Management Policy and Framework provides a mechanism for proactively identifying and mitigating risks across the organisation, with Commission activities assessed against our documented risk management matrix for alignment with our risk appetite statement.

2.5 Audit and Risk Committee

Audit and Risk Committee has assessed the performance statement contained in this report.

(a) Electronic address of the audit committee charter:

https://humanrights.gov.au/sites/default/files/ahrc_audit_and_risk_committee_charter.pdf

(b) Audit and Risk Committee members in 2022–2023:

- Linda Waugh (Chair)
- Navaka Arachchige
- Clare Bower

(c) Qualifications, knowledge, and experience of committee members:

Linda Waugh is the Chair of the Audit and Risk Committee. She is the Integrity Commissioner for the Queensland Government. Ms Waugh has over 20 years' experience working in public sector integrity and oversight bodies in both the Commonwealth and state governments. She has a breadth of experience across complaints and investigations, risk and governance, policy reform and education, systems reviews, and auditing and legislative reviews. Ms Waugh holds a Bachelor of Arts, a Post Graduate Diploma of Psychology, and a Master of Business Administration.

Navaka Arachchige is an independent external member of the Audit and Risk Committee. He has over 15 years of public sector experience in finance and corporate services including governance, audit, risk, and procurement. Mr Arachchige holds membership of the Association of Certified Chartered Accountants UK and the Chartered

Institute of Management Accountants UK. He also holds a Master of Commerce degree specialising in Management Information Systems from the University of NSW.

Clare Bower is an experienced governance, risk and audit professional with more than 20 years' advising and serving Australian and global organisations, including federal and NSW public sector departments, major ASX listed companies, and the not-for-profit sector. Ms Bower completed her graduate studies in accounting, law and tax at the University of Technology Sydney, was certified as an internal auditor in 2001.

(d) The Audit and Risk Committee held 5 meetings in 2021–2022 on these dates:

- 23 August 2022
- 5 October 2022
- 16 December 2022
- 24 March 2023
- 2 June 2023

All Committee members attended all meetings.

(e) Audit and Risk Committee Member remuneration:

Ms Clare Bower was remunerated \$11,000 in the 2022–23 period. Please note this includes \$5,000 invoice for the 2021–22 period that was invoiced and paid in the 2022–23 period.

No other Committee member received remuneration this reporting period.

3. Our Legislation and Functions

3.1 Legislation

We are a body corporate established by the *Australian Human Rights Commission Act 1986* (Cth) (AHRC Act). As such, under the *Public Governance, Performance and Accountability Act 2013* (Cth), we are a Corporate Commonwealth Entity.

It is our duty under our establishing legislation, the AHRC Act, to ensure that our statutory functions are performed efficiently and with the greatest possible benefit to the people of Australia with regard for the indivisibility and universality of human rights, and the principle that every person is free and equal in dignity and rights.

The AHRC Act defines 'human rights' by reference to the following international instruments:

- *International Covenant on Civil and Political Rights*
- *Convention on the Rights of the Child*
- *Declaration of the Rights of the Child*
- *Convention on the Rights of Persons with Disabilities*
- *Declaration on the Rights of Disabled Persons*
- *Declaration on the Rights of Mentally Retarded Persons*
- *Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief*
- *Convention Concerning Discrimination in Respect of Employment and Occupation*

3.2 Functions

The Commission's functions under the AHRC Act include:

- to inquire into, and attempt to conciliate, complaints of unlawful discrimination
- inquire into any act or practice that may be inconsistent with or contrary to any human right, and to give effect to settlement of such matters by way of conciliation where the Commission considers it appropriate to do so
- to deal with complaints made to the Commission under the AHRC Act
- to promote an understanding and acceptance, and the public discussion, of human rights in Australia
- to undertake and coordinate research and educational programs on behalf of the Commonwealth to promote human rights
- to report to the Minister as to the laws that should be made by the Parliament, or action that should be taken by the Commonwealth, on matters relating to human rights
- examine enactments, proposed enactments and or international instruments for determining consistency with human rights and international instruments
- to prepare, and to publish guidelines for the avoidance of acts or practices of a kind in respect of which the Commission has a function
- where the Commission considers it appropriate to do so, with the leave of the court hearing the proceedings and subject to any conditions imposed by the court, to intervene in proceedings that involve human rights issues

- the functions conferred on the Commission by the various Commonwealth Acts concerning discrimination, as set out below.

Racial Discrimination Act 1975 (Cth) (RDA)

The RDA gives effect to Australia's obligations under the *International Convention on the Elimination of All Forms of Racial Discrimination* in Australia. It seeks to:

- promote equality before the law for all persons, regardless of their race, colour, descent or national or ethnic origin
- make discrimination on the basis of race, colour, descent or national or ethnic origin unlawful
- provide protection against racial hatred.

The Commission's functions under the RDA include:

- to promote an understanding and acceptance of, and compliance with the RDA
- to develop, conduct and foster research and educational programs for the purposes of combatting racial discrimination and prejudices that lead to racial discrimination, to promote understanding, tolerance, and friendship among racial and ethnic groups, and to propagate the purposes and principles of the relevant Convention
- to prepare, and to publish in such manner as the Commission considers appropriate, guidelines for the avoidance of infringements within the Act
- where the Commission considers it appropriate to do so, with the leave of the court hearing the proceedings, and subject to any conditions imposed by the court, to intervene in proceedings that involve racial discrimination issues, and

- to inquire into, and make determinations, on matters referred to it by the Race Discrimination Commissioner or the Minister.

Sex Discrimination Act 1984 (Cth) (SDA)

The SDA gives effect to some of Australia's obligations under the *Convention on the Elimination of All Forms of Discrimination Against Women* and other relevant international instruments including the *International Covenant on Civil and Political Rights* in Australia, and further seeks to:

- promote equality between men and women
- eliminate discrimination on the ground of sex, sexual orientation, gender identity, intersex status, marital or relationship status, pregnancy (or potential pregnancy) and breastfeeding in work, education, and other areas of public life
- eliminate discrimination on the ground of family responsibilities in work, and
- eliminate sexual harassment in work, education, and other areas of public life.

The Commission's functions under the SDA include:

- to promote understanding and acceptance of, and compliance with, the SDA
- to undertake research and educational programs on behalf of the Commonwealth for the purpose of promoting the objects of the SDA
- to examine enactments, and proposed enactments to ensure consistency with the SDA and its objects
- to consider grant appropriate exemptions for compliance with the SDA
- to report to the Minister as to the laws that should be made by the Parliament, or action that should be taken by the Commonwealth,

on matters relating to discrimination under the SDA

- to prepare, and to publish in such manner as the Commission considers appropriate, guidelines for the avoidance of discrimination identified under the SDA, and
- where the Commission considers it appropriate to do so, with the leave of the court hearing the proceedings and subject to any conditions imposed by the court, to intervene in proceedings that involve discrimination issues arising from the SDA.

Disability Discrimination Act 1992 (Cth) (DDA)

The DDA seeks to:

- eliminate discrimination against people with disabilities as far as is possible
- promote community acceptance of the principle that people with disabilities have the same fundamental rights as all members of the community, and
- ensure as far as practicable that people with disabilities have the same rights to equality before the law as other people in the community.

The Commission's functions under the DDA include:

- to promote an understanding and acceptance of, and compliance with, the DDA
- to report to the Minister on matters relating to the development of disability standards
- to monitor the operation of such standards and report to the Minister the results of such monitoring
- to consider and grant exemptions from compliance with the DDA
- to undertake research and educational programs, and other programs, on behalf

of the Commonwealth for the purpose of promoting the objects of the DDA

- to examine enactments, or proposed enactments, to determine compliance with the objects of the DDA
- to report to the Minister as to the laws that should be made by the Parliament, or action that should be taken by the Commonwealth, on matters relating to discrimination under the DDA
- to prepare, and to publish in such manner as the Commission considers appropriate, guidelines for the avoidance of discrimination on the ground of disability, and
- where the Commission considers it appropriate to do so, with the leave of the court hearing the proceedings and subject to any conditions imposed by the court, to intervene in proceedings that involve discrimination on the ground of disability.

Age Discrimination Act 2004 (Cth) (ADA)

With regard to Australia's international commitment to eliminate age discrimination, the ADA seeks to:

- promote equality before the law for all persons regardless of their age
- eliminate discrimination against persons on the ground of age in many areas of public life, such as employment, education and the provision of goods, services, or facilities
- allow appropriate benefits and assistance to persons of a certain age in recognition of their particular circumstances, and
- promote recognition and acceptance within the community of the principle that people of all ages have the same fundamental rights
- respond to demographic change by changing negative stereotypes about older people,

and removing barriers to older people participating in society.

The Commission's functions under the ADA include:

- to promote understanding and acceptance of, and compliance with, the ADA
- to undertake research and educational programs, and other programs, on behalf of the Commonwealth for the purpose of promoting the objects of the ADA
- to consider and grant exemptions for compliance with the ADA
- to examine enactments, or proposed enactments, to determine compliance with the objects of the ADA
- to report to the Minister as to the laws that should be made by the Parliament, or action that should be taken by the Commonwealth, on matters relating to discrimination on the ground of age
- to prepare, and to publish in the manner the Commission considers appropriate, guidelines for avoiding discrimination on the ground of age, and
- where the Commission thinks it appropriate to do so, with the leave of the court hearing the proceedings and subject to any conditions imposed by the court, to intervene in proceedings that involve issues of discrimination on the ground of age.

The Commission has additional functions arising from the Acts mentioned above, which also prescribe responsibilities on particular Commission Members as set out below.

(a) President

The President is the Commission's Accountable Authority under the *Public Governance, Performance*

and Accountability Rule 2014 (Cth), responsible for its financial and administrative affairs. Information on the Accountable Authority is set out in Appendix 3.

The President is responsible for the complaint-handling function of the Commission and is the Agency Head under the *Public Service Act 1999* (Cth) section 7.

(b) Aboriginal and Torres Strait Islander Social Justice Commissioner

Under the *Australian Human Rights Commission Act 1986* (Cth) (AHRC Act), the Aboriginal and Torres Strait Islander Social Justice Commissioner may report to the Minister on the exercise and enjoyment of human rights of Indigenous peoples and undertakes social justice education and promotional activities.

This Commissioner may report under the *Native Title Act 1993* (Cth) on the operation of the AHRC Act and its effect on the exercise and enjoyment of human rights of Indigenous peoples. In addition, the Commissioner reports, when requested by the Minister, on any other matter relating to the rights of Indigenous peoples under this Act.

(c) Sex Discrimination Commissioner

The Sex Discrimination Commissioner has functions under the *Fair Work Act 2009* (Cth) in relation to federal awards and equal pay.

(d) National Children's Commissioner

Under the *Australian Human Rights Commission Act 1986* (Cth), the National Children's Commissioner may report to the Minister on the enjoyment and exercise of human rights by children in Australia.

3.3 Approach to exercising our Functions

We exercise our statutory functions by:

- promoting understanding, acceptance, and public discussion of human rights in Australia (including through each specialist Commissioner)
- improving access to justice for all by investigating and conciliating complaints of unlawful discrimination, breaches of human rights, or discrimination in employment
- promoting strengthening of, and compliance with, human rights and federal discrimination law (including through the preparation of guidelines, developing and monitoring disability standards, our intervention function and considering applications for exemptions under relevant discrimination laws)
- undertaking research, educational and other programs for promoting human rights,

including by reporting to Parliament on the status of enjoyment of human rights by children and Aboriginal and Torres Strait Islander peoples

- conducting inquiries into acts or practices that may be contrary to human rights, report on laws that Parliament should make, or actions that the Commonwealth should take, to meet Australia's international human rights obligations
- examining laws and proposed laws for consistency with human rights.

3.4 Responsible Minister

In this period the Hon Mark Dreyfus KC MP was the Attorney-General responsible for the Commission for the 2022–23 reporting period.

The Attorney-General has various powers under the *Australian Human Rights Commission Act 1986* (Cth).

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adical.



Distinguished Professor Larissa Behrendt AO,
delivering the 2022 Human Rights Orator

4. The year in review



Emeritus Professor Rosalind Croucher
AM FAAL FRSA FACLM(Hon)
President
Australian Human Rights Commission

4.1 From the President

The Australian Human Rights Commission has been through a period of great change this financial year. Dedicated focus on governance enhancements and improving financial management has placed the Commission in a more positive financial position than it has been in recent years. Additional targeted government support has allowed us to make inroads into the human rights and discrimination complaint backlogs. The Commission's longstanding advocacy for a range of significant legal and policy reforms has borne fruit, and our long-term advocacy for a reformed national framework for protecting human rights is under serious consideration by the Parliament. Institutional

reforms to the appointment of Commissioners have now been embedded in legislation and policy guidance, in advance of the Commission's deferred international accreditation hearing in October 2023 and the appointment of four new statutory officer holders in 2023.

The Commission started the year facing uncertainty about its sustainability. Long-term underfunding of the Commission, combined with financial management issues in previous years, had placed the institution in a precarious financial position, unable to afford to fund the core staffing needed to perform statutory functions to the standard expected by the Australian community. We had also seen an historic spike in complaints during the COVID-19 pandemic. This resulted in significant backlogs in complaints for discrimination and human rights matters.

The October budget of the new Government's addressed these issues to some extent, by increasing the Commission's core revenue to a level that enabled us to stabilise our existing staffing profile.

In this financial year, we received significantly fewer COVID-19 complaints than in the prior two years, and the overall number of complaints received has stabilised to a 'high normal' number of 2,562. Notably, in 2022-23, we finalised a high number of COVID-19 'legacy' complaints, which were not amenable to alternative dispute resolution. It is anticipated that with the small remaining number of COVID-19 complaints, and temporary staffing increases funded by government, we will make significant inroads into the backlog in the coming year.

The funding provided in the October budget, while welcome, still falls short of what the Commission requires in terms of staff to acquit our functions fully and independently. As a result, we must

continue to invest in generating external revenue to support the work of our Commissioners and to deliver community awareness, education and outreach on human rights. Fully and sustainably resourcing the Commission will continue to be a topic of conversation with the Government into the foreseeable future.

In terms of new initiatives, the October budget provided project-specific funding for two major bodies of work that the Commission has long advocated for: implementation of the *Respect@Work* report and further development of a National Anti-Racism Framework.

Historic reforms to the *Sex Discrimination Act 1984* (Cth) were introduced in December 2022, following the *Respect@Work* national inquiry. Most notably, organisations and businesses now have a positive duty to eliminate, as far as possible, unlawful behaviour in relation to discrimination on the ground of sex in a work context, sexual harassment in connection with work, sex-based harassment in connection with work, conduct creating a workplace environment that is hostile on the ground of sex, and related acts of victimisation.

The reforms to the *Sex Discrimination Act* have had an immediate impact on complaints received by the Commission, with a record number of sexual harassment and sex-based harassment complaints, particularly in the employment context.

The Commission has new co-regulatory powers attached to the positive duty that will commence in December 2023. Over this year, the Commission has been engaging with Government, the business sector, unions, community, and legal sectors to prepare guidance on the operation of the positive duty. The *Respect@Work* Information Service was established in 2023, as a national, trauma-informed service that provides information and referrals on sexual harassment and related matters.

The year also saw major reforms implemented following the Commission's *Set the Standard* report, on respectful behaviour in federal parliamentary workplaces; and the further development of workplace culture partnerships with the Australian Defence Forces, Australian Border Force and Australian Federal Police. These reforms reflect the tireless advocacy of former Sex Discrimination Commissioner, Kate Jenkins, who completed her seven-year term in April 2023.

Dedicated funding was also provided to the Commission for the further development of a National Anti-Racism Framework – a major focus of the Race Discrimination Commissioner, Chin Tan, whose term as Commissioner will conclude in October 2023. The proposal is for a long-term, central reference point to guide actions on anti-racism by government, NGOs, business, educators, health professionals, police, other justice authorities, civil society, and the community to provide an inter-governmental framework to eliminate racism in our community. This would be similar to existing national frameworks that prevent violence against women and protect children.

A progress report on community consultations for the proposed National Anti-Racism Framework was released in December 2022. Further consultations with ethnically-diverse communities and Aboriginal and Torres Strait Islander peoples are currently underway, as well as research on existing government approaches to anti-racism and anti-Asian sentiment. These will be finalised in the coming financial year when the proposed National Anti-Racism Framework will be presented to the government.

This year also saw significant national focus on the need for reforms to Australia's national system for protecting human rights. This has been a major focus of the Commission's Free and Equal project

led by me, as President – drawing together all aspects of the Commission’s statutory mandate. In March 2023, the Commission released a position paper *A Human Rights Act for Australia* detailing a model federal Human Rights Act. This is the key missing piece of legislative architecture in Australia to ensure that people’s human rights are fully considered in decision-making processes by Government. Its enactment would improve transparency and accountability for human rights and ensure that all people’s rights matter all of the time.

Immediately following the release of this position paper, the federal Attorney-General established an inquiry into whether Australia needs a new Human Rights Framework and whether such a framework should include a Human Rights Act. The Parliamentary Joint Committee on Human Rights invited submissions in relation to the Commission’s model as a basis for reform. The Parliamentary Joint Committee on Human Rights-led inquiry is due to report in March 2024. The Commission is encouraged by the extremely high degree of support among submissions for our model to take this forward.

In a submission to this inquiry in June 2023, the Commission sets out a comprehensive agenda for a new Human Rights Framework that includes the national Human Rights Act model, as well as measures to improve the effectiveness of federal discrimination laws, Parliamentary oversight on human rights issues, enhanced human rights education measures and a national indicator framework for human rights. The Commission looks forward to working with Government on this in 2024.

This financial year also saw important developments to protect the institutional integrity of the Commission. New legislation was passed in 2022 that requires Commissioner appointments be on the basis of publicly-advertised, merit-based selection processes. In 2023, guidelines were

developed and released for public consultation. These will be finalised in September 2023.

These developments occurred in response to findings of an international review of the Commission’s compliance with international standards for robust, independent national human rights institutions (known as the Paris Principles). In April 2022, the accreditation committee of the Global Alliance of National Human Rights Institutions (GANHRI) deferred considering the Commission’s ‘A status’ or downgrading it to ‘B status’. Such a downgrade would have undermined Australia’s international reputation on human rights and created a significant diplomatic challenge for Australia.

Addressing GANHRI’s concerns has been a major priority for the Commission in this financial year. We are pleased at the priority given to this issue by the Attorney-General and the Government. The Commission will now re-appear for its accreditation review in October 2023.

In addition, our statutory Commissioners continued to lead important projects to better protect the human rights of people in Australia over the course of the past year.

The Age Discrimination Commissioner, the Hon Dr Kay Patterson AO, continued to push for reforms to prevent elder abuse and to harmonise Enduring Powers of Attorney across the country. She conducted innovative research with caring industries on age stereotyping, which showed powerfully how education and awareness raising can significantly shift attitudes towards older persons in care. Dr Patterson’s seven-year term as Commissioner ended in July 2023. Her term culminated with a national art exhibition, 100 Canberra, which is one of the largest inter-generational projects in Australia. The Commissioner partnered on this project, which saw 465 teenagers form friendships and paint portraits of 465 centenarians nation-wide, over several years.

The Aboriginal and Torres Strait Islander Social Justice Commissioner, Ms June Oscar AO, continued her focus on the human rights of Indigenous women and girls. The Wiyi Yani U Thangani (Women's Voices) National Summit was held over three days from 9-11 May 2023, preceded by a one-day Youth Forum on 8 May 2023. The Summit brought together over 800 First Nations women delegates from across Australia, for decision-making, innovation and celebration. The Summit built on an online women's safety forum conducted in November 2022, both contributing to the development of a new National Framework for Action on First Nations Gender Justice and Equality.

The Disability Discrimination Commissioner, Dr Ben Gauntlett, concluded his term as Commissioner on 30 June 2023 to take up an appointment to the new National Anti-Corruption Commission. Dr Gauntlett led the Commission's IncludeAbility project, which aims to increase access to meaningful employment opportunities for people with a disability. The project was funded by the Department of Social Services and the Paul Ramsay Foundation, with engagement from leading employers across Australia in place-based pilots. Preliminary results from the project are very encouraging, with the majority of participants securing ongoing employment at award wages. Stage 2 of the project is currently in development.

The National Children's Commissioner, Ms Anne Hollonds, spotlighted significant problems with the nation's juvenile justice, care and protection systems. In this reporting year, she commenced national consultations on juvenile justice, which will culminate in a National Children's Report to Parliament in 2024. This work is supplemented by national consultations with marginalised and vulnerable children under a range of national frameworks (including the National Frameworks for Protecting Australia's Children, National Plan to End Violence against Women and Children, National Aboriginal and Torres Strait Islander

Early Childhood Strategy) and in partnership with multiple government departments, led by the Department of Social Services. Insights from earlier consultations with vulnerable children were published in the 2022 *Keeping kids safe and well – your voices* report.

The Human Rights Commissioner, Ms Lorraine Finlay, led partnerships with banking and actuarial industries to develop guidance material on the use of artificial intelligence in decision making processes. She continued to advocate for the full and effective implementation of the Optional Protocol to the Convention Against Torture (OPCAT) in Australia. This would see effective oversight of places of detention to ensure people are treated appropriately – be they children in police watchhouses, Aboriginal and Torres Strait Islander peoples in their engagement with justice officials, persons with disability, older persons in secure facilities, or refugees and asylum seekers in immigration detention in Australia and in offshore facilities under the effective control of Australia. The Commissioner also conducted inspections of immigration detention facilities, noting the inappropriateness of the detention of people in Alternative Places of Detentions (APODs) for lengthy time periods.

As a team, the Commissioners and staff delivered a new and innovative annual Human Rights Awards event in December 2022. With a more accessible venue and format, the Awards were shared with over 500 people in person and online. They were a diverse and inclusive celebration of human rights heroes from communities across Australia with awards for young people and children, those working in communities, in the legal profession along with the overarching human rights medal winners.

This is the public facing work of the Commission. Behind the scenes, our leadership team and corporate service areas have worked long and hard

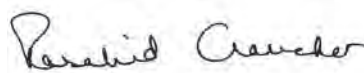
on further tightening our financial management systems and on implementing new governance mechanisms to provide enhanced oversight on finances and budget, project management, organisational culture, and strategic engagement processes.

The next year will focus significantly on rebuilding key infrastructure to support the Commission's work – from our website and internal systems, to a new office location in Sydney. All of these initiatives are part of a significant institutional renewal of the Commission; from its leadership, governance and systems, to building substantive change that better promotes human rights in legislation, policy and practice.

Each chapter in the Commission's history is marked by a strong record of advocacy for human

rights protections and law reform, and to the resolution of human rights disputes for thousands upon thousands of Australians, through effective alternative dispute resolution outside the court system.

I thank all of the staff and Commissioners for their dedicated contributions over this past financial year, and I look forward to achieving further significant protections of human rights for all in Australia in the year to come.



Emeritus Professor Rosalind Croucher AM FAAL
FRSA FACLM(Hon)

President

5. Annual Performance Statement



As the Accountable Authority for the Australian Human Rights Commission,
I present the Commission's 2022–2023 Annual Performance Statement.

The statement has been prepared as required under section 39(1)(a) of the *Public Governance, Performance and Accountability Act 2013* (Cth).

In my opinion, this statement accurately presents the performance of the
Commission in the reporting period and complies with section 39(2) of the *Public Governance Performance and Accountability Act 2013* (Cth).

A handwritten signature in black ink, reading "Rosalind Croucher".

Emeritus Professor Rosalind Croucher AM FAAL FRSA FACLM (Hon)
President

25 September 2023

5.1 Introduction to Results

Measuring our impact (what difference, what benefit), in the context and nature of our work, is important but complex. Progress indicators are mapped to each outcome and provide reasonable evidence of contribution to the outcome. While some measure the direct attributions of the Commission's work, others capture stories and case studies to document our contributions to the relevant outcome. These are often best understood when seen in the context of multi-year programs, advocacy and submissions to the courts.

The Commission draws on a monitoring, evaluation, accountability and learning approach. This includes utilising mixed method approaches of data collection, surveys, interviews, feedback from stakeholders, and stories of change to demonstrate impact across the reporting period against our monitoring and performance measurement framework and theory of change. This is in line with the results-based accountability framework and involves the simple structure of outlining how much did we do, how well did we do it, and what was the change.

The annual performance statement provides both data and narrative to demonstrate how the Commission met outcomes. These outcomes are mapped against an impact matrix that aligns with the performance framework and progress indicators set out in the Commission's Corporate Plan 2022–23.

5.2 Statement Against Outcomes

Outcome 1: Improving enjoyment of human rights by all, supporting access to justice and remedies for people and communities whose rights are breached

1.1 We deliver a fair and effective investigation and conciliation of complaints service.

Indicator

85% of complaints are finalised in under 12 months.

40% of complaints are resolved by conciliation.

85% of parties to complaints are satisfied with the service they receive.

Instances where the terms on which investigation and conciliation disputes are resolved include systemic outcomes that accord with the objectives of the law.

Instances where participation in the investigation and conciliation process results in increased understanding of rights and responsibilities in the law.

Results



of complaints were finalised in under 12 months (average time 7.6 months).



of complaints were resolved by conciliation.



of parties to complaints were satisfied with the service they received.



of conciliated outcomes included systemic outcomes.



of survey participants responded that participation in the conciliation process resulted in increased understanding of the rights and responsibilities in the law.



In 2022–23, one of the three progress indicators was achieved. However, only 30% of complaints were resolved by conciliation, which is 10% below the progress indicator and lower than the average percentage of complaints resolved over the previous 10 years. In addition, 82% of parties to complaints were satisfied with the service they received (lower than the 85% user satisfaction target).

The unprecedented number of complaints received by the Commission in the previous two reporting periods has impacted on the results achieved in 2022–23. In 2020–21 and 2021–22, there were 6,849 complaints received and 5,962 complaints finalised. While this represents a record number of finalised complaints, the 13% discrepancy between complaints received and finalised, combined with a continuing high number of complaints received and finalised, led to a backlog of complaints with negative implications for timeframes and satisfaction ratings.

In October 2023, the Commission received short term, targeted complaint backlog funding to increase the staffing profile within the Investigation and Conciliation Service. It is anticipated that this staffing increase will enable the Commission to significantly reduce the complaint backlog by the end of 2024.

As stated in the year in review, in this financial year, we received significantly fewer COVID-19 complaints than in the prior two years, and the overall number of complaints received has stabilised to a 'high normal' number of 2,562. Notably, in 2022–23, we finalised a high number of COVID-19 'legacy' complaints, which were not amenable to alternative dispute resolution. This has had a negative impact on complaint-handling timeframes and conciliation outcomes.

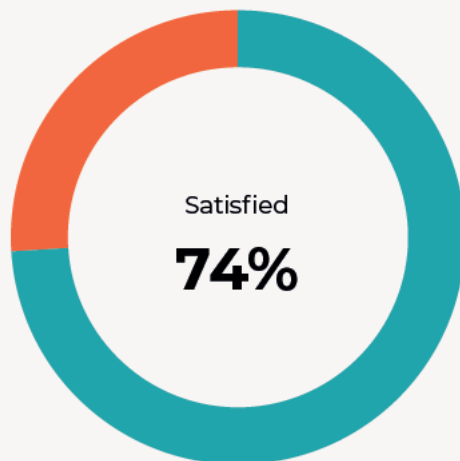
(a) Survey satisfaction

When the Commission finalises a complaint, a voluntary survey is sent to the parties seeking feedback on the service they received. The survey is sent to all parties except where a matter has been withdrawn or discontinued before a respondent is notified, or in circumstances where further contact with the Commission may cause harm (distress) to the relevant parties and/or staff.

Firstly, I appreciate your understanding and helping. Actually when I was called from your service I was really worried about a complaint. I hadn't had any experience with your service but when I was talking with you I felt comfortable. You gave a lot of information, you explained very well. My English is not mother tongue, you spent extra effort, found alternative methods to solve the issue and made me happy. I felt the smile in your voice on the phone despite dealing with problem, it's also pleasing that there are people like you manage the problem and people well in such stressful job. —**Quote from complainant**

In 2022–23, 316 parties (175 complainants and 141 respondents) participated in the survey. 82% of participants (74% of complainants and 93% of respondents) reported that they were satisfied with the service they received and 65% (57% of complainants and 75% of respondents) rated the service very good or excellent.

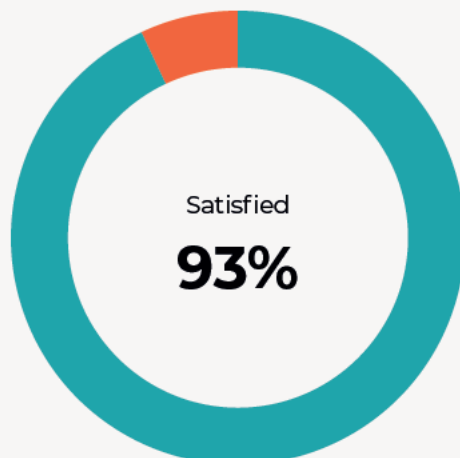
Complainants report that they are satisfied with the service



Complainants rate the service as very good or excellent



Respondents report that they are satisfied with the service



Respondents rate the service as very good or excellent



I am very grateful for your work in relation to this complaint, not least your regular communication, your availability and your good humour throughout, notwithstanding the fact that you no doubt have many other pressing matters demanding your attention. I trust that the AHRC appropriately recognises your skills and dedication and the extent to which your efforts reflect positively on it as a dispute resolution body. —**Quote from respondent**

The survey data also indicates that in relation to conciliated complaints, 68% of survey participants indicated that involvement in the Commission's

complaint process had assisted them to better understand their rights and responsibilities under federal human rights and anti-discrimination laws.

In 2022–23, of conciliated complaints, 38% of the outcomes achieved included outcomes with benefits for people beyond the individual complainant. Examples include: the implementation of anti-discrimination policies and training within workplaces; changes to the built environment to increase accessibility; adjustments in the way services are provided to all customers, and changes to policies that may have had unintended consequences for a particular group of people.

Australian Human Rights Commission / Complaints

Complaints

We investigate and resolve complaints of discrimination and breaches of human rights. You can make a complaint no matter where you live in Australia. Our service is free, impartial and informal.

SHARE

f

Twitter

Make a complaint

Make an enquiry

Information for people making complaints

Information for people responding to complaints

Conciliation Register

Publications

Recent changes to the law

Translations

The Australian Human Rights Commission is an independent third party which investigates complaints about discrimination and human rights breaches. It does not act as an advocate or legal representative for a party to a complaint. The complaint process is simple, free and flexible.

Complaint guides

General ICS performance story

Case Study 1:

Conciliated complaint with systemic outcome

A representative complaint was lodged on behalf of blind or vision impaired organisation members who were eligible to vote in the state of the respondent state government. The complaint alleged that by not providing an internet-based voting platform, the aggrieved persons are unable to vote independently, secretly and verifiably, as others without their disability are.

Upon notification of the complaint the respondent state government advised that due to software being phased out there was insufficient time to update and integrate a new system prior to the election. The respondent also advised that it provided alternative means of voting for vision impaired voters but agreed to participate in a conciliation process facilitated by the Commission.

The complaint was resolved by the Respondent agreeing to undertake a broadscale review into technology-assisted voting (Review), which includes examining the use of internet and other technology-assisted voting, for future elections with a focus on accessible voting and obligations to consult with the disability community, including those who are blind or vision impaired. If a new voting system is approved and funded as result of the Review, people who are blind or vision impaired (along with other relevant disabilities) will be involved in its development, including through user testing and providing feedback.

The parties also agreed to make a joint public statement to acknowledge and explain the current voting options available for people who are blind or vision impaired and to announce the Review, including how people can make submissions to it (please see <https://elections.nsw.gov.au/about-us/media-centre/news-and-media-releases/nswec-commits-to-explore-tav-options> for more information)

This outcome is an excellent example of systemic change that can be achieved through alternative dispute resolution; in this instance enabling potentially wide-ranging positive impact for eligible voters anyone who are blind or vision impaired.

The agreement also adopts the principles of participatory design, with users being involved in the development and testing of assistive technologies.

Both the above align with the Commission goal of promoting and protecting human rights and contribute through the development of policies which improve equality of access to fundamental rights such as voting.

Case Study 2:**Conciliated complaint with an individual and systemic outcome**

The complainant brought forward the complaint in his own right and on behalf of family members, including his son who has an assistance animal to assist with his disabilities of autism and anxiety. The complainant's family sought to dine at the respondent restaurant. The complainant alleged that the staff at the respondent restaurant told the family that they could only dine at an outside table due to the presence of the assistance animal. The complainant alleged that the restaurant staff then told the family they could sit inside but not at the grill because of the presence of the assistance animal.

On being advised of the complaint the respondent was very receptive to participating in an alternative dispute resolution process. The complaint was resolved through a video conciliation conference with an agreement that the respondent restaurant: provide a written apology; update its discrimination policy relating to assistance animals and train staff accordingly; take step to obtain approval to display signage welcoming assistance animals; provide the complainant's family with a free meal at the restaurant; and pay \$5000 in compensation.

The outcomes achieved in conference were meaningful and empowering for the individual and his son and contributed to positive education, through policy change and training, about assistance animal rights and obligations under the DDA for the respondent restaurant staff. In addition, by positively welcoming assistance animals, the restaurant is improving access to meaningful participation in social activities for all persons who rely upon assistance animals in their daily lives.

The Commission's National Information Service (NIS) and Investigation and Conciliation Service (ICS) contribute significantly to the Commission's key function as Australia's National Human Rights Institution, both by providing education about human rights and responsibilities and by providing an accessible, fair and impartial complaint-handling process. In addition, in May 2023 after receiving dedicated funding from the Government, the Commission established the Respect@Work Information Service. This is a national, trauma-informed service that provides information and referrals, including to support services, and is free and confidential.

In contrast to the previous two reporting periods, during 2022–23 the Commission received a relatively small number of COVID-19 complaints (114). However, in this same period over 500 legacy COVID-19 related complaints were finalised. Many of these complaints did not proceed to conciliation or failed to resolve. The overall conciliation rate for COVID-19 matters was under 23%, significantly lower than the overall conciliation rate. This is because the subject matter of COVID-19 complaints was often not amenable to alternative dispute resolution, particularly where the subject matter of the complaint involved actions aligned with state government public health orders.

It is anticipated that the comparatively low number of COVID-19 complaints received (114 in 2022–23) and the positive impact of temporary staffing increases within ICS, will result in a decrease in complaint handling timeframes and an increase in conciliated complaints by the end of 2024, noting that an unforeseen global event could disrupt this expectation.

The Commission received a record number of sexual harassment and sex-based harassment complaints in 2022–23 (a combined total of 371). This was a result of greater protections offered to workers under amendments to the *Sex Discrimination Act* and increasing public awareness about the requirement to provide safe workplaces free from harassment and discrimination.

Despite the challenges faced over the past two years, the ICS and NIS (and newly formed Respect@Work Info Service) provided information, education and conciliation services to people and organisations across Australia. While there has been a decrease in the number of complaints that resolved, there has been an increase in the percentage of resolved complaints that included systemic outcomes, notably outcomes aimed at embedding participatory design principles by involving end users in the design process of new products and services.

Outcome 2: Strengthening Australia's human rights framework, embedding human rights issues at a national level

2.1 The leadership and advocacy of the President and Commissioners on thematic areas or identified human rights issues improves the enjoyment of human rights by affected groups

Research, reporting and advice activities of the Commission:

- are viewed as evidence-based, persuasive and credible by stakeholders
- increase understanding of the human rights issues and impacts raised
- strengthen stakeholder capacity to promote and advocate for the human rights issues raised.

Instances of programs attracting strategic partnerships that advance the priority human rights issues we have advocated for.

Results



29 major reports, publications and resources



28 projects attracting strategic partnerships



9 major events



237 speeches and presentations



87 web news items



235 media interviews



16 opinion pieces



Attendees at the Wiyi Yani U Thangani National Summit May 2023

Wiyi Yani U Thangani (Women's Voices) National Summit

On 9–11 May 2023, Social Justice Commissioner June Oscar AO, in partnership with the National Indigenous Australians Agency, hosted the Wiyi Yani U Thangani (Women's Voices) National Summit, preceded by a one day Youth Forum. The Summit was the first national gathering of its kind, bringing together more than 900 women and girls from across Australia for decision-making, innovation and celebration.

The Summit was a key outcome of Stage 3 of the Wiyi Yani U Thangani project, which has sought to elevate and centre the voices of First Nations women and girls across Australia in decision-making processes. It was a key recommendation of the *Wiyi Yani U Thangani: Securing Our Rights*,

Securing Our Future report (2020), informed by an extensive consultation process gathering the needs, hopes and aspirations of First Nations women and girls.

The Summit presented opportunities for women to share their knowledges, and learn and build on the transformative initiatives and projects taking place across Australia. It was also an opportunity develop strong connections and relationships with others.

The Summit created space for collective generational learning for my mother, my eldest daughter and I. This made me feel immense gratitude and pride to see our future leaders being held and nurtured so they can shine bright. —**Feedback from Summit participant**



The Muyngu Koekaper Dance Team from Saibai Island, Torres Strait perform at the Wiyi Yani U Thangani National Summit, May 2023

Throughout the Summit, delegates engaged with inspiring keynotes, panels, presentations and workshops, showcasing the innovative approaches and initiatives of First Nations women across four thematic areas: Leadership and Decision-Making; Language, Land, Water and Cultural Rights; Societal Healing and Intergenerational Wellbeing; and Economic Justice and Empowerment. Women also expressed aspirations for the future and areas of focus to overcome systemic challenges. These areas include amplifying youth voices; making space for LGBTQ+SG communities; supporting communities from the ground up; and responding to systemic violence, discrimination and marginalisation. This dialogue enabled delegates to gain a better understanding and respect for their rights, and to

use this learning to defend and advocate for their rights within their own context.

Delegates at the Summit also expressed their needs and aspirations for the future, presented in the [Summit Communiqué](#) and [Youth Statement](#), and provided insight for the next stages of the project – the development of the National Framework for Action and a First Nations Gender Justice Institute, hosted at the Australian National University.

The Summit contributed to the broader development and amplification of First Nations gender justice across Australia, strengthening and elevating the rights and voices of First Nations women and girls. Delegates advocated for the Framework and Institute to provide a platform for systemic reform, overcoming inequalities,

marginalisation and discrimination, and to better incorporate First Nations rights, as articulated by the UN Declaration on the Rights of Indigenous peoples throughout national policy, legislation and infrastructure.

2022 Human Rights Awards

Since 1987, the Commission's Human Rights Awards have celebrated the important work of people, businesses, and organisations who have advanced human rights in Australia. The 2022 Awards were delivered in a new, more accessible format and received one of the highest ever number of nominations across four award categories.

Distinguished Professor Larissa Behrendt AO, winner of the 2021 Human Rights Medal, delivered the annual Human Rights Day Oration at the 2022 awards presentations ceremony.

Not-for-profit Mahboba's Promise founded by Mahboba Rawi and Nawid Cina won the prestigious Human Rights Medal for their work supporting women and children fleeing the Taliban in Afghanistan.

I dream for Afghan women to be free and choose what they want to do, to go out without permission, to run their life the way they want, to work equally, to study, go for further education.

—**Mahboba Rawi on accepting the award**

Caroline Cecile Fletcher, won the Young People's Award for her advocacy for young people in the foster care system based on her own lived experience. Scientia Professor Jane McAdam, Professor of Law and Director of the Kaldor Centre for International Refugee law, won the law



Commissioners and Chief Executive with finalists of the 2022 Human Rights Awards



Commissioner Anne Hollonds (left) and Commissioner June Oscar (right) attending Songs for Freedom

award for her contributions to international law and pioneer research into climate related human displacement. Hotel Etico, an innovative social enterprise that provides sustainable employment pathways for young people with disability, won the Community Award.

Youth justice advocacy and stakeholder engagement

Youth justice advocacy and engagement has been a significant area of focus for the Commission, with individual and collective advocacy across Commissioner portfolios for governments to urgently address the youth justice crisis in Australia.

In May 2023, a riot broke out at Banksia Hill Detention Centre (BHDC), at the same time as women from across the country were gathered in Canberra for the Wiyi Yani U Thangani National

Summit. In response, Commissioner Oscar supported the development of a joint [media release](#) and the convening of a press conference, which resulted in widespread national coverage. The group included the Commissioner for Children and Young People WA Jacqueline McGowan-Jones, Acting Northern Territory Children's Commissioner Nicole Hucks, member of the UN Permanent Forum for Indigenous Peoples Associate Professor Hannah McGlade, representatives from Grandmothers of Close Don Dale Now and a number of community advocates.

In a progressive country like Australia, the incarceration of Aboriginal and Torres Strait Islander children is a national crying shame. June's voice and advocacy in her role as Social Justice Commissioner has lent strength to our shared purpose to protect our children's precious futures. —**Grandmothers of Close Don Dale Now**

Release of the Community Guide to the National Anti-Racism Framework Initial Scoping Report

A Community Guide to the National Anti-Racism Framework Scoping Report was developed by the Commission in June 2023. The Guide was translated into seven languages, together with an Easy Read version. Alongside information about the National Anti-Racism Framework project, the Guide includes a compilation of relevant services and complaints information. The Commission developed a community engagement strategy and distributed the Guide widely. This included a social media amplification kit to assist organisations and supporters in promoting the project.

The Community Guide, and social media amplification kit, were distributed via social media channels, stakeholder networks, and the Commission and *Racism. It Stops With Me* e-bulletins.



The Community Guide had high engagement on social media, with an aggregate reach of 87,257 across Commission channels (LinkedIn, Twitter, Facebook and Instagram).

Since distributing the Community Guide, service providers, government departments, agencies, community networks and organisations have reached out to the Race Discrimination Team to commend their work, request further information and seek to participate in the ongoing development of the framework. The inclusion of the content on relevant services and complaints information was welcomed.

The accessibility of the Community Guide allowed the Commission to reach a range of different stakeholders who are not routinely engaged with its work, sparking important conversations and new relationships.

These actions align with a broader strategy to connect policy-making with real people, and their real life aspirations and experiences. The Guide and engagement strategy made the findings of the project more accessible to communities, and contributed to more trusted and reciprocal relationships between the Commission and the communities it serves.

Scoping project for the National Child and Family Investment Strategy

The National Child and Family Investment Strategy (NCFIS) was announced in the 2022–23 Budget and is an initiative under Safe and Supported: The National Framework for Protecting Australia's Children 2022–2032 and the Safe and Supported Aboriginal and Torres Strait Islander First Action Plan 2023–2026.

The aim of the NCFIS is to prevent at-risk children and families from coming into contact with the child protection system and to improve their life outcomes. The NCFIS will support jurisdictions, including the Commonwealth, to reorientate child and family support system funding into more effective, tailored and coordinated early intervention and prevention services and supports.

The Department of Social Services (DSS) commissioned the National Children's Commissioner (NCC) to undertake a 'scoping project' to develop principles and make recommendations to guide and inform the development of the NCFIS.

To achieve this, the Children's Rights Team conducted a literature review and consulted with key stakeholders across all jurisdictions, individually and in roundtables. Stakeholders were asked to reflect on their experience in, and knowledge of, prevention and early intervention and to offer suggestions to guide future investments in improving the outcomes for children and their families.

This investment strategy could be a 'rich opportunity for powerful, healing work'.

—**Feedback from stakeholder**

The initial results of the Australian Child Maltreatment Study (ACMS) published in April 2023 were also used to inform the development of the principles and recommendations.

The Team developed six overarching principles and made 18 recommendations to guide and inform the development of the NCFIS. Stakeholders indicated that their views were accurately reflected in the overarching principles and recommendations made in the Commission's scoping report.

The scoping project report was submitted in June 2023 and will be made public later in the year informing DSS's development of the National Child and Family Investment Strategy. The principles developed as part of this scoping project are reflective of the broader goals of the Commission and of the NCC, including; empowerment, participation and self-determination, collaboration and partnership, sustainability, and the use of a human rights-based approach.

National OPCAT Symposium and Road Map

In September 2022, the Commission partnered with the RMIT University College of Business and Law to hold a [National OPCAT Symposium](#) in Melbourne. The event brought together stakeholders from the Australian, state and territory governments, oversight and statutory bodies and civil society, to take stock of achievements to date, identify what needs to be done to reach full compliance with the *Optional Protocol to the Convention against Torture (OPCAT)* by the extended deadline of 20 January 2023.

The 200 participants included representatives of 43 statutory oversight agencies and commissions of inquiry from across Australia and Aotearoa New Zealand.

Informed by the National Symposium, the [Road Map to OPCAT Compliance](#) was published in October 2022 to provide a clear pathway and recommendations for governments across Australia to meet the deadline for OPCAT compliance. It was distributed to stakeholders including the UN Subcommittee on Prevention of Torture (UN SPT).

Various Australian governments have taken some steps towards fulfilling their obligations under the OPCAT treaty. For example, Queensland passed the *Monitoring of Places of Detention (Optional Protocol to the Convention Against Torture) Bill 2022*; allowing the UN SPT unimpeded access to places of detention within its jurisdictions.

The best practice principles have also influenced the work of oversight bodies within Australia. For example, the Commonwealth Ombudsman has added child rights and disability expertise to its OPCAT advisory board.

Our Government welcomes the release of the Australian Human Rights Commission Road Map to OPCAT Compliance, which is a comprehensive report outlining activities required to expedite Australia's approach to implementing OPCAT. The road map was informed by and is an outcome of the National OPCAT Symposium. I note Tasmania has already significantly advanced or completed the recommendations made as part of the road map, particularly the recommendations to introduce dedicated OPCAT legislation and sufficiently resource the NPM. —**Mrs Leonie HISCUTT MLC (Leader of the Government in the Tasmanian Legislative Council)**

Changing perspectives: testing an ageism intervention – research report

The *Changing perspectives: testing an ageism intervention* report released in July 2023 presents the findings of an ageism awareness session among workers in aged care and community settings.

A survey showed that most participants reported lower than average levels of overt ageism before the session, but more subtle forms persisted – such as perceptions of older adults as less competent and in need of protection.

Results from participant follow-up survey showed:



Commissioner Kay Patterson (second from right) at the opening of the Centenarian Project in Canberra June, 2023

Following the session, statistically significant improvements were found in participants' attitudes towards older adults and ageing, and remained at follow-up two to three months later. Post-workshop focus group discussions further indicated that participants had taken various actions because of the workshop, such as changing the way they interact with older adults, adopting new work practices or approach, sharing the learnings with others, and calling out ageism in their workplace and community.

These findings demonstrate the potential for brief, one-time educational interventions to generate attitudinal and behaviour changes that may be lasting.

Fifth National Survey on Sexual Harassment in Australian Workplaces

In November 2022, the Commission published the fifth national survey to investigate the prevalence, nature and reporting of sexual harassment in Australian workplaces.

The 2022 National Survey was conducted with over 10,000 people aged 15 years or over, using a sample that is representative of the Australian population in terms of gender, age and geographic location. The Commission conducted and reported on similar sexual harassment surveys in 2003, 2008, 2012 and 2018.

The 2022 National Survey advances a legacy of evidence-informed action on workplace sexual harassment.

Incidence of workplace sexual harassment

In the last 12 months

About
1 in 5
people

(19%) have been sexually harassed at work.

In the last 5 years

About
1 in 3
people



(33%) have been sexually harassed at work (41% of women and 26% of men).

41%



women

26%



men



Commissioner Kate Jenkins (third from left) with members of the ABF partnership

The National Survey was released against the backdrop of sweeping action taken to address workplace sexual harassment, including legislative changes. As employers, regulators and workers across Australia were seeking to understand and address sexual harassment, the 2022 National Survey provided critical information about its prevalence, nature and reporting.

For the first time, the survey asked about workers' views on the actions taken by their employer's to address workplace sexual harassment.

This survey report, *Time for Respect*, provides vital information about the scale of workplace sexual harassment and the need for prevention and response initiatives.

Key findings from the Fifth National Survey on Sexual Harassment in Australian Workplaces

Sexual harassment continues to be an unacceptably common feature of Australian workplaces, with one in three workers saying they had experienced workplace sexual harassment in the last five years.



Most sexual harassment in Australian workplaces is carried out by men

77%



Half

of incidents are repeated and of those, half are ongoing for more than one year



The majority of people harassed

69%

experienced negative mental health impacts



Reporting remains low, with only

18%

of sexual harassment incidents reported



In

One quarter

of reported cases, there were no consequences for the harasser



Only

One third

of Australian workers consider their organisation is doing enough

2.2 Law and policy makers, at all levels, consider and address the human rights impacts we identify through our submissions, inquiries, research, reports and United Nations engagement

High proportion of Committee inquiry reports reflect and cite the Commission's advice.

Instances of improved Federal and state government policy, practice and legislative change reflect our advice.

PBS TARGET

High proportion of Committee inquiry reports reflect and cite the Commission's advice.

Majority of our applications to the courts for leave to appear are accepted.

Instances of our court submissions reflected in the final judgment of the matter.

Results



52

Submissions
to inquiries



317

Citations



1

Application to the
courts for leave to
appear accepted

Passage of Respect@Work Bill

In November 2022, the Anti-Discrimination and Human Rights Legislation Amendment (Respect at Work) Act (Respect@Work Act) was passed. The Respect@Work Act creates an Australia first positive duty requiring employers to implement measures to prevent sexual harassment, sex discrimination, hostile environments, sex-based harassment and victimisation in connection with work. The Act confers new regulatory powers on the Commission.

It is a major achievement that fundamentally changes how Australia protects people from workplace sexual harassment.

The need to strengthen the legal and regulatory frameworks relating to sex discrimination was a key recommendation of the Commission's landmark Respect@Work Report, led by the Sex Discrimination Commissioner, published in March 2020.

The introduction of the positive duty will affect every workplace and every worker in Australia. It is confirmation of the impact of the Commission's Respect@Work Report. The Government has committed to implementing all 55 of the Report's recommendations as a matter of priority.

It changes our setting from being reactive to also being proactive, so that employers are required to take meaningful action to prevent harassment from occurring. It shifts the emphasis from a complaints-based model to one where employers must take action, and continuously assess and evaluate whether they are meeting the requirements of the duty. —**Sex Discrimination Commissioner Kate Jenkins on the passage of the Respect@Work Bill**

The passage of the Act and the introduction of the positive duty will have important flow-on effects. The passage has the potential to inform state and territory government efforts to achieve greater harmonisation of sexual harassment legislation as part of any upcoming legislative reviews.

The positive duty closely ties into the broader goals of the Commission – including our advocacy for a positive duty across all four federal discrimination laws in the position paper released in December 2021: [Free and Equal: A reform agenda for federal discrimination law](#).

Alternatives to Immigration Detention

People are being held in immigration detention for increasingly lengthy periods of time. As of 30 June 2023, the average period of time for people held in immigration detention was 711 days, or approximately two years. The Commission regularly conducts inquiries into complaints by people held in immigration detention who allege that their detention is arbitrary.

Long term immigration detention is a significant human rights issue and has been difficult to resolve, particularly in cases where there are concerns about risk to the community and there is no opportunity for third country resettlement. This is an issue that has been considered in detail by the Commission across a number of legal and policy reports. Below outlines the work the Department of Home Affairs is currently doing, which acknowledges this work and builds on recommendations of the Commission. Those recommendations were aimed at creating a response that better takes into account risk and seeks to effectively manage risk in a way that best promotes both the human rights of members of the Australian community and the human rights of people in immigration detention.

Alternatives to Immigration Detention Advocacy Timeline

The below timeframes demonstrate how the Commission advocates for human rights principles to be applied in immigration detention and works with governments over time.

February 2021 – the Commission published a report of an inquiry into complaints by 11 people who had had their visas cancelled on character grounds and faced the prospect of indefinite detention (*Immigration detention following visa refusal or cancellation under section 501 of the Migration Act 1958* (Cth) [2021] AusHRC 141).

July 2021 – the Status Resolution and Visa Cancellation Division of the Department of Home Affairs commenced a program to explore alternatives to held detention. The Department referred to the Commission's report in its Phase 1 Program Report as informing this work.

July 2022 – the Department of Home Affairs provided a submission to the Minister for Immigration, Citizenship and Multicultural Affairs about a Alternatives to Held Detention program. The Department sought approval for proposals that build on the recommendations of the Commission, including: engaging external expertise to develop a revised risk assessment framework and dynamic risk assessment tools; the establishment of an independent panel to provide advice and recommendations about managing risk; and considering conditions that could be imposed on detainees to mitigate risk that would permit release into the community.

August 2022 – the Department held a briefing about the program with external stakeholders, including the Commission, and commenced Phase 2.

October 2022 – the Department met with the Minister to further discuss this program.

Tickle v Giggle for Girls Pty Ltd

The Sex Discrimination Commissioner was granted leave by the Federal Court to appear as amicus curiae in the proceeding *Tickle v Giggle for Girls Pty Ltd* in June 2023. This is the first case about 'gender identity' discrimination to be heard by the Federal Court since this ground of discrimination was introduced into the *Sex Discrimination Act 1984* (Cth) (Sex Discrimination Act) in 2013.

In the past, the Sex Discrimination Commissioner has sought leave to appear as amicus curiae in cases dealing with the interpretation of key provisions of the Sex Discrimination Act. This has included cases dealing with new grounds of

discrimination when they have been introduced into the Sex Discrimination Act, such as discrimination on the grounds of pregnancy, family responsibilities and marital status.

Roxanne Tickle was refused access to a social networking app described as being 'made for women by women'. Ms Tickle alleges that she was refused access because she is a trans woman, and that this amounts to discrimination on the ground of her gender identity. The Respondents say that Ms Tickle was refused access to the Giggle app because she is a 'male'. They say that this did not amount to discrimination on the ground of 'sex' because the app is a special measure for the

purpose of achieving substantive equality between women and men. The Respondents say that the prohibition against 'gender identity' discrimination is unconstitutional.

The Commissioner's submissions (filed in August 2023, following this reporting period), deal with key statutory interpretation and constitutional issues that arise in the case. The statutory interpretation issues include the meaning of 'sex' and 'gender identity' for the purposes of the Sex Discrimination Act and the interaction between prohibitions against discrimination and special measures to achieve substantive equality. The Commissioner submits that the prohibition against

gender identity discrimination is constitutionally valid and consistent with Australia's international treaty obligations under the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the International Covenant on Civil and Political Rights (ICCPR). The final hearing in the case is listed for April 2024.

The Federal Court has indicated that it values the contribution of the Commissioner by granting leave to appear in this case and by directing that the Commissioner's submissions be filed in advance of those of the other parties so that they have the benefit of those submissions prior to filing their own submissions.



Helena Dalli, EU Commissioner for Equality (front row second from right) with EU Ambassador Gabriel Visentian (bottom left) with President Croucher and Commissioners Lorraine Finlay, Chin Tan, Kate Jenkins and Ben Gauntlett

Foreign Interference through Social Media

Commission recommendations on Foreign Interference through social media

AHRC recommendation 1: The Australian Government should establish a permanent whole-of-government taskforce dedicated to preventing and combating foreign interference by way of cyber-manipulation in Australia. Fully adopted by the Senate Committee in their recommendation 7.

AHRC recommendation 2: The Australian government should establish clear and mandatory requirements, and pathways, for social media organisations to report suspected foreign interference. Such reports should be made to the proposed entity noted above in recommendation 1, whose activities in this area must incorporate robust safeguards to protect freedom of expression. Partly adopted by the Senate Committee in their recommendation 1.

AHRC recommendation 3: There must be greater investment in incorporating digital literacy into the Australian education curriculum, including information about online safety, data privacy, identifying misinformation and disinformation and the role algorithms play in a users' online experience. Partly adopted by the Senate Committee in their recommendation 15.

AHRC recommendation 4: The Australian Government should introduce a public education campaign on digital literacy and develop public online resources. Partly adopted by the Senate Committee in their recommendation 15.

AHRC recommendation 5: The Australian Government should audit the use of social media platforms on government-issued devices within the Australian Public Service, and issue general guidance regarding device security. Fully adopted by the Senate Committee in their recommendation 5, and expanded upon in their recommendation 6.

AHRC recommendation 6: The Australian government should introduce transparent user-data privacy and user-data protection frameworks that apply to all social media and internet companies. Partly adopted by the Senate Committee in their recommendation 1.

AHRC recommendation 7: Social media platforms should be legally required to provide users with greater control over their personal data. A users' data sharing setting should always be switched off by default. Not adopted.

AHRC recommendation 8: The Australian Government should mandate that all social media platforms publicly disclose the content that they censor and make it an offence to censor content that has not been publicly disclosed to users. Fully adopted by the Senate Committee in their recommendation 1.

AHRC recommendation 9: The Australian Government should take a proactive approach to protecting groups that are common targets of foreign interference but are not classified as government institutions. Partly adopted by the Senate Committee in their recommendation 17.

The Commission provided a submission to the Senate Select Committee on Foreign Interference through Social Media in February 2023, noting that social media is an integral aspect of everyday life, as it forms the foundations of many Australia's communications online. The Commission particularly noted concerns about the negative impact that foreign interference through social media can have on democracy and human rights, highlighting particular risks regarding misinformation and disinformation, risk to privacy and increasing censorship.

The Committee adopted eight of the Commission's nine recommendations (in-part or in full), with 27 citations in the final report. This has led to substantive law reform being recommended to better ensure human rights are protected. It also aligns with Commissioner Finlay's term goal to strengthen human rights frameworks and build greater awareness of human rights risks in digital spaces.

Discontinued use of spit hoods in ACT/ AFP Policing

In February 2023, the Commission provided a submission to the Australian Federal Police's (AFP) internal review into the use of spit hoods in AFP and ACT policing.

Following the review, the AFP announced the AFP and ACT police would no longer use spit hoods, and instead the AFP will provide 'alternative equipment and implement procedures to better protect officers from spitting and biting.' The AFP statement noted that spit hoods were not sufficient to prevent transmissible disease and the review found the risk of using spit hoods outweighed the benefits of their use.

The Commission has long held the view that the use of spit hoods poses significant risks of injury and death, and that their use is contrary to human rights. Evidence clearly indicates that the key risk a spit hood is designed to prevent – the transmission of communicable diseases – is very low, making their use a disproportionate response. —**Australia's Human Rights Commissioner Lorraine Finlay**

This outcome aligns with a recommendation made by the United Nation's Committee Against Torture (UN CAT) at Australia's sixth periodic review. This was an issue that Commissioner Finlay personally raised before the committee.



Commissioner Lorraine Finlay (Centre) with representatives from the UNODC Delegation from the Philippines

Representation at the United Nations Conference of State Parties

Article 40 of the Convention on the Rights of Persons with Disabilities (CRPD) provides for a regular Conference of State Parties (COSP). For the first time since the COVID-19 pandemic, COSP was convened in person and the Australian delegation was one of the largest to attend.

The Disability Discrimination Commissioner and Director of the Disability Rights Team represented the Commission at COSP, and supported the participation of civil society delegates.

COSP is a key opportunity for the international disability community to connect and learn about ways to advance the realisation of the CRPD. This was the first year that National Human Rights Institutions (NHRIs) had independent status in COSP.

A side event showcasing Australia's Disability Strategy 2021–31 was co-hosted by the Hon Amanda Rishworth MP (Minister for Social Services),

Dr Ben Gauntlett (Disability Discrimination Commissioner, and Chair of the Australian Disability Strategy Advisory Council), Liz Reid (CEO YouthWorX, and ADS Advisory Council member) and the Department of Social Services.

The Disability Discrimination Commissioner delivered an intervention in the General Assembly, raising key issues in Australia's implementation of the Convention on the Rights of Persons with Disabilities, as well as the need for a federal Human Rights Act.

COSP is a key opportunity for the international disability community to connect and learn about ways to advance the realisation of the CRPD. This was the first year that National Human Rights Institutions (NHRIs) had independent status in COSP.

Participation at COSP ensures the Commission maintains its international standing as a strong NHRI representing human rights in Australia and contributing to human rights advancements globally.



Commissioner Ben Gauntlett at the UN Conference of State Parties

2.3 The national human rights reform agenda proposed in the *Free and Equal: An Australian conversation on human rights* report is considered and addressed by the Parliament, government and the non-government sector

The recommendations and actions in the report generate dialogue and receive public support and commitment from the Attorney-General and the non-government sector.



President Croucher providing a briefing of our proposal for an Australian Human Rights Act to Parliamentarians

Free & Equal: An Australian Conversation on Human Rights (Free & Equal) seeks to identify what an effective system of human rights protection for 21st century Australia would look like, and what steps Australia needs to take to get there. Free & Equal began with a national conference opened by the UN High Commissioner for Human Rights and the release of an Issues Paper in 2019. The Issues Paper

described the Australia's human rights landscape and asked questions about reform priorities. Three technical Discussion Papers on discrimination law, advancing the positive framing of human rights in Australian legislation, and accountability mechanisms, followed.

In December 2022, the Commission released the second position paper in *Free & Equal*, *A Human Rights Act for Australia*, which proposes a model for a national Human Rights Act, how it might function and what it could achieve. The Commission's proposed model would create legal protections for the human rights of all Australians, and ways to seek justice if people's rights are breached. It would increase the responsibility that governments have to consider how their laws, policies, and actions might affect people's human rights. It would also provide options for people to challenge decisions that breach their human rights, and opportunities to go to court if their issues can't be resolved through conciliation.

In March 2023, the Attorney-General referred to the Parliamentary Joint Committee on Human Rights an inquiry into Australia's Human Rights Framework, which has focused substantially on the Commission's position paper.

In May, the Commission lodged its first submission, providing an analysis of the current framework, recommendations on what a national human rights framework should look like, and a summary of the Commission's two Position Papers from the *Free and Equal* project – *A Human Rights Act for Australia* and *A Reform Agenda for Federal Discrimination Law Reform*. The President, Senior Policy Executive and Deputy General Counsel then appeared before the parliamentary committee.

The Commission will continue socialisation and advocacy of the recommendations and model for a Human Rights Act working with our human rights partners, civil society and stakeholders.

Outcome 3: Better understanding of, and respect for, human rights so people and communities take action to defend human rights in their own context

3.1 Our education activities increase capability among individuals, communities and organisations to promote and protect human rights and address discrimination

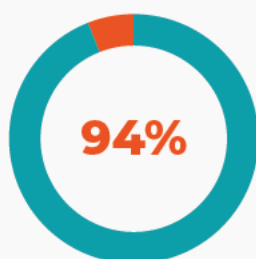
Most participants in our adult training programs report:

- satisfaction with the quality and relevance of the training
- increased understanding, expertise, reframed attitudes.

Instances of organisations working with the Commission to develop human rights education/ training activities.

Results

e-learning and training sessions



94% of e-learning participants surveyed either agreed (**60%**) or tended to agree (**34%**) that they benefited from the course, with only **7%** either disagreeing (**2%**) or tending to disagree (**4%**) with that statement.



2,125

individuals completed the survey.



48

training sessions

48 training sessions were held either face-to-face or online in real-time with **1,009** participants across **38** workplaces.

Training was delivered by the Workplace and Community Education Team, Information, Conciliation and Complaints Service, Age Discrimination Team and Race Discrimination Team.

In the 2022–2023 financial year, the Commission developed and delivered workplace training packages on topics including *Contact Officer training*, *Addressing workplace sexual harassment*, and *Upholding the rights of people with disability*. Client agencies included Commonwealth, state, and local government agencies, as well as educational and corporate agencies. We had repeat business from a number of satisfied clients.

The Workplace and Community Education Team also developed and launched three e-learning modules on *Appropriate workplace behaviour*, *Anti-racism*, and *Understanding workplace sexual harassment*.

Demand for e-learning was high: over 8000 e-learning places were purchased in 2022–23.

As well as delivering standard workshops and e-learning courses, the Workplace and Community Education Team partnered with a number of state government agencies to develop tailored content to meet their specific needs. This involved tailoring the case studies and imagery of e-learning and workshop packages, including for staff with limited English reading proficiency. The team developed an industry-specific e-learning module (*Understanding and addressing workplace sexual harassment for retail and hospitality managers*), and delivered a train-the-trainer package.

Throughout the year, training content was eagerly demanded by Australian workplaces. Despite very limited core funding for these educational activities, through course fees the team has been able to grow and will expand further in 2023–24.

3.2 Our information resources, services, events and campaigns reach, inform and influence users and audiences

Targeted audiences are reached, access our information resources and services, and participate in our events and campaigns.

- an average engagement rate of 2% or higher for Commission social media posts about our education and information activities
- high rates of participants find our events and campaigns engaging and relevant.

Results

Social media engagement

Our average social media engagement rate for the period 1 July 2022 to 30 June was

4.4%

This included:



4.17%

Facebook



2.6%

Twitter



5.06%

LinkedIn



5.9%

Instagram

Digital engagement



66

YouTube videos



8,390

YouTube subscribers



6,814,732

Website visits



10,882,830

Website pageviews



110,609

Facebook followers
(Commission only)



107,009

Twitter followers
(Combined Commission/
Commissioner)



Commissioner Tan speaking at the inaugural Anti-Racism Symposium

Racism. It Stops with me – Campaign Refresh

In July 2022, the Race Discrimination Team (RDT) launched a new iteration of the *Racism. It Stops With Me* campaign.

The aim of this refresh was to align the campaign with contemporary conversations on race and racism and support more Australians to strengthen their understanding of, and take action against, racism.

In consultations regarding the new campaign, the team heard extensively of the need to address the systemic nature of racism, centre the experiences of First Nations peoples and reflect on intersectional experiences of harm.

The team worked with stakeholders and consultation participants to ground the campaign in the expertise of First Nations people and others from negatively racialised communities, who have led anti-racism advocacy in Australia throughout our history. Centring their knowledge and perspective was invaluable and enabled the team to produce campaign content that supports Australians to develop a strengthened understanding of racism.

64% of evaluation survey respondents agreed or strongly agreed that the campaign **increased their capacity to engage in anti-racism action.**

73% of respondents agreed or strongly agreed with the statement, 'The Racism. It Stops With Me' campaign has **increased their awareness and understanding of the nature of racism and the different ways it operates.**

—Supporter Survey Results

The Commission is committed to strengthening relationships with communities and those with lived experience of racism and expertise in effective anti-racism initiatives.

Campaign metrics*

Racism Campaign Metrics*

**2000+**

individuals signed
up as campaign
supporters

**90+**

organisations
signed up as
campaign
supporters

**136**

new users of
the Workforce
Cultural
Diversity Tool

**44,450**

visits to the
new *Racism. It
Stops with Me*
website

**2,000**

visits to the
Resource Hub



Coverage in

18 newspapers and
5 television programs



Media coverage on

9 radio stations/ podcasts

*Please note the campaign metrics reflect the first six weeks of the campaign.

International Day for the Elimination of Racial Discrimination factsheet

In March 2023, the Strategic Communications Team and Race Discrimination Team produced a factsheet and digital and social media amplification kit to provide information on the International Day for the Elimination of Racial Discrimination (IDERD).



While the RDT creates content for IDERD annually, a key difference this year was the valuable input of the Strategic Communications Team.

Additional time and resourcing allowed the Commission to produce targeted messaging on the history and significance of IDERD and the harms associated with the rebranding of IDERD as 'Harmony Day'. This was provided to stakeholders and supporters to help them promote anti-racist action.

This content, combined with targeted media engagement, enabled the Commission garner unprecedented reach around IDERD.

This outcome demonstrates the success and significance of ensuring appropriate allocation of resources to Commission initiatives and leveraging days of significance to support public awareness goals. It also demonstrates the efficacy of cross-Commission collaboration.

Respect@Work Website Launch

The National Inquiry into Sexual Harassment in Australian Workplaces, and the subsequent Respect@Work Report, highlighted a clear need for Australian employers and workers to improve the way they prevent and respond to workplace sexual harassment.



Respect@Work | Respect@Work (respectatwork.gov.au)

The National Inquiry recommended the development and implementation of a [Respect@Work website](https://respectatwork.gov.au) to deliver practical guidance and resources.

The National Inquiry found that:

- many workers were not aware of their rights and responsibilities related to workplace sexual harassment
- a lack of understanding of workplace sexual harassment and the cultural and systemic drivers were risk factors contributing to higher prevalence of workplace sexual harassment incidents
- although many employers agreed that sexual harassment has no place in Australian workplaces, and that it was damaging for workers and business, they found it challenging to address.

The Respect@Work website provides a single platform with relevant information related to workplace sexual harassment, including:

- the rights and responsibilities of employers and workers
- understanding workplace sexual harassment
- good practice approaches to prevent and address workplace sexual harassment.

Launched in November 2022, the Respect@Work website delivered much has facilitated increased awareness and guidance for workers and businesses of all sizes. It provides free and easy access to good-practice guides, training programs, workplace assessment tools, information, resources, videos and advice, related to preventing and responding to workplace sexual harassment.

58,000 people visited the website in the 2022–2023 financial year.

The uptake of the Respect@Work website is confirmation of the success of the Commission's Respect@Work Report. The Government has committed to implementing all 55 recommendations of the report as a matter of priority.

The Respect@Work website progresses the Commission's work on sexual harassment and gender equality. It also aligns with the Commission's mandate to promote and raise awareness of human rights in Australia, including through education and training and digital resources.

“Let’s talk about...” videos from our ClickView partnership

In November 2022 the Commission launched the “Let’s talk about...” videos from our ClickView partnership. The videos are aimed at primary school children and include videos, teachers’ notes, student activities and answer sheets across a range of human rights topics.



Teacher resources

This video is made for students in mid-late primary school and is accompanied by:

- [Teacher notes](#)
- [Student activities](#)
- [Answer sheets](#)



Teacher resources

This video is made for students in mid-late primary school and is accompanied by:

- [Teacher notes](#)
- [Student activities](#)
- [Answer sheets](#)

[Let's talk about racism](#) | [Let's talk about bodies, identity and sexuality](#) | [Let's talk about disability](#) | [Let's talk about equality and equity](#) | [Let's talk about refugees](#) | [Let's talk about education](#)

Outcome 4: Maintaining our international standing as a strong human rights institution representing human rights in Australia and contributing to human rights advancement globally

4.1 Our activities increase the capacity of vulnerable groups, communities and their advocates to understand and advocate for their rights

Instances of participants and stakeholders in our consultations and research activities reporting participation experiences that are beneficial and empowering

4.2 Our activities increase the capacity of governments, organisations, other groups and services to understand and address the human rights impact of their actions, particularly when working with vulnerable groups and communities

Instances of stakeholders in our activities with organisations reporting that our work has contributed to increased understanding of the impact of their systems and operations on human rights.

Instances of stakeholders in our activities with organisations making changes to organisational policy and practice, to respect, protect and promote human rights in their context.

Results

IncludeAbility pilot employment program

IncludeAbility advances the fundamental human right of people with disability to work in open employment on an equal basis with others, under Article 27 of the *United Nations Convention on the Rights of Persons with Disabilities*. IncludeAbility Employer Network member Woolworths and Disability Employment Service Good Sammy participated in the employment pilot program. The pilot supported 15 young people with intellectual disability to transition from an Australian Disability Enterprise (ADE) into open employment at Woolworths, at full award wages.

The program aligns with the former Disability Discrimination Commissioner's term goal to increase access to meaningful employment opportunities for people with disability. It also relates to the Commission's strategic goal of improved enjoyment of human rights by all.

Case Study:

Participant in IncludeAbility

Neil, who had been working at Good Sammy for 15 years, participated in the IncludeAbility employment pilot. He has Down Syndrome and does not use many words.

Neil quickly became a valued member of the Woolworths team by contributing to store operations and doing tasks such as arranging products on shelves, working the cardboard crusher and the pallets. His co-workers talk about how cheeky he is and how much they enjoy having him as part of the team.

Neil loves working at Woolworths. Neil's parents say that since he started working at Woolworths there has been an increase in his confidence, social skills, independence and mental health.

Being paid at full award wages has enabled Neil to socialise outside of his family home. He and his aunt regularly go to the football and recently, for the first time Neil was able to pay for food and buy himself a scarf. Neil's dad now looks forward to Neil buying him a beer.

Woolworths offered Neil continued employment at the end of the 12-week pilot period. Neil is one of many participants in the IncludeAbility pilots who have gained continued employment, at or above award wages, beyond the IncludeAbility pilot employment period.



Q Menu



Resources for
employers



Resources for
people with
disability

The pilots are one of the four pillars in the innovative IncludeAbility model for successful disability employment. The Commission will publish the findings from IncludeAbility in October 2023, including policy and practice recommendations for the model to be scaled and replicated.

Constructive dialogue with the NDIS Quality and Safeguards Commission

The Disability Rights Team is engaging in an open dialogue with the NDIS Quality and Safeguards Commission (NDIS Commission), helping to operationalise its new Strategic Plan.

The Commission has hosted workshops and briefings on human rights frameworks that can be applied in the NDIS' Commission's regulatory functions. Through this constructive dialogue, the two Commissions have fostered an open and collaborative relationship to advance human rights protections for NDIS participants.

The partnership contributes to advancing the fundamental human rights under Articles 16 and 19 of the *Convention on the Rights of Persons with Disabilities*.

The Commission welcomes the NDIS Commission's commitment to human rights and will continue to provide support for a robust NDIS safeguarding system.

Wiyi Yani U Thangani First Nations Women's Safety

The Wiyi Yani U Thangani First Nations Women's Safety Policy Forum was held virtually on 12 September 2022. It brought over 150 participants together, including First Nations community members, practitioners, researchers, specialist experts and government participants to consider how to address the root causes and drivers of violence, as the government prepares to deliver on its commitment to develop a standalone

National Plan to End Violence against First Nations Women and Children (standalone National Plan).

The Forum is a major milestone in the third stage of the Wiyi Yani U Thangani (Women's Voices) multiyear project.

In designing the Forum, First Nations women came together to provide expert advice and determine the priorities and themes for the Forum. This advice informed two Forum panels; 'Vision for the First Nations National Plan', and 'Addressing the continuum of violence'. The panels heard from leading First Nations family violence experts and practitioners. They spoke to priorities for the standalone National Plan and what it should build on, and how the intersectional systemic drivers of violence must be addressed. Both panels discussed the need for systems reform, investment in holistic community-controlled models, and the importance of guaranteeing First Nations women's voices and expertise in forming national policy, legislation and programs to effectively respond to and end violence.

We have committed to delivering a dedicated National Plan for First Nations people to end violence against women and family violence ... As a government, we are absolutely committed to putting the voices and aspirations of First Nations women and girls at the centre of plans to improve family safety. —**Minister for Indigenous Australians, the Hon Linda Burney MP**

The Policy Forum created a self-determining space where First Nations women could speak on their own terms, drawing on their expertise and lived experience around the issues of violence against First Nations women, and to inform a pathway forward to guarantee that their voices are central to developing national plans to end violence.

Following the Forum, delegates released a [Delegate Statement](#), calling on governments to listen and respond.

In collaboration with Policy Forum panellists and expert advisers, the Australian Human Rights Commission published the [Policy Forum Outcomes Report](#), bringing together related evidence and literature and the voices of Policy Forum delegates to recommend a pathway forward – a starting point to create the processes and mechanisms that will guarantee that First Nations women and children in all their diversity are active participants with governments to work on the policies and approaches that will end violence in their lives.

The Outcomes Report outlines the priority areas raised by Forum delegates and recommends next steps for the Australian Government to effectively progress the standalone National Plan.

Elevating the voices of First Nations women and girls on the issues, policies and practices that impact their lives is central to the Commissioner's goals.

We, the delegates, call on all Australian governments to take urgent and ongoing action to invest in the solutions of First Nations women to end violence, and ensure commitment to our human rights. It is the responsibility of all levels of government to ensure our rights are protected by listening and acting on the solutions put forward by First Nations women, victim-survivors and specialist community-controlled organisations. —**Excerpt from the Forum Delegates Statement**

The Wiyi Yani U Thangani (Women's Voices) Project, led by Commissioner June Oscar AO, highlights the significant opportunities of recognising and investing in women and girls' strengths, and including their voices in policy design that can drive systemic change and break cycles of disadvantage.

It created create self-determining spaces for First Nations women to gather, share knowledge and elevate their solutions, in dialogue with governments and decision-makers.

Ending violence is at the centre of the Wiyi Yani U Thangani Project. The Policy Forum was key to building on the evidence and major themes of Wiyi Yani U Thangani to address the drivers of violence and create conditions for intergenerational wellbeing and safety, and to put these forwards to inform the development of plans at the national level.

Supporting Quality Engagement with Children (SQE)

The Supporting Quality Engagement with Children (SQE) comprises consultation activities across five Key Commonwealth Strategies (across 2023–2025):

- Safe and Supported: The National Framework for Protecting Australia's Children 2021–2031 (DSS).
- National Plan to End Violence against Women and Children 2022–2032 (DSS)
- Australia's Disability Strategy 2021–2031 (DSS).
- National Strategy to Prevent and Respond to Child Sexual Abuse 2021–2030 (AGD).
- National Aboriginal and Torres Strait Islander Early Childhood Strategy (NIAA).

In this first year, the project has focused on the National Strategy to Prevent and Respond to Child Sexual Abuse 2021–2030, drawing on the lived experiences and views of children, young people, and their families, contributing to the evidence base informing the design and implementation of Australian Government policies affecting them.

The Department of Social Services (DSS) has funded the Commission, for the National Children's Commissioner (NCC) to undertake this consultation project over three years (2023–2025).

The NCC developed a consultation approach based on a literature review of international best practice. This was tested with an expert reference group, and concept tested and piloted with a range of young people.

The project is really valuable, timely and will play an important part in informing national work.

—**Feedback from reference group member**

In May 2023, the NCC convened a meeting of the academic expert reference group to discuss approaches to the consultations. The group welcomed the robust discussion and collaboration on how to work with children and young people.

Feedback from concept testing highlighted that young people feel empowered when their lived experience is valued. They told us they are very interested in the impact of their views and want to know what happens with the information they share with us.

‘Our students they said they thoroughly enjoyed the conversation and felt really empowered throughout the whole consultation.’

‘Participants “loved” the session and wanted to do it again, the kids had “such a joyful reaction”’.

—**Feedback from teachers in the pilot testing**

Preliminary feedback suggests participation in this project is empowering children and young people to be active agents in matters which impact on them, which is in line with the broader goals of the Commission.

The purpose of the project is to embed the voice of children and young people in policy-making, a clear step towards the NCC goal of recognition that children and young people are a national priority in Australia.

Youth Justice and Child Wellbeing Reform project

In May 2023, the National Children’s Commissioner announced a national project on Youth Justice and Child Wellbeing Reform. The results of this project will be a Statutory Report to the Commonwealth Attorney-General for tabling in Parliament in 2024.

‘How open and honest we all were, and how the staff made sure we were comfortable’.

‘Being able to express any opinion’.

‘Not being judged’. —**Feedback from children and young people in response to the question ‘what was the best thing about the consultation?’**

The aim of the project is to investigate opportunities for reform of youth justice and related systems across Australia, based on evidence and the protection of human rights. While Australia has made some reforms to youth justice systems, there remain laws, policies and practices that impact negatively on the rights and well-being of children and young people, and fail to serve the wider public interest.

‘Thank you ... friendly communication ... great team ... I like this meeting ... good job ...’. —**Feedback from young people in the consultations**

Targeted consultations with children, young people and families are at the centre of the project. The National Children’s Commissioner and Children’s Rights Team have been consulting across Australia to seek their views and ideas about youth justice and child wellbeing.

The project is also gathering information through a range of other processes, including desktop

research, submissions and a series of stakeholder interviews and roundtables.

Initial consultations have been positive with children, young people, and families who have had contact with the youth justice. Under the *UN Convention on the Rights of the Child*, children have a right to express their views and have those views taken into account in decisions that affect them.

Children and young people facing disadvantage, including those in contact with youth justice, face barriers to being heard, especially with regards to national policy. Listening to the views and ideas of children and young people not only improves policy-making but can also empower the children and young people themselves.

‘It was a productive and enjoyable day overall ... thank you so very much for making the time to do this as it was important our young people’s voices be heard by people in your position.’

‘The girls thoroughly enjoyed the session – they are still talking about it! They appreciated being asked and listened to about issues important to them.’ —**Feedback from organisations**

initial consultations

Continuing to increase awareness of elder abuse and available support

The Commission continued advocacy, stakeholder engagement and public awareness of elder abuse and available support through the work of the Age Discrimination Commissioner and Age Discrimination Team.

The team also commissioned an evaluation report to demonstrate the impact of the work over time. The activities included delivering and partnering with others to promote public awareness campaigns, media engagement, and developing and distributing resources.

78% of stakeholders who discussed elder abuse in their interview recognised an **increase in the awareness and understanding** of the issue over the past seven years in the general community.

—**ADC evaluation report**

The Commission’s three Elder Abuse Awareness Videos have had more than 3.8 million views, with free radio and television broadcast worth over \$1.9 million. The World Health Organization (WHO) and Red Cross Serbia have requested use of the content. The videos are also used in training modules at the other government agencies across Australia.

‘I think [the Commissioner]’s contribution to [elder abuse awareness] has been phenomenal, pushing it in the media.’ —**Stakeholder from evaluation interview**

Stakeholders acknowledged progress in awareness about elder abuse in culturally and linguistically diverse (CALD) communities as a result of the Commission’s work. This is primarily a result of providing translated bookmarks (see Case study: Elder abuse bookmarks), direct community consultation and disseminating information through multicultural media.

‘These videos give people information that gets them comfortable with what they are seeing then gives them somewhere to go.’

‘[The Commissioner] is really good at reaching out to the CALD community and shedding light on the community as underrepresented.’

'I think the translated bookmarks have been particularly important in opening a lot of doors.'

—**Stakeholders from evaluation interview**

National OPCAT Symposium and Road Map

In September 2023, the Commission, through the Human Rights Scrutiny team and Human Rights Commissioner, partnered with the RMIT University College of Business and Law to hold a National OPCAT Symposium in Melbourne. The Symposium's aim was to provide an opportunity to bring together relevant stakeholders from the Australian, state and territory governments, oversight and statutory bodies and civil society, to take stock of what has been achieved to date, identify any existing barriers to progress and work out what needs to be done to reach full compliance with the Optional Protocol to the Convention against Torture (OPCAT) by the extended deadline of January 20, 2023.

The Symposium successfully brought together just under 200 people from government departments, civil society, and academia. In attendance were also representatives of 43 statutory oversight agencies and commissions of enquiry from across Australia and Aotearoa New Zealand.

Informed by the National Symposium, the [Road Map to OPCAT Compliance](#) was published in October 2022 to provide a clear pathway for governments across Australia to meet the deadline for OPCAT compliance.

The report contains key information and principles as well as five recommendations to help guide the implementation process. A copy of the report was sent to the UN Subcommittee on Prevention of Torture (UN SPT) as well as individuals, agencies, departments and organisations in Australia which

are involved with the OPCAT implementation process.

The release of the report coincided with the visit to Australia by a UN SPT delegation from 16–27 October 2022.

Since the National Symposium and Road Map, various Australian governments have taken some steps towards fulfilling their obligations under the OPCAT treaty. For example, Queensland passed the Monitoring of Places of Detention (Optional Protocol to the Convention Against Torture) Bill 2022, allowing the UN SPT unimpeded access to places of detention within its jurisdictions.

Our Government welcomes the release of the Australian Human Rights Commission Road Map to OPCAT Compliance, which is a comprehensive report outlining activities required to expedite Australia's approach to implementing OPCAT. The road map was informed by and is an outcome of the National OPCAT Symposium.

—**Mrs Leonie HISCUTT MLC (Leader of the Government in the Tasmanian Legislative Council)**

The best practice principles have also influenced the work of oversight bodies within Australia. For example, the Commonwealth Ombudsman has added child rights and disability expertise to its OPCAT advisory board.

Collaborative partnership with the Australian HR Institute on older worker employment surveys

The Age Discrimination Team has partnered with the Australian Human Resources Institute (AHRI) over multiple years (2012, 2014, 2018, 2021, 2023) on surveys to examine employment trends and practices in the recruitment and retention of older workers.

The collaborative partnership with AHRI was seen as beneficial to both parties and helped maintain coverage in the media. The longitudinal aspect of the surveys enables the collection of useful data that can track changes over several years. With an ageing population that is likely to be working longer, this issue will continue to be pertinent to the Age Discrimination Team.

Findings from the [2023 Older Workers Survey](#) were used to maintain traction on the issue in the media as well as inform practical recommendations for HR professionals.

‘The Commissioner has a particular profile. Research that goes out jointly under the Commission and AHRI has a greater reach.’

‘The research is practical, it’s different to academic research...It gives employers benchmarking to use to make business cases for diversity programs and use for training in workplaces.’ —**Stakeholder quote from ADC evaluation**

Diving Clean Project

The Royal Australian Navy asked the Commission to help an elite Navy team to examine and improve its workplace culture. By assisting that team to identify its ideal values and behaviours, and developing strategies to achieve these goals, the Navy hoped the Commission could optimise the team’s operational performance and ability to work effectively with other parts of Defence.

In 2022, the Navy endorsed all of the Commission’s recommendations and agreed to implement significant changes to the team’s leadership, communication, and diversity and inclusion practices. Early feedback suggests these changes are making positive differences to the working experience of personnel and improving the team’s operational effectiveness.

The Commission designed and delivered this project in collaboration with the Navy team. This consultative approach ensured the Commission was able to maximise the team’s support for the project while also ensuring that the cultural change strategies developed were effective and fit for purpose.

Safeguarding People at Higher Risk of Harm (SPAHHOH) project

In 2022, Defence asked the Commission to develop a standardised approach to govern the interaction of Defence APS and ADF personnel with people who are considered to be ‘vulnerable’.

In response to that request, the Commission developed a model safeguarding framework for Defence which reflects good practice from Australia and overseas.

This framework established a unifying set of guidelines to safeguard the human rights of people at higher risk of harm that Defence interacts with in a variety of contexts. This includes day-to-day work, on deployment and humanitarian missions, and through recruitment and community engagement activities.

The design of the model safeguarding framework was informed by a human rights approach. Using this approach, the Commission has ensured that people at higher risk of harm are provided with equal rights to protection by embedding safeguarding principles in Defence governance practices.

Australia-Lao PDR Human Rights Technical co-operation

In 2022–2023, the Commission, together with Office of the High Commissioner for Human Rights (OHCHR), supported the Government of Laos to disseminate its Universal Periodic Review (UPR) Action Plan, under the Laos-Australia Human

Rights Technical Cooperation Program. A four-day dissemination workshop was attended by both government and civil society representatives, providing critical information to increase stakeholder knowledge and set the context for more proactive, independent and meaningful engagement by CSO participants in subsequent UPR processes.

By bringing together government officials from various government ministries who have responsibilities for implementing the

recommendations outlined in the UPR Action Plan, participants' awareness and understanding of the UPR process was increased and their capacity to implement and monitor the UPR Action Plan was strengthened.

An independent evaluation of the program found increased momentum, knowledge and experience of the Lao Government in working towards its UPR obligations and to the broader ecosystem of commitment to other human rights UN Treaty Body reporting processes.

6. Financial Statements

Independent Auditor's Report **71**

Statement by the Accountable Authority,
Chief Executive and Chief Financial
Officer **73**

Statement of Comprehensive Income **74**

Statement of Financial Position **75**

Statement of Changes in Equity **77**

Cash Flow Statement **79**

Overview **81**

Financial Performance **82**

Financial Position **86**

People and relationships **92**

Managing Uncertainties **94**

Other Information **98**

Independent Auditor's Report



INDEPENDENT AUDITOR'S REPORT

To the Attorney-General

Opinion

In my opinion, the financial statements of the Australian Human Rights Commission (the Entity) for the year ended 30 June 2023:

- (a) comply with Australian Accounting Standards – Simplified Disclosures and the Public Governance, Performance and Accountability (Financial Reporting) Rule 2015; and
- (b) present fairly the financial position of the Entity as at 30 June 2023 and its financial performance and cash flows for the year then ended.

The financial statements of the Entity, which I have audited, comprise the following as at 30 June 2023 and for the year then ended:

- Statement by the Accountable Authority, Chief Executive and Chief Financial Officer;
- Statement of Comprehensive Income;
- Statement of Financial Position;
- Statement of Changes in Equity;
- Cash Flow Statement; and
- Notes to the financial statements, comprising a summary of significant accounting policies and other explanatory information.

Basis for opinion

I conducted my audit in accordance with the Australian National Audit Office Auditing Standards, which incorporate the Australian Auditing Standards. My responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Statements* section of my report. I am independent of the Entity in accordance with the relevant ethical requirements for financial statement audits conducted by the Auditor-General and his delegates. These include the relevant independence requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants (including Independence Standards)* (the Code) to the extent that they are not in conflict with the *Auditor-General Act 1997*. I have also fulfilled my other responsibilities in accordance with the Code. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Accountable Authority's responsibility for the financial statements

As the Accountable Authority of the Entity, the President is responsible under the *Public Governance, Performance and Accountability Act 2013* (the Act) for the preparation and fair presentation of annual financial statements that comply with Australian Accounting Standards – Simplified Disclosures and the rules made under the Act. The Accountable Authority is also responsible for such internal control as the Accountable Authority determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Accountable Authority is responsible for assessing the ability of the Entity to continue as a going concern, taking into account whether the Entity's operations will cease as a result of an administrative restructure or for any other reason. The Accountable Authority is also responsible for disclosing, as applicable, matters related to going concern and using the going concern basis of accounting, unless the assessment indicates that it is not appropriate.

Independent Auditor's Report (continued)

Auditor's responsibilities for the audit of the financial statements

My objective is to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian National Audit Office Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with the Australian National Audit Office Auditing Standards, I exercise professional judgement and maintain professional scepticism throughout the audit. I also:

- identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control;
- obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Entity's internal control;
- evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Accountable Authority;
- conclude on the appropriateness of the Accountable Authority's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Entity's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my auditor's report. However, future events or conditions may cause the Entity to cease to continue as a going concern; and
- evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

I communicate with the Accountable Authority regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

Australian National Audit Office



Ben Nicholls
Audit Principal

Delegate of the Auditor-General

Canberra

15 September 2023

Statement by the Accountable Authority, Chief Executive and Chief Financial Officer



STATEMENT BY THE ACCOUNTABLE AUTHORITY, CHIEF EXECUTIVE AND CHIEF FINANCIAL OFFICER

In our opinion, the attached financial statements for the year ended 30 June 2023 comply with subsection 42(2) of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act), and are based on properly maintained financial records as per subsection 41(2) of the PGPA Act.

In our opinion, at the date of this statement, there are reasonable grounds to believe that the Australian Human Rights Commission will be able to pay its debts as and when they fall due.

A handwritten signature in black ink, appearing to read "Rosalind Croucher".

Emeritus Professor Rosalind Croucher AM
President and Accountable Authority

15 September 2023

A handwritten signature in black ink, appearing to be a stylized "LS".

Leanne Smith
Chief Executive

15 September 2023

A handwritten signature in black ink, appearing to read "Maria Moore".

Maria Moore
Chief Financial Officer

15 September 2023

Statement of Comprehensive Income for the year ended 30 June 2023

	Notes	2023 \$'000	2022 \$'000	Original Budget \$'000
NET COST OF SERVICES				
Expenses				
Employee benefits	1.1A	20,837	21,478	26,408
Suppliers	1.1B	8,101	4,573	5,803
Depreciation and amortisation	2.2A	3,494	3,690	3,513
Finance costs	1.1C	7	12	12
Write-down and impairment of other assets	1.1D	-	8	-
Total expenses		32,439	29,761	35,736
Own-source income				
Own-source revenue				
Revenue from contracts with customers	1.2A	10,969	7,054	9,090
Interest	1.2B	483	5	50
Other Revenue	1.2C	58	46	-
Total own-source revenue		11,510	7,105	9,140
Gains				
Other Gains	1.2D	14	36	46
Total gains		14	36	46
Total own-source income		11,524	7,141	9,186
Net (cost of) services		(20,915)	(22,620)	(26,550)
Revenue from Government	1.2E	26,549	21,646	26,549
Surplus/(Deficit) attributable to the Australian Government		5,634	(974)	(1)
OTHER COMPREHENSIVE INCOME				
Items not subject to subsequent reclassification to net cost of services				
Changes in asset revaluation surplus		-	147	-
Total comprehensive income/(loss)		5,634	(827)	-

The above statement should be read in conjunction with the accompanying notes.

Budget Variances Commentary

Statement of Comprehensive Income for Not-for-Profit Reporting Entities

Employee benefits were lower than budget due to delays in recruitment of suitable staff for new measures approved in the October 2022 Budget. The measures relate to the implementation of the Respect At Work Report recommendations, the development of a National Anti-Racism Strategy and additional temporary resources to address the Complaints backlog.

Supplier expenses are higher than budgeted due to costs associated with hosting the Women's Voices Summit in Canberra in May 2023 (the scope of which was not confirmed when the October budget was set). The higher than budgeted costs for the Summit are offset by an increase in own-source sponsorship revenue to support the Summit.

Interest revenue is higher than budget due to higher than expected interest rates.

Statement of Financial Position

as at 30 June 2023

	Notes	2023 \$'000	2022 \$'000	Original Budget \$'000
ASSETS				
Financial assets				
Cash and cash equivalents	2.1A	26,407	15,958	16,649
Trade and other receivables	2.1B	1,083	798	798
Total financial assets		27,490	16,756	17,447
Non-financial assets¹				
Property subject to operating leases	2.2A	2,500	5,001	2,505
Infrastructure, plant and equipment	2.2A	918	1,766	1,273
Intangibles	2.2A	187	459	261
Other non-financial assets	2.2B	377	613	613
Total non-financial assets		3,982	7,839	4,652
Total assets		31,472	24,595	22,099
LIABILITIES				
Payables				
Suppliers	2.3A	1,555	865	858
Other Payables	2.3B	9,600	6,388	6,730
Total payables		11,155	7,253	7,588
Interest bearing liabilities				
Leases	2.4A	2,605	5,104	2,609
Total interest bearing liabilities		2,605	5,104	2,609
Provisions				
Employee provisions	3.1A	4,118	4,228	4,361
Other provisions	2.5A	511	561	561
Total provisions		4,629	4,789	4,922
Total liabilities		18,389	17,146	15,119
Net assets		13,083	7,449	6,980
EQUITY				
Contributed equity		18,561	18,561	18,561
Reserves		2,599	2,599	2,599
Accumulated losses		(8,077)	(13,711)	(14,180)
Total equity		13,083	7,449	6,980

The above statement should be read in conjunction with the accompanying notes.

1. Right-of-use assets are included in the 'property subject to operating leases' line item.

Statement of Financial Position (continued)
as at 30 June 2023

Budget Variances Commentary

Statement of Financial Position for Not-for-Profit Reporting Entities

ASSETS

Total assets as at 30 June 2023 are higher than budget as a result of the surplus operating result for 2022–23 as well as cash received in advance for new partnership agreements entered into since the Budget was set. The cash was received in May 2023 for services the Commission must provide up to 30 June 2025. There is a corresponding increase in the balance of 'other payables' as a result of this contract.

LIABILITIES

Supplier payables are higher than budget due to timing differences between when invoices for 2022–23 were received and when the payments were made. All supplier payables are within the agreed payment terms. As noted above the balance of 'other payables' is higher than budget due to the receipt of cash in advance of services to be delivered by the Commission by 30 June 2025.

EQUITY

The increase in Total equity compared to budget is as a result of the surplus operating result for 2022–23.

Statement of Changes in Equity

for the year ended 30 June 2023

	Notes	2023 \$'000	2022 \$'000	Original Budget \$'000
CONTRIBUTED EQUITY				
Opening balance				
Balance carried forward from previous period		18,561	2,511	18,561
Contributions by owners				
Equity injection		-	16,050	-
Closing balance as at 30 June		18,561	18,561	18,561
ACCUMULATED LOSSES				
Opening balance				
Balance carried forward from previous period		(13,711)	(12,737)	(14,179)
Comprehensive income				
Surplus/(Deficit) for the period		5,634	(974)	(1)
Closing balance as at 30 June		(8,077)	(13,711)	(14,180)
ASSET REVALUATION RESERVE				
Opening balance				
Balance carried forward from previous period		2,599	2,452	2,599
Comprehensive income				
Other comprehensive income		-	147	-
Total comprehensive income		-	147	-
Closing balance as at 30 June		2,599	2,599	2,599
TOTAL EQUITY				
Opening balance				
Balance carried forward from previous period		7,449	(7,774)	6,981
Adjusted opening balance		7,449	(7,774)	6,981
Comprehensive income				
Surplus/(Deficit) for the period		5,634	(974)	(1)
Other comprehensive income		-	147	-
Total comprehensive income		5,634	(827)	(1)
Contributions by owners				
Equity injection		-	16,050	-
Total transactions with owners		-	16,050	-
Closing balance as at 30 June		13,083	7,449	6,980

The above statement should be read in conjunction with the accompanying notes.

Statement of Changes in Equity (continued)

for the year ended 30 June 2023

Accounting Policy

Equity Injections

Amounts appropriated which are designated as 'equity injections' for a year (less any formal reductions) are recognised directly in contributed equity in that year.

Budget Variances Commentary

Statement of Changes in Equity for Not-for-Profit Reporting Entities

Total equity as at 30 June 2023 is higher than budget as a result of the surplus operating result for 2022–23. The 2022–23 operating surplus is higher than budget due to delays in recruitment of suitable staff for new measures approved in the October 2022 Budget. The measures relate to the implementation of the Respect At Work Report recommendations, the development of a National Anti-Racism Strategy and additional temporary resources to address the Complaints backlog.

Cash Flow Statement

for the year ended 30 June 2023

	Notes	2023 \$'000	2022 \$'000	Original Budget \$'000
OPERATING ACTIVITIES				
Cash received				
Receipts from Government		26,549	21,646	26,549
Sale of goods and rendering of services		15,491	6,181	9,090
Interest		443	–	50
GST received		1,018	325	403
Other		14	–	–
Total cash received		43,515	28,152	36,092
Cash used				
Employees		(20,718)	(22,056)	(26,408)
Suppliers		(9,048)	(5,884)	(5,757)
Interest payments on lease liabilities		(7)	(12)	(12)
GST paid		(752)	(950)	(403)
Total cash used		(30,525)	(28,902)	(32,580)
Net cash from/(used by) operating activities		12,990	(750)	3,512
INVESTING ACTIVITIES				
Cash received				
Proceeds from sales of property, plant and equipment		–	14	–
Total cash received		–	14	–
Cash used				
Purchase of property, plant and equipment		(42)	(63)	–
Purchase of intangibles		–	(251)	326
Total cash used		(42)	(314)	(326)
Net cash (used by) investing activities		(42)	(300)	(326)
FINANCING ACTIVITIES				
Cash received				
Contributed equity		–	16,050	–
Total cash received		–	16,050	–
Cash used				
Principal payments of lease liabilities		(2,499)	(2,398)	(2,495)
Total cash used		(2,499)	(2,398)	(2,495)
Net cash from/(used by) financing activities		(2,499)	13,652	(2,495)
Net increase in cash held		10,449	12,602	691
Cash and cash equivalents at the beginning of the reporting period		15,958	3,356	15,958
Cash and cash equivalents at the end of the reporting period	2.1A	26,407	15,958	16,649

The above statement should be read in conjunction with the accompanying notes.

Cash Flow Statement (continued)

for the year ended 30 June 2023

Budget Variances Commentary

Cash Flow Statement for Not-for-Profit Reporting Entities

Cash received from sales of services is higher than budget due to new partnership agreements entered into since the Budget was set. Cash received from interest is higher than budget due to higher than expected interest rates. The higher than budget receipts from sales resulted in an increase in GST paid to the Australian Taxation Office (ATO).

Cash used for payments to employees is lower than budget due to delays in recruitment of suitable staff for new measures approved in the October 2022 Budget. The measures relate to the implementation of the Respect At Work Report recommendations, the development of a National Anti-Racism Strategy and additional temporary resources to address the Complaints backlog.

Cash used for payments to suppliers is higher than budget due to payments associated with hosting the Women's Voices Summit in Canberra in May 2023 (the scope of which was not confirmed when the October Budget was set). The higher than budgeted supplier payments for the Summit are offset by an increase in cash received for sponsorship of the Summit. The higher payments to suppliers resulted in an increase in GST receipts from the ATO.

Overview

The Australian Human Rights Commission (the Commission) is an Australian Government controlled entity. It is a not-for-profit entity. The Commission's objective is to ensure that Australians have access to independent human rights complaint handling and public inquiry processes and benefit from human rights education, promotion, monitoring and compliance activities.

The Commission is structured to meet the following outcome:

An Australian society in which human rights are respected, protected and promoted through independent investigation and resolution of complaints, contributions to law and policy reforms, research, education, partnerships, and monitoring and reporting on human rights.

The continued existence of the Commission in its present form and with its present programs is dependent on Government policy and on continuing funding by Parliament for the entity's administration and programs.

The Commission activities contributing toward these outcomes are classified as departmental. Departmental activities involve the use of assets, liabilities, income and expenses controlled or incurred by the entity in its own right.

The Basis of Preparation

The financial statements are required by:

- a) section 42 of the *Public Governance, Performance and Accountability Act 2013*

The financial statements have been prepared in accordance with:

- a) *Public Governance, Performance and Accountability (Financial Reporting) Rule 2015* (FRR); and
- b) Australian Accounting Standards and Interpretations – including simplified disclosures for Tier 2 Entities under AASB 1060 issued by the Australian Accounting Standards Board (AASB) that apply for the reporting period.

The financial statements have been prepared on an accrual basis and in accordance with the historical cost convention, except for certain assets and liabilities at fair value. Except where stated, no allowance is made for the effect of changing prices on the results or the financial position. The financial statements are presented in Australian dollars.

New Accounting Standards

Adoption of New Australian Accounting Standard Requirements

Two amending standards (AASB 2021-2 and AASB 2021-6) were adopted earlier than the application date as stated in the standard. This amending standards have been adopted for the 2022–23 reporting period.

The following amending standards which were issued prior to the signing of the statement by the Accountable Authority, Chief Executive and Chief Financial Officer, were applicable to the current reporting period and had no material effect on the entity's financial statements:

Standard/ Interpretation	Nature of change in accounting policy, transitional provisions, and adjustment to financial statements
AASB 2021-2 <i>Amendments to Australian Accounting Standards – Disclosure of Accounting Policies and Definition of Accounting Estimates</i> (AASB 2021-2) and	AASB 2021-2 amends AASB 7, AASB 101, AASB 108, AASB 134 and AASB Practice Statement 2. The amending standard requires the disclosure of material, rather than significant, accounting policies, and clarifies what is considered a change in accounting policy compared to a change in accounting estimate.
AASB 2021-6 <i>Amendments to Australian Accounting Standards – Disclosure of Accounting Policies: Tier 2 and Other Australian Accounting Standards</i> (AASB 2021-6)	AASB 2021-6 amends the Tier 2 reporting requirements set out in AASB 1049, AASB 1054 and AASB 1060 to reflect the changes made by AASB 2021-2. There have been no changes in accounting policies in the current financial year. This amending standard is not expected to have a material impact on the entity's financial statements for the current reporting period or future reporting periods.

Taxation

The Commission is exempt from all forms of taxation except Fringe Benefits Tax (FBT) and the Goods and Services Tax (GST).

Events After the Reporting Period

The Commission is not aware of any significant events that have occurred since balance date that warrant disclosure in these financial statements.

Financial Performance

This section analyses the financial performance of Australian Human Rights Commission for the year ended 2023.

1.1 Expenses

	2023 \$'000	2022 \$'000
1.1A: Employee benefits		
Wages and salaries	16,071	16,612
Superannuation		
Defined contribution plans	1,991	2,001
Defined benefit plans	566	655
Leave and other entitlements	2,002	1,039
Separation and redundancies	-	937
Other employee expenses	207	234
Total employee benefits	20,837	21,478

Accounting Policy

Accounting policies for employee related expenses is contained in the People and relationships section.

1.1B: Suppliers

Goods and services supplied or rendered

Insurance	49	46
Office consumables	67	23
Official Travel ¹	1,812	179
Postage and freight	4	10
Printing and publications	410	251
Professional services and fees ¹	2,771	1,724
Property related outgoings	877	841
Reference materials, subscriptions and licenses	794	864
Staff training	157	117
Telecommunications	84	104
Summit venue hire and other costs	764	1
Other	150	244
Total goods and services supplied or rendered	7,939	4,404

Goods supplied	477	274
Services rendered	7,462	4,130
Total goods and services supplied or rendered	7,939	4,404

Other suppliers

Workers compensation expenses	39	33
Low value leases	123	136
Total other suppliers	162	169
Total suppliers	8,101	4,573

1. 2022-23 balances are abnormally high due to increased costs associated with hosting the Women's Voices Summit in Canberra in May 2023.

The above lease disclosures should be read in conjunction with the accompanying notes 1.1C, 1.1D, 1.2A and 2.4A.

Financial Performance (continued)

Accounting Policy

Short-term leases and leases of low-value assets

The Commission has elected not to recognise right-of-use assets and lease liabilities for short-term leases of assets that have a lease term of 12 months or less and leases of low-value assets (less than \$10,000). The Commission recognises the lease payments associated with these leases as an expense on a straight-line basis over the lease term.

	2023 \$'000	2022 \$'000
1.1C: Finance costs		
Interest on lease liabilities	7	12
Total finance costs	7	12

The above lease disclosures should be read in conjunction with the accompanying notes 1.1C, 1.1D, 1.2A and 2.4A.

Accounting Policy

All borrowing costs are expensed as incurred.

1.1D: Write-down and impairment of other assets

Impairment of property, plant and equipment	-	8
Total write-down and impairment of other assets	-	8

Financial Performance (continued)

1.2 Own-Source Revenue and Gains

	2023 \$'000	2022 \$'000
OWN-SOURCE REVENUE		
1.2A: Revenue from contracts with customers		
Rendering of services	10,969	7,054
Total revenue from contracts with customers	10,969	7,054
Major product / service line:		
Service delivery	10,969	7,054
	10,969	7,054
Type of customer:		
Australian Government entities (related parties)	7,966	5,860
State and Territory Governments	298	8
Non-government entities	2,705	1,186
	10,969	7,054
Timing of transfer of goods and services:		
Over time	9,595	6,266
Point in time	1,374	778
	10,969	7,054

Accounting Policy

Revenue from the rendering of services is recognised when performance of specific service obligations, that are required and enforceable under a contract or agreement made between the Commission and the customer, sufficiently allow the Commission to determine when they have been satisfied.

The principal activities from which the Commission generates its revenue include, service fees and direct cost recoveries from the supply of domestic and international human rights technical assistance programs, development of education resources and delivery of training services and interest earned on short-term bank deposits.

The Commission predominantly provides services to its customers under agreed terms and conditions contained in contracts or agreements made between the two parties. The nature, timing of satisfaction of performance obligations, and any significant payment terms are specified in the agreed terms and conditions, milestones and payment schedules.

The transaction price is the total amount of consideration to which the Commission expects to be entitled in exchange for transferring promised services to a customer. The consideration promised in a contract with a customer may include fixed amounts, variable amounts, or both. No consideration from contracts is excluded in the transaction price. In the event that a change is required to any of the terms and conditions contained in a contract or agreement, including transaction price, a Contract Variation is agreed between the parties. The Commission has a right to consideration from a customer in an amount that corresponds directly with the value to the customer of the Commission's performance completed to date under the original contract or subsequent variations to the contract.

Where performance obligations are satisfied over time, revenue is recognised monthly in arrears following a review of costs incurred for the delivery of service obligations for the project(s) and activities related to the customer contract. Costs incurred are primarily recurring in nature, and the customer simultaneously receives and effectively gains control of the services as the Commission performs its obligations.

Revenue for performance obligations satisfied at a point in time is recognised in accordance with specified milestones for the performance of obligations in the contract, for example "acceptance of a final report by the customer". Customer contracts with performance obligations satisfied at a point in time are short-term and include agreed dates for completion of milestones and transferral of any deliverable(s), this also indicates when a customer obtains control of outputs from the promised services. Milestone completion is confirmed with relevant contract manager prior to revenue recognition.

Receivables for goods and services, which have 30 day terms, are recognised at the nominal amounts due less any impairment allowance account. Collectability of debts is reviewed at end of the reporting period. Allowances are made when collectability of the debt is no longer probable.

Financial Performance (continued)

1.2 Own-Source Revenue and Gains (continued)

	2023 \$'000	2022 \$'000
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1.2B: Interest

Deposits	483	5
Total interest	483	5

Accounting Policy

Interest revenue is recognised using the effective interest method.

1.2C: Other Revenue

Resources received free of charge

Remuneration of auditors	46	46
Other	12	–
Total other revenue	58	46

Accounting Policy*Resources Received Free of Charge*

Resources received free of charge are recognised as revenue when, and only when, a fair value can be reliably determined and the services would have been purchased if they had not been donated. Use of those resources is recognised as an expense. Resources received free of charge are recorded as either revenue or gains depending on their nature.

GAINS**1.2D: Other Gains**

Other – Sale of assets	–	14
Other	14	22
Total other gains	14	36

The above lease disclosure should be read in conjunction with the accompanying notes 1.1B, 1.1D and 1.2E.

Accounting Policy*Sale of Assets*

Gains from disposal of assets are recognised when control of the asset has passed to the buyer.

Other Gains

Gains on the reduction of prior year provisions are recognised at their nominal value as gains, when, and only when, the original provision for services has been determined to no longer be required.

1.2E: Revenue from Government

Attorney-General's Department:

Corporate Commonwealth entity payment item	26,549	21,646
Total revenue from Government	26,549	21,646

Accounting Policy*Revenue from Government*

Funding received from the Attorney-General's Department (received by the Commission as a corporate Commonwealth entity) is recognised as Revenue from Government unless the funding is in the nature of an equity injection or a loan.

Financial Position

This section analyses the Australian Human Rights Commission assets used to conduct its operations and the operating liabilities incurred as a result. Employee related information is disclosed in the People and Relationships section.

2.1 Financial Assets

	2023 \$'000	2022 \$'000
2.1A: Cash and cash equivalents		
Cash on hand and at bank	26,407	15,958
Total cash and cash equivalents	26,407	15,958

Accounting Policy

Cash is recognised at its nominal amount. Cash and cash equivalents include:

- a) cash on hand;
- b) demand deposits in bank accounts with an original maturity of 3 months or less that are readily convertible to known amounts of cash and subject to insignificant risk of changes in value. At the reporting date the Commission did not hold any term deposits with a maturity greater than three months.

2.1B: Trade and other receivables

Goods and services receivables

Goods and services	878	698
Total goods and services receivables	878	698

Other receivables

Interest	45	5
GST Receivable from the Australian Taxation Office	160	95
Total other receivables	205	100
Total trade and other receivables (gross)	1,083	798
Total trade and other receivables (net)	1,083	798

Trade and other receivables (net) expected to be recovered

No more than 12 months	1,083	798
Total trade and other receivables (net)	1,083	798

Accounting Policy

Receivables

Receivables are measured at amortised cost using the effective interest method less impairment.

Financial Position (continued)

2.2 Non-Financial Assets

2.2A: Reconciliation of the Opening and Closing Balances of Property, Plant and Equipment and Intangibles

Reconciliation of the opening and closing balances of property, plant and equipment for 2023

	Property Subject to Operating Leases \$'000	Lease Improvements \$'000	Computer, Plant and Equipment \$'000	Computer, Plant and Equipment – Work in Progress \$'000	Intangibles \$'000	Intangibles – Work in Progress \$'000	Total \$'000
As at 1 July 2022							
Gross book value	7,502	1,797	76	63	2,572	169	12,179
Accumulated depreciation, amortisation and impairment	(2,501)	(170)	–	–	(2,282)	–	(4,953)
Total as at 1 July 2022	5,001	1,627	76	63	290	169	7,226
Adjusted total as at 1 July 2022	5,001	1,627	76	63	290	169	7,226
Additions							
Purchase	–	–	19	23	–	–	42
Work in progress transfer	–	–	86	(86)	–	(169)	(169)
Depreciation and amortisation	–	(813)	(77)	–	(103)	–	(993)
Depreciation on right-of-use assets	(2,501)	–	–	–	–	–	(2,501)
Total as at 30 June 2023	2,500	814	104	–	187	–	3,605
Total as at 30 June 2023 represented by							
Gross book value	7,502	1,797	163	–	2,394	–	11,856
Accumulated depreciation, amortisation and impairment	(5,002)	(983)	(59)	–	(2,207)	–	(8,251)
Total as at 30 June 2023	2,500	814	104	–	187	–	3,605
Carrying amount of right-of-use assets	2,500	–	–	–	–	–	2,500

No indicators of impairment were found for infrastructure, plant and equipment and intangibles.

No infrastructure, plant and equipment and intangibles are expected to be sold or disposed of within the next 12 months.

Revaluations of non-financial assets

All revaluations were conducted in accordance with the revaluation policy stated at Note 2.2. On 30 June 2023, an independent valuer conducted the revaluations. The independent valuation was not materially different to the carrying value of assets, therefore no adjustments were made to carrying value. Assets are being held at the lower value.

Financial Position (continued)

2.2 Non-Financial Assets (continued)

Accounting Policy

Assets are recorded at cost on acquisition except as stated below. The cost of acquisition includes the fair value of assets transferred in exchange and liabilities undertaken. Financial assets are initially measured at their fair value plus transaction costs where appropriate.

Assets acquired at no cost, or for nominal consideration, are initially recognised as assets and income at their fair value at the date of acquisition, unless acquired as a consequence of restructuring of administrative arrangements. In the latter case, assets are initially recognised as contributions by owners at the amounts at which they were recognised in the transferor's accounts immediately prior to the restructuring.

Asset Recognition Threshold

Purchases of property, plant and equipment are recognised initially at cost in the statement of financial position, except for purchases costing less than \$5,000, which are expensed in the year of acquisition (other than where they form part of a group of similar items which are significant in total).

The initial cost of an asset includes an estimate of the cost of dismantling and removing the item and restoring the site on which it is located. This is particularly relevant to 'make good' provisions in property leases taken up by the entity where there exists an obligation to restore the property to its original condition. These costs are included in the value of the Commission's leasehold improvements with a corresponding provision for the 'make good' recognised.

Lease Right of Use (ROU) Assets

Leased ROU assets are capitalised at the commencement date of the lease and comprise of the initial lease liability amount, initial direct costs incurred when entering into the lease less any lease incentives received. These assets are accounted for by Commonwealth lessees as separate asset classes to corresponding assets owned outright, but included in the same column as where the corresponding underlying assets would be presented if they were owned.

On initial adoption of AASB 16 the Commission has adjusted the ROU assets at the date of initial application by the amount of any provision for onerous leases recognised immediately before the date of initial application. Following initial application, an impairment review is undertaken for any right of use lease asset that shows indicators of impairment and an impairment loss is recognised against any right of use lease asset that is impaired. Lease ROU assets continue to be measured at cost after initial recognition in Commonwealth agency, General Government Sector (GGS) and Whole of Government financial statements.

Revaluations

Following initial recognition at cost, property, plant and equipment (excluding ROU assets) are carried at fair value (or an amount not materially different from fair value) less subsequent accumulated depreciation and accumulated impairment losses. Valuations are conducted with sufficient frequency to ensure that the carrying amounts of assets did not differ materially from the assets' fair values as at the reporting date. The regularity of independent valuations depended upon the volatility of movements in market values for the relevant assets.

Revaluation adjustments are made on a class basis. Any revaluation increment is credited to equity under the heading of asset revaluation reserve except to the extent that it reversed a previous revaluation decrement of the same asset class that was previously recognised in the surplus/deficit.

Revaluation decrements for a class of assets are recognised directly in the surplus/deficit except to the extent that they reversed a previous revaluation increment for that class.

Any accumulated depreciation as at the revaluation date is eliminated against the gross carrying amount of the asset and the asset restated to the revalued amount.

Depreciation

Depreciable property, plant and equipment assets are written-off to their estimated residual values over their estimated useful lives to the Commission using, in all cases, the straight-line method of depreciation.

Depreciation rates (useful lives), residual values and methods are reviewed at each reporting date and necessary adjustments are recognised in the current, or current and future reporting periods, as appropriate.

Depreciation rates applying to each class of depreciable asset are based on the following useful lives:

	2023	2022
Leasehold improvements	Lease term	Lease term
Plant and equipment	4 to 10 years	4 to 10 years

The depreciation rates for ROU assets are based on the commencement date to the earlier of the end of the useful life of the ROU asset or the end of the lease term.

Financial Position (continued)

2.2 Non-Financial Assets (continued)

Impairment

All assets were assessed for impairment at 30 June 2023. Where indications of impairment exist, the asset's recoverable amount is estimated and an impairment adjustment made if the asset's recoverable amount is less than its carrying amount.

The recoverable amount of an asset is the higher of its fair value less costs of disposal and its value in use. Value in use is the present value of the future cash flows expected to be derived from the asset. Where the future economic benefit of an asset is not primarily dependent on the asset's ability to generate future cash flows, and the asset would be replaced if the entity were deprived of the asset, its value in use is taken to be its depreciated replacement cost.

Derecognition

An item of property, plant and equipment is derecognised upon disposal or when no further future economic benefits are expected from its use or disposal.

Intangibles

The Commission's intangibles comprise internally developed software for internal use. These assets are carried at cost less accumulated amortisation and accumulated impairment losses.

Software is amortised on a straight-line basis over its anticipated useful life. The useful lives of the Commission's software are 2 to 5 years (2022: 2 to 5 years).

All software assets were assessed for indications of impairment as at 30 June 2023, and no indicators were noted.

Accounting Judgements and Estimates

The fair value of infrastructure, plant and equipment has been taken to be the market value of similar assets as determined by an independent valuer.

	2023 \$'000	2022 \$'000
2.2B: Other Non-Financial Assets		
Prepayments	377	613
Total other non-financial assets	377	613
Other non-financial assets expected to be recovered		
No more than 12 months	359	573
More than 12 months	18	40
Total other non-financial assets	377	613

No indicators of impairment were found for other non-financial assets.

Financial Position (continued)

2.3 Payables

	2023 \$'000	2022 \$'000
2.3A: Suppliers		
Trade creditors and accruals	1,555	865
Total suppliers	1,555	865
Suppliers expected to be settled		
No more than 12 months	1,555	865
Total suppliers	1,555	865
2.3B: Other Payables		
Salaries and wages	582	313
Superannuation	94	78
Other employee expenses	79	133
Revenue received in advance	8,843	4,893
Refund liability	-	971
GST payable to the Australian Taxation Office	2	-
Total other payables	9,600	6,388
Other payables to be settled		
No more than 12 months	8,993	6,388
More than 12 months	607	-
Total other payables	9,600	6,388

Financial Position (continued)

2.4 Interest Bearing Liabilities

	2023 \$'000	2022 \$'000
2.4A: Leases		
Lease Liabilities	2,605	5,104
Total leases	2,605	5,104
Maturity analysis – contractual undiscounted cash flows		
Within 1 year	2,607	2,507
Between 1 to 5 years	-	2,607
Total leases	2,607	5,114

Total cash outflow for leases for the year ended 30 June 2023 was \$2.499m (2022: \$2.398m)

Accounting Policy**Lease Right of Use (ROU) Assets**

Leased ROU assets are capitalised at the commencement date of the lease and comprise the initial lease liability amount, initial direct costs incurred when entering into the lease less any lease incentives received. These assets are accounted for by Commonwealth lessees as separate asset classes to corresponding assets owned outright, but included in the same column as where the corresponding underlying assets would be presented if they were owned.

2.5 Other Provisions

2.5A: Other provisions

	Provision for legal costs \$'000	Provision for restoration ¹ \$'000	Total \$'000
As at 1 July 2022	50	511	561
Amounts used	(40)	-	(40)
Amounts reversed	(10)	-	(10)
Total other non-financial assets	-	511	511

1. Make good provision for leasehold improvements for property lease which expires 30 June 2024.

People and relationships

This section describes a range of employment and post employment benefits provided to our people and our relationships with other key people.

3.1 Employee Provisions

	2023 \$'000	2022 \$'000
3.1A: Employee provisions		
Leave	4,118	3,892
Separations and redundancies	-	336
Total employee provisions	4,118	4,228
Employee provisions expected to be settled		
No more than 12 months	1,685	2,414
More than 12 months	2,433	1,814
Total employee provisions	4,118	4,228

Accounting policy

Liabilities for short-term employee benefits and termination benefits expected within twelve months of the end of reporting period are measured at their nominal amounts.

Leave

The liability for employee benefits includes provision for annual leave and long service leave.

The leave liabilities are calculated on the basis of employees' remuneration at the estimated salary rates that will be applied at the time the leave is taken, including the entity's employer superannuation contribution rates to the extent that the leave is likely to be taken during service rather than paid out on termination.

The liability for long service leave has been determined by reference to the work of an actuary as at 30 June 2023. The estimate of the present value of the liability takes into account attrition rates and pay increases through promotion and inflation.

Separation and Redundancy

Provision is made for separation and redundancy benefit payments. The entity recognises a provision for termination when it has developed a detailed formal plan for the terminations and has informed those employees affected that it will carry out the terminations.

Superannuation

The Commission's staff are members of the Commonwealth Superannuation Scheme (CSS), the Public Sector Superannuation Scheme (PSS), or the PSS accumulation plan (PSSap), or other superannuation funds held outside the Australian Government.

The CSS and PSS are defined benefit schemes for the Australian Government. The PSSap is a defined contribution scheme.

The liability for defined benefits is recognised in the financial statements of the Australian Government and is settled by the Australian Government in due course. This liability is reported in the Department of Finance's administered schedules and notes.

The Commission makes employer contributions to the employees' defined benefit superannuation scheme at rates determined by an actuary to be sufficient to meet the current cost to the Government. The Commission accounts for the contributions as if they were contributions to defined contribution plans.

The liability for superannuation recognised as at 30 June represents outstanding contributions.

Accounting Judgements and Estimates

The long service leave has been estimated in accordance with the FRR taking into account expected salary growth, attrition and future discounting using the government bond rate.

People and relationships (continued)

3.2 Key Management Personnel Remuneration

Key management personnel are those persons having authority and responsibility for planning, directing and controlling the activities of the Commission. The Commission has determined the key management personnel to be the President, Commissioners and Chief Executive.

	2023 \$'000	2022 \$'000
Short-term employee benefits	3,228	3,083
Post-employment benefits	252	250
Other long-term employee benefits	91	14
Total key management personnel remuneration expenses¹	3,571	3,347

The total number of key management personnel that are included in the above table are 9 (2022: 12).
One KMP was for part of the year only.

1. The above key management personnel remuneration excludes the remuneration and other benefits of the Portfolio Minister. The Portfolio Minister's remuneration and other benefits are set by the Remuneration Tribunal and are not paid by the Commission. Other long-term employee benefits results from the movement in accrued leave balances for the period.

3.3 Related Party Disclosures

Related party relationships:

The Commission is an Australian Government controlled entity. Related parties to this entity are Key Management Personnel including the Portfolio Minister and Executive, and other Australian Government entities.

Transactions with related parties:

Given the breadth of Government activities, related parties may transact with the government sector in the same capacity as ordinary citizens. Such transactions include the payment or refund of taxes, receipt of a Medicare rebate or higher education loans. These transactions have not been separately disclosed in this note.

Significant transactions with related parties can include:

- the payments of grants or loans;
- purchases of goods and services;
- asset purchases, sales transfers or leases;
- debts forgiven; and
- guarantees.

Giving consideration to relationships with related entities, and transactions entered into during the reporting period by the Commission, it has been determined that there are no related party transactions to be separately disclosed.

Managing Uncertainties

This section analyses how the Australian Human Rights Commission manages financial risks within its operating environment.

4.1A Contingent Assets and Liabilities

Quantifiable Contingencies

At the time signing these financial statements, the Commission had no quantifiable contingent liabilities.

Unquantifiable Contingencies

At 30 June 2023 the Commission was a respondent to three judicial review applications. In each of these proceedings, the Commission has or intends to file a submitting notice and there are other parties on the record acting as a contradictor. It is not usual for any costs order to be made against the Commission in these kinds of proceedings and we do not expect there to be any financial impact on the Commission (2022: nil).

Accounting Policy

Contingent liabilities and contingent assets are not recognised in the statement of financial position but are reported in the notes. They may arise from uncertainty as to the existence of a liability or asset or represent an asset or liability in respect of which the amount cannot be reliably measured. Contingent assets are disclosed when settlement is probable but not virtually certain and contingent liabilities are disclosed when settlement is greater than remote.

Managing Uncertainties (continued)

4.2 Financial Instruments

	2023 \$'000	2022 \$'000
4.2A: Categories of financial instruments		
Financial assets at amortised cost		
Cash on hand and at bank	26,407	15,958
Trade and other receivables	878	698
Total financial assets at amortised cost	27,285	16,656

Financial Liabilities**Financial liabilities measured at amortised cost**

Trade creditors and accruals	1,555	865
Total financial liabilities measured at amortised cost	1,555	865

Accounting Policy**Financial assets**

In accordance with AASB 9 *Financial Instruments*, the Commission classifies its financial assets in the following categories:

- financial assets at fair value through profit or loss;
- financial assets at fair value through other comprehensive income; and
- financial assets measured at amortised cost.

The classification depends on both the Commission's business model for managing the financial assets and contractual cash flow characteristics at the time of initial recognition. Financial assets are recognised when the entity becomes a party to the contract and, as a consequence, has a legal right to receive or a legal obligation to pay cash and derecognised when the contractual rights to the cash flows from the financial asset expire or are transferred upon trade date.

Effective Interest Method

Income is recognised on an effective interest rate basis for financial assets that are recognised at amortised cost.

Impairment of Financial Assets

Financial assets are assessed for impairment at the end of each reporting period based on Expected Credit Losses, using the general approach which measures the loss allowance based on an amount equal to *lifetime expected credit losses* where risk has significantly increased, or an amount equal to *12-month expected credit losses* if risk has not increased.

The simplified approach for trade, contract and lease receivables is used. This approach always measures the loss allowance as the amount equal to the lifetime expected credit losses.

A write-off constitutes a derecognition event where the write-off directly reduces the gross carrying amount of the financial asset.

Financial Assets at Amortised Cost

Financial assets included in this category need to meet two criteria:

- the financial asset is held in order to collect the contractual cash flows; and
- the cash flows are solely payments of principal and interest (SPPI) on the principal outstanding amount.

Amortised cost is determined using the effective interest method.

Financial liabilities

Financial liabilities are classified as either financial liabilities 'at fair value through profit or loss' or other financial liabilities. Financial liabilities are recognised and derecognised upon 'trade date'.

Financial Liabilities at Amortised Cost

Financial liabilities, including borrowings, are initially measured at fair value, net of transaction costs. These liabilities are subsequently measured at amortised cost using the effective interest method, with interest expense recognised on an effective interest basis.

Supplier and other payables are recognised at amortised cost. Liabilities are recognised to the extent that the goods or services have been received (and irrespective of having been invoiced).

Managing Uncertainties (continued)

	2023 \$'000	2022 \$'000
4.2B: Net gains or losses on financial assets		
Financial assets at amortised cost		
Interest revenue	483	5
Net gains on financial assets at amortised cost	483	5

Managing Uncertainties (continued)

5.1 Fair Value Measurement

The following tables provide an analysis of assets and liabilities that are measured at fair value. The remaining assets and liabilities disclosed in the statement of financial position do not apply the fair value hierarchy.

The different levels of the fair value hierarchy are defined below.

Level 1: Quoted prices (unadjusted) in active markets for identical assets or liabilities that the Commission can access at measurement date.

Level 2: Inputs other than quoted prices included within Level 1 that are observable for the asset or liability, either directly or indirectly.

Level 3: Unobservable inputs for the asset or liability.

Accounting Policy

The Commission considers the fair value hierarchy levels at the end of the reporting period. There were no transfers in or out of any levels during the reporting period.

Fair value measurements at the end of the reporting period				
	2023 \$'000	2022 \$'000	Category (Level 1, 2 or 3)	Valuation Technique(s) and Inputs Used
Non-financial assets				
Infrastructure, plant and equipment	982	1,766	2	Market approach. Market replacement cost less estimate of written down value of asset used. Valuation determined to not be materially different to carrying value, so no adjustment was made.

1. There were no non-financial assets where the highest and best use differed from its current use during the reporting period.
2. The remaining assets and liabilities reported by the Commission are not measured at fair value in the Statement of Financial Position.

Other Information

6.1 Current/non-current distinction for assets and liabilities

	2023 \$'000	2022 \$'000
6.1A: Current/non-current distinction for assets and liabilities		
Assets expected to be recovered in:		
No more than 12 months		
Cash and cash equivalents	26,407	15,958
Trade and other receivables	1,083	798
Prepayments	359	573
Total no more than 12 months	27,849	17,329
More than 12 months		
Property subject to operating leases	2,500	5,001
Leasehold improvements	814	1,627
Computer, plant and equipment	104	139
Intangibles	187	459
Prepayments	18	40
Total more than 12 months	3,623	7,266
Total assets	31,472	24,595
Liabilities expected to be settled in:		
No more than 12 months		
Suppliers	1,555	865
Other payables	8,993	6,388
Leases	2,605	-
Employee provisions	1,685	2,414
Total no more than 12 months	14,838	9,667
More than 12 months		
Other payables	607	-
Leases	-	5,104
Employee provisions	2,433	1,814
Other provisions	511	561
Total more than 12 months	3,551	7,479
Total liabilities	18,389	17,146

7. Executive Remuneration

7.1 Introduction

This section contains information about the remuneration of the Australian Human Rights Commission (the Commission) Key Management Personnel, Senior Executive Service (SES) and other highly paid staff.

7.2 Remuneration Policies and Practices

Remuneration for the President and Commissioners is set by the Remuneration Tribunal. The Remuneration Tribunal also determines increases to remuneration and allowances.

The Commission's remuneration for SES and other highly paid staff is determined by the President under section 24(1) of the *Public Service Act 1999* (Cth). When determining SES and other highly paid staff remuneration, the President has regard to the Australian Public Service Remuneration Report and comparable agencies.

SES determinations set out salary on commencement and provide for increments of salary, in line with percentage increases awarded to the Commissioners by the Remuneration Tribunal.

Remuneration of Key Management Personnel

	Position title	Base salary	Bonuses	Other benefits and allowances	Superannuation contributions	Long service leave	Other long-term benefits	Termination benefits	Total remunerations
Rosalind Croucher	President	468,383			25,292	32,217			525,892
June Oscar	Aboriginal and Torres Strait Islander Social Justice Commissioner	341,512		16,444	25,292	13,418			396,666
Kay Patterson	Age Discrimination Commissioner	340,334			25,292	11,647			377,273
Ben Gauntlett	Disability Discrimination Commissioner	321,940			27,108	8,849			357,897
Lorraine Finlay	Human Rights Commissioner	358,426		28,769	25,292	3,936			416,423
Anne Hollonds	National Children's Commissioner	363,774			25,292	8,753			397,819
Chin Tan	Race Discrimination Commissioner	354,841		25,079	27,108	9,174			416,202
Kate Jenkins	Sex Discrimination Commissioner (ceased 6 April 2023)	296,968		42,172	21,401	–			360,541
Leanne Smith	Chief Executive	269,036			49,585	3,167			321,788
		\$3,115,214	\$–	\$112,164	\$251,662	\$91,161	\$–	\$–	\$3,570,201

Remuneration for senior executives

Remuneration Band	Number of senior executives	Average Base salary	Average bonuses	Average other benefits and allowances	Average superannuation contributions	Average long service leave	Average other long-term benefits	Average termination benefits	Average total remuneration
\$234,501 – \$237,000	2	209,632	–	–	35,419	17,155	–	–	\$262,208

8. Other Reporting Requirements

8.1 Environment Statement

The Commission uses energy saving methods in its operations and it endeavours to make the best use of resources while also reducing its environmental impact through appropriate recycling schemes.

In 2022–2023 we continued to mitigate our impact on the environment by:

- maintaining our commitment to an Electronic Document Record Management System (EDRMS), facilitating digital recordkeeping
- using Microsoft Teams facilities to reduce air and road travel
- powering down all non-essential electronic equipment (including multi-use devices and non-essential air conditioning units) during the Christmas to New Year closedown, and other sustained office shutdown periods
- providing opportunities for staff to cycle and walk to work and to participate in our building's sustainable waste management system which promotes recycling.

Looking forward, the Commission will seek to strengthen the metrics of our environmental impact and increase our focus on human rights principles and how they impact the environment.

The APS Net Zero unit has worked with teams from the following Whole of Government Arrangements to source data. Please see below the Commission emissions outputs for the 2022–23 reporting period.

Emission Source	Scope 1 kg CO2-e	Scope 2 kg CO2-e	Scope 3 kg CO2-e	Total kg CO2-e
Electricity (Location Based Approach)		176,226	14,485	190,711
Natural Gas	–	N/A	–	–
Fleet Vehicles	–	N/A	–	–
Domestic Flights	N/A	N/A	315,125	315,125
Other Energy	–	N/A	–	–
Total kg CO2-e	–	176,226	329,610	505,836

The electricity emissions reported above are calculated using the location-based approach. When applying the market-based method, which accounts for activities such as Greenpower, purchased LGCs and/or being located in the ACT, the total emissions for electricity, are below:

Emission Source	Scope 1 kg CO2-e	Scope 2 kg CO2-e	Scope 3 kg CO2-e	Total kg CO2-e
Electricity (Market Based Approach)	N/A	165,319	21,880	187,199
Natural Gas	–	N/A	–	–
Fleet Vehicles	–	N/A	–	–
Domestic Flights	N/A	N/A	315,125	315,125
Other Energy	–	N/A	–	–
Total kg CO2-e	–	165,319	337,006	502,324

8.2 Workplace Health and Safety

In July 2022, following extensive staff consultation, the Commission successfully launched its Hybrid Work and Workplace Flexibility Policy and Procedure. The Hybrid Work Arrangements encourage the establishment of 'in office' attendance arrangements, that support each staff members personal situation and preference whilst ensuring high performance and productivity. In-office attendance of forty per cent of an employee's work week was set as a baseline, with further flexibility available to tailor specific circumstances.

Remote Work Agreements were introduced with the Hybrid Work and Workplace Flexibility Policy and Procedure to ensure staff who adopted a hybrid approach to work considered health and safety risks in their remote workspaces. Ergonomic workstation assessments continued to be offered to support suitable workstations to enhance the health, safety and wellbeing of staff.

The elimination of psychosocial hazards has been a key focus this reporting period, with Vicarious Trauma Training offered to staff. This course was originally offered to those working in the Commission's Investigation and Conciliation Services Team in the first quarter of 2023. Positive response from the training has resulted in the program being offered periodically throughout the next year.

The Commission has continued to support wellbeing initiatives through the reimbursement of costs for Flu vaccinations and the Healthy Lifestyle allowances.

Throughout the reporting period, the Protective Security Committee and the Workplace Health and Safety Committee met quarterly. The Protective Security Committee revised visitor sign-in procedures in the last quarter of 2022, and in December 2022 all Commission officials were notified of the revised visitor sign-in and emergency procedures. The Commission also successfully participated in fire alarm drills hosted by its landlord for the building, with nominated fire wardens having attended periodic fire evacuation training.

Additionally, in this reporting period,

- the Commission has not been made aware of any notifiable incidents that arose out of the Commission's conduct or undertakings
- there have been nil workers compensation claims
- there have been no investigations that relate to businesses or undertakings
- no notices have been received under Part 10 of the *Work, Health and Safety Act 2011* (Cth)
- there are no other matters required by guidelines to be reported.

8.3 Payments to advertising, market research, and other designated organisations

The Commission made the following payments valued at \$14,300 (inclusive GST) or more to advertising agencies, market research organisations, polling organisations, media advertising organisations and direct mail organisations in the reporting period.

Name of Organisation	Type of Organisation	Purpose	Payment \$ (inc of GST)
QMR	Market Research	External research on National Age Beliefs in aged care intervention	76,010
IPSO Limited	Market Research	As above	69,311
Roy Morgan Research Ltd.	Market Research	External research on the nature, prevalence and reporting of inappropriate behaviours and sexual harassment in an organisational setting	307,424
Qualtrics	Market Research	As above	17,968
Common Cause Australia	Market research	Human Rights Act research project	16,423
Media Heads Pty Ltd	Advertising	Production of community service announcement video for Elder abuse campaign	44,440
The Lote Agency	Advertising	Planning ahead for later life campaign	76,875

9. Appendices

Appendix 1: Performance measurement framework table 2022–23

Measuring our impact (what difference, what benefit), in the context and nature of our work, is important but complex. In our framework, progress indicators are mapped to each of the outcomes. They are designed to provide reasonable evidence of contribution to the outcome, and include output, process and outcome measures. They are, in turn, supported by data from monitoring and evaluation strategies implemented across the Commission's programs and services.

While some indicators measure the direct attributions of the Commission's work, others are to capture the stories and case studies of the Commission to document our contributions to the outcomes, noting that these are often best understood when seen in the context of multi-year programs, advocacy and submissions.

These strategies range from the basic capture of outputs to more comprehensive mixed-method evaluations. The Commission utilises a monitoring, evaluation, accountability and learning approach to our work.

Goal	Outcome	Performance expectation	Progress indicator (and PBS target)
1 Improving enjoyment of human rights by all, supporting access to justice and remedies for people and communities whose rights are breached.	1.1 We deliver a fair and effective investigation and conciliation of complaints service. PBS CRITERION	Our investigation and conciliation of complaints and dispute resolution meet performance indicators on timeliness, efficiency and service user satisfaction. Our investigation and conciliation of complaints and dispute resolution processes have systemic and educational outcomes.	85% of complaints are finalised in under 12 months.
			40% of complaints are resolved by conciliation.
			85% of parties to complaints are satisfied with the service they receive. PBS TARGET
			Instances where the terms on which investigation and conciliation disputes are resolved include systemic outcomes that accord with the objectives of the law. PBS TARGET
			Instances where participation in the investigation and conciliation process results in increased understanding of rights and responsibilities in the law. PBS TARGET

Goal	Outcome	Performance expectation	Progress indicator (and PBS target)
2 Strengthening Australia's human rights framework, embedding human rights issues at a national level.	2.1 The leadership and advocacy of the President and Commissioners on thematic areas or identified human rights issues, improves the enjoyment of human rights by affected groups.	Our research, reporting and advice influences and builds capacity in decision makers and other stakeholders to take action to address the identified human rights issues.	Research, reporting and advice activities of the Commission: - are viewed as evidenced, persuasive and credible by stakeholders - increase understanding of the human rights issues and impacts raised - strengthen stakeholder capacity to promote and advocate for the human rights issues raised. Instances of programs attracting strategic partnerships that advance the priority human rights issues we have advocated for. Instances of improved Federal and state government policy, practice and legislative change that reflect our advice. High proportion of Committee inquiry reports reflect and cite the Commission's advice. PBS TARGET
	2.2 Law and policy makers, at all levels, consider and address the human rights impacts we identify through our submissions, inquiries, research, reports and United Nations engagement. PBS CRITERION	Parliamentary committee inquiry reports reflect the human rights issues raised in our submissions and recommendations. UN treaty body concluding observations and UPR recommendations are adopted by Government and implemented. Arguments presented in our submissions to courts influence outcomes in a way that is consistent with human rights.	High proportion of Committee inquiry reports reflect and cite the Commission's advice. PBS TARGET Instances of our recommendations to UN mechanisms being reflected in treaty body concluding observations and other reports. Majority of our applications to the courts for leave to appear are accepted. PBS TARGET Instances of our court submissions reflected in the final judgment of the matter. PBS TARGET

Appendix 1: Performance measurement framework table 2022–23

Goal	Outcome	Performance expectation	Progress indicator (and PBS target)
2 Strengthening Australia's human rights framework, embedding human rights issues at a national level (continued)	2.3 The national human rights reform agenda proposed in the <i>Free & Equal: An Australian conversation on human rights</i> report is considered and addressed by the Parliament, government and the non-government sector.	Recommendations and actions in the report are addressed by the Attorney-General and Federal Parliament. The recommendations and actions in the Report receive public support and commitment from the Attorney-General and the non-government sector.	The recommendations and actions in the report generate dialogue and receive public support and commitment from the Attorney-General and the non-government sector.
3 Better understanding of, and respect for, human rights so people and communities take action to defend human rights in their own context.	3.1 Our education activities increase capability among individuals, communities and organisations to promote and protect human rights and address discrimination. PBS CRITERION	Participants in education activities benefit through achieving the intended human rights learning and capability objectives. Most participants in our adult training programs report: • satisfaction with the quality and relevance of the training • increased understanding, expertise, reframed attitudes. PBS TARGET	Most participants in our adult training programs report: • satisfaction with the quality and relevance of the training • increased understanding, expertise, reframed attitudes. PBS TARGET Instances of organisations working with the Commission to develop human rights education/ training activities.
	3.2 Our education activities increase capability among individuals, communities and organisations to promote and protect human rights and address discrimination. PBS CRITERION	Our activities with stakeholder organisations lead to systemic and sustained action, including changes to organisational policy and practice, to respect, protect and promote human rights in their context. Our regional technical cooperation activities increase stakeholder capacity to advance national reform in partner states.	Instances of organisations working with the Commission to develop human rights education/ training activities. Instances of stakeholders in our activities with organisations making changes to organisational policy and practice, to respect, protect and promote human rights in their context. PBS TARGET Instances of partners': • increased knowledge and application of human rights frameworks, principles, and practices to advance human rights reform • practice/policy reform relating to human rights principles, which are reviewed or developed because of technical cooperation activities.

Goal	Outcome	Performance expectation	Progress indicator (and PBS target)
4 Maintaining our international standing as a strong human rights institution representing human rights in Australia and contributing to human rights advancement globally.	4.1 Our activities increase the capacity of vulnerable groups, communities and their advocates to understand and advocate for their rights. PBS CRITERION	Participants and stakeholders, in our consultations, research and education and informing activities experience participation, empowerment and benefit.	Instances of participants and stakeholders in our consultations and research activities report participation experiences that are beneficial and empowering. PBS TARGET
	4.2 Our activities increase the capacity of governments, organisations, other groups and services to understand and address the human rights impact of their actions, particularly when working with vulnerable groups and communities. PBS CRITERION	Our activities with stakeholder organisations lead to systemic and sustained action, including changes to organisational policy and practice, to respect, protect and promote human rights in their context.	Instances of stakeholders in our activities with organisations reporting that our work has contributed to increased understanding of the impact of their systems and operations on human rights. PBS TARGET Instances of stakeholders in our activities with organisations making changes to organisational policy and practice, to respect, protect and promote human rights in their context. PBS TARGET
		Our regional technical cooperation activities increase stakeholder capacity to advance national reform in partner states.	Instances of partners': - increased knowledge and application of human rights frameworks, principles, and practices to advance human rights reform - practice/policy reform relating to human rights principles, which are reviewed or developed because of technical cooperation activities.
	4.3 The Commission is compliant with the Paris Principles (Principles Relating to the Status of National Human Rights Institutions) and is assessed as an independent and effective national human rights institution.	The Commission maintains its 'A status' as assessed by the Global Alliance of National Human Rights Institutions (GANHRI).	Compliance with the Paris Principles and/or remediation actions in train e.g. <i>Australian Human Rights Commission Legislation Amendment (Selection and Appointment) Act</i> .

Goal	Outcome	Performance expectation	Progress indicator (and PBS target)
5 Ensuring that the Commission is sustainable into the future and able to strategically implement its statutory mandate.	5.1 The Commission has a clear strategic direction and confidently implements its mandate with secure and sustainable funding that is transparently and accountably managed.	The Commission maintains its compliance with the <i>Australian Human Rights Commission Act 1986</i> , the <i>Public Governance, Performance and Accountability (PGFA) Act 2013</i> .	Completion of all requirements under the PGPA including corporate accountability, Annual Reports and Financial compliance. Implementation of appropriate governance and financial structures including number of recommendations adopted from the external reviews.

Appendix 2: Employee statistics

Ongoing

	Man/ Male – Full time	Man/ Male – Part time	Man/ Male – Total	Woman/ Female – Full time	Woman/ Female – Part time	Woman/ Female – Total	Non- binary – Full time	Non- binary – Part time	Non- binary – Total	Prefers not to answer – Full time	Prefers not to answer – Part time	Prefers not to answer – Total	Uses a different term – Full time	Uses a different term – Part time	Uses a different term – Total	Total
NSW	16	1	17	41	18	59										76
QLD			–		1	1										1
SA		1	1			–										1
TAS			–			–										–
VIC	1		1	2		2										3
WA			–	1		1										1
ACT			–	1		1										1
NT			–			–										–
External			–			–										–
Overseas			–			–										–
Total	17	2	19	45	19	64										83

Non-Ongoing

	Man/Male – Full time	Man/Male – Part time	Man/Male – Total	Woman/ Female – Full time	Woman/ Female – Part time	Woman/ Female – Total	Non-binary – Full time	Non- binary – Part time	Non- binary – Total	Prefers not to answer – Full time	Prefers not to answer – Part time	Prefers not to answer – Total	Uses a different term – Full time	Uses a different term – Part time	Uses a different term – Total	Total
NSW	6	1	7	57	29	86	–	–	–	–	–	–	–	–	–	93
QLD	–	–	–	–	1	1	–	–	–	–	–	–	–	–	–	1
SA			–	1	2	3	–	–	–	–	–	–	–	–	–	3
TAS			–		1	1	–	–	–	–	–	–	–	–	–	1
VIC	1		1	1	3	4	–	–	–	–	–	–	–	–	–	5
WA			–	2		2	–	–	–	–	–	–	–	–	–	2
ACT				5	3	8	–	–	–	–	–	–	–	–	–	8
NT				1		1	–	–	–	–	–	–	–	–	–	1
External																
Overseas																
Total	7	1	8	67	39	106										114

Appendix 3: Information on the Accountable Authority

Name	Qualifications of the Accountable Authority	Experience of the Accountable Authority	Position Title/ Position held	Commencement	Cessation	Number of meetings of accountable authority attended
Emeritus Professor Rosalind Croucher AM	LLD (Honoris causa), Macquarie University, 2020 LLD (Honoris causa), University of New South Wales, 2018 PhD, University of New South Wales, 1994 LLB University of Sydney, 1980 BA (Hons) University of Sydney, 1977 AMusA AMEB (Oboe), 1977	Member, AICD Director, Australian Academy of Law, 2013–2018 President, ALRC, August 2009–July 2017 Governor, Ascham School, 1996–2005 Governor, St Andrews College, University of Sydney, 1999–2002 Board member, Sydney Philharmonia, 1999–2000 Dean, Macquarie Law School, November 1999–February 2007 Dean, Sydney Law School, 1997–March 1998 Admitted as legal practitioner, December 1980	Australian Human Rights Commission President	30 July 2017	–	N/A

Appendix 4: Key activities, program areas and services 2022–2023

President: Emeritus Professor Rosalind Croucher AM

Free+Equal: A conversation on human rights.

Investigation and Conciliation and National Information Services

Human Rights Education and Training

Australia-Lao PDR Human Rights Technical co-operation

Australia-Vietnam Human Rights Technical Cooperation Program

International Engagement

Human Rights Scrutiny

Aboriginal and Torres Strait Islander Social Justice Commissioner: June Oscar AO

Wiyi Yani U Thangani (Women's Voices) project stage 3

Native Title Report

Age Discrimination Commissioner: The Hon Dr Kay Patterson AO

Older Australians and employment program

Elder Abuse awareness program

Older women risk of homelessness

Supporting and promoting positive ageing

Planning Ahead for later life Project

Disability Discrimination Commissioner: Dr Ben Gauntlett

IncludeAbility

Accessible Housing Project

Partnership with the Australian Public Services Commission

Policy and law reform engagement

Supporting people with disability and organisations to attend international human rights forum

Human Rights Commissioner: Lorraine Finlay

Effective oversight of places of detention through implementation and operationalization of OPCAT

Asylum seeker, refugee and immigration detention program

Business and Human Rights Program

Human Rights and Technology

National Children's Commissioner: Anne Hollonds

Child Rights Impact Assessment Tool

Transforming Approaches to Protecting Australia's Children

National Child and Family Investment Strategy

Supporting quality engagement for children and families
Statutory Reporting to Parliament on a human rights-based approach to youth justice
National Survey of secondary students about their understanding and experiences of consent education
Race Discrimination Commissioner: Chin Tan
National Anti-Racism Framework
Racism. It Stops with Me Campaign
International Student Principles
Spectator Racism Guidelines Project
Sex Discrimination Commissioner: Kate Jenkins
Respect@Work Implementation
Defence Collaboration
Australian Federal Police Partnerships
Australian Border Force Partnership
Organisational
Legal Services (incl. legal interventions)
Public Engagement (including communications, media, digital engagement, major events and launches)

Appendix 5: Major events, reports, publications and resources

Aboriginal and Torres Strait Islander Social Justice	Wiyi Yani U Thangani First Nations women's safety policy forum
	Wiyi Yani U Thangani First Nations Women's Safety Policy Forum Outcomes Report 2022
	Wiyi Yani U Thangani, Women's and Girls Voices Summit, 2023
	Wiyi Yani U Thangani Summit Communiqué, 2023
	Wiyi Yani U Thangani Youth Statement, 2023
Age	Elder Abuse Awareness Video Campaign and Launch, 2022
	Employing and Retaining Older Workers Report, 2023
	Changing perspectives: Testing and aging intervention
	Talking About My Generation, 2023
	Have you thought about later life? Campaign and education resources
Human Rights Reports	Mr Vakhabov v Commonwealth of Australia (Department of Home Affairs), 2022
	Ms RC v Commonwealth (Department of Home Affairs), 2022
	Mr Andrwas v The Commonwealth of Australia (Department of Home Affairs), 2023
Business and Human Rights	Migrant Workers and Their Rights in Australia 2022
	Modern Slavery Review consultations
	Responsible Business Conduct and the Tourism Industry in Vietnam: Guidance for Companies, 2022
Technology and Human Rights	Guidance Resource: Artificial Intelligence and Discrimination in Insurance, 2022
Children	'Mental health shapes my life': COVID-19 & Kids' Wellbeing, 2022
Corporate	Corporate Plan 2022–23
	Annual Report 2021–22
	Strategic Plan 2022–25
Disability Rights	Guidelines for the Targeted Recruitment of people with Disability, 2022
	IncludeAbility Illawarra Disability Trust Employer Pilot Program Launch
	IncludeAbility Senior Leadership Forum
Education and Training	Understanding Workplace Sexual Harassment e-learning update
	Appropriate Workplace Behaviour
	National Anti-Racism Scoping Report Community Guide
	2-page resource on A Human Rights Act for Australia
	Let's Talk About... clickview guides (Let's Talk about Racism, Let's talk about bodies, identity and sexuality, Let's talk about disability, Let's talk about equality and equity, Let's talk about refugees, Let's talk about education)

Human Rights	A National Human Rights Act for Australia (report and launch), 2023
	National OPCAT Symposium, 2022
	Roadmap to OPCAT Compliance
	Australian Human Rights Awards
Immigration Detention and Asylum Seekers	The Use of Hotels as Alternative Places of Detention Report, 2023
Race	National Anti-Racism Framework Scoping Report, 2022
	Kep Enderby Memorial Lecture
	Fact Sheet – International Day for the Elimination of Racial Discrimination
	<i>Racism. It Stops with Me</i> Campaign Refresh
Sex and Gender	Time for Respect: Fifth National Survey on Sexual Harassment in Australian Workplaces
	Respect@Work Portal and Website Launch

List of Annual Report requirements

Below is the table set out in Schedule 2A of the PGPA Rule. Section 17BE(u) requires this table be included in entities' annual reports.

PGPA Rule Reference	Part of Report	Description	Requirement
17BE	<i>Contents of annual report</i>		
17BE(a)	3.1	Details of the legislation establishing the body	Mandatory
17BE(b)(i)	3.2	A summary of the objects and functions of the entity as set out in legislation	Mandatory
17BE(b)(ii)	1.1	The purposes of the entity as included in the entity's corporate plan for the reporting period	Mandatory
17BE(c)	3.4	The names of the persons holding the position of responsible Minister or responsible Ministers during the reporting period, and the titles of those responsible Ministers	Mandatory
17BE(d)	Not applicable	Directions given to the entity by the Minister under an Act or instrument during the reporting period	If applicable, mandatory
17BE(e)	Not applicable	Any government policy order that applied in relation to the entity during the reporting period under section 22 of the Act	If applicable, mandatory
17BE(f)	Not applicable	Particulars of non-compliance with: (a) a direction given to the entity by the Minister under an Act or instrument during the reporting period; or (b) a government policy order that applied in relation to the entity during the reporting period under section 22 of the Act	If applicable, mandatory
17BE(g)	5, 5.2, Appendix 1	Annual performance statements in accordance with paragraph 39(1)(b) of the Act and section 16F of the rule	Mandatory
17BE(h), 17BE(i)	Not applicable	A statement of significant issues reported to the Minister under paragraph 19(1)(e) of the Act that relates to (a) non-compliance with finance law and action taken to (b) remedy non-compliance	If applicable, mandatory
17BE(j)	Appendix 3	Information on the accountable authority, or each member of the accountable authority, of the entity during the reporting period	Mandatory
17BE(k)	2.1, 2.2	Outline of the organisational structure of the entity (including any subsidiaries of the entity)	Mandatory
17BE(ka)	Appendix 2	Statistics on the entity's employees on an ongoing and non-ongoing basis, including the following: (a) statistics on full-time employees (b) statistics on part-time employees (c) statistics on gender (d) statistics on staff location.	Mandatory
17BE(l)	2.3	Outline of the location (whether or not in Australia) of major activities or facilities of the entity	Mandatory

PGPA Rule Reference	Part of Report	Description	Requirement
17BE(m)	2.4	Information relating to the main corporate governance practices used by the entity during the reporting period	Mandatory
17BE(n), 17BE(o)	Not applicable	For transactions with a related Commonwealth entity or related company where the value of the transaction, or if there is more than one transaction, the aggregate of those transactions, is more than \$10,000 (inclusive of GST): (a) the decision-making process undertaken by the accountable authority to approve the entity paying for a good or service from, or providing a grant to, the related Commonwealth entity or related company; and (b) the value of the transaction, or if there is more than one transaction, the number of transactions and the (c) aggregate of value of the transactions.	If applicable, mandatory
17BE(p)	4.1	Any significant activities and changes that affected the operation or structure of the entity during the reporting period	If applicable, mandatory
17BE(q)	Not applicable	Particulars of judicial decisions or decisions of administrative tribunals that may have a significant effect on the operations of the entity	If applicable, mandatory
17BE(r)	Not applicable	Particulars of any reports on the entity given by: (a) the Auditor-General (other than a report under section 43 of the Act); or (b) a Parliamentary Committee; or (c) the Commonwealth Ombudsman; or (d) the Office of the Australian Information Commissioner.	If applicable, mandatory
17BE(s)	Not applicable	An explanation of information not obtained from a subsidiary of the entity and the effect of not having the information on the annual report	If applicable, mandatory
17BE(t)	Not applicable	Details of any indemnity that applied during the reporting period to the accountable authority, any member of the accountable authority or officer of the entity against a liability (including premiums paid, or agreed to be paid, for insurance against the authority, member or officer's liability for legal costs)	If applicable, mandatory
17BE(taa)	2.5	The following information about the audit committee for the entity: (a) a direct electronic address of the charter determining the functions of the audit committee (b) the name of each member of the audit committee (c) the qualifications, knowledge, skills or experience of each member of the audit committee (d) information about each member's attendance at meetings of the audit committee (e) the remuneration of each member of the audit committee.	Mandatory
17BE(ta)	7.2	Information about executive remuneration	Mandatory

PGPA Rule Reference	Part of Report	Description	Requirement
17BF	<i>Disclosure requirements for government business enterprises</i>		
17BF(1)(a)(i)	Not applicable	An assessment of significant changes in the entity's overall financial structure and financial conditions	If applicable, mandatory
17BF(1)(a)(ii)	Not applicable	An assessment of any events or risks that could cause financial information that is reported not to be indicative of future operations or financial conditions	If applicable, mandatory
17BF(1)(b)	Not applicable	Information on dividends paid or recommended	If applicable, mandatory
17BF(1)(c)	Not applicable	Details of any community service obligations the government business enterprise has including: (a) an outline of actions taken to fulfil those obligations; and (b) an assessment of the cost of fulfilling those obligations A statement regarding the exclusion of information on the grounds that the information is commercially sensitive and would be likely to result in unreasonable commercial prejudice to the government business enterprise	If applicable, mandatory
17BF(2)	Not applicable		If applicable, mandatory

Further Information

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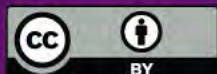
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2023 - 2024



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Contents

2. President's Message: The Year in Review	6
3. About the Commission	9
3.1 Our vision and purpose	9
3.2 Achieving our purpose.....	9
4. Our Legislation and Functions	10
4.1 Legislation	10
4.2 Functions	10
5. Our Structure and Governance	14
5.1 Organisational structure 2023-24	14
5.2 President, Commissioners and Chief Executive over the 2023-24 period	15
5.3 Location and national reach	16
5.4 Responsible Minister	16
5.5 Governance	16
5.6 Audit and Risk	16
6. Annual Performance Statement.....	19
6.1 Introduction to the results.....	20
6.2 Statement against outcomes	20
7. Financial Statements	55
8. Other Reporting Requirements.....	82
8.1 Workplace health and safety	82
8.2 Executive remuneration.....	83
8.3 Environmental statement	85
8.4 Payments to advertising, market research and other designated organisations	86
9. Appendices.....	87
Appendix 1: Information on the Accountable Authority	87
Appendix 2: Key activities, program areas, and services 2023-24	88
Appendix 3: Major Events, reports, publications, and resources.....	90
Appendix 4: Employee Statistics	92
Appendix 5: Performance Measurement framework table.....	93
List of Requirements - Corporate Commonwealth Entities	98



*Human Rights Medal
recipient for 2023
Juliana Nkrumah AM.*



30 September 2024

The Hon Mark Dreyfus KC MP
Attorney-General
Parliament House
CANBERRA ACT 2600

Dear Attorney-General,

Letter of Accountable Authority

It is my pleasure to present the Annual Report of the Australian Human Rights Commission for the period ending 30 June 2024. The Report has been prepared in accordance with section 45 of the *Australian Human Rights Commission Act 1986* (Cth) and section 46 of the *Public Governance, Performance and Accountability Act 2013* (Cth).

As the Accountable Authority for the Australian Human Rights Commission, I am responsible for preparing and giving this Report to you. I can confirm that our performance in 2023-24 is accurately described in the Report, is consistent with the Commission's responsibility and duties, and has contributed towards achieving our purpose.

The Annual Report was prepared under my authority and approved by signing of a memorandum.

Yours sincerely,

A handwritten signature in black ink, appearing to read "H de Kretser", written over a horizontal line.

Hugh de Kretser
President

2. President's Message: The Year in Review



Hugh de Kretser
President

The Australian Human Rights Commission is a vital national institution which has been promoting justice and human rights for Australians for close to forty years. It is an honour to write this message as the Commission's new President.

In December 2023, the world commemorated 75 years of the Universal Declaration of Human Rights. The Declaration lays the foundation for peace, prosperity and freedom globally and is one of the great modern human achievements.

Australia played a leading role in drafting the Declaration and establishing the United Nations. Successive Australian Governments have signed and ratified the major international human rights treaties. Under our legal system however, people whose rights are breached cannot directly enforce these treaties or the Declaration under Australian law. Australia's promises to the world to uphold human rights are not backed up effectively in Australian law.

Our national human rights protections are patchy. Our human rights safety net has holes in it.

This past year the Commission finalised its major *Free and Equal Project* to address the gaps in human rights protections for people in Australia. In December, the Commission delivered its final report *Revitalising Australia's commitment to human rights* and in June, the Commission held the Free and Equal conference.

The Commission's *Free and Equal* reports outline a roadmap to better protect people's rights in Australia through a new national human rights framework. Key recommendations include simplified and modernised anti-discrimination laws, improved human rights education and the establishment of a national *Human Rights Act*.

A *Human Rights Act* will protect the rights of all people in Australia and help ensure that everyone is treated with dignity and respect. It will promote better understanding of rights. It will help to prevent rights abuses from occurring and give power to people to take action if their rights are breached.

In March 2023, Attorney-General Mark Dreyfus tasked the Parliamentary Joint Committee on Human Rights with a national inquiry into Australia's human rights framework and laws. The inquiry had a strong focus on the Commission's *Free and Equal* recommendations. In May 2024, the Committee published its report. The report indicated that there was significant community support for the Commission's proposed reforms. The report's recommendations endorsed the Commission's models for both a new human rights framework and a *Human Rights Act*.

Similarly, the Royal Commission into violence, abuse, neglect and exploitation of people with disability endorsed the Commission's reform proposals for federal discrimination law (as they related to people with disability) in its final report in September 2023.

The Commission's *Free and Equal* work, together with the reports of the Parliamentary Joint Committee on Human Rights and the Royal Commission, provide the momentum and reform

agenda to fix our human rights safety net and build a fairer, healthier, safer and more prosperous Australia. I look forward to working with the Australian Government, parliamentarians and civil society to advance these reforms.

Across the year, human rights issues featured prominently in national debates. The Commission contributed to these debates in line with our legislative mandate which requires us to promote an understanding and acceptance of human rights.

The defeat of the Voice referendum in October was felt heavily by Aboriginal and Torres Strait Islander peoples who strongly supported the proposal for a greater say in issues that affect them. The referendum outcome set back progress on the other elements of the Uluru statement; truth and treaty.

The brutal October 7 attack by Hamas and the devastating and continuing response by Israel has impacted communities in Australia with sharp rises in antisemitism and Islamophobia. The Commission is undertaking work to support Australian communities affected by the conflict including by conducting a national study into racism in Australian universities.

The Commission has long supported calls to expand federal anti-discrimination laws to protect people of faith, and to reform exemptions in the *Sex Discrimination Act* that allow discrimination against lesbian, gay, bisexual and transgender students and staff by religious schools and other bodies. Despite promises from successive governments, these important reforms remain unfulfilled.

The Commission is Australia's national human rights institution (NHRI). NHRIs are a key part of the global system protecting people's rights. There are internationally agreed standards for accrediting NHRIs. Independence from government is a key aspect of these standards.

The Australian Government has implemented reforms to improve the independence of the Commission through transparent, merit-based processes to appoint the President and Commissioners. These reforms are important for community trust in the Commission. They were

also critical in ensuring that the Commission was re-accredited as an 'A status' NHRI by the Global Alliance of National Human Rights Institutions in October 2023.

The Commission received welcome additional funding in 2022 to stabilise our budget and fund new work developing the National Anti-Racism Framework and implementing new positive duty functions to eliminate sexual harassment, sex discrimination and other unlawful conduct. Despite this, our core funding continues to pose problems. The funding challenges are best demonstrated by the fact that:

- The Commission continues to have a significant backlog of discrimination and human rights complaints. Temporary funding has helped us to make inroads into the backlog but complaint time frames remain too long, making access to justice harder to reach for people affected by discrimination and human rights breaches. Complaint timeframes have been impacted by the sustained increase in complaints received by the Commission which have remained at heightened levels ever since the COVID-19 pandemic.
- Many Commission activities require externally sourced funding from the private and philanthropic sectors.
- Our current core funding for workplace and community education supports only two FTE staff and is inadequate to properly deliver on this important function. Our education capacity has had to be supplemented by fee for service funding.

Finally, I want to pay tribute to my predecessor Emeritus Professor Rosalind Croucher AM. I am grateful for her leadership and in particular her work on the *Free and Equal* project and to strengthen the Commission's governance. I also acknowledge the important contributions of Commissioners June Oscar AO, Kay Patterson and Chin Tan who finished their terms in the reporting period. I join the Commission at a time of change. Over the reporting period the Commission welcomed new Commissioners Katie Kiss, Robert Fitzgerald AM,

Rosemary Kayess, Giridharan Sivaraman and Dr Anna Cody who bring a wealth of expertise and energy to their roles.

I thank the Commission staff, led capably by our Chief Executive Leanne Smith, and the partners who we have worked alongside, who have enabled the human rights progress outlined in this report.

Human rights are the blueprint for a decent, dignified life for all. Human rights are the key to creating the kind of society we all want to live in. I am looking forward to working over my five

year term to help realise the Commission's vision of an Australian society where human rights are respected, promoted and protected and where every person is free and equal in dignity and rights.



Hugh de Kretser
President



Finalists for the 2023 Australian Human Rights Awards, and Chief Executive Leanne Smith (second from left at front, and President Rosalind Croucher AM fourth from left at front).

3. About the Commission

3.1 Our vision and purpose

An Australian society in which human rights are respected, protected and promoted through independent investigation and resolution of complaints, exercise of regulatory functions, contributions to law and policy reforms, research, education, partnerships, and monitoring and reporting on human rights.

- AHRC PBS Outcome Statement

Our vision is an Australian society in which human rights are respected, promoted and protected. Where every person is free and equal in dignity and rights. Where the Commission is connected to Australian communities and is a valued national institution having a positive impact on the human rights priorities facing Australia.

Our purpose is to promote and protect the human rights of everyone in Australia. We do this through advising all arms of government and a range of public and private institutions; contributing to stronger law, policy and practice; delivering accessible and effective investigation and conciliation services; engaging inclusively with civil society communities and the private sector; raising human rights awareness and providing human rights education; and working with partners to build a stronger culture of respect for human rights.

Our **strategic priorities and operations** are determined independently of government in line with our [2022-2025 Strategic Plan](#) and internal governance framework.

The Commission is Australia's national human rights institution (NHRI). We are accredited internationally as an 'A status' NHRI. This accreditation is regularly reviewed through United Nations sanctioned processes by the Global Alliance of NHRIs (GANHRI), with the Commission successfully achieving

reaccreditation in November 2023. To achieve 'A status', NHRIs must be established and operate in compliance with the United Nations Principles Relating to the Status of National Institutions for the Promotion and Protection of Human Rights – commonly known as the 'Paris Principles'. The Principles require us to operate in a robust, independent manner to provide accountability for human rights in Australia.

3.2 Achieving our purpose

Driving change to improve people's human rights can be a complex and long-term endeavour. We apply a human rights-based approach of participation, accountability, non-discrimination, equality, empowerment. We have specialist expertise in this practice and use this to elevate the voices of people and communities whose human rights are at risk.

Our Corporate Plan guides our work in the reporting period. The plan includes the Commission's monitoring and performance framework, which links our goals, outcomes and indicators outlined in our 2023-2024 Portfolio Budget Statement to the results in this Annual Report. The Commission's performance measurement framework is detailed in Appendix 1.

4. Our Legislation and Functions

4.1 Legislation

We are a body corporate established by the *Australian Human Rights Commission Act 1986* (Cth) (AHRC Act). We are a Corporate Commonwealth Entity under the *Public Governance, Performance and Accountability Act 2013* (Cth).

It is our duty under our establishing legislation to ensure that our statutory functions are performed efficiently and with the greatest possible benefit to the people of Australia with regard to the indivisibility and universality of human rights, and the principle that every person is born free and equal in dignity and rights.

4.2 Functions

The Commission's functions include:

(a) *Australian Human Rights Commission Act 1986* (Cth) (AHRC Act).

- to inquire into, and attempt to conciliate, complaints of unlawful discrimination
- inquire into any act or practice that may be inconsistent with or contrary to any human right, and to give effect to settlement of such matters by way of conciliation where the Commission considers it appropriate to do so
- to deal with complaints made to the Commission under the *AHRC Act*
- to promote an understanding and acceptance, and the public discussion, of human rights in Australia
- to undertake and coordinate research and educational programs on behalf of the Commonwealth to promote human rights
- to report to the Minister as to the laws that should be made by the Parliament, or action that should be taken by the Commonwealth, on matters relating to human rights
- examine enactments, proposed enactments and or international instruments for determining consistency with human rights and international instruments

- to prepare, and to publish guidelines for the avoidance of acts or practices of a kind in respect of which the Commission has a function
- where the Commission considers it appropriate to do so, with the leave of the court hearing the proceedings and subject to any conditions imposed by the court, to intervene in proceedings that involve human rights issues

Aboriginal and Torres Strait Islander Social Justice Commissioner

Under the *Australian Human Rights Commission Act 1986* (Cth) (AHRC Act), the Aboriginal and Torres Strait Islander Social Justice Commissioner undertakes social justice education and promotional activities and may report to the Minister on the exercise and enjoyment of human rights of Indigenous peoples.

The Commissioner may report under the *Native Title Act 1993* (Cth) on the operation of the AHRC Act and its effect on the exercise and enjoyment of human rights of Indigenous peoples. In addition, the Commissioner reports, when requested by the Minister, on any other matter relating to the rights of Indigenous peoples under this Act.

National Children's Commissioner

Under the *Australian Human Rights Commission Act 1986* (Cth), the National Children's Commissioner may report to the Minister on the enjoyment and exercise of human rights by children in Australia.

Additionally, the Commission holds the functions conferred on it by the various Commonwealth Acts concerning discrimination, as set out below.

(b) *Racial Discrimination Act 1975* (Cth) (RDA)

The Commission's functions under the RDA include:

- to promote an understanding and acceptance of, and compliance with the RDA
- to develop, conduct and foster research and educational programs for the purposes of combatting racial discrimination and prejudices

that lead to racial discrimination, to promote understanding, tolerance, and friendship among racial and ethnic groups, and to propagate the purposes and principles of the relevant Convention

- to prepare, and to publish in such manner as the Commission considers appropriate, guidelines for the avoidance of infringements within the Act
- where the Commission considers it appropriate to do so, with the leave of the court hearing the proceedings, and subject to any conditions imposed by the court, to intervene in proceedings that involve racial discrimination issues, and
- to inquire into, and make determinations, on matters referred to it by the Race Discrimination Commissioner or the Minister.

(c) Sex Discrimination Act 1984 (Cth) (SDA)

The Commission's functions under the SDA include:

- to promote understanding and acceptance of, and compliance with, the SDA
- to undertake research and educational programs on behalf of the Commonwealth for the purpose of promoting the objects of the SDA
- to examine enactments, and proposed enactments to ensure consistency with the SDA and its objects
- to consider grant appropriate exemptions for compliance with the SDA
- to report to the Minister as to the laws that should be made by the Parliament, or action that should be taken by the Commonwealth, on matters relating to discrimination under the SDA



Vice Chief of the Defence Force, Vice Admiral David Johnston, AC, RAN, Sex Discrimination Commissioner, Dr Anna Cody, and Chief of the Defence Force, General Angus Campbell, AO, DSC, before a meeting held at the Russell offices in Canberra. Dr Cody is holding the new Defence-AHRC Collaboration Agreement 2024-2029. ©Defence

- to prepare, and to publish in such manner as the Commission considers appropriate, guidelines for the avoidance of discrimination identified under the SDA, and
- where the Commission considers it appropriate to do so, with the leave of the court hearing the proceedings and subject to any conditions imposed by the court, to intervene in proceedings that involve discrimination issues arising from the SDA.

New SDA regulatory functions

The Commission's powers to inquire into and ensure compliance with the positive duty in the *Sex Discrimination Act 1984* (Cth) became operational on 12 December 2023.

These powers are contained within the *Australian Human Rights Commission Act 1986* (Cth) which confers a number of functions on the Commission including:

- to prepare, and to publish in such manner as the Commission considers appropriate, guidelines for complying with the positive duty in relation to sex discrimination
- to promote an understanding and acceptance, and the public discussion, of the positive duty in relation to sex discrimination
- to undertake research and educational programs in relation to the positive duty in relation to sex discrimination
- to inquire into a person's compliance with the positive duty in relation to sex discrimination
- to ensure compliance with the positive duty in relation to sex discrimination
- to do anything incidental or conducive to the performance of any of the preceding functions.

The Commission has published a [Statement of Intent](#) on its website that outlines how it will deliver on the [Minister's expectations](#) with respect to fulfilling its statutory responsibilities. We have also published on our website our [Compliance and Enforcement Policy](#) which outlines how the Commission will exercise its functions to ensure that duty holders receive the support, guidance and information necessary

to comply with their obligations under the positive duty.

(d) *Disability Discrimination Act 1992* (Cth) (DDA)

The Commission's functions under the DDA include:

- to promote an understanding and acceptance of, and compliance with, the DDA
- to report to the Minister on matters relating to the development of disability standards
- to monitor the operation of such standards and report to the Minister the results of such monitoring
- to consider and grant exemptions from compliance with the DDA
- to undertake research and educational programs, and other programs, on behalf of the Commonwealth for the purpose of promoting the objects of the DDA
- to examine enactments, or proposed enactments, to determine compliance with the objects of the DDA
- to report to the Minister as to the laws that should be made by the Parliament, or action that should be taken by the Commonwealth, on matters relating to discrimination under the DDA
- to prepare, and to publish in such manner as the Commission considers appropriate, guidelines for the avoidance of discrimination on the ground of disability, and
- where the Commission considers it appropriate to do so, with the leave of the court hearing the proceedings and subject to any conditions imposed by the court, to intervene in proceedings that involve discrimination on the ground of disability.

(e) *Age Discrimination Act 2004* (Cth) (ADA)

The Commission's functions under the ADA include:

- to promote understanding and acceptance of, and compliance with, the ADA
- to undertake research and educational programs, and other programs, on behalf of the

Commonwealth for the purpose of promoting the objects of the ADA

- to consider and grant exemptions for compliance with the ADA
- to examine enactments, or proposed enactments, to determine compliance with the objects of the ADA
- to report to the Minister as to the laws that should be made by the Parliament, or action that should be taken by the Commonwealth, on matters relating to discrimination on the ground of age
- to prepare, and to publish in the manner the Commission considers appropriate, guidelines for avoiding discrimination on the ground of age, and
- where the Commission thinks it appropriate to do so, with the leave of the court hearing the proceedings and subject to any conditions imposed by the court, to intervene in proceedings that involve issues of discrimination on the ground of age.

The Commission has additional functions arising from the Acts mentioned below, which also prescribe responsibilities on particular Commission Members as set out below.

(f) President

The President is the Commission's Accountable Authority under the *Public Governance, Performance and Accountability Rule 2014* (Cth), responsible for its financial and administrative affairs. Information on the Accountable Authority is set out in Appendix 3.

The President is responsible for the complaint-handling function of the Commission and is the Agency Head under the *Public Service Act 1999* (Cth) section 7.

(g) Sex Discrimination Commissioner

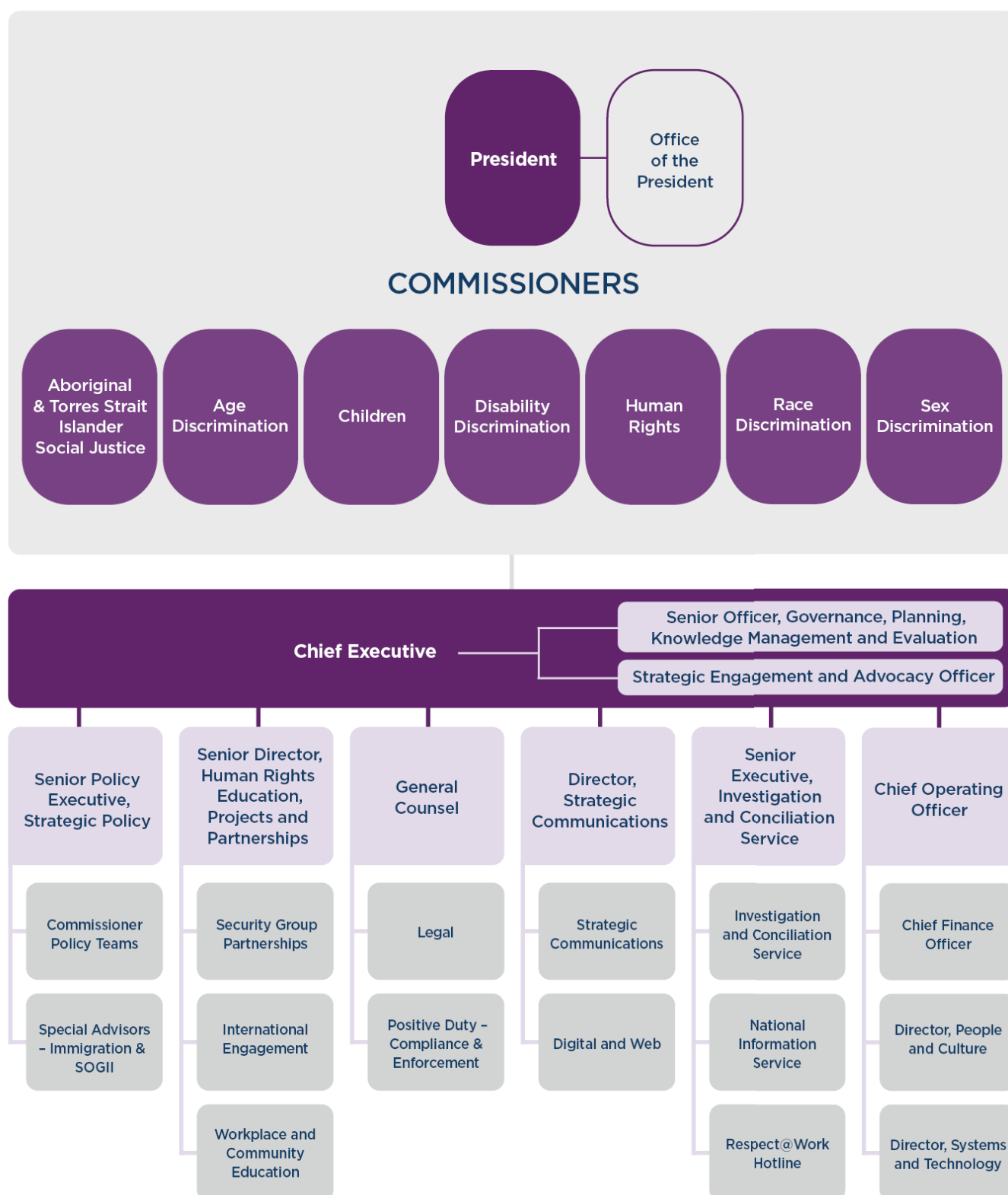
The Sex Discrimination Commissioner has functions under the *Fair Work Act 2009* (Cth) in relation to federal awards and equal pay.

(L-R) eSafety Commissioner, Julie Inman Grant; Privacy Commissioner, Carly Kind; Age Discrimination Commissioner, Robert Fitzgerald; Human Rights Commissioner, Lorraine Finlay at the Symposium on Neurotechnology and Human Rights.



5. Our Structure and Governance

5.1 Organisational Structure 2023–24



5.2 President, Commissioners and Chief Executive over the 2023-24 period



Emeritus Professor
Rosalind Croucher AM FAAL FRSA
FACLM (Hon)

President

July 2023 – June 2024
Acting SDC July-August 2023
Acting ADC August 2023 – March 2024
Acting DDC July-December 2023
Acting RDC November 2023 – February 2024



June Oscar AO
**Aboriginal and Torres
Strait Islander Social
Justice Commissioner**
July 2023 – April 2024



Katie Kiss
**Aboriginal and Torres
Strait Islander Social
Justice Commissioner**
April 2024 onwards



The Hon Dr Kay
Patterson AO
**Age Discrimination
Commissioner**
1- 28 July 2023



Robert Fitzgerald AM
**Age Discrimination
Commissioner**
April 2024 onwards



Chin Tan
**Race Discrimination
Commissioner**
July - October 2023



Rosemary Kayess
**Disability Discrimination
Commissioner**
January 2024 onwards



Lorraine Finlay
**Human Rights
Commissioner**



Anne Hollonds
**National Children's
Commissioner**



Giridharan Sivaraman
**Race Discrimination
Commissioner**
March 2024 onwards



Dr Anna Cody
**Sex Discrimination
Commissioner**
September 2023 onwards



Ms Leanne Smith
Chief Executive

5.3 Location and national reach

The office location of the Commission is in Sydney. Like other Commonwealth agencies, we have a growing number of staff working remotely from locations across the country.

The Commission conducts its activities nationally, including by maintaining a National Information Service, and conducting consultations, meetings, and events across Australia.

5.4 Responsible Minister

In this period the Hon Mark Dreyfus KC MP was the Attorney-General responsible for the Commission for the 2023–24 reporting period. The Attorney-General has various powers under the *Australian Human Rights Commission Act 1986 (Cth)*.

5.5 Governance

The Commission operates under *the Australian Human Rights Commission Act 1986 (Cth)*, the *Public Service Act 1999 (Cth)* and the *Public Governance, Performance and Accountability Act 2013 (Cth)*. The implementation of these responsibilities is outlined in the Commission's Governance Framework 2022, showing how the Commission is to be governed and its guiding principles; how it is to implement its functions, responsibilities and roles; and operating procedures necessary to fulfill the Commission's purpose and functions.

The Commission (consisting of the President and Commissioners) holds formal meetings to which the Chief Executive reports four times a year. These meetings facilitate comprehensive regular reporting of progress against the Commission's Strategic Plan and annual work plan, and the President and Commissioners' term goals, and provide space for key strategic decision making. As required, senior management also provide updates from across the Commission's work.

In line with our Governance Framework the Commission has four Sub-Committees: Budget; Partnership and Projects; Organisational Development and Culture; and Strategic Issues and Engagement. These Sub-Committees are chaired by Commissioners with diverse and relevant staff representation. They each meet regularly and report to the quarterly Commission meetings.

The President and Commissioners, as 'the Commission', must approve acts such as reports, submissions, interventions in court proceedings, and the granting of temporary exemptions. The Commission obtains appropriate ethics approval for all relevant major activities.

We adopt a positive risk management culture that promotes an open and proactive approach to managing risk. We achieve this through our governance, risk and compliance mechanisms, such as the Audit and Risk Committee and Governance Framework Sub-Committees. Our strategic and corporate planning processes are conducted at all levels of the organisation and align our strategic goals and outcomes with our strategic priorities and financial planning.

In this period the AHRC conducted an independent Enterprise Risk Assessment that guides our risk management framework which provides a mechanism for proactively identifying and mitigating risks across the organisation, and for monitoring the operating environment.

5.6 Audit and Risk

Under the Public Governance, Performance and Accountability Rule 2014 (Cth) (PGPA rule) requirement (section 17(2)(b)), our Audit and Risk Committee has assessed the performance statement contained in this report, reviewing the completeness and appropriateness of the performance information, systems and framework, and performance reporting.

Under the PGPA Rule requirement (section 17BE), the following information is provided:

(a) Electronic address of the audit committee charter:

https://humanrights.gov.au/sites/default/files/ahrc_audit_and_risk_committee_charter.pdf

(b) Audit and Risk Committee members in 2023–2024:

- Linda Waugh (Chair)
- Navaka Arachchige
- Clare Bower

(c) Qualifications, knowledge, and experience of committee members:

Linda Waugh is the Chair of the Audit and Risk Committee. She is the Integrity Commissioner for the Queensland Government. Ms Waugh has over 20 years' experience working in public sector integrity and oversight bodies in both the Commonwealth and state governments. She has a breadth of experience across complaints and investigations, risk and governance, policy reform and education, systems reviews, and auditing and legislative reviews. Ms Waugh holds a Bachelor of Arts, a Post Graduate Diploma of Psychology, and a Master of Business Administration.

Navaka Arachchige is an independent external member of the Audit and Risk Committee. He has over 15 years of public sector experience in finance and corporate services including governance, audit, risk, and procurement. Mr Arachchige holds membership of the Association of Certified Chartered Accountants UK and the Chartered Institute of Management Accountants UK. He also holds a Master of Commerce degree specialising in Management Information Systems from the University of NSW.

Clare Bower is an experienced governance, risk and audit professional with more than 20 years' advising and serving Australian and global organisations, including federal and NSW public sector departments, major ASX listed companies, and the not-for-profit sector. Her most recent full-time role

was as a senior Partner at Deloitte Australia. She was the Australian leader of Deloitte's Risk Services Public Sector and Not for Profit Industry Group.

(d) The Audit and Risk Committee held 5 meetings in 2023–2024 on these dates:

- 28 August 2023
- 15 September 2023
- 1 December 2023
- 15 March 2024
- 13 June 2024

Committee members attended all meetings with the exception of Mr Arachchige who was an apology for the 15 March 2024 meeting.

(e) Member remuneration:

Ms Clare Bower was remunerated \$5,000 in the 2023–24 period.



6. Annual Performance Statement



As the Accountable Authority for the Australian Human Rights Commission,
I present the Commission's 2023–2024 Annual Performance Statement.

The statement has been prepared as required under section 39(1)(a) of the
Public Governance, Performance and Accountability Act 2013 (Cth).

In my opinion, this statement accurately presents the performance of the
Commission in the reporting period and complies with section 39(2) of the
Public Governance Performance and Accountability Act 2013 (Cth).

Hugh de Kretser

President

30 September 2024

6.1 Introduction to the results

Measuring our impact (what difference, what benefit), in the context and nature of our work, is important but complex. The Commission draws on a monitoring, evaluation, accountability and learning (MEAL) approach to underpin our planning and reporting work.

For our Annual Performance Statement, progress indicators are mapped to each outcome and provide reasonable evidence of contribution to the outcome. While some measure the direct attributions of the Commission's work, others capture our contributions to the relevant outcome. This involves the simple structure of outlining the context of the project, what change took place including outlining indicators and outcomes, and what were the wider impacts.

Commission outcomes are often best understood when seen in the context of multi-year programs, advocacy and submissions. Indicators are sourced from a mixed method approach including of data collection, surveys and feedback from stakeholders.

Output and outcome data is combined with narrative stories of change to demonstrate impact over time. This mixed method approach is in line with the results-based accountability framework for impact report which is often utilised in assessing complex social problems.

Outcomes are mapped against an impact matrix that aligns with the performance framework and progress indicators set out in the Commission's Corporate Plan 2023–24. Programs of work may have diverse outcomes that speak to multiple indicators against our monitoring and performance plan over different phases of work. However, in the following Annual Performance Statement they are aligned to the most appropriate outcome against the body of work reported against over the 2023–24 reporting period.

6.2 Statement against outcomes

Outcome 1: Improving enjoyment of human rights by all, supporting access to justice and remedies for people and communities whose rights are breached.

1.1 We deliver a fair and effective investigation and conciliation of complaints service.

Indicator:

85% of complaints are finalised in under 12 months

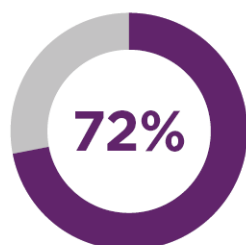
40% of complaints are resolved by conciliation

85% of parties to complaints are satisfied with the service they receive.

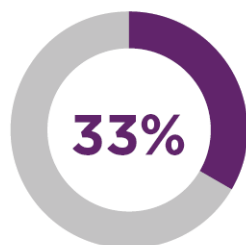
Instances where the terms on which investigations and conciliation disputes are resolved include systemic outcomes that accord with the objective of the law.

Instances where participation in the investigation and conciliation process results in increased understanding of rights and responsibilities in the law.

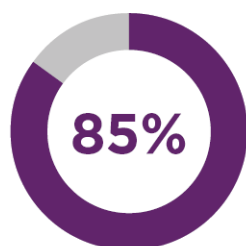
Results



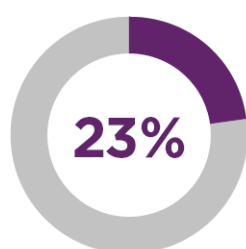
of complaints are finalised in under 12 months



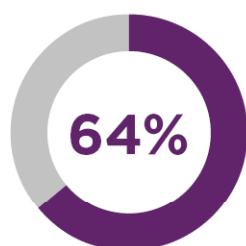
of complaints are resolved by conciliation



of parties to complaints are satisfied with the service they received



of conciliation outcomes were resolved including systemic outcomes that accord with the objective of the law



of survey participants responded that participation in the conciliation process results in increased understanding of rights and responsibilities in the law

The Commission's Investigation and Conciliation Service (ICS), (including the National Information Service (NIS) and Respect@Work Information Service), provides information and education, targeted referrals and accessible complaint handling services to thousands of individuals and organisations across Australia. In doing so, the work of the ICS supports access to justice and remedies for people and communities whose rights are breached on a daily basis.

Analysis of performance

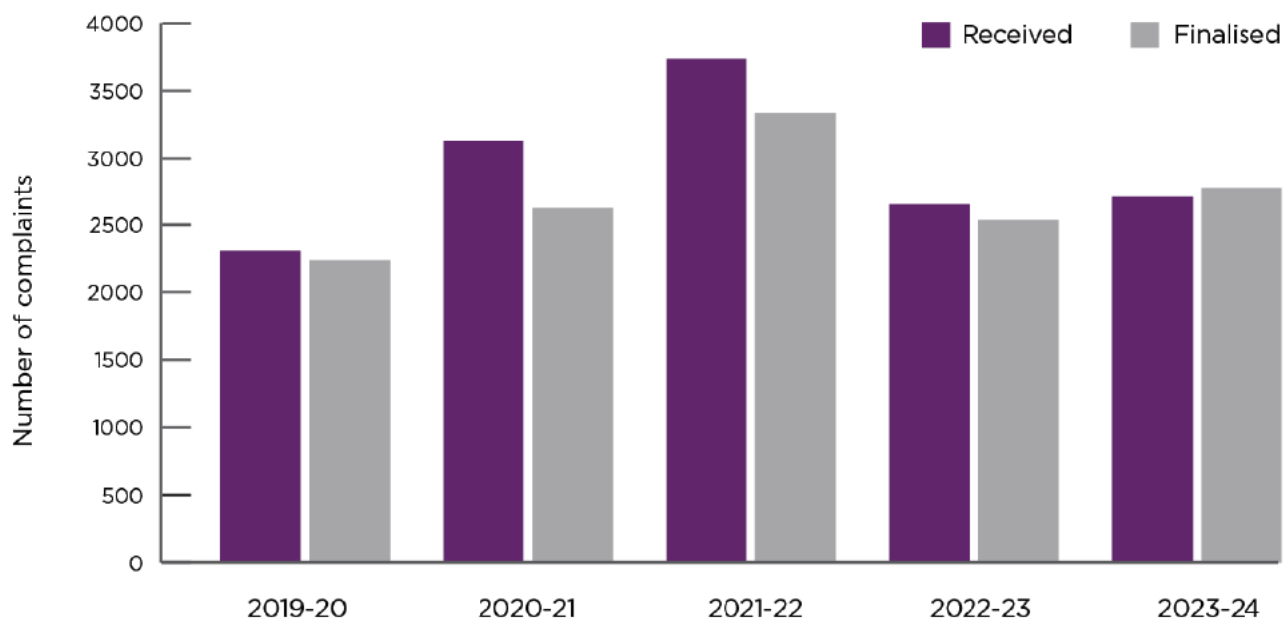
In 2023-24, the Commission received 2,708 complaints and finalised 2,771 complaints. Of the complaints finalised during this reporting period, one of the three progress indicators was achieved, with 85% of parties to complaints reporting they were satisfied with the service they received (an increase of 3% on the previous reporting year). However, 33% of complaints were resolved by conciliation, which is 7% below the progress indicator and lower than the average percentage of complaints resolved over the previous 10 years (although, higher than the previous year by 3%). While the percentage of complaints resolved through conciliation is below target, there has been a notable increase in the number of conciliation processes facilitated by the ICS when compared to last year. This is due to the overall increase in complaints received. The number of complaints resolved through conciliation this reporting period was 898 which is a 20% increase on the 755 complaints resolved through conciliation in 2022-23. This represents successful dispute resolution for more than 1,800 individuals and organisations involved in complaints before the Commission. Participation in conciliation can also be an empowering experience, irrespective of the outcome achieved. Unsolicited feedback received by the Commission regularly includes positive reflections about individuals' engagement with the ICS staff in circumstances where a conciliated outcome is not achieved, as the example below illustrates:

*'Thank you for the lengthy call.
You helped me to process my decision by
listening and providing me with a 'voice'.
Confirming that I will withdraw the complaint
based upon currency (it is in the past). Have a
lovely evening.
That was a VERY useful discussion for me and I
appreciate your time a lot!'*

In the most significant development, 72% of complaints were finalised within 12 months (lower than the 85% target and lower than the 10 previous years). The unprecedented number of complaints received by the Commission over recent years is continuing to adversely impact on the Commission's ability to deal with discrimination and human rights complaints effectively and efficiently. As the graph below illustrates, 2023-24 continues a recent trend of the Commission receiving well over 2,500 complaints per year and this is the first time in five years that more complaints have been finalised than received.

The Commission received welcome, temporary complaint backlog funding in late October 2022. However, the number and complexity of complaints received in 2023-24 (including an unanticipated increase in COVID-19 complaints), combined with a challenging recruitment period, means the temporary funding has not translated into all the anticipated efficiency improvements. While the party satisfaction rates the Commission reports on have all improved compared with results from the previous year, and nearly 150 more complaints were resolved through conciliation, a legacy caseload continues to put pressure on complaint handling timeframes.

An expected downturn in COVID-19 related complaints did not eventuate in 2023-24 as the Commission received 391 COVID-19 related complaints (compared to 114 last year). This increase, coupled with very high numbers of complaints received under the *Disability Discrimination Act* and the *Sex Discrimination Act*, has meant that an anticipated decrease in complaint handling timeframes has not materialised and this remains the biggest impediment to the ICS realising the goal of providing accessible *and* timely dispute resolution.



Survey satisfaction

When the Commission finalises a complaint, a voluntary survey is sent to the parties seeking feedback on the service they received. The survey is sent to all parties, except where a matter has been withdrawn or discontinued before a respondent is notified, or in circumstances where further contact with the Commission may cause harm (distress) to the relevant parties and/or staff.

Quote from complainant

I dealt with [an ICS staff member] and was truly astounded by the simplicity of the system and the guidance and explanations given. Unheard of in Government departments. Usually have to deal with mountains of red tape, and a lack of explanation of how and what to do and or happens. The AHRC gave very concise clear directions and made the whole process very transparent and easy to navigate and understand. Despite a VERY challenging situation we were able to achieve an excellent outcome for both parties and a very unexpected happy ending.

In 2023–24, 394 parties (221 complainants and 173 respondents) participated in the survey, representing a 14% response rate. 85% of participants (78% of complainants and 94% of respondents) reported that they were satisfied with the service they received and 69% (64% of complainants and 76% of respondents) rated the service very good or excellent.



Complainants satisfied



**Complainants rate service
Very Good / Excellent**



Respondents satisfied



**Respondents rate service
Very Good / Excellent**

Quote from respondent

Our Conciliator was great. She was very organised with correspondence between us and the other party, and was very professional and personable during conciliation. While we did not reach an outcome at conciliation, she gave the parties every opportunity to. Our client was comforted by the conciliator's manner in what was a stressful and emotional day.

The survey data also indicates that in relation to conciliated complaints, 74% of survey participants indicated that involvement in the Commission's complaint process had assisted them to better understand their rights and responsibilities under federal human rights and anti-discrimination laws. In 2023-24, of conciliated complaints, 23% of the outcomes achieved included outcomes with benefits for people beyond the individual complainant. Examples include: the implementation of anti-discrimination policies and training within workplaces; changes to the built environment to increase accessibility; adjustments in the way services are provided to all customers, and changes to policies that may have had unintended consequences for a particular group of people.

CASE STUDY ONE

Complaint of disability and assistance animal discrimination with personal and systemic outcomes

The complainant alleged the respondent taxi driver at a taxi rank refused to take his fare because he was accompanied by an assistance animal.

The taxi driver said he did not take the complainant's fare because it would mean he would be late for a pre-arranged booking.

The complaint was resolved through conciliation. The taxi driver had undergone training on discrimination and customer service and expressed regret for declining the complainant's fare. The taxi driver agreed to make a \$250 donation in the complainant's name to a charity that assists people with assistance animals and provides training and awareness raising to the public. The taxi company agreed to consult the charity on suitable training materials for its drivers to increase awareness of appropriate conduct towards passengers with disability accompanied by assistance animals.

The outcome of this complaint is an excellent example of the variety of case specific, individual and systemic remedies available through alternative dispute resolution. In this instance, the individual complainant received a personal outcome, and the individual respondent acknowledged his responsibility and made a personal contribution to the outcome sought by the complainant. In addition, the organisational response of consulting with an expert third party regarding suitable training resources for staff demonstrates a commitment to improved future access for people with assistance animals. This enhances access for people with disability using assistance animals and improves a crucial service provider's understanding about their obligations under the law.

CASE STUDY TWO

Complaint of sexual harassment in employment

The complainant alleged that a manager sexually harassed her after a work Christmas party at his home when she was intoxicated and unconscious. The complainant was no longer employed with the company at the time the complaint was lodged.

The company claimed it could not be held liable for any alleged sexual harassment. The company said it had communicated with staff concerning conduct expectations prior to the party, food had been served at the event and the alleged sexual harassment occurred after the party ended and at a different location.

The complaint was resolved with an agreement that the company pay the complainant \$55,000, review relevant policies and offer the complainant an opportunity to comment, commission appropriately qualified external trainers to deliver workplace behaviour training to managers, and commission trauma-informed training on sexual harassment for human resources staff.

This is an important example of a conciliated outcome giving the complainant a voice in the development of relevant policies and focusing on trauma informed training for key internal stakeholders who can then disseminate their learning to the wider employee group.

Positive Duty Regulatory Function

From 12 December 2023, the Commission's powers to inquire into and ensure compliance with the positive duty in the *Sex Discrimination Act 1984* (Cth) enlivened as outlined in 4.1.

In December 2023, the Commission published its Compliance and Enforcement Policy which outlines how the Commission will exercise its functions to ensure that duty holders receive the support, guidance and information necessary to comply with their obligations under the positive duty.

During this reporting period the Commission has established a multi-disciplinary Positive Duty Team (PDT) and has implemented a Regulatory Operating Model which provides an end to end framework for regulation. To support these regulatory functions during this period the PDT has focused on work in stakeholder engagement, education and training. Forward planning on outcomes and indicators will be included in next year's report aligned to our Corporate Plan and Portfolio Budget Statements.



Outcome 2: Strengthening Australia's human rights framework, embedding human rights issues at a national level.

2.1 The leadership and advocacy of the President and Commissioners on thematic areas or identified human rights issues, improves the enjoyment of human rights affected groups.

Indicator:

Research, reporting and advice activities of the Commission:

- Are viewed as evidenced, persuasive and credible by stakeholders
- Increase understanding of the human rights issues and impacts raised
- Strengthen stakeholder capacity to promote and advocate for the human rights issues raised.

Instances of programs attracting strategic partnerships that advance the priority human rights issues we have advocated for.

Results



26

major reports and publications



9

major events



129

speeches and presentations



87

web news items



25

opinion pieces



38

projects attracting strategic partnerships

*Wiyi Yani U Thangani Institute for First Nations Gender Justice launch.
L-R June Oscar AO, Aunty Dr Matilda House, Julia Gillard AC, Larissa Behrendt AO.*



Analysis of performance

Over the past year, the Commission has advanced a significant program of research, resources, partnerships and projects. This includes 26 major research, reports and resources, and 38 projects attracting strategic partnerships which is a 35% increase from the 2022-23 reporting period of 28 projects.

Projects are at different stages of development, implementation and finalisations. All utilise a rights-based approach to achieving change through increasing the evidence, understanding and capacity to address significant human rights issues. These are as demonstrated through the stories of change narrative outlining outcomes that took place as a result of projects profiled below including:

- the multi-year systems change projects such as the Wiyi Yani U Thangani (Women's Voices) project and Change Agenda that centres First Nations women, girls and gender diverse peoples to drive social, economic and ecological change;
- the development of tools and resources which supports decisions makers to centre the voices and rights of children in policy and legislation; and
- strengthened engagement with stakeholders and partners to advance the rights of all Australians, including those with diverse sexual orientation, gender expression and identity and sex characteristics (SOGIESC)

The Commission has an important role in strengthening the human rights framework in Australia through our powers to inquire into complaints of breaches of human rights under the *AHRC Act*. In instances where conciliation is unsuccessful or inappropriate and the Commission finds that there has been a breach of human rights, the Commission can prepare a report of its findings, including recommendations for action, for the Attorney-General.

This reporting period, the Commission has completed 19 human rights reports (16 published and 3 tabled) under the *AHRC Act* which is a more than threefold increase on the 2022-23 reporting period and is the highest number completed in the past four year reporting period resulting in a backlog of complaints. The backlog funding received in October 2022 to address this provided a short-term increase in staffing capacity.

Wiyi Yani U Thangani Institute for First Nations Gender Justice

The [Wiyi Yani U Thangani Institute for First Nations Gender Justice](#) (the Institute) was launched on 19 March 2024, by Aboriginal and Torres Strait Islander Social Justice Commissioner June Oscar AO. Based at the Australian National University (ANU), the Institute marks a historic milestone as the first of its kind, dedicated to amplifying the voices of First Nations women, girls, and gender-diverse mob across Australia to drive transformative social,

economic, and ecological change. The Institute builds on the legacy of the Wiyi Yani U Thangani (Women's Voices) Project which has been informed by thousands of First Nations women, girls, and gender-diverse mob across seven years.

The Institute provides a dedicated space where First Nations women, girls, and gender-diverse mob determine the collaborations and research approaches to ensure their lived experiences and knowledge systems are at the forefront of advancing gender justice and equality.

The Institute was originally conceived as a recommendation in the *Wiyi Yani U Thangani Report: Securing our Rights, Securing our Future* (2020) as one of 7 key recommendations.

The launch of the Institute ensures the work of the Wiyi Yani U Thangani project continues beyond its scope under the 7-year term of June Oscar AO as the Aboriginal and Torres Strait Islander Social Justice Commissioner.

The Change Agenda

Alongside the Institute, Commissioner Oscar launched the [Wiyi Yani U Thangani Change Agenda for First Nations Gender Justice](#) (the Change Agenda). It is the first living document of its kind—centering First Nations women and gender-diverse mob's vision for gender justice and equality, and the outcomes they believe must be met to achieve this vision. It has been described as a 'Blakprint' for transformation that is grounded in the voices of First Nations women, in all their diversity. The Change Agenda defines the change women and gender-diverse mob want to see in the world for the benefit of their children, families, communities, culture and Country.



The Change Agenda is captured in three layers of action-orientated outcomes and describes the commitments of the Institute, the systemic areas for change, and signals showing change. It is a unique measurement, evaluation and learning framework within a systems change approach. Measurement of outcomes is gathered through 'signals' that show whether change is or isn't occurring. These signals centre what communities see, hear, sense or feel is changing around them, rather than utilising a mainstream Western evaluation methodology. This framework follows what women and girls have told the project team throughout the life of the Wiyi Yani U Thangani project and ensures that the ongoing work of Wiyi Yani U Thangani remains situated within the knowledge systems of First Nations women and girls.

'We are flipping the narrative on its head and speaking to the system as the problem that needs to be fixed rather than our women ... Nothing like this has ever existed in Australia and it is a direct response to what our women and girls have called for—a Framework and an Institute owned by us, for us, that elevates our strengths, holds our truths, [and] sets out our actions for nation-wide structural reform to help develop the systems that will work for us and support our lives and rights on the ground.'

— June Oscar AO, Aboriginal and Torres Strait Islander Social Justice Commissioner

Feedback on the Change Agenda has been very positive, with women expressing hope, gratitude and excitement for what the Institute and Change Agenda can achieve. The Change Agenda contributes to the progression of First Nations women's rights under UNDRIP by providing the actions needed to make First Nations gender justice a reality.

Child Rights Impact Assessment (CRIA) tool—Safeguarding Children

The National Children’s Commissioner developed Australia’s first national [Child Rights Impact Assessment \(CRIA\) tool—Safeguarding Children](#) in October 2023. Developed with support from UNICEF Australia, it provides an opportunity for decision-makers, across all jurisdictions, to assess and monitor the impacts of policy and legislation on children’s rights and wellbeing, not only in emergency situations, but in all government decisions that affect children and their families every day. It also provides a mechanism for strengthening the voices of children and prioritising their needs.

The CRIA uses the Convention on the Rights of the Child (CRC) as the framework to assess these impacts. All the rights included in the CRC are necessary to the basic development of a child. No one right is given more importance than any other. They function as integrated components which can impact all aspects of a child’s or family’s life.

The Commission continues to conduct briefings across government departments on the Child Rights Impact Assessment Tool (CRIA) for use by government decision-makers to assess the direct and indirect impact of legislation and policy on children’s rights and ensure that the UN CRC, including children’s voices and priorities, is built into government decisions that will impact on their lives.

The 2024 report released by the Australian Government Senate Inquiry on the *Climate Change Amendment (Duty of Care and Intergenerational Equity) Bill* - known as the *Duty of Care Bill* - recommended that the Australian Government consider the wide use of the Child Rights Impact Assessment Tool to assist in policy development and decision making.

The wider use of the CRIA supports the National Children’s Commissioner’s Term Goal 3 to strengthen scrutiny of the legal and policy frameworks to protect children’s rights and wellbeing.

Sexual Orientation, Gender Expression and Identity and Sex Characteristics (SOGIESC) Engagement

Despite many recent and hard-fought-for advances towards equality, escalating complexities are confronting and obstructing the advancement of the rights of people with diverse sexual orientation, gender expression and identity, and sex characteristics (SOGIESC). This is occurring both domestically and internationally.

The Commission’s engagement with LGBTIQ+ communities has significantly increased this reporting period. The Commission engaged as a ‘friend’ (*amicus curiae*) of the Federal Court of Australia in the *Tickle v Giggle* case. The Commission assisted the Court by providing submissions about the meaning, scope and validity of relevant provisions of the *Sex Discrimination Act 1984* (Cth).

With the leadership of the Sex Discrimination Commissioner, the Commission has met with LGBTIQ+ community stakeholders across the country, and has publicly advocated at both domestic and international conferences for trans and gender diverse people’s human rights to be upheld while dispelling harmful assumptions that the rights of this group will infringe on the rights of cisgender women and girls. This includes the Sex Discrimination Commissioner submitting a recorded statement for the 56th Human Rights Council Session, to be played during an interactive dialogue with the UN Independent Expert on Sexual Orientation and Gender Identity (SOGI).

Stakeholders have shared that this increased engagement has been welcome, especially at a time where there is concern about the lack of progress from Federal state and territory governments on LGBTIQ+ issues.

One stakeholder reached out with this message:

“[Commissioner Cody].. was so great at the *Our Watch* launch today and hearing her talk about the case you’ve been involved in this week [*Tickle v Giggle*] gave me hope.”

2.2 Law and policy makers, at all levels, consider and address the human rights impacts we identify throughout submissions.

Indicator:

High proportion of Committee inquiry reports reflect and cite the Commission's advice.

Instances of our recommendations to UN mechanisms being reflected in treaty body concluding observations and other reports.

Majority of our applications to the courts for leave to appear are accepted.

Results



57

submissions (including 7 to UN mechanisms)



156

citations recorded



100%

of our applications to the courts for leave to appear were accepted

Analysis of performance

Human rights scrutiny and our engagement with parliamentary submission processes are an important mechanism in strengthening Australia's human rights framework. Our subject matter expertise grounded in international human rights treaties, robust and independent engagement on human rights issues and empowering an inclusive consulting process are key factors in law and policy makers considering and addressing human rights impacts through our submissions and applications to the courts.

The Commission tracks over time all submissions to parliamentary inquiries, UN mechanisms and submissions to the courts and uses citation analysis as our indicator.

This reporting period the Commission completed 57 submissions with 156 citations. This is a "point in time" analysis of submission and citations, as submissions may be made in one reporting period, and the final parliamentary report may be finalised in another. Additionally, the indicator relates only to the citation of the final parliamentary, UN or other report, rather than any wider citations in other publications.

This also applies to UN submissions where there is a long consultation period. This reporting period there were no final reports from our 7 submissions to UN mechanisms. However, between 2019-2024 there were 25 submissions to UN mechanisms and 84 citations recorded.

Anecdotally we know our submission may be referred to in other contexts which points to a wider impact, however this is not formally collated. Our data collection method is based on manual compilation and assessment, rather than the wider collection of metadata. While the collection of manual data against the indicator limits the scope of impact assessment, it supports greater understanding and learning about our impacts which is in line with the Commission's learning approach. Similarly, our submissions to the courts may be



NZYQ: The plaintiff's legal team, along with the legal teams of the Commission and the HRLC/Kaldor Centre that travelled to Canberra, outside Court 1 shortly after the orders were pronounced.

made in one reporting year, and the final judgement in the matter may be determined in the following.

The two narratives of change provided below show the long arc of the Commission's impact through advocacy and collaboration to bring about systemic change in our legal and policy frameworks to address human rights impacts.

The first example is an outcome of a submission to the court in which the Commission appeared as a friend (*amicus curiae*) of the High Court of Australia in the 2022-23 reporting period, in the case of *NZYQ v Minister for Immigration, Citizenship and Multicultural Affairs*. This narrative of change example highlights the impacts of the Commission's human rights advice after long-term and collaborative advocacy efforts. This is also demonstrated in the second example, a case of compensation for Indonesian children detained as adults, where the evidence and reporting work of the Commission contributed to human rights remedies for children wrongly treated as adults by the Australian justice system.

NZYQ v Minister for Immigration, Citizenship and Multicultural Affairs [2023] HCA 37

The High Court of Australia case *NZYQ* was about whether it was lawful for the Australian Government to lock up a person in immigration detention indefinitely, and potentially for the rest of their lives, because they don't have a visa and cannot be returned to their home country. In a landmark decision, the High Court ruled that the indefinite detention of people in immigration detention was unlawful. The Commission was granted leave to appear as *amicus curiae* to provide written and oral submissions.

The High Court decision in *NZYQ* unanimously overturned a 20-year-old precedent: the case of *Al-Kateb v Godwin*, which had previously ruled that migration laws authorised the indefinite detention of a person who was an unlawful non-citizen, even if there was no real prospect of removing them from Australia in the reasonably foreseeable future.

The Commission appeared in the *Al-Kateb* case and in three of the four cases considered by the High Court since then that sought to overturn it. In each of the cases prior to *NZYQ*, the High Court decided

the case on other grounds, and the correctness of *Al-Kateb* was not determined.

The *NZYQ* case applied to people who had been refused a visa by Australia, or had their visa cancelled, but who could not be removed to another country. There are a number of reasons why people cannot be removed from Australia. The most common one is that Australia has protection obligations to the person, either because the person is a refugee or because the person is at risk of other kinds of serious harm if they were returned to their home country. Some people cannot be removed from Australia because they are stateless, meaning there is no country they have a right to enter. Others have serious health problems that make travel impossible.

In *NZYQ*, the High Court held that the government can hold a person in immigration detention while it processes their visa application, or while it makes arrangements to remove them from Australia if their visa is refused or cancelled. However, if there is no real prospect of removal becoming practicable in the reasonably foreseeable future, then continuing to hold them in immigration detention, with no future release date, is unlawful. The reason for this is that further detention would not be related to any proper immigration purpose. It would be punitive, and detaining people for the purpose of punishment requires an order of a court. It is not something that the Government itself has the discretion to do.

The ruling in *NZYQ* did not affect the criminal law and the ability of the Government to imprison people to serve a criminal sentence imposed by a court. Some people affected by the *NZYQ* decision had previously been convicted of an offence, but every person with an Australian conviction had already served their sentence before being placed in immigration detention. Every person released from immigration detention as a result of the *NZYQ* case is placed on a bridging visa with strict conditions to protect the safety of the community. A Community Protection Board provides informed, impartial and evidence-based recommendations about what conditions are appropriate in each person's case. As at 30 June 2024, there were 178



The Commission's team in Canberra: Louisa Wong, Patrick Knowles SC, Megan Caristo and Graeme Edgerton.

people in the community on this kind of bridging visa. If circumstances change and they are able to be removed from Australia, they can be taken back into immigration detention to facilitate removal.

The *NZYQ* case brings Australia's immigration detention system into better alignment with article 9 of the *International Covenant on Civil and Political Rights*. Article 9 prohibits arbitrary detention, which includes detention that is unjust, unreasonable or disproportionate to a legitimate purpose. The Commission's sustained advocacy over many years helped to achieve this outcome.

Compensation for Indonesian children detained as adults

In December 2023, the Commonwealth agreed to pay \$30 million (plus legal costs) to settle a class action by a group of young Indonesians who claimed to have been wrongly treated as adults and unlawfully detained in Australia on suspicion of being involved in people smuggling.

In 2012, the Commission published a report called *An Age of Uncertainty*. It examined the cases of 180 young Indonesians who arrived in Australia as crew of asylum seeker boats between 2008 and 2011 and who claimed to be children.

A major finding of the report was that reliance by Australian authorities on wrist x-rays to determine a young person's age meant that many children were mistakenly assessed to be adults.

These children were then wrongly treated as adults by the Australian criminal justice system, which

involved them being detained and tried for people smuggling offences when government policy was to return Indonesian children to Indonesia. Further, if a person was mistakenly assessed as an adult, they could be liable for a mandatory minimum prison sentence which did not apply to children.

Following the Commission's report, there was a series of cases seeking to have convictions quashed and compensation paid for unlawful detention.

It has taken more than 10 years since the Commission's report into this issue for compensation to be paid to those affected by a flawed government policy.

This case shows the important relationship between the Commission and civil society, and the complementary roles they play to identify and find remedies for human rights breaches.



2.3 The national human rights reform agenda proposed in the *Free and Equal: A conversation on human rights report* is considered and addressed by the Parliament, government and the non-government sector.

Indicator:

The recommendations and actions in the report generate dialogue and receive public support and commitment from the Attorney-General and the non-government sector.

Results

In its final report, the PJCHR endorsed the Commission's *Human Rights Act* model while also suggesting improvements to it. The Parliamentary Joint Committee on Human Rights (PJCHR) report also endorsed the recommendations of the Commission's final report (with one exception: while it extensively noted the Commission's proposed reforms of federal discrimination law, it did not make a specific recommendation about this).

Revitalising Australia's Commitment to Human Rights: Free & Equal Final Report 2023.



The Commission's five year *Free and Equal* project culminated in 2023-24 with the tabling in Parliament of the final report of the project, *Revitalising Australia's commitment to human rights*, on 9 December 2023 and the national Free and Equal conference, on 6-7 June 2024.

There were also two national processes that provided significant consideration and endorsement of the Commission's Free and Equal proposals:

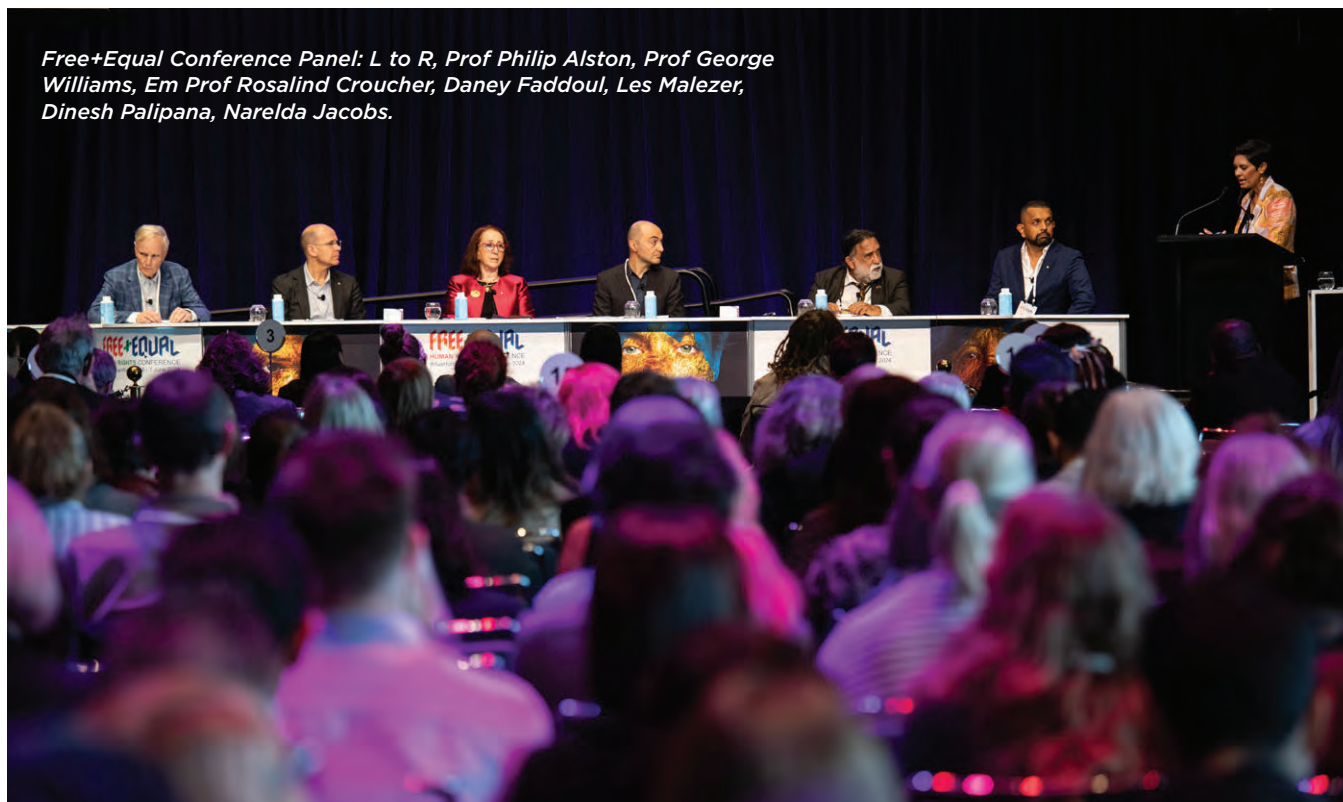
- The Joint Parliamentary Committee on Human Rights' inquiry into Australia's Human Rights Framework
- The final report of the Royal Commission into violence, abuse, neglect and exploitation of people with disability.

The final report of the project, *Revitalising Australia's commitment to human rights*, set out the Commission's proposals for a new national human rights framework. In short, the report noted that Australia's national systems for protecting human rights are out of date and not fit for purpose to best protect the rights of all people in Australia in the 21st century.

The Commission laid out eight integrated reforms for implementation through a new national human rights framework, with 12 recommendations to achieve this.

The report built on two position papers that the Commission had released in previous years setting out a federal discrimination law reform agenda and a model national *Human Rights Act*, as well as submissions that the Commission had made to the PJCHR for its inquiry into Australia's Human Rights Framework.

The PJCHR inquiry had been set up in March 2023 immediately following the release by the Commission of its model national *Human Rights Act*. The terms of reference for the inquiry referred to the suitability of the enactment of a *Human Rights Act* at the national level and referenced the Commission's model.



Free+Equal Conference Panel: L to R, Prof Philip Alston, Prof George Williams, Em Prof Rosalind Croucher, Daney Faddoul, Les Malezer, Dinesh Palipana, Narelda Jacobs.

Throughout the PJCHR inquiry, including through submissions and in public hearings, the Commission's model *Human Rights Act* was a focal point of the inquiry. 87.3% of submission to the PJCHR inquiry supported a *Human Rights Act* with 36% (116) of submissions explicitly endorsing the Commission's model.

In its final report, the PJCHR endorsed the Commission's *Human Rights Act* model while also suggesting improvements to it. The PJCHR report also endorsed the Commission's final report recommendations (with one exception: while it extensively noted the Commission's proposed reforms of federal discrimination law, it did not make a specific recommendation about this).

The PJCHR also attached an example national *Human Rights Act* to its inquiry report that operationalises the Commission's proposed model.

This is a significant development on the path towards a national *Human Rights Act* and enables future discussions to commence on the basis of draft legislation.

In September 2023, the final report of the Disability Royal Commission also gave extensive consideration to the Commission's proposals from the Free and Equal project. Volume 4 of the final report extensively references the Commission's work – including by endorsing the Commission's federal

discrimination law reform agenda as it relates to the *Disability Discrimination Act* 1992. The final report also noted the Commission's proposed national *Human Rights Act*, while also noting that this extended beyond the terms of reference of the Royal Commission. It then developed a *Disability Rights Act* which specifically referenced key elements of the Commission's *Human Rights Act* model.

The Commission held a national Free and Equal conference on 6-7 June 2024 in Sydney (see outcome 3.2 of the Annual Performance Statement for more information on this event).

The reform agenda proposed by the Commission across this multi-year project is wide reaching and has involved detailed technical consideration. When commenced, there was limited appetite from government for such reform. There is now a significant momentum around key elements of the reform agenda.

The high level of endorsement of the project's recommendations by both the PJCHR and Disability Royal Commission are major achievements. However, the focus of the Commission remains on the full implementation of the Free and Equal Report recommendations, as well as those of the Disability Royal Commission and PJCHR. The next financial year will be key in achieving this.

Outcome 3: Better understanding of, and respect for, human rights so people and communities take action to defend human rights in their own context.

3.1 Our education activities increase capabilities among individuals, communities and organisations to promote and protect human rights and address discrimination.

Indicator:

At least 80% of learners report having benefited from Commission training. This data is drawn from participant surveys of our workshops and eLearning courses.

Please note: The language has been changed from 'satisfied' to 'benefited' to present a more meaningful outcome indicator that is aligned against the specific question in the survey

Number of organisations working with the Commission to develop human rights education / training activities.

Results



95%

reported having benefited from the training

The Commission worked with



49

agencies in training and information sessions delivered face-to-face or online



44

agencies to deliver eLearning modules

Analysis of performance

Human rights education is a mandated function of the Commission and an important way it supports better understanding of, and respect for human rights in Australia. This function remains seriously underfunded, with most of this work having to be conducted on a cost-recovery basis to fund the staff working on workplace and community education.

Results

Workshops

50

workshops delivered (in-person and virtual)

892+

workshop participants

97%

reported that they
benefitted from participating
(n=218 survey responses)

Self-paced eLearning:
free courses

The Commission provides a series of 11 modules
on the National Principles for Child Safe
Organisations, which have been heavily utilised.

8339

individuals completed Module 1:
Introduction to the National Principles
for Child Safe Organisations

60,250

modules completed
(note: not unique individuals)

7266

surveys completed

98%

reported that completing the module(s) has
increased their knowledge about the National
Principles for Child Safe Organisations

Self-paced eLearning courses:
fee-for-service training

44

agencies purchased
courses

3222

individuals completed a course

95%

reported that they
benefitted from participating
(n=1603 survey responses)

Community Information and
engagement sessions

55 sessions

800+ participants

Feedback included:

"I think this is one of the most important and essential courses I have taken in my entire work life and I think this should be mandatory in every work setting. To be in a safe work environment is vital and every one of us should be aware of the regulations and expectations."
(Appropriate Workplace Behaviour participant)

In the 2023-2024 reporting period, the Commission updated and delivered workplace training packages on topics including Contact Officer training, *Appropriate Workplace Behaviour*, and *Disability Awareness*.

This reporting period the Commission has increased its engagement with schools and education departments. This includes delivering workshops and webinars, conducting scoping reports and contributing to curriculum reforms.

"Just a big thank you from us for your excellent work delivering our HCO training over the past 2 days. We were both very impressed with your content and delivery, and felt you handled the discussion of difficult topics with so much care and consideration. A number of our participants reached out to us and said they found the training extremely valuable."
(Contact Officer Training organisers)

"...course is good as it is, very confronting for me as a 57-year-old, senior in my profession. An eye-opener."
(Addressing Workplace Sexual Harassment participant).

Community education and engagement also supports the Commission's work across ICS and Policy teams. This reporting period the ICS team completed 46 community engagement activities including 18 training and information sessions to support understanding of the relevant legislation

and referral for complaints and conciliation processes with engagements taking place across all states and territories in Australia.

The subject matter expertise and research and reports that the Commission undertakes within Policy teams also significantly increases the capacity of individuals and groups to promote and protect human rights. The importance of this work is highlighted through the two narratives of change highlighted in the report below.

The Workplace and Community Education Team and Positive Duty Team undertook detailed updates to two of the Commission's most sought-after eLearning courses *Understanding work-related sexual harassment* and *Retail and hospitality: Understanding and eliminating work-related sexual harassment*. These courses align with published guidelines for complying with the Positive Duty under the *Sex Discrimination Act 1984* (Cth), which the Commission now enforces.

Both courses centre the lived experience of people who have witnessed or experienced sexual harassment at work, and consider how age, gender identity, sexuality, disability, race and other aspects of individual identity shape the way people experience work-related sexual harassment. The courses empower employees and employers to be proactive in creating safe, respectful and inclusive workplaces that benefit all Australians.



Posters from the Positive Duty community education campaign.



Age Awareness Workshops

In July 2023 the Age Discrimination Team published the report [Changing Perspectives: testing an ageism intervention](#), which found that a short, targeted workshop could drive positive changes in attitudes and behaviour, which may be sustained over time. Public interest in the project led the Commission to conduct ongoing talks and workshops across Australia.

The Commission conducted 20 workshops and numerous talks during the original research phase (reaching about 500 people either online or in person across Australia) and 14 workshops and 8 talks since August 2023-June 2024, reaching about 1,167 people. The second phase reached audiences of different ages, cultures, languages, geographical locations and professions, including council staff, aged care staff, TAFE teachers, optometrists, dentists, private sector staff delivering aged care services, researchers and policy-makers, and older people themselves.

Ongoing evaluations indicate an average of 92% of attendees say they benefited from the workshop, with most commenting that it is good that tricky topics can be discussed in a non-judgemental way, with humour, sensitivity, grounded knowledge and tools to challenge the issue. An unexpected outcome for many older and younger participants is realising the role self-directed ageism can play in limiting their lives.

The Commission collaborated with organisations to develop resources and measure sustained outcomes. One Victorian local government assessed two online workshops three months later and found 100% agree they benefited from attending the workshop and 94.5% agreed they viewed ageing and older people more positively. Most participants implemented changes to their daily work or conversations such as changing the language they use when talking with, or about older adults (94.4%), sharing learnings with colleagues, friends and family (77.8%), developing age inclusive approaches at work (77.58) and challenging ageist remarks (72.2%).

Reflections and comments from attendees on what they have done included:

"Stop telling my mum/ others "Hey I'll grab this for you, or I'll carry this - because you're old" (heavy groceries etc.). She's 51, very capable and definitely not old. It was meant in jest, but I didn't realise how that narrative might affect her and subconsciously be limiting for her."

"It has really got me thinking about ageism and how it is embedded in everyday life and work - without me ever realising. I have made changes where I can - especially in language and have talked to friends and family about ageist comments that are made which most people don't even realise are ageist!"

This project is an important example of how the Commission delivers independent and valuable research as reported in the 2022-23 reporting period, but it has strategically linked ongoing work to challenge ageism into broad professional and community networks. Importantly, the impact of the workshops is sustained, giving participants the information, tools and agency to feel empowered and confident to have conversations about ageism in their workplaces, with family and more.

OPCAT Training

The Commission continues to play an active role in the implementation of the Optional Protocol to the Convention Against Torture (OPCAT) in Australia and the development of Australia's National Preventive Mechanism (NPM) network.

Signatories to the OPCAT are required to develop a national mechanism to monitor places of deprivation of liberty across the country. These mechanisms (NPMs) operate with prevention in mind, looking for systemic issues and making recommendations to address them before they become human rights violations. Australia currently has a multi-body NPM consisting of oversight bodies across the Commonwealth, states, and territories. The Australian NPM is gradually developing but NSW, QLD, and VIC are yet to designate bodies to complete the NPM.

In December 2023, the Commission approached the Association for the Prevention of Torture (APT), a Geneva-based civil society organisation with expertise in providing training to NPM's across the world, to facilitate training for the existing Australian NPM.

Commissioner Finlay and team worked with the Commonwealth Ombudsman, in its capacity as the Australian NPM Coordinator, to ensure maximum support from the Australian NPM bodies.

The training workshop took place at the Office of the Commonwealth Ombudsman in Canberra in May 2024. The workshop brought together 31 participants representing 12 NPM organisations across Australia with passive livestreaming provided to enable participants from the New Zealand NPM to attend.

An optional seminar with Sam Gluckstein (UK NPM), Rebecca Minty (ACT Inspector of Correctional Services) and Commissioner Lorraine Finlay took place at the Australian National University on Tuesday 21 May.

Since the completion of the training workshop, the Commission, Commonwealth Ombudsman and the APT are developing an online platform in which the

training recording and related modules can be made available to NPM staff across the country and to new NPM's as they are designated.

The Commonwealth Ombudsman surveyed the training participants and reported that respondents found the training very useful and would likely attend another training workshop in the future:

'A highlight was hearing from all the experts in the room (including speakers and participants). Main takeaway was that we have a lot of work to do to establish the framework for and methodologies, etc.'

The provision of this training aligns with the Commission's previous finding made in the *Implementing OPCAT in Australia* report (2020). This report identified the 'value of NPMs undertaking education and training on the human rights framework of which OPCAT is a part.' It also directly responds to findings made in the Disability Royal Commission.



3.2 Our information resources, services, events and campaigns reach, inform and influence users and audiences

Indicator:

An average engagement rate of 2% or higher for Commission social media posts about our education and information activities.

High rates of participants finding our events and campaigns engaging and relevant.

Instances of legal information, resources, guidelines and exemptions process help employers and organisations to comply with Australian discrimination and human rights law.

Results



Overall average social media engagement



0.05% Twitter



5.68%* LinkedIn

*only 9 months of data available at time of reporting



6.02% Instagram



3.28% Facebook

17

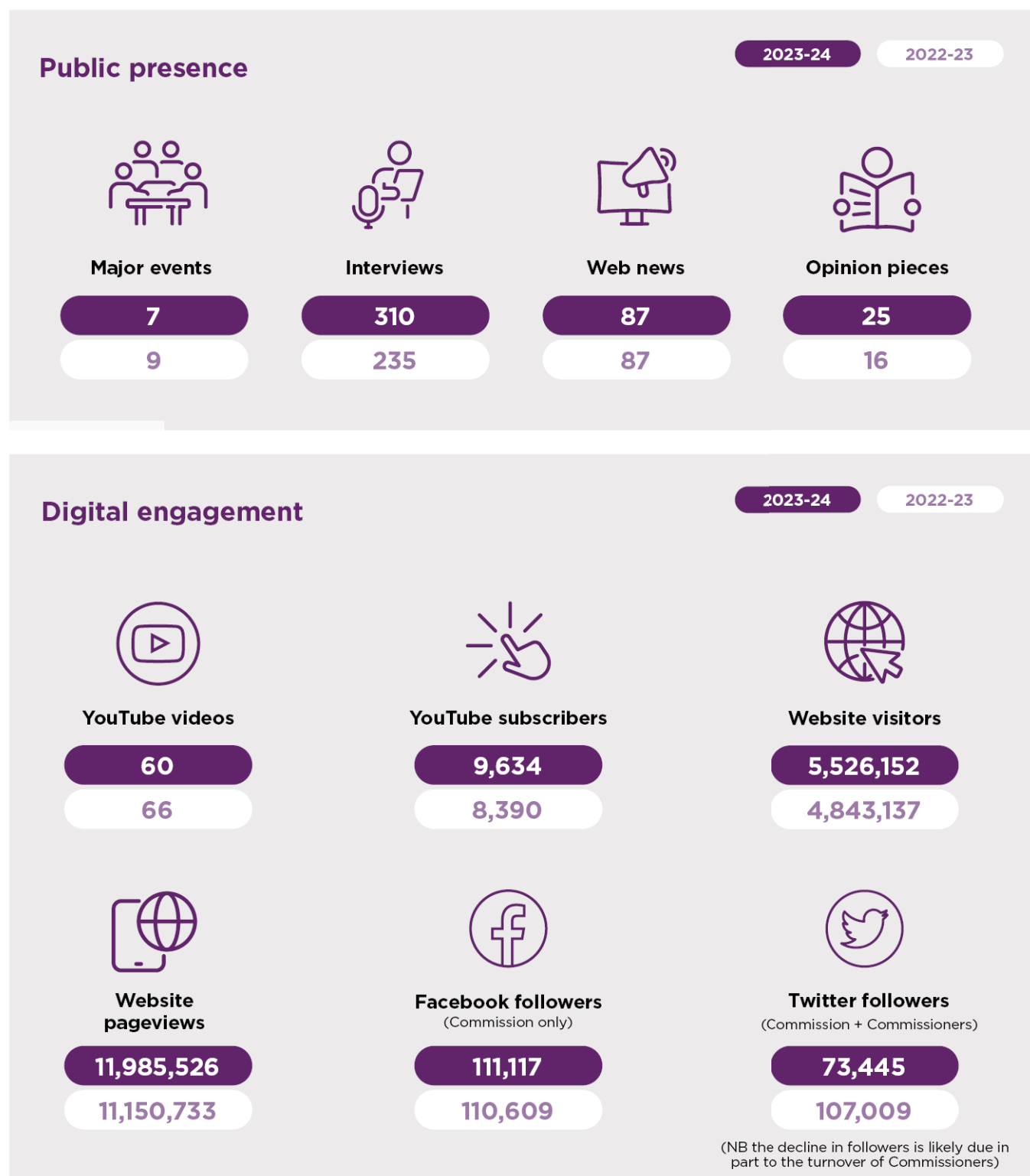
public campaigns and events took place this reporting period with high levels of engagement recorded through Facebook, Twitter/X, Instagram and LinkedIn

21

resources were developed this reporting period

Analytics below provide overall utilisation of website content. An example of how engagement rates are also reviewed across campaigns and resources

is provided in the resource kit and education campaign on the referendum Voice to Parliament for Aboriginal and Torres Strait Islander Peoples.



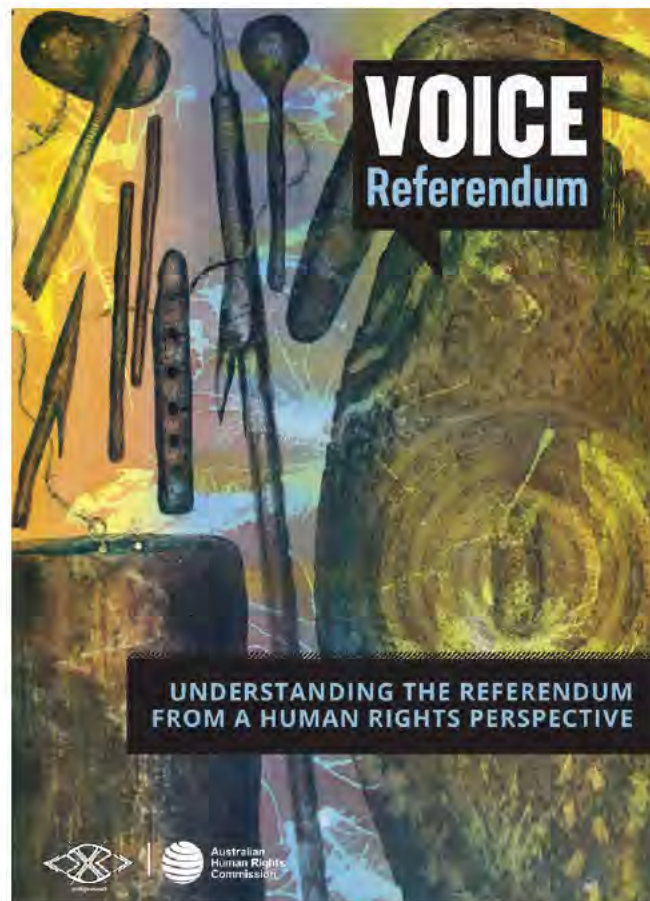
Analysis of performance

The Commission plays an important role in supporting resourcing individuals and communities to better understand, and act on, human rights issues. Measuring the reach and accessibility of resources is an important way the Commission gauges progress toward this outcome. The Commission measures the click through rate to assess engagement and this year measured an average of 3.76 across all our social media platforms (Facebook 3.28%, Instagram 6.02%, LinkedIn 5.68%, Twitter 0.09%).

In addition to the 21 resources developed this reporting period (please see Appendix 2 for a detailed list), comprehensive updates to all web materials were undertaken. Site analytics indicate significant improvements:

- Digital certainty index (measuring quality and potential impact of digital presence: accessibility, useability, credibility and trustworthiness, search engine optimisation)
 - June 2023: 80.8/100
 - June 2024: 88.5/100
- Quality assurance (measuring content quality & freshness, security, user experience)
 - June 2023: 62.6/100
 - June 2024: 90.8/100
- Accessibility measuring effectiveness in meeting Web Content Accessibility Guideline standards, accessibility best practice)
 - June 2023: 82.4/100
 - June 2024: 86.3/100

Individual engagement rates are also reviewed across campaigns and resources such as the resource kit and education campaign on the referendum Voice to Parliament for Aboriginal and Torres Strait Islander Peoples. Further information on this is outlined in the below narrative.



Resource kit and education campaign: Referendum for a Voice to Parliament for Aboriginal and Torres Strait Islander Peoples

In 2023 the Commission developed a [resource kit](#) and accompanying education campaign about the Referendum for a Voice to Parliament for Aboriginal and Torres Strait Islander peoples.

The Commission's Voice referendum resource suite and accompanying information campaign promoted anti-racist approaches, while acknowledging that a diversity of perspectives is critical to building a more inclusive and equitable society where everyone's rights are respected.

The resources and education campaign were designed to support public understanding of human rights principles as they related to the Referendum encouraging and supporting the Australian public

to consider the Uluru Statement and the Voice proposal and associated referendum through a human rights lens.

The resources and associated communications aimed to provide accurate guidance for voters and to also remind Australians of the importance of respectful dialogue throughout the public debate. The resources and education campaign urged respectful and constructive engagement in all conversations about the referendum and harm minimisation principles were embedded throughout.

The resources were made available on the Commission website in early August 2023 around three months prior to the referendum. There were more than 95,000 views of the resource webpages and 42,617 unique downloads of the resources.

Analytics showed that both the resource kit and accompanying social media tiles were incredibly well received by the public. Communications channels included social media (LinkedIn, Facebook, Twitter and Instagram), Electronic Direct Messages (EDMs), web content, opinion editorials and news media channels, resulting in widespread engagement. Many Commission stakeholder organisations and individuals also shared the Commission's messaging through their own digital and social media channels (including EDMs with their respective audience), and the news media took a particular interest in the harm minimisation principles embedded throughout the project.

Even after the Referendum, the resources continue to be accessed. Six months after their release the referendum resource related pages received 131,264 views and 49,739 downloads – making them the most engaging resources on the Commission's website in 2023.

Free+Equal Conference

The Free+Equal Conference was a major event delivered on 6-7 June to mobilise support for a *Human Rights Act* across a range of sectors and human rights advocates. More than 700 delegates joined more than 60 diverse leaders, experts and advocates from across Australia for a keynote delivered by former High Court judge and international jurist The Hon Michael Kirby AC CMG and UK based barrister and human rights lawyer Jennifer Robinson. In their joint keynote address they urged the government to follow through with the parliamentary committee's recommendations, including for a *Human Rights Act*, and for all political representatives to unite to support human rights protections in Australia.

Delegates also heard from a wide range of speakers from across civil society, legal, education and business sectors. They drew on their expertise and lived experience to strengthen the case for further human rights protections in Australia. They talked about giving voice to the voiceless by enshrining all our human rights in a common tool for justice. Sessions covered key human rights-related issues such as preventing racism, improving children's rights and youth justice, exploring the intersection of business, technology and human rights, and 40 years of the *Sex Discrimination Act*.

A curtain-raiser for the conference was the *Rights On Time* public panel discussion held on the evening before the conference and facilitated by Adam Spencer - comedian, writer, broadcaster and media personality. The panel featured the Commission's President together with six prominent Australians; Waleed Aly, Jennifer Robinson, The Hon Michael Kirby, Sisonke Msimang, Tanya Hosch and Nazeem Hussain. The panel debated future human rights scenarios and how a *Human Rights Act* would protect people and communities in a hypothetical – but entirely possible – 2034.

The event was a major undertaking and part of the Vivid Sydney Ideas program.



Above: L to R, Narelda Jacobs, The Hon Michael Kirby AC at the Free+Equal Conference.
Below: Rights On Time panel show which took place on the eve of the Conference.



Outcome 4: Ensure better understanding of, and respect for, human rights so people and communities take action to defend human rights in their own context.

4.1 Our activities increase the capacity of vulnerable groups, communities and their advocates to understand and advocate for human rights.

Indicator:

Instances of participants and stakeholders in our consultations and research activities reports and other participation activities that are beneficial and empowering.

Results

This performance statement provides eight examples of how projects ensure better understanding of, and respect for human rights so people and communities take action to defend human rights in their own context. Our rights-based approach to program delivery links both 4.1 and 4.2 and therefore the narrative provided addresses both outcomes.

4.2 Our activities increase the capacity of governments, organisations, other groups and services to understand and address the human rights impact of their actions, particularly when working with vulnerable groups and communities.

Indicator:

Instances of stakeholders in our activities with organisations reporting that our work has contributed to increased understanding of the impact of their systems and operations on human rights.

Instances of stakeholders in our activities with organisations making changes to promote human rights in their context.

Instances of partners: Increased knowledge and application of human rights frameworks, principles, and practices to advance human rights reforms.

Practice, policy reform related to human rights principles which are reviewed or developed because of technical cooperation activities.

Analysis of performance

Fundamental to all our work are the principles of a rights-based approach - participation, accountability, non-discrimination and equality, empowerment and legality. These principles are central to ensuring better understanding of, and respect for, human rights so people and communities take action to defend human rights in their own context.

The below stories of change are chosen to demonstrate these in principles in practice, across different communities and in different contexts, to meet this outcome.

Supporting Quality Engagement with Children – ‘Do things with the information we tell you’

The Supporting Quality Engagement project, funded by the Department of Social Services and led by the National Children’s Commissioner, has the broad aim of elevating the voices of children and young people to influence policy.

A three-year project, year 1 focused on the *National Strategy to Prevent and Respond to Child Sexual Abuse 2021-2030* (National Strategy), led by the National Office for Child Safety (the National Office). Specifically, consultations explored two key issues:

- how the services and support to which children and young people turned in tough times could be improved; and
- ideas for content and features for a website and helpline to assist victims and survivors of child sexual abuse (to inform Measure 7 under the National Strategy’s First National Action Plan).

The process of consultations – actively listening to the thoughts, ideas, opinions and advice of children and young people – was itself an exercise in rights-realisation. Children and young people were realising their right to participate in decisions affecting them, as per Article 12 of the Convention on the Rights of the Child. For many, they were realising a right they had previously not had access to. As participation is a gateway right, consulting with children and



National Children’s Commissioner Anne Hollonds (C) with Dr Mike Freelander MP (L) and Zali Steggall, OAM, MP (R) at the Parliamentary Friends of Child and Adolescent Health and Mental Health breakfast Sept 2024.

young people – helping them to access the right to participate – means equipping them with tools with which to access their other rights.

The team travelled to metropolitan, regional and remote areas around the country with the National Children’s Commissioner. The team conducted 35 small group and one-to-one consultations with 232 children and young people, many of whom had lived experience of abuse. These consultations were organised with the support of partner organisations, including NGOs and schools. The process was designed with safeguarding as a priority, which resulted in children and young people feeling safe enough to explore difficult subjects, particularly the help that victims and survivors of abuse need. This also meant that the team, through strong stakeholder relationships, could reach some of the most vulnerable children – children who would not usually have opportunities to be heard.

The high level of engagement from children and young people suggested that young people want to

expressed appreciation at being heard -
'Our ideas and opinions were properly listened to and validated'

demanding action -
'Do something with the information we tell you'

[illegible]

48

The outcomes of this project are helping to embed human rights issues at the national level and helping young people to understand and claim their rights.

The Commission undertook consultations with First Nations communities for a National Anti-Racism Framework. These consultations were conducted for the Commission by a First Nations company.

Comprehensive consultations were undertaken across metropolitan, rural, and remote locations in every state and territory of Australia.

Additionally, the project team actively engaged in one-on-one virtual consultations with individuals who contacted them directly, as well as with peak bodies, no matter their location. Almost 500 people participated in focus groups, in-person and online. Written submissions from relevant organisations were also accepted.

WYUT Focus Groups

From October to December 2023, Aboriginal and Torres Strait Islander Social Justice Commissioner, June Oscar AO hosted a series of online and in-person Focus Groups for First Nations youth, LGBTIQA+ sistergirls and gender-diverse mob, women with trans experience, women with additional needs and abilities and women with expertise in driving gender equality and women-led movements and initiatives on the ground.

Focus Groups were undertaken as part of Stage Three of the Wiyi Yani U Thangani project, drawing on the lived experience of participants and ensuring their insights, experiences, and perspectives are recognised and respected in laying the groundwork for the establishment of the Wiyi Yani U Thangani Institute for First Nations Gender Justice (the Institute), and the development of the Wiyi Yani U Thangani Change Agenda for First Nations Gender Justice (the Change Agenda). Focus groups were delivered in partnership with First Nations data and evaluation team at Kowa Collaboration and had a strong emphasis on gathering information on data, measurement, and evaluation approaches to be used throughout the Change Agenda and the work of Institute. This included exploring self-determined measurements for tracking change, ensuring that First Nations women's knowledges and practices are centred and strengthen Indigenous data sovereignty and governance.

'Measurement and data does not need to be all about numbers— it is about our heart and spirits, it is about voice, story, emotion— it is about truth. Numbers can tell us all sorts of lies. Wiyi Yani U Thangani is and always has been about voice—your voice—what you are saying about your lives, how you see your future and what matters to you.'

— **June Oscar AO, Aboriginal and Torres Strait Islander Social Justice Commissioner**



Holding these focus groups contributed to upholding the Wiyi Yani U Thangani project's broad objective of always listening, learning and amplifying the voices of First Nations women in all diversity. It additionally contributed to Commissioner Oscar's term goal of elevating First Nations women's voices. These focus groups provided insights from women and gender diverse mob specifically towards the measurement, data and evaluation for the Change Agenda and Institute which greatly assisted in the development of these two outcomes. It also strengthened the project teams' relationships with First Nations women with different lived experiences, providing the team with new learnings to drive meaningful change through the Institute.

Speaking from Experience

Workplace sexual harassment is very common in Australian workplaces – 1 in 3 people have experienced workplace sexual harassment in the previous five years. We know this from the Respect@Work Inquiry and our latest National Survey.

We also know that perpetrators of workplace sexual harassment more often target individuals who face complex forms of discrimination, for example women workers who are also Aboriginal or Torres Strait Islander, from culturally and racially marginalised groups, workers with disability, young workers, and LGBTIQIA+ workers. We need to ensure these voices and experiences of sexual harassment are heard, to shape prevention and address workplace sexual harassment.

The Sex Discrimination Commissioner is leading the Speaking from Experience project and with the team they have led 27 consultations across all of Australia. 136 people attended these consultations and contributed their advice and insights about what

needs to change to make workplaces safer for everyone. Consultations will continue until October 11.

The project affirms the resilience of diverse victim-survivors, and from what we have heard, we will develop resources that foregrounds their expertise, insights and advice.

People from a range of diverse backgrounds, including Aboriginal or Torres Strait Islander workers, workers from culturally and racially marginalised groups, workers with disability, young workers, and LGBTIQIA+ workers have said about the sessions:

"This room was filled with amazing considerate people who heard each other and really made change. I am really proud to be a part of the people in this room."

"Really safe space, felt heard and welcomed right from the moment I walked in."

"The experience was really good, found it liberating and comforting that other women have experienced the same thing and, in a way, to have my say"

94% of people that completed the feedback form rated their overall experience in taking part in the project as either 'excellent', 'very good' or 'good'.

Through this project we are ensuring that diverse voices are heard, in order to shape future employer actions and to make workplaces safer. An intersectional approach has been taken, embedding a full concept of gender equality in making workplaces safer.





Commission staff at the launch of ANROWS research into migrant and refugee women's attitudes and experience of sexual harassment at work.



Top, left to right: Josie Short, Director, NT Anti-Discrimination Commission; Neilab Osman and Erica Powell from AHRC Sex Discrimination Team. Bottom, left to right: Andi Jones, Communications and Stakeholder Engagement Advisor, NT Anti-Discrimination Commission, Jeswynn Yogaratnam, NT Anti-Discrimination Commissioner and Anna Cody, Sex Discrimination Commissioner at an event in Darwin launching the Northern Territories new Positive Duty laws.

IncludeAbility

The IncludeAbility project advances the human right of people with disability to equal employment. The project does this by increasing meaningful employment opportunities for people with disability and supporting employers to address employment barriers in their organisations and in the workforce.

The first phase of IncludeAbility ended in 2023. To assess its impact, the Commission engaged the Centre for Social Impact Swinburne University to independently evaluate the project. The [evaluation](#) found that some employers lack awareness of disability and hold low expectations of people with disability and their employment capabilities.

'Often the reluctance to hire people with disability, in particular intellectual disability, I think, comes from an attitude of low expectations wrapped around that if we get it wrong, we're going to be subject to ridicule and that our company will receive bad press because we didn't get it right.'

- IncludeAbility Ambassador

IncludeAbility helped address negative attitudes and a lack of understanding about people with disability and their employment capabilities.

Through the IncludeAbility project, employers increased their knowledge and confidence in applying successful strategies for employing people with disability. It did this through building communities of practice between employers, linking employers to new talent pools, and providing ongoing tailored supports and practical resources.

IncludeAbility also led to more paid employment opportunities for people with disability at award wages through the two Pilot Employment Programs in Perth and the Illawarra region. The pilots were 'place-based' and tailored to the needs of both the employing organisations and the pilot employees. They gave employers the chance to assess and improve the accessibility and inclusiveness of their organisations. They also offered intensive ongoing

support to the pilot employees and their direct managers and teams, to help them solve issues and adapt to new situations.

One person with disability who engaged in the pilots described the opportunity as 'life changing'. Other pilot participants highlighted outcomes such as:

'Proved that I can work in open employment.'
- Pilot employee-survey

'Proud to show my kids anything is possible.'
- Pilot employee-survey

These pilots offer a useful prototype for other organisations seeking to embed good practice in disability employment in their workplaces. This pilot model highlights promoting alternative pathways to employment, providing fair pay and workplace accommodations, engaging with all organisational levels, and offering ongoing tailored support as key ingredients for success.

The evaluation emphasised the important role of the Commission in promoting best-practice in disability employment. The Commission's national reach and expertise relating to disability discrimination complaints makes it a credible and influential champion in this space.



IncludeAbility Ambassadors Tracey Corbin-Matchett and Nathan Basha.



AHRC President Rosalind Croucher, Ambassador for Human Rights Ms Bronte Moules and Director-General of DTL Mr Phoukhoun Sisoulath sign an MOU at the Launch Event for Phase III of the Australia-Laos HRTCP in Canberra, November 2023.

Building knowledge and skills on human rights treaties reporting in Lao PDR

Since 2019, the Australian Human Rights Commission has been formally managing a Human Rights Technical Cooperation Program between Australia and Laos, funded by the Department of Foreign Affairs and Trade. 2023-24 marked the first year of Phase III of this program and saw strengthened relationships as well as notable advancements in awareness and capacity on human rights reporting among key stakeholders in Laos.

As a direct result of this program, the Department of Treaty and Law (DTL) in the Ministry of Foreign Affairs was able to expedite progress on submitting its UPR and Treaty Body reports to UN mechanisms. Our partners have reported that without the long-term and flexible support provided by the program, it would not be possible for them to plan ahead in the drafting process, convene stakeholders from different ministries, or have the resources to deliver reports. After 10 years, Laos is on track to deliver its initial report under the Convention Against Torture in late 2024. DTL officials have reported that without the assistance provided by the Commission, the current momentum on reporting would not be possible.

The program has also had a tangible impact on the quality and effectiveness of human rights reporting. As a result of the technical assistance provided

by AHRC staff and other experts supported by the Commission, DTL have identified ways to improve and streamline the reporting process. For example, based on information shared during program activities they plan to use annexes to report more holistically on progress to implement recommendations from a previous reporting cycle, and adopt simplified reporting procedures for reporting against some Conventions.

Renewed momentum on human rights reporting has helped to build awareness of human rights issues in Laos with a wider range of stakeholders, including the National Human Rights Committee, representatives from various government ministries, and selected non-profit associations. Across the five program activities held this year, over 200 individuals have received training in human rights reporting and increased their awareness of human rights treaties and international law.

For the Commission, our involvement in human rights technical cooperation projects is tied to our unique mandate as an NHRI in the international human rights system. International engagement also ensures the quality and strategic impact of Commission domestic human rights activities, as it promotes best human rights practice and helps ensure that Australia continues to demonstrate leadership in and commitment to human rights in our region.

Australian Federal Police Partnership

The Gender Pay Gap and Equity (GPG&E) Project analysed quantitative and qualitative data to assess the gender pay gap and other equity differences for men and women in the AFP. The analysis focuses on the five dimensions of equity: representation, development, opportunity, retention and pay.

The Australian Federal Police (AFP) total gender pay gap for 2021/2022 was 12.1 per cent. While lower than that of the APS, this pay gap means the average yearly full-time earnings of a woman in the AFP is \$15,357 AUD less than a man. For every \$10 men earned, women earned \$8.79.

Subsequent to the delivery of the Commission's Report, the AFP has implemented several initiatives to address the drivers of the Gender Pay Gap. The AFP developed and delivered a Gender Equality Action Plan that lifts recommendations from the GPG&E Final Report and embeds them into policy and procedure, adopted by the enterprise.

The AFP has implemented an enterprise-wide approach to addressing gender equality. While this 'stops discrimination before it starts' when it comes to pay, it also contributes to a diverse and inclusive culture at the AFP; to broader change aligned with Respect@Work aims and objectives; and to the AFP meeting its Positive Duty. In addition, it addresses the Sex Discrimination Commissioner's goal of women's economic security and the Commission's goal to promote and protect human rights.

Australian Border Force (ABF) Partnership Team

The Australian Border Force (ABF) sought the Commission's assistance in identifying ways to enhance their systems for preventing and addressing workplace misconduct, including bullying, harassment, and discrimination. Utilising the Commission's Respect@Work framework, the ABF Partnership team identified several areas where the organisation could strengthen its approach to these issues and made recommendations to this effect.

In April 2024, the ABF endorsed all of the Commission's recommendations and has since undertaken a number of initiatives including:

- delivering a senior leadership statement of intent to the workforce to signal commitment to promoting a safe diverse and inclusive workforce
- changes to its diversity and inclusion practices
- a focus on building inclusive leadership capability of the Senior leadership team
- redesigning its reporting, response and support systems to make them more person centred and trauma informed.

Following the release of the Commission's ABF Respect@Work Project Report, the ABF Commissioner Michael Outram, publicly expressed appreciation for the work of the Commission and apologised to ABF Officers impacted by potential bullying and harassment behaviours at work. In reinforcing the ABF's commitment to fostering an inclusive, safe and respectful workplace, Commissioner Outram noted:

"...For the ABF to deliver our mission we must ensure that our workplace is an inclusive environment where everyone is able to bring their full self to work and feel safe, respected and valued. This is non-negotiable. Bullying and intimidation, sexual harassment, exclusion, discrimination and racism have no place within our organisation..."

The outcome of the report has supported ABF's efforts to uphold obligations under Federal anti-discrimination legislation, including the Positive Duty under the *Sex Discrimination Act 1984* (Cth), its greater focus on diversity and inclusion priorities across the workforce and a cultural shift towards responding to incidents that is victim centred and trauma informed.

7. Financial Statements

Statement by the Accountable Authority, Chief Executive and Chief Financial Officer



STATEMENT BY THE ACCOUNTABLE AUTHORITY, CHIEF EXECUTIVE AND CHIEF FINANCIAL OFFICER

In our opinion, the attached financial statements for the year ended 30 June 2024 comply with subsection 42(2) of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act), and are based on properly maintained financial records as per subsection 41(2) of the PGPA Act.

In our opinion, at the date of this statement, there are reasonable grounds to believe that the corporate Commonwealth entity will be able to pay its debts as and when they fall due.

Hugh de Kretser
President and
Accountable Authority
20 September 2024

Leanne Smith
Chief Executive
20 September 2024

Maria Moore
Chief Financial Officer
20 September 2024

Independent Auditor's Report



INDEPENDENT AUDITOR'S REPORT

To the Attorney-General

Opinion

In my opinion, the financial statements of the Australian Human Rights Commission (the Entity) for the year ended 30 June 2024:

- (a) comply with Australian Accounting Standards – Simplified Disclosures and the Public Governance, Performance and Accountability (Financial Reporting) Rule 2015; and
- (b) present fairly the financial position of the Entity as at 30 June 2024 and its financial performance and cash flows for the year then ended.

The financial statements of the Entity, which I have audited, comprise the following as at 30 June 2024 and for the year then ended:

- Statement by the Accountable Authority, Chief Executive and Chief Financial Officer;
- Statement of Comprehensive Income;
- Statement of Financial Position;
- Statement of Changes in Equity;
- Cash Flow Statement; and
- Notes to the financial statements, comprising a summary of significant accounting policies and other explanatory information.

Basis for opinion

I conducted my audit in accordance with the Australian National Audit Office Auditing Standards, which incorporate the Australian Auditing Standards. My responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Statements* section of my report. I am independent of the Entity in accordance with the relevant ethical requirements for financial statement audits conducted by the Auditor-General and his delegates. These include the relevant independence requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants (including Independence Standards)* (the Code) to the extent that they are not in conflict with the *Auditor-General Act 1997*. I have also fulfilled my other responsibilities in accordance with the Code. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Accountable Authority's responsibility for the financial statements

As the Accountable Authority of the Entity, the President is responsible under the *Public Governance, Performance and Accountability Act 2013* (the Act) for the preparation and fair presentation of annual financial statements that comply with Australian Accounting Standards – Simplified Disclosures and the rules made under the Act. The Accountable Authority is also responsible for such internal control as the Accountable Authority determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Accountable Authority is responsible for assessing the ability of the Entity to continue as a going concern, taking into account whether the Entity's operations will cease as a result of an administrative restructure or for any other reason. The Accountable Authority is also responsible for disclosing, as applicable, matters related to going concern and using the going concern basis of accounting, unless the assessment indicates that it is not appropriate.

Independent Auditor's Report (continued)

Auditor's responsibilities for the audit of the financial statements

My objective is to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian National Audit Office Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with the Australian National Audit Office Auditing Standards, I exercise professional judgement and maintain professional scepticism throughout the audit. I also:

- identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control;
- obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Entity's internal control;
- evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Accountable Authority;
- conclude on the appropriateness of the Accountable Authority's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Entity's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my auditor's report. However, future events or conditions may cause the Entity to cease to continue as a going concern; and
- evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

I communicate with the Accountable Authority regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

Australian National Audit Office



Saminda Maddumahewa
Senior Director

Delegate of the Auditor-General

Canberra

23 September 2024

Statement of Comprehensive Income for the year ended 30 June 2024

	Notes	2024 \$'000	2023 \$'000	Original Budget \$'000
NET COST OF SERVICES				
Expenses				
Employee benefits	1.1A	27,764	20,837	28,135
Suppliers	1.1B	9,802	8,101	11,492
Depreciation and amortisation	2.2A	3,907	3,494	3,437
Finance costs	1.1C	160	7	4
Write-down and impairment of other assets	1.1D	14	-	-
Total expenses		41,647	32,439	43,068
Own-source income				
Own-source revenue				
Revenue from contracts with customers	1.2A	10,345	10,969	9,167
Interest	1.2B	1,358	483	50
Other revenue	1.2C	24	58	-
Total own-source revenue		11,727	11,510	9,217
Gains				
Other gains	1.2D	399	14	46
Total gains		399	14	46
Total own-source income		12,126	11,524	9,263
Net cost of services		(29,521)	(20,915)	(33,805)
Revenue from Government	1.2E	31,315	26,549	31,315
Surplus/(deficit) after income tax on continuing operations		1,794	5,634	(2,490)
Total comprehensive income/(loss)		1,794	5,634	(2,490)

The above statement should be read in conjunction with the accompanying notes.

Budget Variances Commentary

Statement of Comprehensive Income for not-for-profit Reporting Entities

Supplier expenses are lower than budget due to expenditure deferred to future years as well as unforeseen delays in execution of the Commission's Consent survey project.

Depreciation costs, Write down and impairment of assets and Finance costs are higher than budget due to the negotiation of a new property lease for the Commission's office since the 2023-24 Budget was prepared.

Total own-source revenue is higher than budget due to the expansion of the Commission's workplace and community education program; sponsorship and ticket sales for the Commission's Human Rights awards and Free and Equal conference were not included in the budget; the execution of new contracts with external funders for discrete programs of work and higher than anticipated interest revenue.

Other gains are higher than budget due to rent forgiven for the early exit of a portion of the Commission's previous office premises.

Statement of Financial Position as at 30 June 2024

	Notes	2024 \$'000	2023 \$'000	Original Budget \$'000
ASSETS				
Financial assets				
Cash and cash equivalents	2.1A	28,549	26,407	20,615
Trade and other receivables	2.1B	798	1,083	798
Total financial assets		29,347	27,490	21,413
Non-financial assets¹				
Property subject to operating leases	2.2A	20,030	2,500	-
Infrastructure, plant and equipment	2.2A	2,517	918	560
Intangibles	2.2A	16	187	368
Other non-financial assets	2.2B	332	377	613
Total non-financial assets		22,895	3,982	1,541
Total assets		52,242	31,472	22,954
LIABILITIES				
Payables				
Suppliers	2.3A	1,360	1,555	858
Other payables	2.3B	10,577	9,600	10,096
Total payables		11,937	11,155	10,954
Interest bearing liabilities				
Leases	2.4A	19,942	2,605	-
Total interest bearing liabilities		19,942	2,605	-
Provisions				
Employee provisions	3.1A	4,417	4,118	4,361
Other provisions	2.5A	1,069	511	561
Total provisions		5,486	4,629	4,922
Total liabilities		37,365	18,389	15,876
Net Assets		14,877	13,083	7,078
EQUITY				
Contributed equity		18,561	18,561	18,561
Reserves		2,599	2,599	2,599
Retained surplus/(Accumulated deficit)		(6,283)	(8,077)	(14,082)
Total equity		14,877	13,083	7,078

The above statement should be read in conjunction with the accompanying notes.

1. Right-of-use assets are included in the 'Property subject to operating leases' line item.

Statement of Financial Position as at 30 June 2024 (continued)

Budget Variances Commentary

Statement of Financial Position for Not-for-Profit Reporting Entities

As at 30 June 2024 Cash is higher than budget due to the improved operating result delivered for 2023-24.

Property subject to operating leases, interest bearing liabilities and other provisions are higher than budget due to the execution in 2023-24 of a ten year lease for the Commission's new office premises at level 19-20, 175 Pitt Street, Sydney.

Statement of Changes in Equity for the year ended 30 June 2024

	Notes	2024 \$'000	2023 \$'000	Original Budget \$'000
CONTRIBUTED EQUITY				
Opening balance as at 1 July				
Balance carried forward from previous period		18,561	18,561	18,561
Closing balance as at 30 June		18,561	18,561	18,561
ACCUMULATED LOSSES				
Opening balance				
Balance carried forward from previous period		(8,077)	(13,711)	(11,592)
Comprehensive income				
Surplus/(deficit) for the period		1,794	5,634	(2,490)
Closing balance as at 30 June		(6,283)	(8,077)	(14,082)
ASSET REVALUATION RESERVE				
Opening balance				
Balance carried forward from previous period		2,599	2,599	2,599
Closing balance as at 30 June		2,599	2,599	2,599
TOTAL EQUITY				
Opening balance				
Balance carried forward from previous period		13,083	7,449	9,568
Comprehensive income				
Surplus/(deficit) for the period		1,794	5,634	(2,490)
Total comprehensive income		1,794	5,634	(2,490)
Closing balance as at 30 June		14,877	13,083	7,078

The above statement should be read in conjunction with the accompanying notes.

Budget Variances Commentary

Statement of Changes in Equity for not-for-profit Reporting Entities

The closing balance of the Commission's accumulated losses at 30 June 2024 are lower than budget due to the improved operating result in 2023-24. Some of the expenditure originally budgeted to be spent in 2023-24 has been deferred to 2024-25.

The impact of the reduction in accumulated losses is an improved total equity position as at 30 June 2024

Cash Flow Statement for the year ended 30 June 2024

	Notes	2024 \$'000	2023 \$'000	Original Budget \$'000
OPERATING ACTIVITIES				
Cash received				
Receipts from Government		31,315	26,549	31,315
Sale of goods and rendering of services		11,613	15,491	10,167
Interest		1,336	443	50
GST received		1,340	1,018	1,207
Other		399	14	-
Total cash received		46,003	43,515	42,739
Cash used				
Employees		27,416	20,718	28,135
Suppliers		11,197	9,048	11,452
Interest payments on lease liabilities		2	7	4
GST paid		98	752	1,207
Total cash used		38,713	30,525	40,798
Net cash from operating activities		7,290	12,990	1,941
INVESTING ACTIVITIES				
Cash used				
Purchase of property, plant and equipment		2,543	42	326
Total cash used		2,543	42	326
Net cash used by investing activities		(2,543)	(42)	(326)
FINANCING ACTIVITIES				
Cash used				
Principal payments of lease liabilities		2,605	2,499	2,603
Total cash used		2,605	2,499	2,603
Net cash used by financing activities		(2,605)	(2,499)	(2,603)
Net increase/(decrease) in cash held		2,142	10,449	(988)
Cash and cash equivalents at the beginning of the reporting period		26,407	15,958	21,603
Cash and cash equivalents at the end of the reporting period	2.1A	28,549	26,407	20,615

The above statement should be read in conjunction with the accompanying notes.

Budget Variances Commentary

Cash Flow Statement for not-for-profit Reporting Entities

In 2023-24 cash received from operating activities is higher than budget due to the expansion of the Commission's workplace and community education program; sponsorship and ticket sales for the Commission's Human Rights awards and Free and Equal conference not included in the budget; the execution of new contracts with external funders for discrete programs of work; higher than anticipated interest revenue and rent savings from the early exit of our previous property lease.

Overview

The Australian Human Rights Commission (the Commission) is an Australian Government controlled entity. It is a not-for-profit entity. The Commission's objective is to ensure that Australians have access to independent human rights complaint handling and public inquiry processes and benefit from human rights education, promotion, monitoring and compliance activities.

The Commission is structured to meet the following outcome:

An Australian society in which human rights are respected, protected and promoted through independent investigation and resolution of complaints, contributions to law and policy reforms, research, education, partnerships, and monitoring and reporting on human rights.

The continued existence of the Commission in its present form and with its present programs is dependent on Government policy and on continuing funding by Parliament for the Commission's administration and programs.

The Commission activities contributing toward these outcomes are classified as departmental. Departmental activities involve the use of assets, liabilities, income and expenses controlled or incurred by the Commission in its own right.

The Basis of Preparation

The financial statements are required by:

- a) section 42 of the *Public Governance, Performance and Accountability Act 2013*

The financial statements have been prepared in accordance with:

- a) *Public Governance, Performance and Accountability (Financial Reporting) Rule 2015* (FRR); and
- b) Australian Accounting Standards and Interpretations – including simplified disclosures for Tier 2 Entities under AASB 1060 issued by the Australian Accounting Standards Board (AASB) that apply for the reporting period.

The financial statements have been prepared on an accrual basis and in accordance with the historical cost convention, except for certain assets and liabilities at fair value. Except where stated, no allowance is made for the effect of changing prices on the results or the financial position. The financial statements are presented in Australian dollars.

Taxation

The Commission is exempt from all forms of taxation except Fringe Benefits Tax (FBT) and the Goods and Services Tax (GST).

Events After the Reporting Period

The Commission is not aware of any significant events that have occurred since balance date that warrant disclosure in these financial statements.

Financial Performance

This section analyses the financial performance of Australian Human Rights Commission for the year ended 2024.

1.1 Expenses

	2024 \$'000	2023 \$'000
1.1A: Employee benefits		
Wages and salaries	21,801	16,071
Superannuation		
Defined contribution plans	2,805	1,991
Defined benefit plans	667	566
Leave and other entitlements	2,139	2,002
Other employee expenses	352	207
Total employee benefits	27,764	20,837

Accounting Policy

Accounting policies for employee related expenses is contained in the People and relationships section.

1.1B: Suppliers

Goods and services supplied or rendered

ICT services and support (Note 1)	784	528
Insurance	69	49
Office consumables	118	67
Official travel	1,511	1,812
Postage and freight	16	4
Printing and publication	253	410
Professional services and fees (Note 2)	4,234	2,243
Property related outgoings	925	877
Reference materials, subscriptions and licenses	818	794
Staff training (Note 3)	370	157
Telecommunications	95	84
Venue hire and other costs	295	764
Remuneration of auditors	46	46
Other	168	104
Total goods and services supplied or rendered	9,702	7,939
Goods supplied	371	477
Services rendered	9,331	7,462
Total goods and services supplied or rendered	9,702	7,939

Financial Performance (continued)

	2024 \$'000	2023 \$'000
1.1B: Suppliers (continued)		
Other suppliers		
Workers compensation expenses	35	39
Low value leases	65	123
Total other suppliers	100	162
Total suppliers	9,802	8,101

Note 1: The increase in ICT services and support in 2023-24 is primarily due to a website refresh project the Commission commenced in 2023-24.

Note 2: The increase in Professional services and fees in 2023-24 is primarily due to expert advice, community consultations and resource development for the Commission's National Anti-Racism Strategy.

Note 3: The increase in Staff training in 2023-24 reflects the Commission's approach to improve investment in staff development.

Accounting Policy

Short-term leases and leases of low-value assets

The Commission has elected not to recognise right-of-use assets and lease liabilities for short-term leases of assets that have a lease term of 12 months or less and leases of low-value assets (less than \$10,000 per asset). The Commission recognises the lease payments associated with these leases as an expense on a straight-line basis over the lease term.

1.1C: Finance costs

Interest on lease liabilities	160	7
Total finance costs	160	7

The above lease disclosures should be read in conjunction with the accompanying notes 1.1C, 1.1D, 1.2A and 2.4A.

Accounting Policy

All borrowing costs are expensed as incurred.

1.1D: Write-down and impairment of other assets

Impairment of property, plant and equipment	14	-
Total write-down and impairment of other assets	14	-

Financial Performance (continued)

1.2 Own-Source Revenue and Gains

	2024 \$'000	2023 \$'000
OWN-SOURCE REVENUE		
1.2A: Revenue from contracts with customers		
Rendering of services	10,345	10,969
Total revenue from contracts with customers	10,345	10,969
Major product / service line:		
Service delivery	10,345	10,969
	10,345	10,969
Type of customer:		
Australian Government entities (related parties)	8,595	7,966
State and Territory Governments	407	298
Non-government entities	1,343	2,705
	10,345	10,969
Timing of transfer of goods and services:		
Over time	9,184	9,595
Point in time	1,161	1,374
	10,345	10,969

Accounting Policy

Revenue from the rendering of services is recognised when performance of specific service obligations, that are required and enforceable under a contract or agreement made between the Commission and the customer, sufficiently allow the Commission to determine when they have been satisfied.

The principal activities from which the Commission generates its revenue include, service fees and direct cost recoveries from the supply of domestic and international human rights technical assistance programs, development of education resources and delivery of training services and interest earned on short-term bank deposits.

The Commission predominantly provides services to its customers under agreed terms and conditions contained in contracts or agreements made between the two parties. The nature, timing of satisfaction of performance obligations, and any significant payment terms are specified in the agreed terms and conditions, milestones and payment schedules.

The transaction price is the total amount of consideration to which the Commission expects to be entitled in exchange for transferring promised services to a customer. The consideration promised in a contract with a customer may include fixed amounts, variable amounts, or both. No consideration from contracts is excluded in the transaction price. In the event that a change is required to any of the terms and conditions contained in a contract or agreement, including transaction price, a Contract Variation is agreed between the parties. The Commission has a right to consideration from a customer in an amount that corresponds directly with the value to the customer of the Commission's performance completed to date under the original contract or subsequent variations to the contract.

Where performance obligations are satisfied over time, revenue is recognised monthly in arrears following a review of costs incurred for the delivery of service obligations for the project(s) and activities related to the customer contract. Costs incurred are primarily recurring in nature, and the customer simultaneously receives and effectively gains control of the services as the Commission performs its obligations.

Revenue for performance obligations satisfied at a point in time is recognised in accordance with specified milestones for the performance of obligations in the contract, for example "acceptance of a final report by the customer". Customer contracts with performance obligations satisfied at a point in time are short-term and include agreed dates for completion of milestones and transferral of any deliverable(s), this also indicates when a customer obtains control of outputs from the promised services. Milestone completion is confirmed with relevant contract manager prior to revenue recognition.

Receivables for goods and services, which have 30 day terms, are recognised at the nominal amounts due less any impairment allowance account. Collectability of debts is reviewed at end of the reporting period. Allowances are made when collectability of the debt is no longer probable.

Financial Performance (continued)

	2024 \$'000	2023 \$'000
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1.2B: Interest

Deposits	1,358	483
Total interest	1,358	483

Accounting Policy

Interest revenue is recognised using the effective interest method.

1.2C: Other revenue

Resources received free of charge

Remuneration of auditors	-	46
Other	24	12
Total other revenue	24	58

Accounting Policy

Resources received free of charge

Resources received free of charge are recognised as revenue when, and only when, a fair value can be reliably determined and the services would have been purchased if they had not been donated. Use of those resources is recognised as an expense. Resources received free of charge are recorded as either revenue or gains depending on their nature.

Volunteer and pro-bono services

On the initial recognition of volunteer and pro-bono services as an asset or an expense, the Commission recognises any related amounts in accordance with the relevant standard. The Commission recognises the excess of the fair value of the volunteer services over the recognised related amounts as income immediately in the income statement.

GAINS**1.2D: Other gains**

Other	399	14
Total other gains	399	14

The above lease disclosure should be read in conjunction with the accompanying notes 1.1B and 1.2E.

Accounting Policy

Other Gains

Gains on the reduction of prior year provisions are recognised at their nominal value as gains, when, and only when, the original provision for services has been determined to no longer be required.

1.2E: Revenue from Government

Attorney-General's Department:

Corporate Commonwealth entity payment item	31,315	26,549
Total revenue from Government	31,315	26,549

Accounting Policy

Revenue from Government

Funding received from the Attorney-General's Department (received by the Commission as a corporate Commonwealth entity) is recognised as Revenue from Government unless the funding is in the nature of an equity injection or a loan.

Financial Position

This section analyses the Australian Human Rights Commission assets used to conduct its operations and the operating liabilities incurred as a result. Employee related information is disclosed in the People and Relationships section.

2.1 Financial Assets

	2024 \$'000	2023 \$'000
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2.1A: Cash and cash equivalents

Cash on hand or on deposit	28,549	26,407
Total cash and cash equivalents	28,549	26,407

Accounting Policy

Cash is recognised at its nominal amount. Cash and cash equivalents includes:

- a) cash on hand;
- b) demand deposits in bank accounts with an original maturity of 3 months or less that are readily convertible to known amounts of cash and subject to insignificant risk of changes in value. At the reporting date the Commission did not hold any term deposits with a maturity greater than three months

2.1B: Trade and other receivables

Goods and services receivables

Goods and services	638	878
Total goods and services receivables	638	878

Other receivables

Interest	67	45
GST Receivable from the Australian Taxation Office	93	160
Total other receivables	160	205
Total trade and other receivables (gross)	798	1,083
Total trade and other receivables (net)	798	1,083

Trade and other receivables (net) expected to be recovered

No more than 12 months	798	1,083
Total trade and other receivables (net)	798	1,083

Accounting Policy

Financial assets

Receivables are measured at amortised cost using the effective interest method less impairment.

Financial Position (continued)

2.2 Non-Financial Assets

2.2A: Reconciliation of the Opening and Closing Balances of Property, Plant and Equipment and Intangibles

	Property Subject to Operating Leases	Lease Improvements	Computer, Plant and Equipment	Intangibles	Total
	\$'000	\$'000	\$'000	\$'000	\$'000
As at 1 July 2023					
Gross book value	7,502	1,797	163	2,394	11,856
Accumulated depreciation, amortisation and impairment	(5,002)	(983)	(59)	(2,207)	(8,251)
Total as at 1 July 2023	2,500	814	104	187	3,605
Additions					
Purchase or internally developed	-	1,639	905	-	2,544
Right-of-use assets	20,516	-	-	-	20,516
Depreciation and amortisation	-	(827)	(104)	(171)	(1,102)
Depreciation on right-of-use assets	(2,805)	-	-	-	(2,805)
Disposals	(181)	-	(14)	-	(195)
Total as at 30 June 2024	20,030	1,626	891	16	22,563
Total as at 30 June 2024 represented by					
Gross book value	20,516	1,639	1,076	910	24,141
Accumulated depreciation, amortisation and impairment	(486)	(13)	(185)	(894)	(1,578)
Total as at 30 June 2024	20,030	1,626	891	16	22,563
Carrying amount of right-of-use assets	20,030	-	-	-	20,030

No indicators of impairment were found for infrastructure, plant and equipment and intangibles.

No infrastructure, plant and equipment and intangibles are expected to be sold or disposed of within the next 12 months.

Revaluations of non-financial assets and intangible assets

All revaluations were conducted in accordance with the revaluation policy stated at Note 2.2. On 30 June 2024, an independent valuer conducted the revaluations. The independent valuation was not materially different to the carrying value of assets, therefore no adjustments were made to carrying value.

Financial Position (continued)

Accounting Policy

Assets are recorded at cost on acquisition except as stated below. The cost of acquisition includes the fair value of assets transferred in exchange and liabilities undertaken. Financial assets are initially measured at their fair value plus transaction costs where appropriate.

Assets acquired at no cost, or for nominal consideration, are initially recognised as assets and income at their fair value at the date of acquisition, unless acquired as a consequence of restructuring of administrative arrangements. In the latter case, assets are initially recognised as contributions by owners at the amounts at which they were recognised in the transferor's accounts immediately prior to the restructuring.

Asset Recognition Threshold

Purchases of property, plant and equipment are recognised initially at cost in the statement of financial position, except for purchases costing less than \$5,000, which are expensed in the year of acquisition (other than where they form part of a group of similar items which are significant in total).

The initial cost of an asset includes an estimate of the cost of dismantling and removing the item and restoring the site on which it is located. This is particularly relevant to 'make good' provisions in property leases taken up by the Commission where there exists an obligation to restore the property to its original condition. These costs are included in the value of the Commission's right of use asset with a corresponding provision for the 'make good' recognised.

Lease Right of Use (ROU) Assets

Leased ROU assets are capitalised at the commencement date of the lease and comprise of the initial lease liability amount, initial direct costs incurred when entering into the lease less any lease incentives received. These assets are accounted for by Commonwealth lessees as separate asset classes to corresponding assets owned outright, but included in the same column as where the corresponding underlying assets would be presented if they were owned.

On initial adoption of AASB 16 the Commission has adjusted the ROU assets at the date of initial application by the amount of any provision for onerous leases recognised immediately before the date of initial application. Following initial application, an impairment review is undertaken for any right of use lease asset that shows indicators of impairment and an impairment loss is recognised against any right of use lease asset that is impaired. Lease ROU assets continue to be measured at cost after initial recognition in Commonwealth agency, General Government Sector (GGS) and Whole of Government financial statements.

Revaluations

Following initial recognition at cost, property, plant and equipment (excluding ROU assets) are carried at fair value (or an amount not materially different from fair value) less subsequent accumulated depreciation and accumulated impairment losses. Valuations are conducted with sufficient frequency to ensure that the carrying amounts of assets did not differ materially from the assets' fair values as at the reporting date. The regularity of independent valuations depended upon the volatility of movements in market values for the relevant assets.

Revaluation adjustments are made on a class basis. Any revaluation increment is credited to equity under the heading of asset revaluation reserve except to the extent that it reversed a previous revaluation decrement of the same asset class that was previously recognised in the surplus/deficit.

Revaluation decrements for a class of assets are recognised directly in the surplus/deficit except to the extent that they reversed a previous revaluation increment for that class.

Any accumulated depreciation as at the revaluation date is eliminated against the gross carrying amount of the asset and the asset restated to the revalued amount.

Depreciation

Depreciable property, plant and equipment assets are written-off to their estimated residual values over their estimated useful lives to the Commission using, in all cases, the straight-line method of depreciation.

Depreciation rates (useful lives), residual values and methods are reviewed at each reporting date and necessary adjustments are recognised in the current, or current and future reporting periods, as appropriate.

Depreciation rates applying to each class of depreciable asset are based on the following useful lives:

	2024	2023
Leasehold improvements	Lease term	Lease term
Plant and equipment	3 to 10 years	4 to 10 years

The depreciation rates for ROU assets are based on the commencement date to the earlier of the end of the useful life of the ROU asset or the end of the lease term.

Financial Position (continued)

Impairment

All assets were assessed for impairment at 30 June 2024.

Where indications of impairment exist, the asset's recoverable amount is estimated and an impairment adjustment made if the asset's recoverable amount is less than its carrying amount.

The recoverable amount of an asset is the higher of its fair value less costs of disposal and its value in use. Value in use is the present value of the future cash flows expected to be derived from the asset. Where the future economic benefit of an asset is not primarily dependent on the asset's ability to generate future cash flows, and the asset would be replaced if the Commission were deprived of the asset, its value in use is taken to be its depreciated replacement cost.

Derecognition

An item of property, plant and equipment is derecognised upon disposal or when no further future economic benefits are expected from its use or disposal.

Intangibles

The Commission's intangibles comprise internally developed software for internal use. These assets are carried at cost less accumulated amortisation and accumulated impairment losses.

Software is amortised on a straight-line basis over its anticipated useful life. The useful lives of the Commission's software are 2 to 5 years (2023: 2 to 5 years).

All software assets were assessed for indications of impairment as at 30 June 2024, and no indicators were noted.

Accounting Judgements and Estimates

The fair value of infrastructure, plant and equipment has been taken to be the market value of similar assets as determined by an independent valuer.

	2024 \$'000	2023 \$'000
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2.2B: Other non-financial assets

Prepayments	332	377
Total other non-financial assets	332	377

Other non-financial assets expected to be recovered

No more than 12 months	322	359
More than 12 months	10	18
Total other non-financial assets	332	377

No indicators of impairment were found for other non-financial assets.

Financial Position (continued)

2.3 Payables

	2024 \$'000	2023 \$'000
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2.3A: Suppliers

Trade creditors and accruals	1,360	1,555
Total suppliers	1,360	1,555

Suppliers expected to be settled

No more than 12 months	1,360	1,555
Total suppliers	1,360	1,555

2.3B: Other payables

Salaries and wages	693	582
Superannuation	111	94
Other employee expenses	-	79
Revenue received in advance	9,773	8,843
GST payable to the Australian Tax Office	-	2
Total other payables	10,577	9,600

Other payables to be settled

No more than 12 months	10,205	8,993
More than 12 months	372	607
Total other payables	10,577	9,600

Financial Position (continued)

2.4 Interest Bearing Liabilities

	2024 \$'000	2023 \$'000
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2.4A: Leases

Lease liabilities	19,942	2,605
Total leases	19,942	2,605

Maturity analysis - contractual undiscounted cash flows

Within 1 year	1,866	2,607
Between 1 to 5 years	8,457	-
More than 5 years	13,225	-
Total leases	23,548	2,607

Total cash outflow for leases for the year ended 30 June 2024 was \$2.607m (2023: \$2.499m).

Accounting Policy

Lease Right of Use (ROU) Assets

Leased ROU assets are capitalised at the commencement date of the lease and comprise the initial lease liability amount, initial direct costs incurred when entering into the lease less any lease incentives received. These assets are accounted for by Commonwealth lessees as separate asset classes to corresponding assets owned outright, but included in the same column as where the corresponding underlying assets would be presented if they were owned.

2.5 Other Provisions

	Provision for restoration ¹ \$'000	Total \$'000
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2.5A: Other provisions

As at 1 July 2023	511	511
Additional provisions made	732	732
Amounts revalued	(174)	(174)
Total as at 30 June 2024	1,069	1,069

1. Make good provisions for leasehold improvements for property leases which expires 30 June 2024 and 30 June 2034 respectively.

People and relationships

This section describes a range of employment and post employment benefits provided to our people and our relationships with other key people.

3.1 Employee Provisions

	2024 \$'000	2023 \$'000
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3.1A: Employee provisions

Leave	4,417	4,118
Total employee provisions	4,417	4,118

Employee provisions expected to be settled

No more than 12 months	2,176	1,685
More than 12 months	2,241	2,433
Total employee provisions	4,417	4,118

Accounting policy

Liabilities for short-term employee benefits and termination benefits expected within twelve months of the end of reporting period are measured at their nominal amounts.

Leave

The liability for employee benefits includes provision for annual leave and long service leave.

The leave liabilities are calculated on the basis of employees' remuneration at the estimated salary rates that will be applied at the time the leave is taken, including the Commission's employer superannuation contribution rates to the extent that the leave is likely to be taken during service rather than paid out on termination.

The liability for long service leave has been determined by reference to the work of an actuary as at 30 June 2024. The estimate of the present value of the liability takes into account attrition rates and pay increases through promotion and inflation.

Separation and Redundancy

Provision is made for separation and redundancy benefit payments. The Commission recognises a provision for termination when it has developed a detailed formal plan for the terminations and has informed those employees affected that it will carry out the terminations.

Superannuation

The Commission's staff are members of the Commonwealth Superannuation Scheme (CSS), the Public Sector Superannuation Scheme (PSS), or the PSS accumulation plan (PSSap), or other superannuation funds held outside the Australian Government. The CSS and PSS are defined benefit schemes for the Australian Government. The PSSap is a defined contribution scheme.

The liability for defined benefits is recognised in the financial statements of the Australian Government and is settled by the Australian Government in due course. This liability is reported in the Department of Finance's administered schedules and notes. The Commission makes employer contributions to the employees' defined benefit superannuation scheme at rates determined by an actuary to be sufficient to meet the current cost to the Government. The Commission accounts for the contributions as if they were contributions to defined contribution plans. The liability for superannuation recognised as at 30 June represents outstanding contributions.

Accounting Judgements and Estimates

The long service leave has been estimated in accordance with the FRR taking into account expected salary growth, attrition and future discounting using the government bond rate.

People and relationships (continued)

3.2 Key Management Personnel Remuneration

Key management personnel are those persons having authority and responsibility for planning, directing and controlling the activities of the Commission. The Commission has determined the key management personnel to be the President, Commissioners and Chief Executive.

	2024 \$'000	2023 \$'000
Short-term employee benefits	2,654	3,228
Post-employment benefits	237	252
Other long-term employee benefits	64	91
Total key management personnel remuneration expenses¹	2,955	3,571

The total number of key management personnel that are included in the above table are 13 (2023: 9). Nine key management personnel were in their position for part of the financial year only. The reduction in remuneration expenses in 2023-24 reflects significant periods of vacant Commissioner roles. Other long-term employee benefits results from the movement in accrued long service leave balances for the period.

1. The above key management personnel remuneration excludes the remuneration and other benefits of the Portfolio Minister. The Portfolio Minister's remuneration and other benefits are set by the Remuneration Tribunal and are not paid by the Commission.

3.3 Related Party Disclosures

Related party relationships:

The Commission is an Australian Government controlled entity. Related parties to the Commission are Key Management Personnel and other Australian Government entities.

Transactions with related parties:

Given the breadth of Government activities, related parties may transact with the government sector in the same capacity as ordinary citizens. Such transactions include the payment or refund of taxes, receipt of a Medicare rebate or higher education loans. These transactions have not been separately disclosed in this note.

Significant transactions with related parties can include:

- the payments of grants or loans;
- purchases of goods and services;
- asset purchases, sales transfers or leases;
- debts forgiven; and
- guarantees.

Giving consideration to relationships with related entities, and transactions entered into during the reporting period by the Commission, it has been determined that there are no related party transactions to be separately disclosed.

Managing uncertainties

This section analyses how the Australian Human Rights Commission manages financial risks within its operating environment.

4.1A: Contingent assets and liabilities

Quantifiable Contingencies

At the time signing these financial statements, the Commission had no quantifiable contingent liabilities.

Unquantifiable Contingencies

At 30 June 2024 the Commission was a respondent to five judicial review applications and one administrative review application. In each of the judicial review proceedings, the Commission has or intends to file a submitting notice and there are other parties on the record acting as a contradictor. It is not usual for any costs order to be made against the Commission in the kinds of proceedings described in this paragraph and we do not expect there to be any financial impact on the Commission (2023: nil).

Accounting Policy

Contingent liabilities and contingent assets are not recognised in the statement of financial position but are reported in the notes. They may arise from uncertainty as to the existence of a liability or asset or represent an asset or liability in respect of which the amount cannot be reliably measured. Contingent assets are disclosed when settlement is probable but not virtually certain and contingent liabilities are disclosed when settlement is greater than remote.

4.2 Financial Instruments

	2024 \$'000	2023 \$'000
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4.2A: Categories of financial instruments

Financial assets at amortised cost

Cash on hand at bank	28,549	26,407
Trade and other receivables	798	1,083
Total financial assets at amortised cost	29,347	27,490

Financial Liabilities

Financial liabilities measured at amortised cost

Trade creditors and accruals	1,360	1,555
Total financial liabilities measured at amortised cost	1,360	1,555

Accounting Policy

Financial assets

In accordance with AASB 9 *Financial Instruments*, the Commission classifies its financial assets in the following categories:

- financial assets at fair value through profit or loss;
- financial assets at fair value through other comprehensive income; and
- financial assets measured at amortised cost.

The classification depends on both the Commission's business model for managing the financial assets and contractual cash flow characteristics at the time of initial recognition. Financial assets are recognised when the Commission becomes a party to the contract and, as a consequence, has a legal right to receive or a legal obligation to pay cash and derecognised when the contractual rights to the cash flows from the financial asset expire or are transferred upon trade date.

Managing uncertainties (continued)

Effective Interest Method

Income is recognised on an effective interest rate basis for financial assets that are recognised at amortised cost.

Impairment of Financial Assets

Financial assets are assessed for impairment at the end of each reporting period based on Expected Credit Losses, using the general approach which measures the loss allowance based on an amount equal to lifetime expected credit losses where risk has significantly increased, or an amount equal to 12-month expected credit losses if risk has not increased.

The simplified approach for trade, contract and lease receivables is used. This approach always measures the loss allowance as the amount equal to the lifetime expected credit losses.

A write-off constitutes a derecognition event where the write-off directly reduces the gross carrying amount of the financial asset.

Financial Assets at Amortised Cost

Financial assets included in this category need to meet two criteria:

1. the financial asset is held in order to collect the contractual cash flows; and
2. the cash flows are solely payments of principal and interest (SPPI) on the principal outstanding amount.

Amortised cost is determined using the effective interest method.

Financial liabilities

Financial liabilities are classified as either financial liabilities 'at fair value through profit or loss' or other financial liabilities. Financial liabilities are recognised and derecognised upon 'trade date'.

Financial Liabilities at Amortised Cost

Financial liabilities, including borrowings, are initially measured at fair value, net of transaction costs. These liabilities are subsequently measured at amortised cost using the effective interest method, with interest expense recognised on an effective interest basis.

Supplier and other payables are recognised at amortised cost. Liabilities are recognised to the extent that the goods or services have been received (and irrespective of having been invoiced).

	2024 \$'000	2023 \$'000
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4.2B: Net gains or losses on financial assets

Financial assets at amortised cost

Interest revenue	1,358	483
Net gains on financial assets at amortised cost	1,358	483

Managing uncertainties (continued)

5.1 Fair Value Measurement

The following tables provide an analysis of assets and liabilities that are measured at fair value. The remaining assets and liabilities disclosed in the statement of financial position do not apply the fair value hierarchy.

The different levels of the fair value hierarchy are defined below.

Level 1: Quoted prices (unadjusted) in active markets for identical assets or liabilities that the Commission can access at measurement date.

Level 2: Inputs other than quoted prices included within Level 1 that are observable for the asset or liability, either directly or indirectly.

Level 3: Unobservable inputs for the asset or liability.

Accounting Policy

The Commission considers the fair value hierarchy levels at the end of the reporting period. There were no transfers in or out of any levels during the reporting period.

5.1A: Fair Value Measurement

	Fair value measurements at the end of the reporting period	
	2024 \$'000	2023 \$'000
Non-financial assets		
Infrastructure, plant and equipment	2,505	982

Market replacement cost less estimate of written down value of asset used. Valuation determined to not be materially different to carrying value, so no adjustment was made.

There were no non-financial assets where the highest and best use differed from its current use during the reporting period.

The remaining assets and liabilities reported by the Commission are not measured at fair value in the Statement of Financial Position.

Other information

6.1 Current/non-current distinction for assets and liabilities

	2024 \$'000	2023 \$'000
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6.1A: Current/non-current distinction for assets and liabilities

Assets expected to be recovered in:

No more than 12 months

Cash and cash equivalents	28,549	26,407
Trade and other receivables	798	1,083
Prepayments	322	359
Total no more than 12 months	29,669	27,849

More than 12 months

Property subject to operating leases	20,030	2,500
Leasehold improvements	1,626	814
Computer, plant and equipment	891	104
Intangibles	16	187
Prepayments	10	18
Total more than 12 months	22,573	3,623
Total assets	52,242	31,472

Liabilities expected to be settled in:

No more than 12 months

Suppliers	1,360	1,555
Other payables	10,205	8,993
Leases	1,866	2,605
Employee provisions	2,176	1,685
Total no more than 12 months	15,607	14,838

More than 12 months

Other payables	372	607
Leases	18,076	-
Employee provisions	2,241	2,433
Other provisions	1,069	511
Total more than 12 months	21,758	3,551
Total liabilities	37,365	18,389

8. Other Reporting Requirements

8.1 Workplace health and safety

The Commission participated in a proactive regulatory review and audit by ComCare.

The purpose of the inspection was to monitor compliance with the *Work, Health and Safety Act 2011* (Cth) and the *Work Health and Safety Regulations 2011* (Cth). The review concluded that the Commission has a robust and proactive approach to safety that goes beyond mere compliance with the WHS Act and associated regulations.

The Australian Human Rights Commission participated in service-wide bargaining led by the Australian Public Service Commission. In addition to common conditions across the APS, the [Australian Human Rights Commission Enterprise Agreement 2024-2027](#) represents significantly enhanced employment conditions. The enterprise agreement received 98 percent support from employees.

To support our staff, both ongoing and non-ongoing, the Commission has mapped the phases of an employee lifecycle with key activities and initiatives that interact with each phase: workforce planning, attraction, recruitment and selection, onboarding, learning and development, performance development, recognition, workplace relations and offboarding. This coordinated approach and people programs planned will enhance the experience of each employee at the Commission. Each phase is underpinned by a commitment to build a healthy, safe, respectful and inclusive work environment.

The Commission has adopted a strengthened approach to workforce planning with the consolidation of the Commission's establishment across all sections to identify our current and future workforce profile. The workforce planning approach will mature over the next year to include talent attraction and development. Critical to workforce planning is the current workforce composition of the Commission with more than half of our staff on non-ongoing contracts.

The Commission is focused on strengthening its human resources policy framework and roadmap through a consultative approach with the CPSU and staff.

The Commission has designed a robust approach to implementing Respect@Work within our organization that has touch points at each phase of the employee lifecycle. Whilst a number of activities have already been completed, the Commission's integrated approach will continue over the next year.

The Commission and its Senior Leadership Team have endorsed an approach to managing psychosocial risks and employee wellbeing. The Work Health and Safety Committee, Health and Safety Representatives and the Commission's People & Culture team have been trained in identifying, assessing and managing psychosocial risks and wellbeing. Commission employees have participated in a number of wellbeing focused activities and workshops as part of the Commission's wellbeing program.

The Commission has continued to support wellbeing initiatives through the reimbursement of costs for flu vaccinations and the Healthy Lifestyle allowances.

Additionally, in this reporting period,

- the Commission has not been made aware of any notifiable incidents that arose of the Commission's conduct or undertakings
- there have been nil workers compensation claims
- there have been no investigations that relate to businesses or undertakings
- no notices have been received under Part 10 of the *Work, Health and Safety Act 2011* (Cth)
- there are no other matters required by guidelines to be reported.

8.2 Executive Remuneration

This section contains information about the remuneration of the Australian Human Rights Commission (the Commission) Key Management Personnel, Senior Executive Service (SES) and other highly paid staff.

Remuneration for the President and Commissioners is set by the Remuneration Tribunal. The Remuneration Tribunal also determines increases to remuneration and allowances.

The Commission's remuneration for SES and other highly paid staff is determined by the President under section 24(1) of the *Public Service Act 1999* (Cth). When determining SES and other highly paid staff remuneration, the President has regard to the Australian Public Service Remuneration Report and comparable agencies.

SES determinations set out salary on commencement and provide for increments of salary, in line with percentage increases awarded to the Commissioners by the Remuneration Tribunal.

Figure 1: Remuneration of key management personnel

	Position title	Base salary	Bonuses	Other benefits and allowances	Super-annuation contributions	Long service leave	Other long-term benefits	Termination benefits	Total remunerations
Rosalind Croucher	President	500,322		1,568	27,399	13,550			542,840
June Oscar	Aboriginal and Torres Strait Islander Social Justice Commissioner (ceased 2 April 2024)	254,918		30,916	22,130	20,245			328,210
Kay Patterson	Age Discrimination Commissioner (ceased 28 July 2023)	7,527			3,161	15,633			26,322
Ben Gauntlett	Disability Discrimination Commissioner (ceased 30 June 2023)	9,623				-23,450			-13,827
Anne Hollonds	National Children's Commissioner	380,260			27,399	8,965			416,624
Chin Tan	Race Discrimination Commissioner (ceased 7 October 2023)	52,126		30,399	8,430	17,057			108,012
Lorraine Finlay	Human Rights Commissioner	363,980		34,291	27,399	5,633			431,303
Rosemary Kayess	Disability Discrimination Commissioner from 29 January 2024	152,035			11,592	1,226			164,853
Giridharan Sivaraman	Race Discrimination Commissioner from 4 March 2024	104,780			16,257	887			121,924
Robert Fitzgerald	Age Discrimination Commissioner from 2 April 2024	84,135			6,323	678			91,136
Anna Cody	Sex Discrimination Commissioner from 4 September 2023	280,133			22,130	2,466			304,729
Katie Kiss	Aboriginal and Torres Strait Islander Social Justice Commissioner from 3 April 2024	78,988			12,192	637			91,818
Leanne Smith	Chief Executive	287,550			52,803	726			341,079
		\$2,556,379		\$97,174	\$237,214	\$64,253			\$2,955,020

Figure 2: Remuneration of Senior Executives

Remuneration Band	Number of senior executives	Average Base salary	Average bonuses	Average other benefits and allowances	Average superannuation contributions	Average long service leave	Average other long-term benefits	Average termination benefits	Average total remuneration
270001 - 295000	2	227,610			37,692	6,819			272,121

8.3 Environmental statement

The Commission uses energy saving methods in its operations and it endeavours to make the best use of resources while also reducing its environmental impact through appropriate recycling schemes.

In 2023–2024 we continued to mitigate our impact on the environment by:

- the Commission-wide laptop rollout as part of the office relocation program to supports flexible work practices and reduce a reduction in printing.
- maintaining our commitment to an Electronic Document Record Management System (EDRMS), facilitating digital record keeping.
- using Microsoft Teams facilities to reduce air and road travel.
- powering down all non-essential electronic equipment (including multi-use devices and non-essential air conditioning units) during the Christmas to New Year closedown, and other sustained office shutdown periods.
- providing opportunities for staff to cycle and walk to work and to participate in our building's sustainable waste management system which promotes recycling.

The APS Net Zero unit has worked with teams from the following Whole of Government Arrangements to source data. Please see below the Commission emissions outputs for the 2023–24 reporting period.

2023-24 Greenhouse gas emissions inventory– location-based method

Emission Source	Scope 1 t CO2-e	Scope 2 t CO2-e	Scope 3 t CO2-e	Total t CO2-e
Electricity (Location-Based Approach)	n/a	111.603	8.904	120.507
Natural Gas	—	n/a	—	—
Solid Waste*	n/a	n/a	1.172	1.172
Refrigerants*†	—	n/a	n/a	—
Fleet and Other Vehicles	—	n/a	—	n/a
Domestic Commercial Flights	—	n/a	179.812	179.812
Domestic Hire Car*	n/a	n/a	1.330	1.330
Domestic Travel Accommodation*	n/a	n/a	65.172	65.172
Other Energy	—	n/a	—	—
Total t CO2-e	—	111.603	256.390	367.993

Note: the table above presents emissions related to electricity usage using the location-based accounting method. CO2-e = Carbon Dioxide Equivalent.

*indicates emission sources collected for the first time in 2023-24. The quality of data is expected to improve over time as emissions reporting matures.

†indicates optional emission source for 2023-24 emissions reporting.

2023-24 Greenhouse gas emissions

Emission Source	Scope 2 t CO ₂ -e	Scope 3 t CO ₂ -e	Total t CO ₂ -e	% of electricity use
Electricity (Location Based Approach)	111.603	8.904	120.507	100%
Market-based electricity emissions	108.563	13.403	121.966	81.28%
Total renewable electricity	—	—	—	18.72%
Mandatory renewables 1	—	—	—	18.72%
Voluntary renewables 2	—	—	—	0.00%

Note: the table above presents emissions related to electricity usage using both the location-based and the market-based accounting methods. CO₂-e = Carbon Dioxide Equivalent.

1 Mandatory renewables are the portion of electricity consumed from the grid that is generated by renewable sources. This includes the renewable power percentage.

2 Voluntary renewables reflect the eligible carbon credit units surrendered by the entity. This may include purchased large-scale generation certificates, power purchasing agreements, GreenPower and the jurisdictional renewable power percentage (ACT only).

8.4 Payments to advertising, market research, and other designated organisations

The Commission made the following payments valued at \$14,300 (inclusive GST) or more to advertising agencies, market research organisations, polling organisations, media advertising organisations and direct mail organisations in the reporting period.

Name of Organisation	Type of Organisation	Purpose	Payment \$ (inc of GST)
QMR	Market Research	Quantitative Survey Research Services- Emergency Response Framework Project	125,510
Redbridge Group Pty Ltd	Market Research	Age and aging in Australian Media Research Project	30,993
THINK HQ	Advertising Agency	Racism. It Stops With Me Public Service Announcement Video	21,985
Qualtrics	Market Research	External research for ADF, ABF and AFP projects	22,153

9. Appendices

Appendix 1: Information on the Accountable Authority

The Accountable Authority for the duration of the reporting period 2023-24 was Emeritus Professor Rosalind Croucher AM FAAL FRSA FACLM (Hon).

Name	Qualifications of the Accountable Authority	Experience of the Accountable Authority	Position Title/ Position held	Commencement	Cessation	Number of meetings of accountable authority attended
Emeritus Professor Rosalind Croucher AM	LLD (Honoris causa), Macquarie University, 2020	Member, AICD Director, Australian Academy of Law, 2013–2018	Australian Human Rights Commission President	30 July 2017	30 July 2024	N/A
	LLD (Honoris causa), University of New South Wales, 2018	President, ALRC, August 2009–July 2017 Governor, Ascham School, 1996–2005				
	PhD, University of New South Wales, 1994	Governor, St Andrews College, University of Sydney, 1999–2002				
	LLB University of Sydney, 1980	Board member, Sydney Philharmonia, 1999–2000				
	BA (Hons) University of Sydney, 1977	Dean, Macquarie Law School, November 1999– February 2007				
	AMusA AMEB (Oboe), 1977	Dean, Sydney Law School, 1997–March 1998				
		Admitted as legal practitioner, December 1980				

Appendix 2: Key Activities, program areas, and services 2023-24

President: Emeritus Professor Rosalind Croucher AM

- Free+Equal: A conversation on human rights.
- Investigation and Conciliation and National Information Services
- Human Rights Education and Training
- Australia-Lao PDR Human Rights Technical co-operation
- Australia-Vietnam Human Rights Technical Cooperation Program
- International Engagement
- Human Rights Scrutiny

Aboriginal and Torres Strait Islander Social Justice Commissioner: June Oscar AO

- Wiyi Yani U Thangani (Women's Voices) project stage 3
- Native Title Report

Age Discrimination Commissioner: The Hon Dr Kay Patterson AO

- Ageism Awareness Workshops
- Enduring Power of Attorney Research Project

National Children's Commissioner: Anne Hollonds

- Child Rights Impact Assessment Tool
- Supporting quality engagement for children and families
- Statutory Reporting to Parliament on a human rights-based approach to child justice
- National Survey of secondary students about their understanding and experiences of consent education
- How detention in the Australian system impacts children's lives and wellbeing in the years after their release (research project)

Disability Discrimination Commissioner: Dr Ben Gauntlett

- IncludeAbility
- Accessible Housing Project
- Policy and law reform engagement
- Supporting people with disability and organisations to attend international human rights forum
- Golf Australia Guidelines for the inclusion of people with disability in golf

Human Rights Commissioner: Lorraine Finlay

- Yongah Hill Immigration Detention Centre Inspections
 - New Zealand Office of the Inspectorate Inspection Standards Revision
 - Solitary Confinement in Youth Detention
 - Neurotechnology Symposium
 - Emergency response framework project
 - OPCAT training project
-

Race Discrimination Commissioner: Chin Tan

- National Anti-Racism Framework
 - NARS – Anti-Racism Public Awareness and Education
 - Racism. It Stops with Me Campaign
 - International Student Principles
 - Community Support Project
-

Sex Discrimination Commissioner

- Respect@Work Implementation
 - Culturally and Racially Marginalised Women Worked in the Care Industry Scoping Project
 - Mapping threats to Trans and Gender Diverse Human Rights
 - Defence Collaboration
 - Australian Federal Police Partnerships
 - Australian Border Force Partnership
-

Organisational

- Legal Services (including. legal interventions)
 - Public Engagement (including communications, media, digital engagement, major events and launches)
-

Appendix 3: Major events, reports, publications and resources

Aboriginal and Torres Strait Islander Social Justice	Online Women's Safety Forum and Action Coalition Workshop
	Launch of Wiyi Yani U Thangani Institute
	Wiyi Tani Y Thangani – Change Agenda for First Nations Gender Justice
	Native Title Report
Age	Changing Perspectives: testing an ageism intervention report launch
Human Rights Reports	No. 148 Mr RG v Commonwealth of Australia (Department of Home Affairs)*
	No. 149 Mr Watt v State of New South Wales (Corrective Services NSW)*
	No. 150 Mr EK v Commonwealth of Australia (Department of Home Affairs)
	No. 151 Mr Anees v Commonwealth of Australia (Department of Home Affairs)
	No. 152 Mr VA v Commonwealth of Australia (Department of Home Affairs)
	No. 153 Mr JC v Commonwealth of Australia (Department of Home Affairs)
	No. 154 Mr DC v Commonwealth of Australia (Department of Home Affairs)
	No. 155 Mr KK v Commonwealth of Australia (Department of Home Affairs)
	No. 156 Mr FF v Commonwealth of Australia (Department of Home Affairs)
	No. 157 Mr jdid v Commonwealth of Australia (Department of Home Affairs)
	No. 158 Mr KJ v Commonwealth of Australia (Department of Home Affairs)
	No. 159 Mr Lawrence v Commonwealth of Australia (Department of Home Affairs)
	No. 160 Mr DL and Mr DM v Commonwealth of Australia (Department of Home Affairs)
	No. 161 Mr OA, Miss OB and Master OC v Commonwealth of Australia (Department of Home Affairs)
	No. 162 Mr KO v Commonwealth of Australia (Department of Home Affairs)
	No. 163 Mr BX v Commonwealth of Australia (Department of Home Affairs)
	No. 164 Mr CZ v Commonwealth of Australia (Department of Home Affairs)
	No. 165 Mr MH v Commonwealth of Australia (Department of Home Affairs)
	No. 166 CF v Commonwealth of Australia (Department of Home Affairs)
Technology and Human Rights	Human Rights Impact Assessment Tool for Artificial Intelligence in Banking
	Neurotechnology and Human Rights Background Paper
	Neurotechnology Symposium
Children	Children's rights in action: Innovation in youth Justice webinar
	Final Investment Strategy Scoping Report
	Safeguarding Children: A child rights impact assessment tool
Corporate	Corporate Plan 2023–24
	Annual Report 2022–23
Disability Rights	Webinar: Lessons from IncludeAbility: Unlocking jobs for people with disability with large employers
	IncludeAbility Evaluation Report

Education and Training	Understanding work-related sexual harassment eLearning (update)
	Retail and hospitality: Understanding and eliminating work-related sexual harassment
	Contact Officer Workshop material (update)
	Disability Awareness Workshop participant handbook (update)
Human Rights	Free+Equal: Revitalising Australia's commitment to human rights
	Free+Equal Messaging Guide
	Free+Equal Conference
	Universal Declaration of Human Rights 75th Anniversary video series
	Australian Human Rights Awards, 2023
	OPCAT Training Workshop
Immigration Detention and Asylum Seekers	Yongah Hill Immigration Detention Inspect Report, 2023
Race	The Voice Referendum Resource Kit
	Kep Enderby Memorial Lecture
Positive Duty under the Sex Discrimination Act 1984 (Cth)	Positive Duty Factsheets : Causes and Risk Factors of Sex Discrimination, Sexual Harassment and Other Unlawful Behaviors
	1. Effective Consultation and the Positive Duty
	2. Effective Education and Training
	3. The Guiding Principles: Person-centred and Trauma-informed Approaches to Safe and Respectful Workplaces
	4. The Guiding Principles: Effective consultation and the positive duty
	5. Seeking Support - Counselling and Support Services
	6. What is the Positive Duty?
	7. Steps to meet the Positive Duty
	8. Please note that factsheets 6 and 7 have been translated into 7 community languages and Easy Read format.
	Positive Duty Implementation Resources for Employers including: Causes and other risk factors of Sex Discrimination, Sexual Harassment and other Unlawful Behaviors; Effective Education and Training; Seeking Support - Counselling and Support Services;
	Positive Duties – Guiding Principles including: Person-centered and Trauma-informed Approaches to Safe and Respectful Workplaces; Effective consultation and the positive duty
	Positive Duty Webinar: Supporting safe, inclusion and respectful workplaces
	Speaking from Experience Webpages launch

Appendix 4: Employee statistics

Table 1: All ongoing employees

	Man/Male - Full time	Man/Male - Part time	Man/Male - Total	Woman/Female - Full time	Woman/Female - Part time	Woman/Female - Total	Non-binary - Full time	Non-binary - Part time	Non-binary - Total	Prefers not to answer - Full time	Prefers not to answer - Part time	Prefers not to answer - Total	Uses a different term - Full time	Uses a different term - Part time	Uses a different term - Total	Total
NSW	21		21	48	22	70										91
QLD					1	1										1
SA				1		1										1
TAS																-
VIC	1		1	5		5										6
WA				1		1										1
ACT	1		1	1		1										2
NT																-
External																-
Overseas																-
Total	23		23	56	23	79										102

Table 2: All non-ongoing employees

	Man/Male - Full time	Man/Male - Part time	Man/Male - Total	Woman/Female - Full time	Woman/Female - Part time	Woman/Female - Total	Non-binary - Full time	Non-binary - Part time	Non-binary - Total	Prefers not to answer - Full time	Prefers not to answer - Part time	Prefers not to answer - Total	Uses a different term - Full time	Uses a different term - Part time	Uses a different term - Total	Total
NSW	8	1	9	52	22	74	1		1							84
QLD	1		1	6		6										7
SA				2	2	4										4
TAS																
VIC	2		2	8	7	15										17
WA				2		2										2
ACT				3		3										3
NT																
External																
Overseas																
Total	11	1	12	73	31	104	1		1							117

Appendix 5: Performance measurement framework table

Goal	Outcome	Performance expectation	Progress indicator (and PBS target)
1 Improving enjoyment of human rights by all, supporting access to justice and remedies for people and communities whose rights are breached.	1.1 We deliver a fair and effective investigation and conciliation of complaints service. PBS CRITERION	Our investigation and conciliation of complaints and dispute resolution meet performance indicators on timeliness, efficiency and service user satisfaction. Our investigation and conciliation of complaints and dispute resolution processes have systemic and educational outcomes.	85% of complaints are finalised in under 12 months. PBS TARGET 40% of complaints are resolved by conciliation. PBS TARGET 85% of parties to complaints are satisfied with the service they receive. PBS TARGET Instances where the terms on which investigation and conciliation disputes are resolved include systemic outcomes that accord with the objectives of the law. Instances where participation in the investigation and conciliation process results in increased understanding of rights and responsibilities in the law.

Appendix 5: Performance measurement framework table

Goal	Outcome	Performance expectation	Progress indicator (and PBS target)
2 Strengthening Australia's human rights framework, embedding human rights issues at a national level.	2.1 The leadership and advocacy of the President and Commissioners on thematic areas or identified human rights issues, improves the enjoyment of human rights by affected groups.	Our research, reporting and advice influences and builds capacity in decision makers and other stakeholders to take action to address the identified human rights issues. PBS TARGET	Research, reporting and advice activities of the Commission: - are viewed as evidenced, persuasive and credible by stakeholders - increase understanding of the human rights issues and impacts raised - strengthen stakeholder capacity to promote and advocate for the human rights issues raised. Instances of programs attracting strategic partnerships that advance the priority human rights issues we have advocated for. Instances of improved Federal and state government policy, practice and legislative change that reflect our advice. High proportion of Committee inquiry reports reflect and cite the Commission's advice.
	2.2 Law and policy makers, at all levels, consider and address the human rights impacts we identify through our submissions, inquiries, research, reports and United Nations engagement. PBS CRITERION	Parliamentary committee inquiry reports reflect the human rights issues raised in our submissions and recommendations. PBS TARGET The number of recommendations to UN mechanisms made, and instances of recommendations implemented or referenced by Government PBS TARGET Arguments presented in our submissions to courts influence outcomes in a way that is consistent with human rights. PBS TARGET	High proportion of Committee inquiry reports reflect and cite the Commission's advice. Instances of our recommendations to UN mechanisms being reflected in treaty body concluding observations and other reports. Majority of our applications to the courts for leave to appear are accepted. Instances of our court submissions reflected in the final judgment of the matter.

Goal	Outcome	Performance expectation	Progress indicator (and PBS target)
2 Strengthening Australia's human rights framework, embedding human rights issues at a national level (continued)	2.3 The national human rights reform agenda proposed in the <i>Free & Equal: An Australian conversation on human rights</i> report is considered and addressed by the Parliament, government and the non-government sector.	Recommendations and actions in the report are addressed by the Attorney-General and Federal Parliament. The recommendations and actions in the Report inform and direct future reform.	The recommendations and actions in the report generate dialogue and receive public support and commitment from the Attorney-General and the non-government sector.
3 Better understanding of, and respect for, human rights so people and communities take action to defend human rights in their own context.	3.1 Our education activities increase capability among individuals, communities and organisations to promote and protect human rights and address discrimination PBS CRITERION	Participants in education activities benefit through achieving the intended human rights learning and capability objectives. Most participants in our adult training programs report: • satisfaction with the quality and relevance of the training • increased understanding, expertise, reframed attitudes. PBS TARGET	Learner satisfaction with Commission training is at 80% based on participant surveys of our learning courses. Number of organisations working with the Commission to develop human rights education/ training activities.
	3.2 Our activities increase the capacity of Governments, organisations, other groups and services to understand and address the human rights impact of their actions, particularly when working with vulnerable groups and communities. PBS CRITERION	Our activities with stakeholder organisations lead to systemic and sustained action, including changes to organisational policy and practice, to respect, protect and promote human rights in their context. [PBS target] Our regional technical cooperation activities increase stakeholder capacity to advance national reform in partner states.	Instances of organisations working with the Commission to develop human rights education/ training activities. Instances of stakeholders in our activities with organisations making changes to organisational policy and practice, to respect, protect and promote human rights in their context. Instances of partners': • increased knowledge and application of human rights frameworks, principles, and practices to advance human rights reform • practice/policy reform relating to human rights principles, which are reviewed or developed because of technical cooperation activities.

Goal	Outcome	Performance expectation	Progress indicator (and PBS target)
4 Maintaining our international standing as a strong human rights institution representing human rights in Australia and contributing to human rights advancement globally.	4.1 Our activities increase the capacity of vulnerable groups, communities and their advocates to understand and advocate for their rights. PBS CRITERION	Participants and stakeholders, in our consultations, research and education and informing activities experience participation, empowerment and benefit.	Instances of participants and stakeholders in our consultations and research activities report participation experiences that are beneficial and empowering PBS TARGET
	4.2 Our activities increase the capacity of governments, organisations, other groups and services to understand and address the human rights impact of their actions, particularly when working with vulnerable groups and communities. PBS CRITERION	Our activities with stakeholder organisations lead to systemic and sustained action, including changes to organisational policy and practice, to respect, protect and promote human rights in their context. PBS TARGET	Instances of stakeholders in our activities with organisations reporting that our work has contributed to increased understanding of the impact of their systems and operations on human rights. Instances of stakeholders in our activities with organisations making changes to organisational policy and practice, to respect, protect and promote human rights in their context.
		Our regional technical cooperation activities increase stakeholder capacity to advance national reform in partner states.	Instances of partners': - increased knowledge and application of human rights frameworks, principles, and practices to advance human rights reform - practice/policy reform relating to human rights principles, which are reviewed or developed because of technical cooperation activities.
	4.3 The Commission is compliant with the Paris Principles (Principles Relating to the Status of National Human Rights Institutions) and is assessed as an independent and effective national human rights institution.	The Commission maintains its 'A status' as assessed by the Global Alliance of National Human Rights Institutions (GANHRI).	Compliance with the Paris Principles and/or remediation actions in train e.g. <i>Australian Human Rights Commission Legislation Amendment (Selection and Appointment) Act</i> .

Goal	Outcome	Performance expectation	Progress indicator (and PBS target)
5 Ensuring that the Commission is sustainable into the future and able to strategically implement its statutory mandate.	5.1 The Commission has a clear strategic direction and confidently implements its mandate with secure and sustainable funding that is transparently and accountably managed.	The Commission maintains its compliance with the <i>Australian Human Rights Commission Act 1986</i> , the <i>Public Governance, Performance and Accountability (PGFA) Act 2013</i> .	Completion of all requirements under the PGPA including corporate accountability, Annual Reports and Financial compliance. Implementation of appropriate governance and financial structures including number of recommendations adopted from the external reviews.

List of Annual Report requirements

Below is the table set out in Schedule 2A of the PGPA Rule. Section 17BE(u) requires this table be included in entities' annual reports.

PGPA Rule Reference	Part of Report	Description	Requirement
17BE	<i>Contents of annual report</i>		
17BE(a)	4.1	Details of the legislation establishing the body	Mandatory
17BE(b)(i)	4.2	A summary of the objects and functions of the entity as set out in legislation	Mandatory
17BE(b)(ii)	3.1	The purposes of the entity as included in the entity's corporate plan for the reporting period	Mandatory
17BE(c)	5.3	The names of the persons holding the position of responsible Minister or responsible Ministers during the reporting period, and the titles of those responsible Ministers	Mandatory
17BE(d)	4.1 (c)	Directions given to the entity by the Minister under an Act or instrument during the reporting period	If applicable, mandatory
17BE(e)	Not applicable	Any government policy order that applied in relation to the entity during the reporting period under section 22 of the Act	If applicable, mandatory
17BE(f)	Not applicable	Particulars of non-compliance with: (a) a direction given to the entity by the Minister under an Act or instrument during the reporting period; or (b) a government policy order that applied in relation to the entity during the reporting period under section 22 of the Act	If applicable, mandatory
17BE(g)	6	Annual performance statements in accordance with paragraph 39(1)(b) of the Act and section 16F of the rule	Mandatory
17BE(h), 17BE(i)	Not applicable	A statement of significant issues reported to the Minister under paragraph 19(1)(e) of the Act that relates to non-compliance with finance law and action taken to remedy non-compliance	If applicable, mandatory
17BE(j)	4.2 (f) and Appendix 1	Information on the accountable authority, or each member of the accountable authority, of the entity during the reporting period	Mandatory
17BE(k)	5.1	Outline of the organisational structure of the entity (including any subsidiaries of the entity)	Mandatory
17BE(ka)	Appendix 4	Statistics on the entity's employees on an ongoing and non-ongoing basis, including the following: (a) statistics on full-time employees (b) statistics on part-time employees (c) statistics on gender (d) statistics on staff location.	Mandatory
17BE(l)	5.3	Outline of the location (whether or not in Australia) of major activities or facilities of the entity	Mandatory

PGPA Rule Reference	Part of Report	Description	Requirement
17BE	<i>Contents of annual report</i>		
17BE(m)	5.5	Information relating to the main corporate governance practices used by the entity during the reporting period	Mandatory
17BE(n), 17BE(o)	Not applicable	For transactions with a related Commonwealth entity or related company where the value of the transaction, or if there is more than one transaction, the aggregate of those transactions, is more than \$10,000 (inclusive of GST): (a) the decision-making process undertaken by the accountable authority to approve the entity paying for a good or service from, or providing a grant to, the related Commonwealth entity or related company; and (b) the value of the transaction, or if there is more than one transaction, the number of transactions and the aggregate of value of the transactions.	If applicable, mandatory
17BE(p)	4.2, 6.2, Appendix 2 & Appendix 3	Any significant activities and changes that affected the operation or structure of the entity during the reporting period	If applicable, mandatory
17BE(q)	Not applicable	Particulars of judicial decisions or decisions of administrative tribunals that may have a significant effect on the operations of the entity	If applicable, mandatory
17BE(r)	Not applicable	Particulars of any reports on the entity given by: (a) the Auditor-General (other than a report under section 43 of the Act); or (b) a Parliamentary Committee; or (c) the Commonwealth Ombudsman; or (d) the Office of the Australian Information Commissioner.	If applicable, mandatory
17BE(s)	Not applicable	An explanation of information not obtained from a subsidiary of the entity and the effect of not having the information on the annual report	If applicable, mandatory
17BE(t)	Not applicable	Details of any indemnity that applied during the reporting period to the accountable authority, any member of the accountable authority or officer of the entity against a liability (including premiums paid, or agreed to be paid, for insurance against the authority, member or officer's liability for legal costs)	If applicable, mandatory
17BE(taa)	2.5	The following information about the audit committee for the entity: (a) a direct electronic address of the charter determining the functions of the audit committee (b) the name of each member of the audit committee (c) the qualifications, knowledge, skills or experience of each member of the audit committee (d) information about each member's attendance at meetings of the audit committee (e) the remuneration of each member of the audit committee.	Mandatory
17BE(ta)	8.2	Information about executive remuneration	Mandatory

PGPA Rule Reference	Part of Report	Description	Requirement
17BF	<i>Disclosure requirements for government business enterprises</i>		
17BF(1)(a)(i)	Not applicable	An assessment of significant changes in the entity's overall financial structure and financial conditions	If applicable, mandatory
17BF(1)(a)(ii)	Not applicable	An assessment of any events or risks that could cause financial information that is reported not to be indicative of future operations or financial conditions	If applicable, mandatory
17BF(1)(b)	Not applicable	Information on dividends paid or recommended	If applicable, mandatory
17BF(1)(c)	Not applicable	Details of any community service obligations the government business enterprise has including: (a) an outline of actions taken to fulfil those obligations; and (b) an assessment of the cost of fulfilling those obligations	If applicable, mandatory
17BF(2)	Not applicable	A statement regarding the exclusion of information on the grounds that the information is commercially sensitive and would be likely to result in unreasonable commercial prejudice to the government business enterprise	If applicable, mandatory





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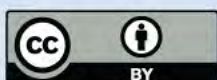
Annual Report

2024-2025



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Contents

1. President's message: The year in review.....	6
2. The Commission	9
2.1 Our vision and purpose	9
3. Our legislation and functions	10
3.1 Legislation.....	10
3.2 Functions.....	10
4. Our structure and governance	11
4.1 Organisational structure 2024-2025.....	11
4.2 President, Commissioners and Chief Executive over the 2024-25 period.....	12
4.3 Location and national reach.....	13
4.4 Responsible minister	13
4.5 Governance.....	13
4.6 Audit and Risk Committee	13
5. Annual Performance Statement.....	15
5.1 Introduction to the results	16
5.2 Statement against outcomes.....	16
6. Financial Statements.....	49
7. Other reporting requirements.....	76
7.1 Managing and developing employees including gender reporting	76
7.2 Close the Gap reporting	78
7.3 Executive remuneration and staff statistics	79
7.4 Environmental statement	82
7.5 Payment to advertising, market research, and other designated organisations	83
7.6 Information on the accountable authority	84
7.7 Reviews by outside bodies	85
8. Appendices	86
8.1 Key activities, program areas, and services 2024-25	86
8.2 Major events, reports, publications and resources 2024-25	88
8.3 Performance measurement framework.....	90
8.4 List of requirements - corporate Commonwealth entities.....	97





15 September 2025

The Hon Michelle Rowland MP
 Attorney-General
 Parliament House
 CANBERRA ACT 2600

Dear Attorney-General

Letter of Accountable Authority

It is my pleasure to present the Annual Report of the Australian Human Rights Commission for the period ending 30 June 2025. The report has been prepared in accordance with section 45 of the *Australian Human Rights Commission Act 1986* (Cth) and section 46 of the *Public Governance, Performance and Accountability Act 2013* (Cth).

As the Accountable Authority for the Commission, I am responsible for preparing and giving this report to you. I can confirm that our performance in 2024–25 is accurately described in the report, is consistent with the Commission's responsibility and duties, and has contributed towards achieving our purpose.

The Annual Report was prepared under my authority and approved by signing of a memorandum.

A handwritten signature in black ink, appearing to read "H de Kretser".

Hugh de Kretser
President

1. President's message: The year in review

Human rights are standards that governments have agreed to meet so that everyone can live a safe, free and dignified life. Human rights belong equally to all of us, no matter who we are or where we are. They are the key to living well. Human rights are about being treated fairly, treating others fairly and being able to choose how we live our lives together in our communities and society.

Human rights reflect values like equality, freedom, respect, dignity, kindness, thinking of others and looking out for each other. Human rights are Australian values.

Since 1986, the Australian Human Rights Commission (the Commission) has been protecting the human rights of all people in Australia. Our vision is an Australian society where human rights are respected, protected and promoted and every person is free and equal in dignity and rights.

Human rights challenges remain acute

The past year has seen continued human rights challenges for many Australians. Increases in the cost of living, while thankfully abating, have made it harder for many people to access housing, healthcare, education and energy. Wealth and income inequality are rising. The human rights divide between people in the cities and rural areas continues, particularly in relation to education, health and jobs.

Racism continues to cause harm and fracture our society. Jewish, Israeli, Palestinian, Muslim and Arab communities in Australia continue to experience racism connected to the ongoing violence in Gaza and beyond. For First Peoples communities, racism is a far too familiar experience.

The implementation of the Uluru Statement's call for Voice, Treaty and Truth has stalled at the national level following the failed 2023 Voice referendum. Progress is happening in some jurisdictions, particularly Victoria and South Australia, while Queensland abolished its truth and treaty process.



Hugh de Kretser
President

Australian governments are imprisoning First Peoples and removing their children into child protection systems at worsening rates. States and territories are increasingly pursuing harsh, counterproductive criminal justice policies that breach human rights standards. Only 4 of the 19 Closing the Gap targets are on track and there has been limited progress on raising the age of criminal responsibility. Most jurisdictions, including at the federal level, allow children as young as 10 to be arrested, prosecuted and locked up.

A more proactive, preventative approach to protecting rights

Against this backdrop, the Commission continues to outline reforms to better protect people's rights in Australia. This starts with a Human Rights Act. A Human Rights Act would protect people's rights in law, improve understanding of rights and give people the power to take action if their rights are breached. There is strong community support for reform. The Australian Parliament's own human rights committee has recommended adopting a Human Rights Act. It's a long overdue missing part of the democratic foundations of this country.

Building a culture of respecting human rights means strengthening everyone's understanding of their rights and responsibilities. We need to address poor public knowledge around civics and our democracy. Education standards in this area have been neglected and activities are inadequately resourced and sustained. We need a national action plan for human rights education. This would promote understanding of rights in schools, workplaces, communities and government and strengthen shared Australian values of fairness, equality and respect for each other.

Our discrimination laws are ageing, inconsistent, and place too much burden on individual people complaining to change unfair systems. They need to be modernised and improved with a stronger focus on prevention. The Australian Government's response to the Disability Royal Commission provides a pathway to reform our national disability discrimination laws and to make all our discrimination laws more effective and consistent.

The Commission's National Anti-Racism Framework provides a roadmap for addressing the scourge of racism in this country. We need to tackle racism in a systemic, national way. Our landmark Racism@University study is underway and will report on the prevalence of racism on campuses and deliver practical recommendations on how to respond.

Our *'Help way earlier!'* report, launched in August, calls for evidence-based and effective policies to improve children's wellbeing and community safety through improved youth justice systems. Commissioner Katie Kiss completed her national Informing the Agenda consultations to inform her upcoming Social Justice Report. The report will outline a fresh agenda for making the rights of First Peoples a reality in this country. Our report on COVID-19 calls for human rights to be placed at the centre of responses to emergencies and disasters. Our work on ageing is strengthening systems to address elder abuse and tackling the prejudice that sees older people excluded from workplaces and poorly treated in healthcare.

Our work on technology and human rights is at the forefront of policy debates. While technology is reshaping our society, advances continue to outpace regulation. Proactive regulation is needed to reap the benefits of new technology such as AI and neurotech while avoiding the harms.

Our partnerships with the Australian Defence Force, the Australian Federal Police and Australian Border Force are building their internal human rights capability and culture. At the international level, we continue to strengthen the human rights capacity of regional neighbours through ASEAN and in partnership with Vietnam and Laos as well as in the Pacific.

Ensuring people can access justice when they are discriminated against

The heart of the Commission's work has always been our access to justice services. We currently receive around 14,000 enquiries and close to 3,000 complaints of discrimination and human rights breaches each year. We provide free and accessible conciliation services to help resolve these complaints. The vast majority do not proceed into the federal court system.

During the year, we welcomed the findings of the Australian National Audit Office's audit of our complaint handling and agreed to their recommendations. We currently receive around 30% more complaints each year than we did prior to the pandemic. This has led to increases in the timeframes for resolving complaints. While we are making small inroads into the complaint backlog and reducing timeframes, funding is a major barrier to addressing this.

The positive duty to eliminate sexual harassment and other conduct

This year was the first full year of the Commission's new role as a regulator of the positive duty to eliminate sexual harassment, sex discrimination and other unlawful conduct in workplaces. Alongside our compliance tools and training, we launched 4 formal inquiries and engaged with 35 other employers in a voluntary capacity. We are currently focussing on the higher risk retail and hospitality sectors.

Turning 40

The Commission turns 40 next year. It will be a good opportunity to reflect on the impact of our work and celebrate nationally significant initiatives like our Bringing Them Home and Respect@Work reports. It will be a chance to recognise the positive social change brought about by our national anti-discrimination laws.

Thank you to our dedicated Commissioners and staff and to the many community, government and business partners who worked with us to advance human rights in this country over the year. Our lives are better, and our communities are stronger, safer, healthier and more prosperous when human rights are respected, promoted and protected.



Hugh de Kretser
President

2. The Commission

2.1 Our vision and purpose

The Commission is an independent statutory organisation, exercising functions under Australia's 4 federal discrimination laws. The Commission also has specific responsibilities under the *Native Title Act 1993* (Cth) and the *Fair Work Act 2009* (Cth).

Our vision is an Australian society in which human rights are respected, promoted and protected. Where every person is free and equal in dignity and rights. Where the Commission is connected to Australian communities and is a valued national institution having a positive impact on the human rights priorities facing Australia.

Our purpose is to promote and protect the human rights of everyone in Australia.

We are accredited internationally as an 'A' status national human rights institution (NHRI) by the Global Alliance of NHRIs (GANHRI). To achieve 'A' status, NHRIs must be established and operate in compliance with the United Nations Principles Relating to the Status of National Institutions for the Promotion and Protection of Human Rights – commonly known as the Paris Principles. The Paris Principles require us to have a broad mandate and functions, remain independent from government, have adequate power and resources, and work cooperatively in Australia and internationally.

An Australian society in which human rights are respected, protected and promoted through independent investigation and resolution of complaints, exercise of regulatory functions, contributions to law and policy reforms, research, education, partnerships, and monitoring and reporting on human rights.

**AHRC Outcome Statement, Portfolio
Budget Statement 2024-25**



3. Our legislation and functions

3.1 Legislation

We are a body corporate established by the *Australian Human Rights Commission Act 1986* (Cth) (AHRC Act) and a Corporate Commonwealth Entity under the *Public Governance, Performance and Accountability Act 2013* (Cth).

It is our duty under the AHRC Act to ensure that we perform our statutory functions efficiently and with the greatest possible benefit to the people of Australia with regard for the indivisibility and universality of human rights.

3.2 Functions

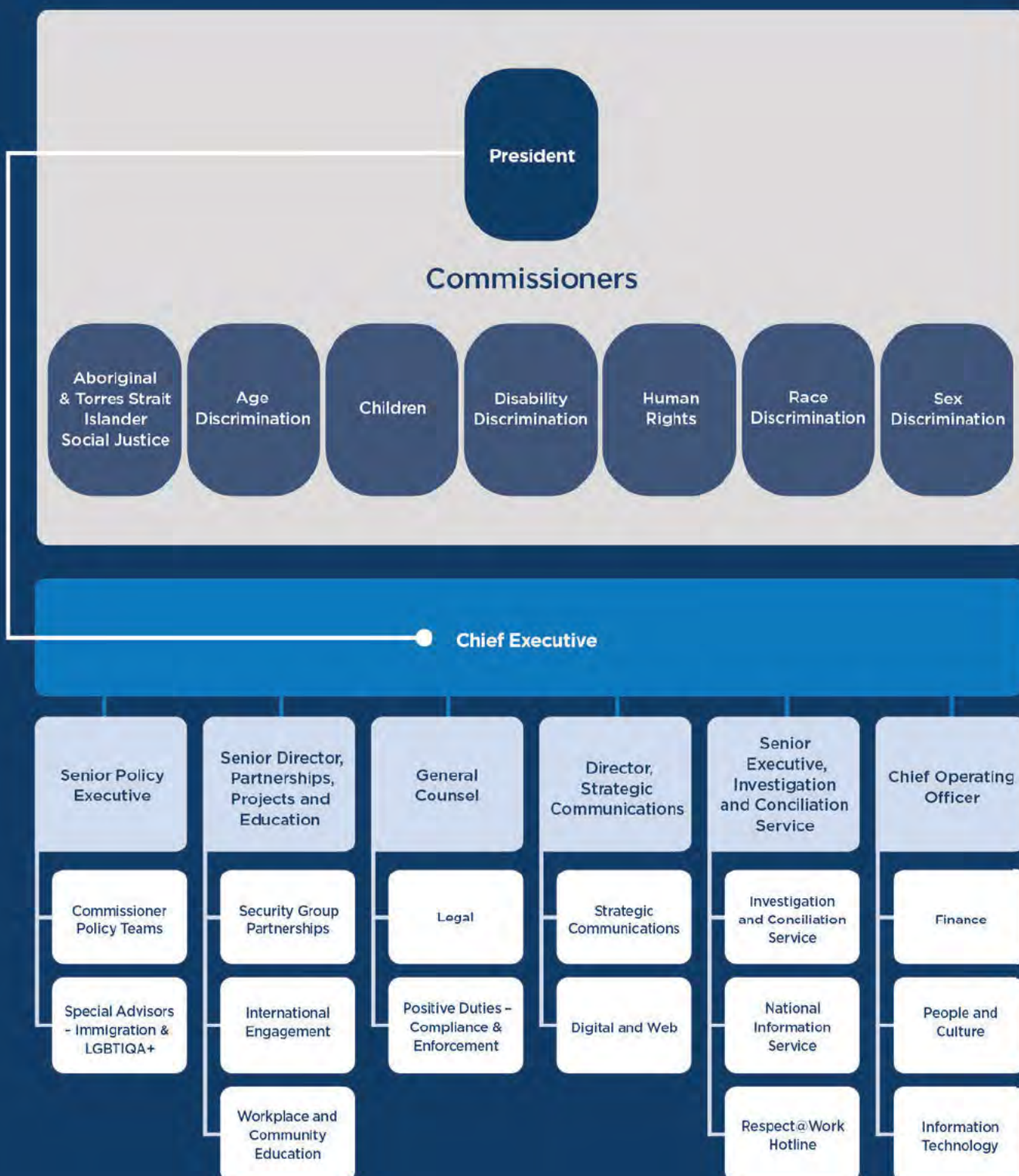
The Commission's key functions include:

- **Access to justice:** We help people to resolve complaints of discrimination and human rights breaches through our [investigation and conciliation services](#).
- **Fairer laws, policies and practices:** We review existing and proposed laws, policies and practices, and provide expert advice on how they can better protect people's human rights. We help organisations to protect human rights in their work. We publish reports on human rights problems and how to fix them.
- **Education and understanding:** We strengthen understanding, acceptance and public discussion of human rights. We deliver workplace and community human rights [education and training](#).
- **Compliance:** We are the regulator for positive duty laws requiring employers and others to proactively address sexual harassment, sex discrimination and other related unlawful conduct.

The Commission has published a [Statement of Intent](#) that outlines how we will deliver on the [Minister's expectations](#) regarding our statutory responsibilities for the positive duty to proactively address sexual harassment, sex discrimination and other related unlawful conduct. We have also published a [Compliance and Enforcement Policy](#) outlining how we will perform our positive duty functions.

4. Our structure and governance

4.1 Organisational structure 2024-2025



4.2 President, Commissioners and Chief Executive over the 2024-25 period



Hugh de Kretser
President
30 July 2025
onwards



**Emeritus Professor
Rosalind Croucher**
AM FAAL
President
1-29 July 2025



Katie Kiss
Aboriginal and Torres
Strait Islander Social
Justice Commissioner



Robert Fitzgerald AM
Age Discrimination
Commissioner



Anne Hollonds
National Children's
Commissioner



Rosemary Kayess
Disability Discrimination
Commissioner



Dr Lorraine Finlay
Human Rights
Commissioner



Giridharan Sivaraman
Race Discrimination
Commissioner



Dr Anna Cody
Sex Discrimination
Commissioner



Leanne Smith
Chief Executive

4.3 Location and national reach

The Commission conducts its activities nationally, including by maintaining a National Information Service, and conducting consultations, meetings and events across Australia. Our office is in Sydney. Like other Australian government agencies, we have a growing number of staff working remotely from locations across the country.

4.4 Responsible minister

In this period the Hon Mark Dreyfus KC MP was the Attorney-General responsible for the Commission to 12 May 2025. The Hon Michelle Rowland MP was appointed Attorney-General on 13 May 2025. The Attorney-General has various powers under the *Australian Human Rights Commission Act 1986* (Cth).

4.5 Governance

The Commission operates under *the Australian Human Rights Commission Act 1986* (Cth), the *Public Service Act 1999* (Cth) and the *Public Governance, Performance and Accountability Act 2013* (Cth). The implementation of these responsibilities is described in our Governance Framework which we updated in June 2025.

The President and Commissioners form the Commission. The Commission holds quarterly Commission meetings where the President, Commissioners and senior executives review progress against strategic and annual work plans and discuss strategic issues.

The Commission has 4 Governance Committees chaired by Commissioners with staff representation. They report to the quarterly Commission meetings. The committees are:

- Budget
- Partnership and Projects
- Organisational Development and Culture
- Strategic Issues and Engagement.

Our management culture promotes an open and proactive approach to managing risk. We achieve this through our governance, risk and compliance mechanisms, such as our external Audit and Risk Committee and our Governance Committees. Our risk management framework provides a mechanism for proactively identifying and mitigating risks across the organisation, and for monitoring our operating environment. The Commission obtains appropriate ethics approval for all relevant major activities.

4.6 Audit and Risk Committee

Under the *Public Governance, Performance and Accountability Act 2013* (Cth) (PGPA rule) requirement (section 17(2)(b)), our Audit and Risk Committee has assessed the performance statement contained in this report, reviewing the completeness and appropriateness of the information, systems and framework, and performance reporting.

Under the PGPA Rule requirement (section 17BE), the following information is provided:

(a) Electronic address of the Audit and Risk Committee Charter:

https://humanrights.gov.au/sites/default/files/ahrc_audit_and_risk_committee_charter.pdf

(b) Audit and Risk Committee members in 2024–2025:

- Linda Waugh (Chair)
- Navaka Arachchige
- Clare Bower

(c) Qualifications, knowledge and experience of committee members:

Linda Waugh is the Chair of the Audit and Risk Committee. She is the Integrity Commissioner for the Queensland Government. Ms Waugh has over 20 years' experience working in public sector integrity and oversight bodies in both the federal and state governments. She has a breadth of experience across complaints and investigations,

risk and governance, policy reform and education, systems reviews, and auditing and legislative reviews. Ms Waugh holds a Bachelor of Arts, a Post Graduate Diploma of Psychology and a Master of Business Administration.

Navaka Arachchige is a member of the Committee. He has over 15 years of public sector experience in finance and corporate services including governance, audit, risk and procurement. Mr Arachchige holds membership of the Association of Certified Chartered Accountants UK and the Chartered Institute of Management Accountants UK. He also holds a Master of Commerce specialising in management information systems from the University of NSW.

Clare Bower is an experienced governance, risk and audit professional with more than 20 years' experience advising and serving Australian and global organisations, including federal and NSW public sector departments, major ASX listed companies, and the not-for-profit sector. Her most recent full-time role was as a senior partner at Deloitte Australia. She was the Australian leader of Deloitte's Risk Services Public Sector and Not for Profit Industry Group.

(d) The Audit and Risk Committee held 5 meetings in 2024–2025 on these dates:

- 19 August 2024
- 20 September 2024
- 9 December 2024
- 17 March 2025
- 6 June 2025

(e) Member remuneration 2024-2025:

- Ms Linda Waugh - \$3,300
- Mr Navaka Arachchige - \$2,000
- Ms Clare Bower - \$5,000.

In June 2025 the Commission introduced a new remuneration structure for the Committee members.

5. Annual Performance Statement



As the Accountable Authority for the Australian Human Rights Commission,
I present the Commission's 2024–2025 Annual Performance Statement.

The statement has been prepared as required under section 39(1)(a) of the
Public Governance, Performance and Accountability Act 2013 (Cth).

In my opinion, this statement accurately presents the performance of the
Commission in the reporting period and complies with section 39(2) of the
Public Governance Performance and Accountability Act 2013 (Cth).

A handwritten signature in black ink, appearing to read "H de Kretser", written over a light blue horizontal line.

Hugh de Kretser

President

15 September 2025

5.1 Introduction to the results

Measuring our impact in the context and nature of our work is important but complex. The ultimate results of our activities are often long-term and incrementally achieved.

The methods we use to report against our performance measures reflect our size and approach to the work that we do.

We map qualitative and quantitative progress indicators to each of our outcomes. They are designed to provide reasonable evidence of contribution to the outcome. They include output, process and outcome measures.

Our progress indicators are supported by data from monitoring and evaluation methods. These include outcome mapping, citation analysis, surveys, case studies and narrative stories of change. While some of these methods measure the direct attributions of our work, others capture our contributions to the outcomes. The outcomes are often best understood when seen in the context of multi-year programs, advocacy and submissions.

5.2 Statement against outcomes

Improving enjoyment of human rights by all, supporting access to justice and remedies for people and communities whose rights are breached

Outcome: 1.1 We deliver a fair and effective investigation and conciliation of complaints service.

Indicators:

- 85% of complaints are finalised in under 12 months
- 40% of complaints are resolved by conciliation
- 85% of parties to complaints are satisfied with the service they receive
- instances where the terms on which investigations and conciliation disputes are resolved include systemic outcomes that accord with the objective of the law
- instances where participation in the investigation and conciliation process results in increased understanding of rights and responsibilities in the law.

Actuals



of complaints were finalised in under 12 months



of complaints were resolved by conciliation



of parties to complaints were satisfied with the service they received



of conciliation outcomes were resolved including systemic outcomes that accord with the objective of the law



of survey participants responded that participation in the conciliation process results in increased understanding of rights and responsibilities in the law

Analysis of performance (complaints):

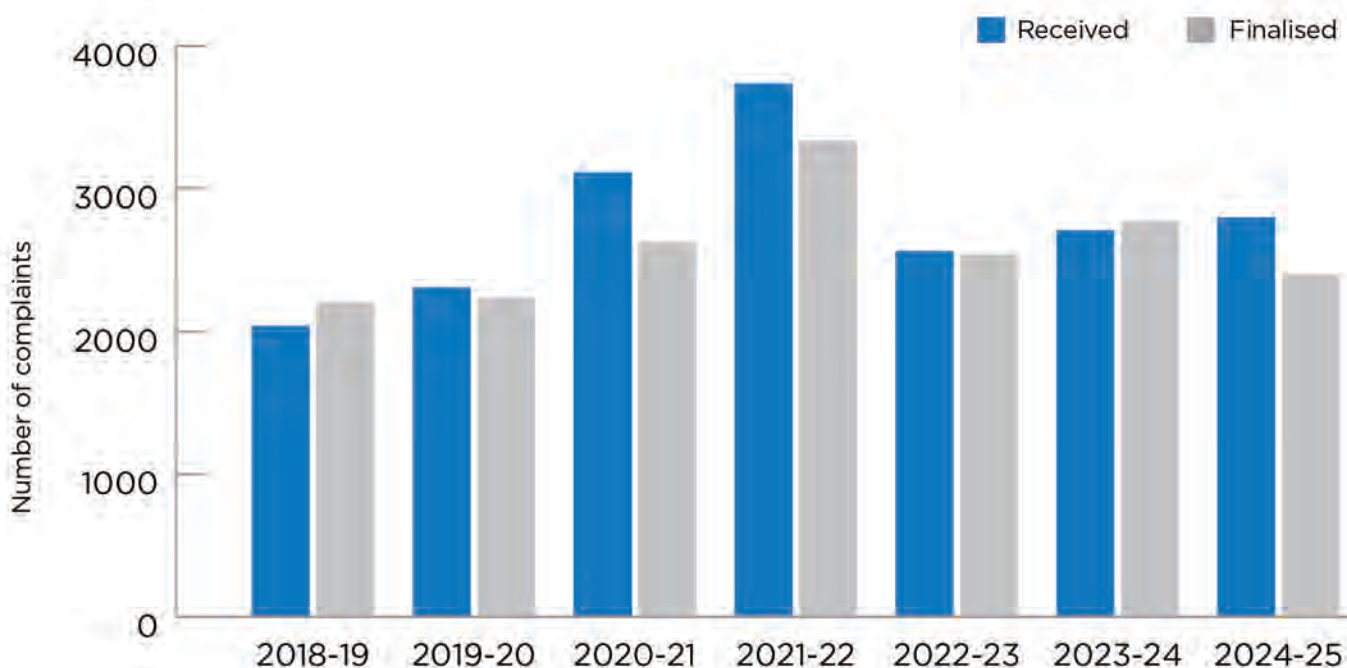
The Commission received 2,797 complaints and finalised 2,399 complaints during 2024-2025. Of the complaints finalised during this period, only one of our performance indicators was achieved, with 86% of parties to complaints reporting they were satisfied with the service they received.

The percentage of complaints finalised within 12 months is at a record low of 70%. This is predominantly due to ongoing high demand. Complaint numbers rose sharply during COVID-19 and then dropped back to a new normal which is around 30% higher than pre-COVID-19 levels. We currently have a backlog of complaints waiting to be allocated to a case officer. This means several months may pass before some complaints are actioned.

The Commission is taking proactive steps to address these issues. We are increasing staffing to address the ongoing increased demand. We operate a triage system to ensure that priority complaints, where there is risk of imminent adverse action, are allocated promptly. We are also piloting a program to explore alternative processes to manage complaints.

In February 2025, the Australian National Audit Office published their [performance audit report](#) on our complaint handling function. We agreed or agreed in principle to all 5 recommendations and are implementing them. (see section 7.7 for more information).

Complaints received



Year	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25
Received	2,037	2,307	3,113	3,736	2,562	2,708	2,797
Finalised	2,202	2,237	2,624	3,338	2,538	2,771	2,399

In 2024-2025 we received 144 racial hatred complaints (13% higher than the 5 year average) including a number of high profile complaints related to the domestic impacts of violence in the Middle East. More complaints were received under the Sex Discrimination Act (626) than in any previous reporting year. This is likely a result of amendments to the Sex Discrimination Act in 2021 and 2022 which expanded the protections for people experiencing workplace harassment and discrimination.

However, complaints under the Disability Discrimination Act continue to be the most common with over 1,300 complaints received in 2024-2025. An increasing number of people identify as having psychosocial (431) and neurological (374) disabilities.

The Commission continues to provide flexibility in our complaint processes so that they are safe

and accessible for people. We take statements for people who cannot put their claim in writing, engage with support workers and advocates and provide tailored communication, allowing additional time to process information. These activities, which increase access to justice, also adversely impact complaint handling timeframes.

Complaint handling delays have coincided with a lower percentage of complaints resolved through conciliation. In 2024-2025, 30% of complaints were successfully conciliated, a drop from 33% recorded in 2023-2024.

The finalisation of legacy COVID-19 complaints continues to contribute to the lower conciliation rate. In 2024-2025 the Commission finalised 281 COVID-19 related complaints of which only 2% were resolved

through conciliation. This is largely due to complaint subject matter (actions of governments) and very entrenched complaint party views. We experienced a significant drop in the number of COVID-19 related complaints in the second half of 2024-25 indicating this trend is likely to abate.

The *Australian Human Rights Commission Amendment (Costs Protection) Act 2024* came into effect in October 2024. Under the previous cost rules, people who could not resolve their complaint at conciliation and chose to take the complaint to court, faced a significant costs bill if they lost their case as the court would normally order that they pay the winning party's legal costs as well as their own. This was a significant barrier for ordinary people bringing federal discrimination law cases to court. The new cost provisions remove this barrier and are much more favourable for people bringing complaints. The Commission is closely monitoring the impact of the changes including in relation to engagement with the conciliation process.

The Commission continues to receive positive unsolicited feedback from people saying that participating in a trauma-informed dispute resolution process increases awareness and understanding through respectful dialogue. For example, this feedback from a family who made a complaint about their son's experience of disability discrimination in school:

'Even if our conciliation is not ultimately successful our family has been immeasurably blessed by the experience. The message that [our son] heard - that his existence is valuable and his opinions matter was an important and formative growth moment for him. We look forward to seeing a bright future in which he is willing to advocate for himself, and if nothing else is to be gained from the experience that alone has made the experience worthwhile. Thank you.'

Survey satisfaction

When we finalise a complaint, we send a voluntary survey to the parties seeking feedback on our service. The survey is sent to all parties, except where a matter has been withdrawn or discontinued before a respondent is notified, or in circumstances where further contact with the Commission may cause distress to the relevant parties or staff.

In 2024-2025 we improved our internal controls for the participant satisfaction survey. We sent 1,263 surveys and received 308 responses (24% response rate). The responses were very evenly matched between complainants (155) and respondents (153). This is an increase on the 2023-2024 response rate of 14%.

Feedback from respondents

'Our conciliator was a great asset to the discussion, her strength was acknowledging people's experiences, clarifying what we are talking about and what realistically can be addressed. Her presentation of both parties made a difference to the outcome.'



Complainants satisfied



**Complainants rate service
Very good / Excellent**



Respondents satisfied



**Respondents rate service
Very good / Excellent**

Feedback from complainants

'Thanks for everything :). One step and one person at a time to improve awareness and understanding for vulnerable demographics. You never know who someone knows and how they might help, or what that might mean down the track for someone else with a disability and an assistance dog, to be welcomed and understood, where they feel safe so they can make wonderful holiday memories. Just a small kindness has the capacity to change someone's life for the better.'

'It is an excellent service, fair, neutral, objective, impartial and at the same time provides an inbuilt pedagogical learning curve to help complainants form reasonable expectations and compromises and achieve rational objectives.'

In 2024-2025, 19% of the outcomes achieved in conciliated complaints included outcomes with benefits for people beyond the individual complainant. Examples include:

- the development of anti-discrimination policies and training within workplaces
- a nationwide audit of entertainment venues with the aim of increasing accessibility and providing accurate information to prospective patrons
- inviting complainants to participate in the development of service improvements.

In relation to conciliated complaints, survey data shows 78% of participants said the complaint process assisted them to better understand their rights and responsibilities under federal human rights and anti-discrimination laws.

Case study 1: Conciliated complaint with a systemic outcome

A complaint was lodged on behalf of a woman with permanent paraplegia who uses a wheelchair. The woman encountered an inaccessible birthday venue after having been assured in advance that the premises were fully accessible. She and her family were unable to proceed with their planned celebration. The company that operates numerous hospitality venues, including the venue in question, responded by acknowledging her and her family's frustration and that the venue is not suitable for wheelchair access.

The company committed to:

- refreshing team members at the venue on internal procedures regarding accessibility inquiries and booking communications, so that potential customers are informed of the venue's accessibility limitations
- undertaking a group-wide accessibility review so that all patron-facing messaging, including on its website and app, reflects the accessibility features of each venue
- updating the website to provide clear accessibility information and amending the external booking platform to include a prompt for guests to contact the venue directly to discuss access requirements prior to booking.

This outcome is an example of systemic change that can be achieved through alternative dispute resolution.

Case study 2: Conciliated complaint with individual and systemic outcome

A woman with chronic pain and anxiety attended a tertiary education institution. She alleged the education provider did not accommodate her disabilities or provide her with the reasonable adjustments she required to meaningfully participate in the course. When advised of the complaint the education provider indicated an openness to further dialogue in the interest of fostering a positive and inclusive learning environment for all members of the community.

The complaint resolved with a personal written apology and a written commitment to:

- train all teaching staff on reasonable adjustments, equity and access plan implementation, and effectively communicating and applying adjustments
- develop inclusive teaching practice modules with strategies for teachers to use to maximise learning for students with different learning abilities
- establish a senior student access role to mentor staff and develop new processes based on user feedback
- prioritise regular informed feedback and creating dedicated feedback channels.

These outcomes were empowering for the woman and contributed to positive systemic change.

Outcome: 1.2 We support meaningful cultural change towards safer, respectful and more equitable workplaces in Australia

Indicators:

- increase in duty holders understanding of the positive duty obligation
- increase in duty holders taking proactive steps to eliminate and prevent relevant unlawful conduct.

The 2024-2025 reporting period is the first fully operational year of the Commission's regulatory positive duty function. The positive duty requires workplaces to take proactive action to prevent sexual harassment, sex discrimination and other unlawful conduct.

During 2024-2025 we managed 72 reports and started 4 inquiries. We engaged 35 workplaces on a voluntary basis with ongoing monitoring of 15 organisations. Reports were predominantly received from accommodation and food services, arts and recreation, retail trade and healthcare industries.

We also partnered with educational institutions on 2 national research projects and conducted over 50 external stakeholder engagements.

Actuals

13

entities taking proactive steps

9,835

downloads of resources
(including information resources,
guidelines and fact sheets)

14,201

views of webinars and animation resources

149,515

webpage views across the positive
duty resources

96%

of respondents (N=150) in the e-learning
series report the Commission's resources
improved their understanding of the
positive duty

6

meetings with duty holders initiated by
correspondence from the Commission
(through education and requests for
information letters)

18

education letters sent to duty holders

11

assessments undertaken within
voluntary information sessions

1.2.3 Regulatory best practice principles

Working with organisations and businesses

The Commission engages with workplaces to assist them to achieve compliance with the positive duty. In 2024-2025 we contacted 35 employers following analysis of media reports, information from other regulators and reports we received from workers. These organisations employ more than 125,000 people across industries like professional services, hospitality, arts and retail.

We asked these organisations to share their current measures and plans for complying with their legal obligations under the positive duty. We then provided tailored information and resources to help them meet their legal duties.

Our approach focuses on practical steps. For example, we recently advised one employer to prioritise worker consultation. We explained that employees should have input on what makes them feel safe at work, be able to share their experiences of harmful behaviour, identify workplace risks, suggest solutions, and evaluate whether current strategies actually work.

Enhancing regulatory coordination

Our positive duty regulatory functions complement workplace health and safety and fair work regulatory frameworks. We identified areas where improved collaboration could strengthen regulatory effectiveness by sharing leading practices, enhancing communication between regulators and ensuring consistency in guidance materials to avoid confusion and lessen the burden for organisations and businesses.

Building strategic partnerships

In September 2024 we delivered the first National Regulator Roundtable, bringing together 32 representatives from 20 agencies across state and federal work health and safety, anti-discrimination, human rights, equal opportunity, and fair work jurisdictions. The roundtable explored regulatory risks and collaboration opportunities among agencies addressing sexual harassment, sex discrimination and sexist conduct.

We built on this by establishing a Positive Duty Working Group in the Australian Council of Human Rights Agencies to promote collaboration and knowledge sharing with partner state and territory human rights commissions who have positive duty functions. The working group meets quarterly.

Providing simple and accessible education

We launched our free, short and accessible [Positive Duty e-learning](#)s to help organisations and businesses understand their obligations. There were more than 10,000 visits to the e-learning page. Nearly all participants (96%) who provided feedback said the courses improved their understanding of the positive duty. They described the e-learning as 'easy to use' and 'clear and concise', telling us that completing them helped them to 'understand (their) obligations and what steps to take to satisfy the positive duty.'

Participants said they're planning 'to cascade this training to all board directors', organising 'conversations, signage, and line manager training', running 'a workshop with our team', and working 'to develop a prevention plan with employees'.

Our other resources are also making an impact. People have downloaded our factsheets 4,053 times, posters 2,249 times and viewed our animations 12,861 times. These simple, accessible tools help organisations and businesses understand their legal obligations and create safer workplaces.

Strengthening Australia's human rights framework, embedding human rights issues at a national level

Outcome: 2.1 The leadership and advocacy of the President and Commissioners on thematic areas or identified human rights issues, improves the enjoyment of human rights affected groups.

Indicators:

- research, reporting and advice activities of the Commission are
 - viewed as evidenced, persuasive and credible by stakeholders
 - increased understanding of the human rights issues and impacts raised
 - strengthened stakeholder capacity to promote and advocate for the human rights issues raised
- instances of programs attracting strategic partnerships that advance the priority human rights issues we have advocated for.

Actuals



34

major reports, publications and resources



9

major events



339

speeches and presentations



149

web news items



20

opinion pieces



44

projects attracting strategic partnerships



'Help way earlier!' report

In August 2024, the National Children's Commissioner tabled in Parliament her report ['Help way earlier!': How Australia can transform child justice to improve safety and wellbeing](#) report.

The report sets out a human rights-based approach to the reform of child justice and related systems across Australia. The voices of children and young people, families and their communities are at the centre of the report. It highlights their views on why children come into contact with the criminal justice system and what needs to be done to prevent their involvement in that system. It also drew on written submissions and stakeholder consultations.

'Help way earlier!' found that Australian governments and parliaments are failing to implement evidence-based reforms to protect child rights and reduce offending. It recommends a national approach to

child justice and related systems across Australia. It emphasises that all Australian governments have a role in addressing the national youth justice crisis and that jurisdictional buck passing has to stop. The report and its recommendations received widespread support.

On 11 September 2024, the Senate referred ['Australia's youth justice and incarceration system', to the Legal and Constitutional Affairs References Committee](#), for inquiry and report. The Senate Committee released its interim report on 28 February 2025, prior to Parliament rising for the federal election. The Committee cited the 'Help way earlier!' report 22 times, including in its recommendations calling for further action on the report and for assessing the adequacy of the national response to child justice issues.

The Committee noted:

'The high regard with which Ms Hollonds' *'Help way earlier!': How Australia can transform child justice to improve safety and wellbeing* report was received, including its 24 recommendations for reform'.

Two hundred and twenty five submissions were made to the Senate inquiry. Of the 216 publicly available, 102 submissions referenced our report at least once. The [Close the Gap Campaign report](#) also recommended that governments fully implement the recommendations from 'Help way earlier!' and the Chair of the UN Child Rights Committee wrote to the Australian Government about responding to the report. Further public statements of support for the report include the Law Council of Australia's Policy Statement on Child Justice Reform and advocacy by Human Rights Watch.

The report has received excellent media coverage. The National Children's Commissioner also delivered an Australian Press Club speech highlighting its findings and recommendations.

Our focus is on maintaining momentum for implementation of the report's recommendations and for the new Australian Government to re-initiate the work of the Senate Inquiry into Australia's youth justice and incarceration system.



Renowned journalist and MC Narelda Jacobs and Race Commissioner Giridharan Sivaraman at the launch of the National Anti-Racism Framework. Parramatta Townhall, 26 November 2024.

Launch of the National anti-racism framework

The [National anti-racism framework](#) is a comprehensive roadmap for governments, business and community organisations to address all forms of racism and promote racial equality in Australia. The framework was funded by the Government in 2022 and launched by the Commission in November 2024 after an extensive research and consultation process.

The development of the framework centred the experiences of First Peoples and other communities affected by racism across the country. The framework has 63 recommendations across the legal, justice, health, education, media and arts sectors as well as workplaces and data collection. The Commission seeks agreement from all levels of government on strong commitments, roles and responsibilities for the framework. A key recommendation calls on the Australian Government to establish a National Anti-Racism Taskforce to implement the Framework's recommendations, along with a dedicated strategy for eliminating racism experienced by First Peoples.

The Commission has received widespread community and political support for the framework in both its development phase and since the release of the finalised proposal.

'The development of a comprehensive National Anti-Racism Framework is ... critical to addressing and mitigating the effects of racism across these essential sectors.'

First Nations Co. (2024), *An Anti-Racism Framework: Voices of First Nations Peoples*

'The data from the consultations and survey make clear that in relation to race discrimination, the need for a sound human rights protection system in Australia cannot be underestimated.'

Muralidharan, P., Hosseini, Y. and Arashiro, Z (2024), *An Anti-Racism Framework: The Perspectives of Multicultural Australia*

The framework is a multiyear project that builds on a number of reports released by the Commission including our *Race Reporting Handbook*, *An Anti-Racism Framework: The Perspectives of Multicultural Australia* and *An Anti-Racism Framework: Voices of First Nations Peoples*.

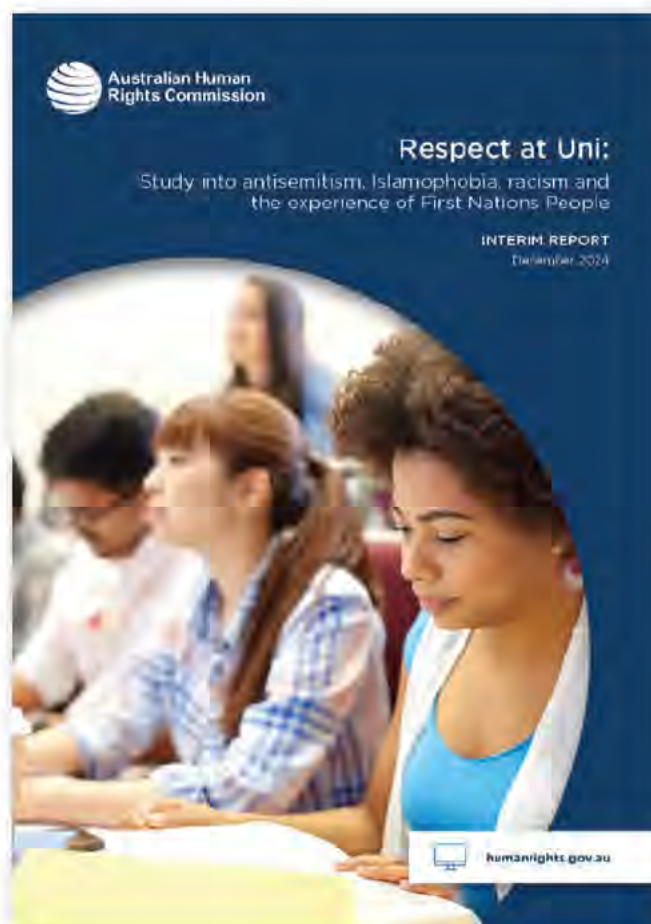
Racism@Uni prevalence study and Interim Report

The Commission is leading the Racism@Uni Study, a national first to comprehensively investigate the prevalence, nature and impact of racism at Australian universities. The Study was commissioned by the Department of Education in May 2024 in response to the Universities Accord report and concerns about the rise in antisemitism and Islamophobia in universities following the October 7 terror attack in Israel and Israel's subsequent attacks in Gaza. The Commission's National Anti-Racism Framework also recommends a focus on racism in universities.

The Racism@Uni Study is designed through a trauma-informed lens, developed under expert guidance and conducted in ways that centre cultural safety. The Study has been approved through 3 ethics research committees, including a specific approval for Aboriginal and Torres Strait Islander research.

The Commission published the [Racism@Uni Study Interim Report](#) in December 2024. The interim findings reveal trends in racism, including increased antisemitism and Islamophobia, with significant impacts on wellbeing, participation, and performance.

The Study will establish baseline data on the prevalence, nature and impact of racism and make practical recommendations to address racism. It is guided by an expert advisory committee with membership from First Peoples and other communities affected by racism. Other members include anti-racism experts, academic and professional staff from universities and representatives from peak bodies like Universities Australia and the National Union of Students. The Study is also guided by a Senior Officers Working Group with representatives from 7 federal government departments, regulators and special envoys to ensure that the Study engages with government efforts to address racism in universities. The Study also involves significant engagement with Vice Chancellors.



Recurring themes identified in the Interim Report that are being further explored include:

- racism's impacts on student and staff wellbeing, safety and progression
- the load carried by Indigenous students and staff
- the impacts of antisemitism and Islamophobia on students and staff
- the experiences of staff and students from Indigenous, Jewish, Palestinian, Arab, African and Asian backgrounds
- the ineffectiveness of complaint handling mechanisms
- the importance of racial literacy.

The Racism@Uni Study is a unique opportunity for the university sector to lead anti-racism action. Forty-two of 43 universities have agreed to participate in the national prevalence survey of student and staff. The findings and data will build the foundation for informed, structural and effective anti-racism action by universities and government to cultivate safe and inclusive university environments for all students and staff. The Commission will deliver a final report to the Australian Government in late 2025.

Free and Equal

The Commission's Free and Equal project sets out a national reform agenda for improving the protection of people's human rights in Australia with [7 key recommendations](#):

1. Establish an Australian Human Rights Act.
2. Modernise Australia's anti-discrimination laws.
3. Develop a national human rights education action plan.
4. Create a national human rights tracker to measure progress and regress on human rights.
5. Deliver an annual national human rights statement to Parliament.
6. Strengthen the role of Parliament in protecting human rights.
7. Ensure an effective and sustainable Australian Human Rights Commission and a vibrant civil society to protect human rights.

The project's recommendations have been endorsed and amplified by subsequent recommendations of the Parliamentary Joint Committee on Human Rights in its 2023 inquiry into Australia's Human Rights Framework and the Disability Royal Commission.

In particular, the Parliamentary Joint Committee on Human Rights recommended establishing an Australian Human Rights Act. This recommendation was supported by 87% of submissions to its inquiry. The Committee's proposed model bill is consistent with the Commission's proposed model for a Human Rights Act. The Disability Royal Commission made 15 recommendations to reform the Disability Discrimination Act consistent with the Commission's proposed reforms to federal discrimination law.

In 2024-2025 the Commission continued advocacy and awareness raising on our Free and Equal recommendations including in the disability and older person's sectors. The Free and Equal recommendations will also be a focus of our work on Australia's Universal Periodic Review. The Universal Periodic Review is a review by the UN Human Rights Council of each country's human rights record which happens every 5 years. Australia's review will occur in January 2026.

Speaking from Experience

In June 2025, the Commission launched [Speaking from Experience](#), a project focussed on the lived experience of people who have been sexually harassed at work. Through in-person consultations and written and audio submissions, over 300 people from across Australia shared what was helpful, what was unhelpful, and what must change to make workplaces safer and more inclusive.

Workplace sexual harassment is very common in Australia – 1 in 3 people have experienced it in the previous 5 years. We know this from the Respect@ Work Inquiry and our latest national survey.

Speaking from Experience centred these diverse voices and put their experience at the forefront of our sexual harassment prevention work. Our goal was that through their voices, we would help marginalised workers across Australia recognise workplace sexual harassment and get the help and support they need if they experience it.

We also know that perpetrators of workplace sexual harassment more often target people who face complex and intersecting forms of discrimination – for example, young workers, LGBTIQA+ workers and women workers who are also Aboriginal or Torres Strait Islander, from culturally and racially marginalised groups or who have disability.

'We're trying to protect ourselves... sometimes if you want to speak up, we put our [visa] status at greater risk... it's quite difficult for most of us...it's a lose/lose situation...'

'I think it's incumbent on the people ... looking into it [workplace sexual harassment] to ensure they are providing accessible processes that take into consideration language barriers, or trauma and all these other factors that [can] impact a victim.'

'Employees need to know their rights in terms of what they can do if they've been harassed.'

The project's design was informed by a victim-survivor advisory group, trauma and violence-informed practice experts and a range of end-users including advocates, researchers, regulators and industry bodies.

We developed a suite of [resources](#) for workers, employers and advocates. The resources will help workers recognise workplace sexual harassment and provide a trauma-informed information pathway so they can get the help they need.

Contributors made it clear that change is needed to reduce barriers to information, safety, justice and accountability, and victim-survivors must be heard and supported after being harassed. The project's [final report](#) and [community guide](#) reflect these calls for change and make 11 recommendations for change.



Left: Rachael Scott, Claire Farrugia and Neilab Osman from the Speaking from Experience team with the final report

Below: Speaking from Experience report launch in Parramatta



Women in immigration detention report

In December 2024, the Commission published [*Not just an afterthought: The experience of women in immigration detention*](#).

It called for significant reform to the country's immigration detention system, after finding that women's rights, safety and wellbeing are being widely overlooked in an overwhelmingly male system. These failures compounded the risk to women of harassment, violence and ill health.

The report followed a series of inspections in April and May 2023 of Australia's immigration detention centres which hold women including Broadmeadows Residential Precinct and parts of the adjoining Melbourne Immigration Detention Centre, Villawood Immigration Detention Centre in Sydney, and Perth Immigration Detention Centre.

We contracted Sisters Inside to provide a gendered and lived experience of incarceration perspective to the inspection process. By focusing on the experiences of women in detention, including transgender women, the Commission highlighted their distinct needs and vulnerabilities that are often unrecognised and unmet. The report called for targeted reform to address these gaps.

The Department of Home Affairs accepted or partially agreed with 11 of the report's 31 recommendations. Authorities rectified other issues raised by the Commission, such as ensuring women detained at Villawood could physically access the centre's shop to make personal purchases.

The report has fostered ongoing engagement with the department to support implementation of the recommendations. This continued collaboration enables deeper, sustained impact and long-term reform.



The Commission continues to work closely with the department on progressing implementation. In particular:

- the development of gender sensitive training for all staff working in immigration detention centres where women are detained
- the development of a policy and guidance relating to the accommodation, welfare, security, and management of transgender persons in immigration detention.

Commission answers call for work on deepfakes and democracy

The Commission has focused on the significant impact arising from the use of emerging technologies on human rights and particularly artificial intelligence (AI). We are building understanding of the human rights implications of advances in AI technology and placing the need for regulatory and other responses on the national policy agenda.

In May 2024 we made a [submission](#) to the Select Committee on Adopting AI which raised serious concern about the impact that deepfakes were having on democratic processes. In October, the Committee's [interim report](#) recognised our concern and quoted the Commission before ultimately making the recommendation that the 'Australian Government undertake a thorough review of potential regulatory responses to AI-generated political or electoral deepfake content ...'. This recommendation was reinforced in the Committee's [final report](#). The Government is yet to formally respond to this recommendation.

The Commission has now initiated a project to further investigate deepfakes, democracy and human rights. The project will deliver a background report to build digital literacy, empowering individuals and communities to understand and respond to deepfake threats.

The Committee report supports informed civic engagement, helping people exercise their rights in democratic processes. Our subsequent project work will build on this to develop further insights into public understanding of deepfakes, the human rights impacts and potential legal and policy responses. It will also consider how deepfakes may disproportionately impact marginalised groups, including women, negatively racialised communities or people with disability.

Children's Rights Impact Assessment tool

In October 2023 we developed a [Child Rights Impact Assessment \(CRIA\) tool](#) to help governments assess the impact of proposed laws and policies on children's human rights. The tool continues to be used to support government decisions, to ensure that the unique needs and voices of children and young people are heard.

In July 2024, the Australian Government Senate Inquiry on the Climate Change Amendment (Duty of Care and Intergenerational Equity) Bill - known as the Duty of Care Bill - recommended that the Australian Government consider the wide use of the CRIA tool to assist in policy development and decision making. The Government agreed in principle to this recommendation, stating that 'it will consider how it can make use of the tool, including in the context of climate change policy development.'

The Australian Government's *COVID-19 Response Inquiry Report* released in October 2024 recognised that dedicated impact assessments would help ensure decision-makers consider the consequences of response measures on children and young people in future pandemics. The Commission has also briefed multiple federal, state and territory government departments on the CRIA tool.

Outcome: 2.2 Law and policy makers, at all levels, consider and address the human rights impacts we identify throughout submissions

Indicators:

- high proportion of Committee inquiry reports reflect and cite the Commission's advice
- instances of our recommendations to UN mechanisms being reflected in treaty body concluding observations and other reports
- majority of our applications to the courts for leave to appear are accepted
- instances of our court submissions reflected in the final judgement of the matter.

Actuals



47

submissions (including 7 to UN mechanisms)



149

citations recorded

For the 2 years covering July 2023 to June 2025 the Commission made 108 submissions including 21 to UN mechanisms with 303 citations.



100%

of our applications to the courts for leave to appear were accepted

The Commission was granted leave to appear as *amicus* in *Tickle v Giggle*. The court directly acknowledges it is 'substantially assisted' by the submissions of the Sex Discrimination Commissioner.

Analysis of performance against the outcome

Human rights scrutiny and making parliamentary submissions processes are important mechanisms for strengthening the protection of human rights in Australia. Our subject matter expertise and inclusive and independent community engagement are highly regarded by law and policy makers.

The Commission tracks all submissions to parliamentary inquiries, UN mechanisms and submissions to the courts using citation analysis. We count the number of times our submission is reflected in a final parliamentary report. This could be:

- a direct reference to the Commission's submission
- a direct reference to an issue identified through Commissioners or Commission staff appearing before the inquiry
- reference to the Commission's advice being referred to and supported by other submissions to the inquiry.

This reporting period the Commission completed 47 submissions with 149 citations. This is a 'point in time' analysis of submission and citations, as submissions may be made in one reporting period, and the final parliamentary report may be finalised in another. For the 2 years covering July 2023-June 2025 the Commission completed 108 submissions with 303 citations.

Similarly, our submissions to the courts may be made in one reporting year, and the final judgement in the matter may be determined in the following.

Giggle for Girls Pty Ltd v Tickle appeal

In August 2024, the Federal Court held that Roxanne Tickle was discriminated against when she was refused access to a social media app described as being 'made for women by women'. The court ordered the respondents to pay \$10,000 in compensation and her legal costs.

This is the first case to be heard by the Federal Court dealing with discrimination on the ground of gender identity. The first instance judgment confirmed that trans women can access protections against discrimination when they are excluded from access to services, for example because the service provider refuses to recognise their gender.

The Sex Discrimination Commissioner participated in the hearing as a 'friend of the court'. In this role, the Commissioner is not a party to the legal case but provides the Court with expert guidance on how the Sex Discrimination Act should be applied. The Court said that it was substantially assisted by counsel for the Commissioner.

Sex Discrimination Commissioner Dr Anna Cody said:

'Gender equality means equal treatment for people of all genders, including trans people. Sex and gender identity are interconnected, not mutually exclusive, and access to justice for one group does not come at the expense of another, but rather strengthens our collective commitment to equality and justice for all.'

The Court found that Ms Tickle, a trans woman, was excluded from the app based on her appearance, and that this was discrimination on the ground of her gender identity.

After the Court's decision was handed down, the respondent appealed to the Full Court of the Federal Court. The Sex Discrimination Commissioner has again been granted leave to appear as *amicus curiae* in the appeal to be heard in August 2025. The first instance judgment confirmed that the provisions were constitutional and consistent with Australia's international human rights obligations. Those findings are not challenged on appeal.

Better understanding of, and respect for, human rights so people and communities take action to defend human rights in their own context.

Outcome: 3.1 Our education activities increase capabilities among individuals, communities and organisations to promote and protect human rights and address discrimination.

Indicators:

- at least 80% of learners report they have benefitted from Commission training
- number of organisations working with the Commission to develop human rights education/training activities.

Actuals



99% of survey respondents in the workshops reported they benefitted from the training



97% paid eLearning course participants reported they benefitted from the training



The Commission worked with
63 agencies in training and information sessions



70 agencies to deliver e-learning modules

Summary of the Commission's education deliverables

Workshops

48

workshops delivered (in-person and virtual)

808

workshop participants

Self-paced e-learning courses: fee-for-service training

70

agencies purchased courses

3085

individuals completed a course

Self-paced e-learning courses – free training

The Commission provides a series of 11 modules on the National Principles for Child Safe Organisations, which have been heavily utilised.

8715

individuals completed Module 1: Introduction to the National Principles for Child Safe Organisations

67,151

modules completed
(note: not unique individuals)

Increase in delivery of Disability Awareness Training

For the past 10 years, complaints under the Disability Discrimination Act on average make up around 40% of all complaints to the Commission. There has also been an increase in demand for our Disability Awareness Training. To meet this demand we updated our workshop and boosted our training capacity.

The workshop trains participants in understanding common definitions and models of disability, the prevalence and diversity of disability in Australia, relevant legislative frameworks, identifying barriers to and taking steps to enhance accessibility and inclusion for people with disability.

The Commission delivered 6 Disability Awareness Training workshops attended by 115 participants. Post-workshop survey results showed improved learning outcomes for all workshops. Feedback included:

'Accessibility versus inclusivity - makes total sense but hadn't turned my mind to it before. And greater consideration of invisible/non-apparent disability.'

'The different models were new to me and very interesting.'

'Excellent facilitation, great resources.'

'Great having presenters with lived experience.'

How you should be treated in custody

The Commission partnered with the Office of the Custodial Inspector Tasmania (CI) to develop a plain English booklet, *How you should be treated in custody*.

The resource addresses the needs of people in custody with low literacy levels. It outlines the standards people in custody should be able to expect, and how they can assert their rights.

The booklet is relevant, accessible and grounded in lived experience. The plain English booklet was co-developed using a human rights-based approach, including focus group testing with people in custody.



Improving employment opportunities for people with disability

The Equality at Work project aims to fulfil the right of people with disability to employment on an equal basis with others. Equality at Work pilot employment programs are designed to address discriminatory barriers to employment and increase the capacity of employers to successfully recruit and retain people with disability. All pilot employment opportunities are in open employment and offer competitive wages that are at or above the national minimum wage.

Guided by people with disability, Equality at Work links employers to new talent pools and builds communities of practice between employers. The Commission draws on its human rights expertise and experience in conciliating disability discrimination complaints to provide tailored support to employers.

These pilots offer a practical prototype for all organisations to assess and improve their policies, practices and processes to uphold the rights of their employees with disability.

Through a funding partnership with the Paul Ramsay Foundation, the Commission launched the second phase of the project in April 2025 by bringing together people with disability, employers and government representatives to [co-design an action plan](#). The co-design team developed a series of tools that will guide the project and help us measure how well the project achieves its goals over the next 2 years.

Outcome: 3.2 Our information resources, services, events and campaigns reach, inform and influence users and audiences.

Indicators:

- an average engagement rate of 2% or higher for Commission social media posts about our education and information activities. This is measured through our click through rate
- high rates of participants finding our events and campaigns engaging and relevant
- instances of legal information, resources, guidelines and exemptions process help employers and organisations to comply with Australian discrimination and human rights law.

Actuals



Overall average social media engagement



3.9% X (Twitter)



5.6% LinkedIn



4.39% Instagram



6.72% Facebook

23

public campaigns and events took place this reporting period with high levels of engagement recorded through Facebook, X (Twitter), Instagram and LinkedIn

14

resources were developed this reporting period

Public presence

2024-25

2023-24



Major events

9

7



Web news

149

87



Opinion pieces

20

25

Digital engagement

2024-25

2023-24



YouTube videos

36

60



YouTube subscribers

11,113

9,634



Website visitors

3,201,149

5,526,152



Website
pageviews

8,020,148

11,985,526



Facebook followers
(Commission only)

112,000

111,117



X followers
(Commission + Commissioners)

76,931

73,445

The decreases in web visits and page views are likely due to the increased use of artificial intelligence summarising results in search engines. It is also likely due to the number of pages on our website being cut from 8,000 to 3,400 after a clean-up of out of date content.

Maintaining our international standing as a strong human rights institution representing human rights in Australia, and contributing to human rights advancement globally

Outcome: 4.1 Our activities increase the capacity of vulnerable groups, communities and their advocates to understand and advocate for human rights.

Outcome: 4.2 Our activities increase the capacity of governments, organisations and other groups to understand and address the human rights impact of their actions, particularly when working with vulnerable groups and communities.

Indicators:

- instances of participants and stakeholders in our consultations and research activities reports and other participation activities that are beneficial and empowering
- instances of stakeholders in our activities with organisations reporting that our work has contributed to increased understanding of the impact of their systems and operations on human rights
- instances of stakeholders in our activities with organisations making changes to promote human rights in their context
- instances of partners
 - increased knowledge and application

of human rights frameworks, principles, and practices to advance human rights reforms

- practice, policy reform related to human rights principles which are reviewed or developed because of technical cooperation activities.

Actuals

The following narrative examples of change show how projects across the Commission ensure better understanding of, and respect for, human rights so people and communities take action to defend human rights in their own context.

Informing the Agenda

The Informing the Agenda project commenced on 1 August 2024. The project was designed to inform the term priorities of the Aboriginal and Torres Strait Islander Social Justice Commissioner, Katie Kiss and to hear directly from First Peoples and their communities across Australia about the issues affecting their lives.

The project provided a range of options to give First Peoples flexibility and make the process inclusive. We engaged 723 people through 36 face to face and 7 online consultations. A public survey open to Aboriginal and Torres Strait Islander people aged over 18 years was completed by 979 participants. A public submission process received 28 submissions.

Our 7 online engagements with communities were an important way for people who could not meet us in person to have a genuine seat at the table. These sessions complemented the project's face to face engagements and created safe, accessible spaces for Aboriginal and Torres Strait Islander people to share their priorities, challenges and solutions directly with the Commissioner.

Some of the online sessions were designed for specific groups including Elders, First Peoples with disability, and the LGBTIQ+ community to ensure diverse

voices were heard. Communities played a vital role in spreading the word and encouraging participation.

During the disability online session, one story highlighted the importance of online engagement. An Aboriginal Elder, who lives with multiple disabilities and was very unwell, joined from her home. She spoke courageously about her disabilities and terminal illness and how she felt isolated and was struggling to navigate the NDIS after changes to her management plan:

'Please, I'm desperate — I'm terminal, I'm dying. No one is helping me, and they just change my plan without hearing from me. I need dialysis at home but now they won't fund it and I have to travel to a hospital. I'm too sick for this.'

The Commission followed up with the Elder in the days and weeks that followed, offering practical support and connecting her with both local and national contacts and services she was not otherwise aware of or had had issues making contact with previously.

The Informing the Agenda consultations will be included in the Aboriginal and Torres Strait Islander Social Justice Commissioner's forthcoming *Social Justice Report*.

Seen and Heard project

Seen and Heard is a national project led by the Commission and funded by the Department of Home Affairs. The project was established in response to increased racism faced by Arab, Jewish, Muslim and Palestinian communities in Australia following the violence in the Middle East from 7 October 2023 onwards. The project engages directly with communities to understand their experiences and concerns and to learn from their proposed solutions.

Seen and Heard is a qualitative project focussed on listening, creating space for people to share their experiences, reflecting on what those experiences mean, and contributing to a broader understanding



Above: Aboriginal and Torres Strait Islander Social Justice Commissioner Katie Kiss at various Informing the Agenda consultations.

of how racism is experienced in everyday life. Insights gained from meetings with community leaders and consultation sessions with affected community members are informing a social media campaign. These insights will also be presented and made publicly available in a report to support future policy and community support measures.

The Commission held 28 community engagement sessions involving over 450 community members. The engagement process is now finalised. Feedback from community has consistently highlighted the value of the consultations, with many participants expressing a sense of catharsis and empowerment.

'This was an emotionally difficult experience but at the same time completely empowering and enriching. Thanks for the opportunity.'

'It was a cathartic, important experience for me. I also loved how the AHRC representatives conducted themselves and felt heard by them.'

Many people in the community said they had lost trust in institutions, including the Commission. However, the community engagement sessions have helped ease some of their concerns and rebuild trust and connection.

'I came away with a gratitude to the AHRC that they were listening and that they did care. I encourage them to continue in this work and find as many ways as possible to reunite people and build trust. This may be the first step but it must not be the last.'

This feedback shows the importance of continued, community-led engagement as both a source of insight and a form of support. By embedding community perspectives into its work, the Commission is laying the groundwork for more responsive and effective anti-racism initiatives.

Bandarran Marra'gu Gathering Strength Summit

The Bandarran Marra'gu Gathering Strength Summit was held in May 2025 in partnership with the Queensland Human Rights Commission and the Queensland Family and Child Commission. The Summit created space for First Peoples to do the talking - to each other, partners and governments - on their own terms. It was an act of collective strength, truth-telling and forward planning at a moment when many were seeking new pathways to reclaim momentum for rights and self-determination including making the rights in the United Nations Declaration on the Rights of Indigenous Peoples a reality.

Over 3 days in Magun-dgen/Meanjin on the lands of the Yuggera, Turrubal and Quandamooka Peoples, more than 300 delegates including Elders, youth, community-controlled organisations and government representatives came together to share knowledge and shape solutions.

The Summit was co-designed with local Elders, young leaders and community organisations. Sessions were facilitated by community members, ensuring cultural protocols were respected and everyone could contribute safely. Interpreters, cultural mentors and dedicated youth spaces supported full and inclusive participation.

'Our strength is in our voices and our voices have always held the solutions.'

Elder, Bandarran Marra'gu Summit

Discussions and agreed actions were documented in a [public communique](#) and the Bandarran Marra'gu Roadmap. Early outcomes include:

- local councils pledging new co-design approaches
- government agencies committing to direct partnerships with community-controlled organisations
- a new youth leadership network formed to continue the work.



Mabo Oration - smoking ceremony

The Summit learnings and commitments show how communities and governments can work together to uphold rights and ensure change is led by those who know what works best for them.



Barry Walden at the Marra'Gu Gathering Strength Summit 2025

Building connections through the International Human Rights Network

First Peoples continue to face barriers to having their rights fully realised. International frameworks, such as the UN Declaration on the Rights of Indigenous Peoples (Declaration), offer powerful tools for communities to hold governments to account. However, many communities and organisations lack clear pathways to engage with these mechanisms.

The Commission convenes regular online meetings with Indigenous community leaders, legal experts and human rights advocates through the Australian International Human Rights Network (IHRN). The network supports practical knowledge, skills and relationships to ensure First Peoples can use the international human rights system to advance local priorities and solutions.

Over 30 community leaders and advocates engaged in meetings throughout the year. IHRN members shared experiences of using the Declaration to strengthen land rights campaigns, cultural heritage protections and better outcomes for children and families. They contributed to international reporting and review processes such as Australia's Universal Periodic Review and treaty body submissions.

The IHRN strengthens community capacity to hold Australia to account for its commitments. It directly supports self-determination, builds community capability, and upholds the Declaration as a living instrument for change.



Age Discrimination Commissioner Robert Fitzgerald AM and Director Jacqueline Au at the United Nations Open-Ended Working Group on Ageing (OEWGA)

Advocacy for a Convention on the Rights of Older Persons

For 15 years the Commission has advocated for the development of a binding international convention to protect the rights of older persons. In 2025, after 14 sessions, the UN Open-ended Working Group on Ageing (OEWGA) formally acknowledged the significant gaps in the protection of older people's rights.

On 2 April 2025, the UN Human Rights Council, with Australia's support, agreed to establish an intergovernmental process to draft a new international human rights treaty for older persons. This milestone coincided with the Commission's launch of the Human Rights as We Age Network (Network), led by the Age Discrimination Commissioner. The Network brings together key civil society organisations across sectors where older people live, work and participate.

The UN Human Rights Council's decision to begin the process of drafting a treaty, along with the creation of the Network, shows how the Commission's consistent, coordinated and practical efforts to promote and protect the rights of older people – both in Australia and internationally.

The Commission has consistently worked with civil society organisations to advance the rights of older people and ensure their voices are represented in global forums. As one advocate reflected:

'After 15 years of advocacy, we are now finally at the starting line.'

The Commission's work had a clear impact – its submissions were quoted in official UN reports, showing its influence. Experts and civil society leaders, like Professor Andrew Byrnes, have also publicly recognised the important role the Commission played. Age Discrimination Commissioner Robert Fitzgerald outlined the significance of the outcome for the rights for older people internationally:

'Both practically and symbolically, a new Convention would be a crucial step towards ensuring Australia's diverse older persons – and older people across the world – are treated with dignity, entitled to live free from abuse, and empowered to participate on an equal basis with others.'

Human Rights as We Age Network Co-Chair Sue Henty stated:

'This network will play an important role in advancing the rights of older people. Together we can and will make a difference in pursuing a world without ageism, where people can age with dignity and unhindered by negative attitudes and stereotypes.'

The next phase of our advocacy is to encourage the Australian Government to formally support the drafting and adoption of a convention.

Supporting Quality Engagement - empowering children and young people

The Supporting Quality Engagement project, funded by the Department of Social Services, engages vulnerable and marginalised children across the country to ensure their voices help shape how national frameworks for child wellbeing are put into practice. In the second year of this 3-year project, the focus was on *Safe and Supported: The National Framework for Protecting Australia's Children 2021-2031*. Consultations related to the operation of the planned refresh of the national standards for out-of-home care, with a focus on supporting children and young people's identity.

Our practice is guided by the [Lundy model](#), an internationally recognised right to participate. Our work to empower children and young people through the project has included:

- the practice of concept testing and consulting with children and young people
- centring children's voices in our reports
- co-facilitating some consultations with young people
- engaging a young artist to create the illustration for the 2024 report
- engaging UC Change, a youth reference group with experience of out-of-home care set up by the NSW Department of Communities and

Justice, to work with us in developing the 2024 report, *A ground to grow from*.

More than 500 children and young people were consulted and reported feeling empowered through the process.

'The attitude you guys have shown has been important.'

'...having you guys come back continuously, demonstrates that you have taken things on board, has been beneficial.'

'...showing up builds trust.'

In one large engagement, we joined Canterbury-Bankstown Council's Children's Week Summit, to engage with 77 primary school aged participants, who spoke about issues of values, identity and culture, and how to best support children and young people.

Engaging children and young people more intentionally at more points in the project has influenced our practice significantly. Participants' repeat engagement with UC Change created an opportunity for them to see how their contributions had impacted our process, and to see the influence they had over the development of the report.



Children share their ideas at a consultation in Bankstown, Sydney.

The project is funded until December 2025. This last stage of the project will focus on national frameworks aimed at preventing family violence and deliver a final project report and participation companion guide which will outline how to best engage with children and young people in setting and implementing policy and programs.

Ensuring LGBTIQ+ people are included in the Australian Census

In 2024, the Australian Government made an initial decision not to include new questions about LGBTIQ+ people in the 2026 Census, maintaining the same questions as the 2021 Census. This meant important information about sexual orientation, gender identity and people with variations in sex characteristics wouldn't be collected, impacting the planning and funding of LGBTIQ+-inclusive government policy and services, particularly health.



The Commission raised concerns about this decision, saying it could be seen as unfair treatment under the law and would make it harder to understand and support LGBTIQ+ communities. Our advocacy was grounded in the Sex Discrimination Act (1984) and our approach recognised the harm caused by exclusion and focusing on the resilience and rights of LGBTIQ+ communities. The Commission also took part in the Census advisory group to support better inclusion.

The Australian Government agreed to include questions on sexual orientation and gender identity for people aged 16 and over in the 2026 census. The Commission and other advocates continue to call for the removal of age limits and the inclusion of all relevant questions.

The inclusion of sexual orientation and gender identity questions represents progress toward more inclusive national data. These outcomes were supported by expert advice, public feedback, and legal analysis, reflecting a growing recognition of the importance of counting LGBTIQ+ Australians in national statistics.



COVID-19 pandemic and human rights

The Commission released a major new report in March 2025, *Collateral Damage: What the untold stories from the COVID-19 pandemic reveal about human rights in Australia*. The report tells the stories of Australians who were impacted by Australia's COVID-19 pandemic response measures and asks how human rights can be better safeguarded during future emergencies.

The report is centred on the experiences of 5,000 people including survey responses, personal stories and community consultations. It outlines the human impact of measures on all people, including international and domestic border closures, lockdowns, school disruptions, quarantine and healthcare restrictions.

The report highlights the urgent need for a human rights-centred approach to ensure equitable, effective and compassionate emergency responses in the future.



A workshop as part of AICHR's Regional Training Programme on Human Rights, held in Kuala Lumpur.

Supporting ASEAN to engage in strategic human rights priorities

The Association of Southeast Asian Nations (ASEAN) is an intergovernmental organisation of 10 Southeast Asian countries. The ASEAN Intergovernmental Commission for Human Rights (AICHR) is the principal regional human rights body. It has significant potential to influence the protection and promotion of human rights in the region. The Commission continues to engage with AICHR through DFAT-funded projects.

AICHR operates on a 5-year work plan which has historically been developed by ASEAN governments with limited stakeholder input. It lists a broad range of priorities reflecting diverse interests of member states but has been criticised for lacking coherent strategic direction and ambition.

The Commission is supporting the review and development of the 2026-2030 Five Year Work Plan by providing relevant and timely technical input to support activities. It involves regular and proactive dialogue to build mutual understanding and trust. We have emphasised accountability and the development of a more rigorous and strategic work plan with engagement from a wider range of stakeholders.

With Commission support, AICHR has taken several unprecedented steps to ensure that the next plan can have a greater impact on human rights in the region. Our project has supported independent monitoring and evaluation of the 2021-2025 Work Plan to identify achievements and areas for improvement. We also supported a regional consultation on the next work plan, which involved a broad range of stakeholders such as civil society organisations and NHRIs. This is the first time that civil society has been consulted directly on the overall strategic direction of AICHR.

These activities have contributed to an observable shift in the ambition and strategic direction of the forthcoming work plan compared to the previous plan.

The 2026-2030 Work Plan addresses emerging and complex human rights challenges, such as digital threats, artificial intelligence, and pandemic response, while also enhancing cross-sectoral integration, stakeholder engagement and structured monitoring. This newer plan reflects a forward looking, programmatic and inclusive approach, positioning AICHR as a more responsive and impactful regional body.

Human rights curriculum for Lao Political Training Academy

Since 2013, under the Australia-Laos Bilateral Human Rights Dialogue, the Commission has delivered human rights technical cooperation in Laos to strengthen the capacity of government and non-government actors to engage in the international human rights system. The National Academy of Politics and Public Administration (NAPPA) is a Party organisation which trains all senior government officials. It is an influential institution with significant responsibility for educating future political leaders.

NAPPA's course material on human rights was significantly out of date and its staff lacked the knowledge and confidence to update it. This meant that all senior government officials were lacking the opportunity to be trained on human rights, limiting their ability to protect and promote human rights in their future decisions throughout key government roles. NAPPA requested support to revise the course material for their modules on human rights.

The Commission worked closely with NAPPA, the Australian Embassy, our government partners in Laos (the Department of Treaty and Law in the Ministry of Foreign Affairs) and an external consultant to develop a tailored curriculum on international human rights to meet the needs of teachers and students. The Commission adopted a participatory and inclusive approach to the curriculum redesign by ensuring that all stakeholders were thoroughly consulted on the needs and priorities for educating Lao government officials about human rights.

NAPPA now has a more accurate, engaging and relevant curriculum to educate government officials about human rights in Laos. The curriculum includes lesson plans, presentations, activities and assessments which will likely be used for many years to come. The teachers who were involved in the training on the curriculum have reported a notable increase in their knowledge about human rights (34% increase after the training), and a significant improvement in their understanding of effective teaching methodologies (45% increase).



Program Manager Bridget O'Farrell at the training program on the National Academy on Politics and Public Administration (NAPPA) Human Rights Curriculum, held in Vientiane, Laos.

Human rights education in partnership with Vietnam Ho Chi Minh National Academy of Politics

Vietnam has committed to integrate human rights into its education system through its Universal Periodic Review process. However practical implementation remains a challenge. Human rights education is not yet systematically embedded in the school curriculum and many educators lack the training, resources, and confidence to teach these concepts effectively.

Under the longstanding Australia-Vietnam Bilateral Human Rights Dialogue and DFAT-funded Vietnam Human Rights Technical Cooperation Program, the Commission partners with Vietnam Ho Chi Minh National Academy of Politics to support Vietnam's efforts to advance human rights education. The Academy is mandated to lead this work nationally but faces capacity constraints and limited access to international expertise.

In response, the Commission collaborated with the Academy to deliver 3 human rights education workshops in 2024 and 2025, attended by 120 school teachers and educational officials from across Vietnam. The workshops were designed to give participants the tools and knowledge they need to



Senior Policy Officer Karina Scott and Program Officer Elsa Chen at Human Rights Education training for teachers in Can Tho, Vietnam. Photo by Vietnam Ho Chi Minh National Academy of Politics.

teach children about human rights and how to stand up for their rights in everyday life.

The workshops included a mix of formal lectures, interactive activities and group presentations to encourage active participation. This format fostered dialogues, peer learning and reflections, ensuring that diverse voices were heard and valued.

A representative from a local disability rights organisation shared their first-hand experience with access to education adding a powerful lived experience perspective and deepened participants' understanding of inclusion.

The training program was co-designed with the Academy, reflecting a commitment to locally led development. Feedback from participants include a reported increased understanding of human rights and improved skills and confidence for teaching.

Our follow-up survey found:

- strong relevance and value of the training to participant's roles as educators
- increased confidence, awareness, and enthusiasm for delivering human rights education
- a shift in mindset and classroom engagement, leading to more respectful, inclusive and participatory environments

- a strong desire for continued learning and capacity building.

Participant reflections:

'...adults (teachers, parents) often assumed that children "must obey" and "must follow", rarely listening to their opinions and feelings. After the training course, I realised that human rights - especially children's rights - are not lofty theories, but very close and practical principles: respecting differences, listening to opinions, not hurting children's honour and spirit...'

'.. the most valuable aspect of the training was that it helped me gain a clearer and more complete understanding of human rights, not only in theory but also in a practical context'

The initiative empowered the Academy to continue delivering training independently, without direct involvement from the Commission. Many participants expressed strong desires to deliver the same training in their own schools and a number of schools have already done this, outside of our program. This marks a significant step towards long-term sustainability and institutional capacity building.

Security group partnerships

The Commission focuses on human rights in action, promoting a culture of human rights protection in Australia through education and collaboration. We work in partnership with the Australian Federal Police, Australian Border Force and the Australian Defence Force and Department of Defence, to support cultural reform, bringing an independent and impartial perspective to these relationships. These collaborations aim to embed human rights principles in hierarchical, command-driven environments.

In the past 12 months these partnerships have delivered initiatives to reduce and prevent unacceptable behaviour, strengthen gender equality, advance organisational strategies for fairness and inclusion and communicate these priorities to their workforces. Initiatives draw on Australian and global evidence to ensure practical impact and alignment with good practices. The Commission is developing monitoring and evaluation frameworks to track cultural transformation over time. These efforts underscore the Commission's commitment to fostering accountable, inclusive cultures that uphold human rights in national security institutions.

Australian Federal Police cultural reform partnership

In July 2025, the Australian Federal Police (AFP) committed to a further 5-year term with the Commission to continue our cultural reform partnership. The partnership supports the AFP to embed a human rights approach and promote a culture that values diversity and inclusion, in which staff feel safe, connected, respected and engaged.

This year we have been progressing a draft Culture Framework which identifies AFP's current state and desired future state and includes key levers for cultural reform including leadership, connection and systems. Participation has been a critical component in the development of AFP's Culture Framework.

The Commission facilitated a series of focus groups with a cross-section of the AFP workforce and interviews with leadership on the draft framework. The data collected provides a baseline for measuring and assessing AFP organisational culture.

The Culture Framework is the AFP's first enterprise-wide approach to workplace cultural reform. The framework will also advance equal opportunity in the workplace and support implementation of the positive duty to eliminate sexual harassment, sex discrimination and other unlawful conduct.

6. Financial Statements



STATEMENT BY THE ACCOUNTABLE AUTHORITY, CHIEF EXECUTIVE AND CHIEF FINANCIAL OFFICER

In our opinion, the attached financial statements for the year ended 30 June 2025 comply with subsection 42(2) of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act), and are based on properly maintained financial records as per subsection 41(2) of the PGPA Act.

In our opinion, at the date of this statement, there are reasonable grounds to believe that the corporate Commonwealth entity will be able to pay its debts as and when they fall due.

A handwritten signature in black ink, appearing to read "H de Kretser".

Hugh de Kretser
President and
Accountable Authority
12 September 2025

A handwritten signature in black ink, appearing to read "L Smith".

Leanne Smith
Chief Executive
12 September 2025

A handwritten signature in black ink, appearing to read "Maria Moore".

Maria Moore
Chief Financial Officer
12 September 2025

Independent Auditor's Report



INDEPENDENT AUDITOR'S REPORT

To the Attorney-General

Opinion

In my opinion, the financial statements of the Australian Human Rights Commission (the Entity) for the year ended 30 June 2025:

- (a) comply with Australian Accounting Standards – Simplified Disclosures and the *Public Governance, Performance and Accountability (Financial Reporting) Rule 2015*; and
- (b) present fairly the financial position of the Entity as at 30 June 2025 and its financial performance and cash flows for the year then ended.

The financial statements of the Entity, which I have audited, comprise the following as at 30 June 2025 and for the year then ended:

- Statement by the Accountable Authority, Chief Executive and Chief Financial Officer;
- Statement of Comprehensive Income;
- Statement of Financial Position;
- Statement of Changes in Equity;
- Cash Flow Statement; and
- Notes to the financial statements, comprising material accounting policy information and other explanatory information.

Basis for opinion

I conducted my audit in accordance with the Australian National Audit Office Auditing Standards, which incorporate the Australian Auditing Standards. My responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Statements* section of my report. I am independent of the Entity in accordance with the relevant ethical requirements for financial statement audits conducted by the Auditor-General and their delegates. These include the relevant independence requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants (including Independence Standards)* (the Code) to the extent that they are not in conflict with the *Auditor-General Act 1997*. I have also fulfilled my other responsibilities in accordance with the Code. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Accountable Authority's responsibility for the financial statements

As the Accountable Authority of the Entity, the President is responsible under the *Public Governance, Performance and Accountability Act 2013* (the Act) for the preparation and fair presentation of annual financial statements that comply with Australian Accounting Standards – Simplified Disclosures and the rules made under the Act. The Accountable Authority is also responsible for such internal control as the Accountable Authority determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Accountable Authority is responsible for assessing the ability of the Entity to continue as a going concern, taking into account whether the Entity's operations will cease as a result of an administrative restructure or for any other reason. The Accountable Authority is also responsible for disclosing, as applicable, matters related to going concern and using the going concern basis of accounting, unless the assessment indicates that it is not appropriate.

Independent Auditor's Report (continued)

Auditor's responsibilities for the audit of the financial statements

My objective is to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian National Audit Office Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with the Australian National Audit Office Auditing Standards, I exercise professional judgement and maintain professional scepticism throughout the audit. I also:

- identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control;
- obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Entity's internal control;
- evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Accountable Authority;
- conclude on the appropriateness of the Accountable Authority's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Entity's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my auditor's report. However, future events or conditions may cause the Entity to cease to continue as a going concern; and
- evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

I communicate with the Accountable Authority regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

Australian National Audit Office



Saminda Maddumahewa

Audit Principal

Delegate of the Auditor-General

Canberra

15 September 2025

Statement of Comprehensive Income for the year ended 30 June 2025

	Notes	2025 \$'000	2024 \$'000	Original Budget \$'000
NET COST OF SERVICES				
Expenses				
Employee benefits	1.1A	30,831	27,764	28,967
Suppliers	1.1B	8,672	9,802	16,090
Depreciation and amortisation	2.2A	2,472	3,907	2,505
Finance costs	1.1C	615	160	611
Write-down and impairment of other assets	1.1D	-	14	-
Total expenses		42,590	41,647	48,173
Own-source income				
Own-source revenue				
Revenue from contracts with customers	1.2A	12,938	10,345	13,972
Interest	1.2B	1,565	1,358	700
Other revenue	1.2C	78	24	-
Total own-source revenue		14,581	11,727	14,672
Gains				
Other gains	1.2D	136	399	-
Total own-source income		14,717	12,126	14,672
Net cost of services		(27,873)	(29,521)	(33,501)
Revenue from Government	1.2E	32,129	31,315	32,129
Surplus/(deficit) before income tax on continuing operations		4,256	1,794	(1,372)
Total comprehensive income/(loss)		4,256	1,794	(1,372)

The above statement should be read in conjunction with the accompanying notes.

Budget Variances Commentary

Statement of Comprehensive Income for not-for-profit Reporting Entities

The 2024-25 budget for Revenue from Government, employee expenses and supplier expenses includes provision for activities that were contingent upon law reform. The proposed activities remained unlegislated throughout 2024-25 and the Commission did not undertake them. The funds were not able to be repurposed to other activities.

The large reduction in supplier expenses is also driven by expenditure deferred to future years in particular for the Commission's Student Consent survey and 'Seen and Heard' projects.

Interest revenue was higher than budget due to higher than budget cash and cash equivalents balances.

Statement of Financial Position as at 30 June 2025

	Notes	2025 \$'000	2024 \$'000	Original Budget \$'000
ASSETS				
Financial assets				
Cash and cash equivalents	2.1A	36,828	28,549	16,014
Trade and other receivables	2.1B	334	798	1,083
Total financial assets		37,162	29,347	17,097
Non-financial assets¹				
Land and buildings	2.2A	19,606	21,656	19,856
Property, plant and equipment	2.2A	683	891	441
Intangibles	2.2A	163	16	93
Other non-financial assets	2.2B	344	332	377
Total non-financial assets		20,796	22,895	20,767
Total assets		57,958	52,242	37,864
LIABILITIES				
Payables				
Suppliers	2.3A	1,240	1,360	1,557
Other payables	2.3B	13,219	10,577	2,719
Total payables		14,459	11,937	4,276
Interest bearing liabilities				
Leases	2.4A	18,807	19,942	18,687
Total interest bearing liabilities		18,807	19,942	18,687
Provisions				
Employee provisions	3.1A	4,810	4,417	4,197
Other provisions	2.5A	749	1,069	700
Total provisions		5,559	5,486	4,897
Total liabilities		38,825	37,365	27,860
Net assets		19,133	14,877	10,004
EQUITY				
Contributed equity		18,561	18,561	18,561
Reserves		2,599	2,599	2,599
Retained surplus/(Accumulated deficit)		(2,027)	(6,283)	(11,156)
Total equity		19,133	14,877	10,004

The above statement should be read in conjunction with the accompanying notes.

¹ Right of use assets are included in the line item 'Land and buildings'.

Statement of Financial Position as at 30 June 2025 (continued)

Budget Variances Commentary

Statement of Financial Position for not-for-profit Reporting Entities

As at 30 June 2025 the Commission's cash balance is higher than budget due to the improved operating result as well as an increase in revenue received in advance for contracts with customers which are delivered over time (included in the balance of 'Other payables').

The balance of 'Other payables' includes a large contract with the Department of Education and four new contracts with the Department of Foreign Affairs and Trade which were not expected and were executed after the Commission's 2024-25 budget was published in May 2024.

Also contributing to the higher than expected balance of 'Other payables' is the pause in activities for the Student Consent survey project; the Commission's 'Seen and Heard' project extending beyond 30 June 2025 and one project funder paying their 2025-26 instalment in June (ahead of schedule).

Statement of Changes in Equity for the year ended 30 June 2025

	Notes	2025 \$'000	2024 \$'000	Original Budget \$'000
CONTRIBUTED EQUITY				
Opening balance as at 1 July				
Balance carried forward from previous period		18,561	18,561	18,561
Closing balance as at 30 June		18,561	18,561	18,561
ACCUMULATED LOSSES				
Opening balance				
Balance carried forward from previous period		(6,283)	(8,077)	(9,784)
Comprehensive income				
Surplus/(deficit) for the period		4,256	1,794	(1,372)
Total comprehensive income		4,256	1,794	(1,372)
Closing balance as at 30 June		(2,027)	(6,283)	(11,156)
ASSET REVALUATION RESERVE				
Opening balance				
Balance carried forward from previous period		2,599	2,599	2,599
Closing balance as at 30 June		2,599	2,599	2,599
TOTAL EQUITY				
Opening balance				
Balance carried forward from previous period		14,877	13,083	11,376
Comprehensive income				
Surplus/(deficit) for the period		4,256	1,794	(1,372)
Total comprehensive income		4,256	1,794	(1,372)
Closing balance as at 30 June		19,133	14,877	10,004

The above statement should be read in conjunction with the accompanying notes.

Budget Variances Commentary

Statement of Changes in Equity for not-for-profit Reporting Entities

The closing balance of the Commission's accumulated losses at 30 June 2025 are lower than budget primarily due to the lower actual expenditure in 2024-25. Some of the expenditure originally budgeted to be spent in 2024-25 has been deferred to 2025-26.

The impact of the reduction in accumulated losses is an improved total equity position as at 30 June 2025.

Cash Flow Statement for the year ended 30 June 2025

	Notes	2025 \$'000	2024 \$'000	Original Budget \$'000
OPERATING ACTIVITIES				
Cash received				
Receipts from Government		32,129	31,315	32,129
Sale of goods and rendering of services		16,177	11,613	8,847
Interest		1,552	1,336	700
GST received		920	1,340	1,614
Other		-	399	-
Total cash received		50,778	46,003	43,290
Cash used				
Employees		30,273	27,416	28,967
Suppliers		9,673	11,197	16,090
Interest payments on lease liabilities		615	2	611
GST paid		194	98	1,614
Total cash used		40,755	38,713	47,282
Net cash from/(used by) operating activities		10,023	7,290	(3,992)
INVESTING ACTIVITIES				
Cash received				
Proceeds from sales of property, plant and equipment		22	-	-
Cash used				
Purchase of property, plant and equipment		233	2,543	-
Net cash from/(used by) investing activities		(211)	(2,543)	-
FINANCING ACTIVITIES				
Cash used				
Payment of make good provision on end of lease		269	-	-
Principal payments of lease liabilities		1,264	2,605	1,255
Total cash used		1,533	2,605	1,255
Net cash from/(used by) financing activities		(1,533)	(2,605)	(1,255)
Net increase/(decrease) in cash held		8,279	2,142	(5,247)
Cash and cash equivalents at the beginning of the reporting period		28,549	26,407	21,261
Cash and cash equivalents at the end of the reporting period	2.1A	36,828	28,549	16,014

The above statement should be read in conjunction with the accompanying notes.

Budget Variances Commentary

Cash Flow Statement for not-for-profit Reporting Entities

In 2024-25 cash received from operating activities is higher than budget in part due to cash received in advance for 'Sales of goods and rendering of services'. This is provided to the Commission to deliver on new and discrete programs of work within the Commission's area of expertise. In many cases these programs are delivered over a number of financial years so the cash in- flows and out-flows may occur in different financial years.

Also contributing to higher than budget cash from operating activities is lower than expected supplier payments due to the pause in the Student Consent survey project; cash not used for unlegislated activities; savings in the National Anti-Racism Strategy and delays in cash outflows as a result of the extension of time to deliver the 'Seen and Heard' project activities.

Overview

The Australian Human Rights Commission (the Commission) is an Australian Government controlled entity. It is a not-for-profit entity. The Commission's objective is to ensure that Australians have access to independent human rights complaint handling and public inquiry processes and benefit from human rights education, promotion, monitoring and compliance activities.

The Commission is structured to meet the following outcome:

An Australian society in which human rights are respected, protected and promoted through independent investigation and resolution of complaints, exercise of regulatory functions, contributions to law and policy reforms, research, education, partnerships, and monitoring and reporting on human rights.

The continued existence of the Commission in its present form and with its present programs is dependent on Government policy and on continuing funding by Parliament for the Commission's administration and programs.

The Commission activities contributing toward these outcomes are classified as departmental. Departmental activities involve the use of assets, liabilities, income and expenses controlled or incurred by the Commission in its own right.

The Basis of Preparation

The financial statements are required by:

- a) section 42 of the *Public Governance, Performance and Accountability Act 2013*

The financial statements have been prepared in accordance with:

- a) *Public Governance, Performance and Accountability (Financial Reporting) Rule 2015 (FRR)*; and
- b) Australian Accounting Standards and Interpretations – including simplified disclosures for Tier 2 Entities under AASB 1060 issued by the Australian Accounting Standards Board (AASB) that apply for the reporting period.

The financial statements have been prepared on an accrual basis and in accordance with the historical cost convention, except for certain assets and liabilities at fair value. Except where stated, no allowance is made for the effect of changing prices on the results or the financial position. The financial statements are presented in Australian dollars.

Taxation

The Commission is exempt from all forms of taxation except Fringe Benefits Tax (FBT) and the Goods and Services Tax (GST).

Events After the Reporting Period

The Commission is not aware of any significant events that have occurred since balance date that warrant disclosure in these financial statements.

Financial Performance

This section analyses the financial performance of Australian Human Rights Commission for the year ended 30 June 2025.

1.1 Expenses

	2025 \$'000	2024 \$'000
1.1A: Employee benefits		
Wages and salaries	24,088	21,801
Superannuation		
Defined contribution plans	3,114	2,805
Defined benefit plans	728	667
Leave and other entitlements	2,632	2,139
Other employee expenses	269	352
Total employee benefits	30,831	27,764

Accounting Policy

Accounting policies for employee related expenses is contained in the People and Relationships section.

1.1B: Suppliers

Goods and services supplied or rendered

ICT services and support (1)	358	601
Insurance	40	69
Office consumables	61	118
Official travel	1,462	1,511
Postage and freight	12	16
Printing and publication	116	253
Professional services and fees (2)	3,568	4,234
Property related outgoings	624	925
Reference materials, subscriptions and licenses	793	818
Staff training (3)	453	370
Telecommunications	96	95
Venue hire and other costs (4)	37	295
Remuneration of auditors	46	46
Website development costs (5)	815	183
Other	129	168
Total goods and services supplied or rendered	8,610	9,702
Goods supplied	177	371
Services rendered	8,433	9,331
Total goods and services supplied or rendered	8,610	9,702

Financial Performance (continued)

	2025 \$'000	2024 \$'000
1.1B: Suppliers (continued)		
Other suppliers		
Workers compensation expenses	52	35
Low value leases	10	65
Total other suppliers	62	100
Total suppliers	8,672	9,802

(1) The 2023-24 figure has been disaggregated to provide additional information regarding website development costs. The decrease in ICT services and support in 2024-25 reflects savings in data charges resulting from the Commission's transition from providing remote access for staff to laptop devices and other one-off project activities in 2023-24.

(2) The decrease in professional services and fees in 2024-25 reflects a reduction in expert advice fees, community consultations and resource development for our National Anti-Racism Framework which was completed and launched in November 2024. This has been offset by an increase in payments to partners for our international human rights programs conducted in collaboration with the Department of Foreign Affairs and Trade.

(3) The increase in staff training costs in 2024-25 reflects the Commission's approach to improve investment in staff development.

(4) The decrease in venue hire costs in 2024-25 reflects the Commission's costs to host a one off 'Free and Equal' conference in June 2024.

(5) Website development costs in 2024-25 include the cost to redesign and replatform our website.

Accounting Policy

Short-term leases and leases of low-value assets

The Commission has elected not to recognise right-of-use assets and lease liabilities for short-term leases of assets that have a lease term of 12 months or less and leases of low-value assets (less than \$10,000 per asset). The Commission recognises the lease payments associated with these leases as an expense on a straight-line basis over the lease term.

1.1C: Finance costs

Interest on lease liabilities	615	160
Total finance costs	615	160

The above lease disclosures should be read in conjunction with the accompanying notes 1.1B, 2.2 and 2.4A.

Accounting Policy

All borrowing costs are expensed as incurred

1.1D: Write-down and impairment of other assets

Impairment of property, plant and equipment	-	14
Total write-down and impairment of other assets	-	14

Financial Performance (continued)

1.2 Own-Source Revenue and Gains

	2025 \$'000	2024 \$'000
OWN-SOURCE REVENUE		
1.2A: Revenue from contracts with customers		
Rendering of services	12,938	10,345
Total revenue from contracts with customers	12,938	10,345
Major product / service line:		
Service delivery	12,938	10,345
	12,938	10,345
Type of customer:		
Australian Government entities (related parties)	11,629	8,595
State and Territory Governments	123	407
Non-government entities	1,186	1,343
	12,938	10,345
Timing of transfer of goods and services:		
Over time	12,015	9,184
Point in time	923	1,161
	12,938	10,345

Accounting Policy

Revenue from the rendering of services is recognised when performance of specific service obligations, that are required and enforceable under a contract or agreement made between the Commission and the customer, sufficiently allow the Commission to determine when they have been satisfied.

The principal activities from which the Commission generates its revenue include, service fees and direct cost recoveries from the supply of domestic and international human rights technical assistance programs, development of education resources and delivery of training services and interest earned on short-term bank deposits.

The Commission predominantly provides services to its customers under agreed terms and conditions contained in contracts or agreements made between the two parties. The nature, timing of satisfaction of performance obligations, and any significant payment terms are specified in the agreed terms and conditions, milestones and payment schedules.

The transaction price is the total amount of consideration to which the Commission expects to be entitled in exchange for transferring promised services to a customer. The consideration promised in a contract with a customer may include fixed amounts, variable amounts, or both. No consideration from contracts is excluded in the transaction price. In the event that a change is required to any of the terms and conditions contained in a contract or agreement, including transaction price, a Contract Variation is agreed between the parties. The Commission has a right to consideration from a customer in an amount that corresponds directly with the value to the customer of the Commission's performance completed to date under the original contract or subsequent variations to the contract.

Where performance obligations are satisfied over time, revenue is recognised monthly in arrears following a review of costs incurred for the delivery of service obligations for the project(s) and activities related to the customer contract. Costs incurred are primarily recurring in nature, and the customer simultaneously receives and effectively gains control of the services as the Commission performs its obligations.

Revenue for performance obligations satisfied at a point in time is recognised in accordance with specified milestones for the performance of obligations in the contract, for example "acceptance of a final report by the customer". Customer contracts with performance obligations satisfied at a point in time are short-term and include agreed dates for completion of milestones and transferral of any deliverable(s), this also indicates when a customer obtains control of outputs from the promised services. Milestone completion is confirmed with relevant contract manager prior to revenue recognition.

Receivables for goods and services, which have 30 day terms, are recognised at the nominal amounts due less any impairment allowance account. Collectability of debts is reviewed at end of the reporting period. Allowances are made when collectability of the debt is no longer probable.

Financial Performance (continued)

	2025 \$'000	2024 \$'000
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1.2B: Interest

Deposits	1,565	1,358
Total interest	1,565	1,358

Accounting Policy

Interest revenue is recognised using the effective interest method.

1.2C: Other revenue

Grants	32	-
Resources received free of charge		
Remuneration of auditors	46	-
Other	-	24
Total other revenue	78	24

Accounting Policy*Resources Received Free of Charge*

Resources received free of charge are recognised as revenue when, and only when, a fair value can be reliably determined and the services would have been purchased if they had not been donated. Use of those resources is recognised as an expense. Resources received free of charge are recorded as either revenue or gains depending on their nature.

Volunteer and Pro-bono Services

On the initial recognition of volunteer and pro-bono services as an asset or an expense, the Commission recognises any related amounts in accordance with the relevant standard. The Commission recognises the excess of the fair value of the volunteer services over the recognised related amounts as income immediately in the income statement.

1.2D: Other gains

Other	136	399
Total other gains	136	399

1.2E: Revenue from Government

Attorney-General's Department:

Corporate Commonwealth entity payment item	32,129	31,315
Total revenue from Government	32,129	31,315

Accounting Policy*Revenue from Government*

Funding received from the Attorney-General's Department (received by the Commission as a Corporate Commonwealth entity) is recognised as Revenue from Government unless the funding is in the nature of an equity injection or a loan.

Financial Position

This section analyses the Australian Human Rights Commission assets used to conduct its operations and the operating liabilities incurred as a result. Employee related information is disclosed in the People and Relationships section.

2.1 Financial Assets

	2025 \$'000	2024 \$'000
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2.1A: Cash and cash equivalents

Cash on hand or on deposit	36,828	28,549
Total cash and cash equivalents	36,828	28,549

Accounting Policy

Cash is recognised at its nominal amount. Cash and cash equivalents includes:

- a) cash on hand; and
- b) demand deposits in bank accounts with an original maturity of 3 months or less that are readily convertible to known amounts of cash and subject to insignificant risk of changes in value.

2.1B: Trade and other receivables

Goods and services receivables

Goods and services	98	638
Total goods and services receivables	98	638

Other receivables

Interest	80	67
GST Receivable from the Australian Taxation Office	106	93
Other	50	-
Total other receivables	236	160
Total trade and other receivables (gross)	334	798
Total trade and other receivables (net)	334	798

Trade and other receivables (net) expected to be recovered

No more than 12 months	334	798
Total trade and other receivables (net)	334	798

Credit terms for goods and services were within 30 days (2024: 30 days)

Accounting Policy

Financial assets

Trade receivables are measured at amortised cost using the effective interest method adjusted for any loss allowance

Financial Position (continued)

2.2 Non-Financial Assets

2.2A: Reconciliation of the Opening and Closing Balances of Property, Plant and Equipment and Intangibles

	Property Leases	Leasehold Improvements	Plant and Equipment	Intangibles	Total
	\$'000	\$'000	\$'000	\$'000	\$'000
As at 1 July 2024					
Gross book value	20,516	1,639	1,076	910	24,141
Accumulated depreciation, amortisation and impairment	(486)	(13)	(185)	(894)	(1,578)
Total as at 1 July 2024	20,030	1,626	891	16	22,563
Additions					
Purchase or internally developed	-	-	81	152	233
Right-of-use assets	128	-	-	-	128
Depreciation and amortisation	-	(163)	(289)	(5)	(457)
Depreciation on right-of-use assets	(2,015)	-	-	-	(2,015)
Total as at 30 June 2025	18,143	1,463	683	163	20,452
Total as at 30 June 2025 represented by					
Gross book value	20,644	1,639	1,157	1,062	24,502
Accumulated depreciation, amortisation and impairment	(2,501)	(176)	(474)	(899)	(4,050)
Total as at 30 June 2025	18,143	1,463	683	163	20,452
Carrying amount of right-of-use assets	18,143	-	-	-	18,143

No property, plant and equipment and intangibles are expected to be sold or disposed of within the next 12 months.

Revaluations of non-financial assets and intangible assets

All revaluations were conducted in accordance with the revaluation policy stated at Note 2.2. On 30 June 2025, an independent valuer conducted the revaluation. The independent valuation was not materially different to the carrying value of assets, therefore no adjustments were made to carrying value.

Financial Position (continued)

Accounting Policy

Assets are recorded at cost on acquisition except as stated below. The cost of acquisition includes the fair value of assets transferred in exchange and liabilities undertaken. Financial assets are initially measured at their fair value plus transaction costs where appropriate.

Assets acquired at no cost, or for nominal consideration, are initially recognised as assets and income at their fair value at the date of acquisition, unless acquired as a consequence of restructuring of administrative arrangements. In the latter case, assets are initially recognised as contributions by owners at the amounts at which they were recognised in the transferor's accounts immediately prior to the restructuring.

Asset Recognition Threshold

Purchases of property, plant and equipment are recognised initially at cost in the statement of financial position, except for purchases costing less than \$5,000, which are expensed in the year of acquisition (other than where they form part of a group of similar items which are significant in total).

The initial cost of an asset includes an estimate of the cost of dismantling and removing the item and restoring the site on which it is located. This is particularly relevant to 'make good' provisions in property leases taken up by the Commission where there exists an obligation to restore the property to its original position. These costs are included in the value of the Commission's right of use asset with a corresponding provision for the 'make good' recognised.

Lease Right of Use (ROU) Assets

Leased ROU assets are capitalised at the commencement date of the lease and comprise of the initial lease liability amount, initial direct costs incurred when entering into the lease less any lease incentives received. These assets are accounted for by Commonwealth lessees as separate asset classes to corresponding assets owned outright, but included in the same column as where the corresponding underlying assets would be presented if they were owned.

The option to renew for an additional five years has not been included in the term for the calculation of the right of use asset or lease liabilities associated with the current building lease held, as it is not considered reasonably certain the option will be exercised. This also impacts the obligation to pay the make good amount, recorded as a provision in these financials, as if the option was renewed the make good amount is not required to be paid.

On initial adoption of AASB 16 the Commission has adjusted the ROU assets at the date of initial application by the amount of any provision for onerous leases recognised immediately before the date of initial application. Following initial application, an impairment review is undertaken for any right of use lease asset that shows indicators of impairment and an impairment loss is recognised against any right of use lease asset that is impaired. Lease ROU assets continue to be measured at cost after initial recognition in Commonwealth agency, GGS and Whole of Government financial statements.

Revaluations

Following initial recognition at cost, property, plant and equipment (excluding ROU assets) are carried at fair value (or an amount not materially different from fair value) less subsequent accumulated depreciation and accumulated impairment losses. Valuations are conducted with sufficient frequency to ensure that the carrying amounts of assets did not differ materially from the assets' fair values as at the reporting date. The regularity of independent valuations depended upon the volatility of movements in market values for the relevant assets.

Revaluation adjustments are made on a class basis. Any revaluation increment is credited to equity under the heading of asset revaluation reserve except to the extent that it reversed a previous revaluation decrement of the same asset class that was previously recognised in the surplus/deficit. Revaluation decrements for a class of assets are recognised directly in the surplus/deficit except to the extent that they reversed a previous revaluation increment for that class.

Any accumulated depreciation as at the revaluation date is eliminated against the gross carrying amount of the asset and the asset restated to the revalued amount.

Depreciation

Depreciable property, plant and equipment assets are written-off to their estimated residual values over their estimated useful lives to the Commission using, in all cases, the straight-line method of depreciation.

Depreciation rates (useful lives), residual values and methods are reviewed at each reporting date and necessary adjustments are recognised in the current, or current and future reporting periods, as appropriate.

Depreciation rates applying to each class of depreciable asset are based on the following useful lives:

	2025	2024
Leasehold improvements	Lease term	Lease term
Plant and equipment	3 to 10 years	3 to 10 years

The depreciation rates for ROU assets are based on the commencement date to the earlier of the end of the useful life of the ROU asset or the end of the lease term.

Financial Position (continued)

Impairment

All assets were assessed for impairment at 30 June 2025. Where indications of impairment exist, the asset's recoverable amount is estimated and an impairment adjustment made if the asset's recoverable amount is less than its carrying amount. For non-cash generating assets held at fair value, the recoverable amount is expected to be materially the same as fair value at 30 June 2025.

The recoverable amount of an asset is the higher of its fair value less costs of disposal and its value in use. Value in use is the present value of the future cash flows expected to be derived from the asset. Where the future economic benefit of an asset is not primarily dependent on the asset's ability to generate future cash flows, and the asset would be replaced if the Commission were deprived of the asset, its value in use is taken to be its depreciated replacement cost.

Derecognition

An item of property, plant and equipment is derecognised upon disposal or when no further future economic benefits are expected from its use or disposal.

Intangibles

The Commission's intangibles comprise internally developed software for internal use. These assets are carried at cost less accumulated amortisation and accumulated impairment losses.

Software is amortised on a straight-line basis over its anticipated useful life. The useful lives of the Commission's software are 2 to 5 years (2024: 2 to 5 years).

All software assets were assessed for indications of impairment as at 30 June 2025.

Accounting Judgements and Estimates

The fair value of infrastructure, plant and equipment has been taken to be the market value of similar assets as determined by an independent valuer.

	2025 \$'000	2024 \$'000
2.2B: Other non-financial assets		
Prepayments	344	332
Total other non-financial assets	344	332
Other non-financial assets expected to be recovered		
No more than 12 months	331	322
More than 12 months	13	10
Total other non-financial assets	344	332

No indicators of impairment were found for other non-financial assets.

Financial Position (continued)

2.3 Payables

	2025 \$'000	2024 \$'000
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2.3A: Suppliers

Trade creditors and accruals	1,240	1,360
Total suppliers	1,240	1,360

2.3B: Other payables

Salaries and wages	828	693
Superannuation	141	111
Revenue received in advance	12,250	9,773
Total other payables	13,219	10,577

2.4 Interest Bearing Liabilities

	2025 \$'000	2024 \$'000
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2.4A: Leases

Lease liabilities	18,807	19,942
Total leases	18,807	19,942

Maturity analysis - contractual undiscounted cash flows

Within 1 year	1,975	1,866
Between 1 to 5 years	11,469	8,457
More than 5 years	8,375	13,225
Total leases	21,819	23,548

Total cash outflow for leases for the year ended 30 June 2025 was \$1.878m (2024: \$2.607m)

The above lease disclosures should be read in conjunction with the accompanying notes 1.1B, 1.1D, 1.2E and 3.2.

Accounting Policy

For all new contracts entered into, the Commission considers whether the contract is, or contains a lease. A lease is defined as 'a contract, or part of a contract, that conveys the right to use an asset (the underlying asset) for a period of time in exchange for consideration'.

Once it has been determined that a contract is, or contains a lease, the lease liability is initially measured at the present value of the lease payments unpaid at the commencement date, discounted using the interest rate implicit in the lease, if that rate is readily determinable, or the department's incremental borrowing rate.

Subsequent to initial measurement, the liability will be reduced for payments made and increased for interest. It is remeasured to reflect any reassessment or modification to the lease. When the lease liability is remeasured, the corresponding adjustment is reflected in the right-of-use asset or profit and loss depending on the nature of the reassessment or modification.

Financial Position (continued)

2.5 Other Provisions

	Provision for restoration ¹ \$'000	Total \$'000
2.5A: Other provisions		
As at 1 July 2024	1,069	1,069
Additional provisions made	17	17
Amounts used	(269)	(269)
Amounts reversed	(68)	(68)
Total as at 30 June 2025	749	749

1. Provision for restoration at 30 June 2025 relates to leasehold improvements for the Commission's property lease which expires on 30 June 2034. During 2024-25 the Commission paid out the make good provision for our previous property lease.

People and relationships

This section describes a range of employment and post employment benefits provided to our people and our relationships with other key people.

3.1 Employee Provisions

	2025 \$'000	2024 \$'000
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3.1A: Employee provisions

Leave	4,810	4,417
Total employee provisions	4,810	4,417

Employee provisions expected to be settled

No more than 12 months	2,212	2,176
More than 12 months	2,598	2,241
Total employee provisions	4,810	4,417

Accounting policy

Liabilities for short-term employee benefits and termination benefits expected within twelve months of the end of reporting period are measured at their nominal amounts.

Leave

The liability for employee benefits includes provision for annual leave and long service leave.

The leave liabilities are calculated on the basis of employees' remuneration at the estimated salary rates that will be applied at the time the leave is taken, including the Commission's employer superannuation contribution rates to the extent that the leave is likely to be taken during service rather than paid out on termination.

The liability for long service leave has been determined by reference to the work of an actuary as at 30 June 2025. The estimate of the present value of the liability takes into account attrition rates and pay increases through promotion and inflation.

Separation and Redundancy

Provision is made for separation and redundancy benefit payments. The Commission recognises a provision for termination when it has developed a detailed formal plan for the terminations and has informed those employees affected that it will carry out the terminations.

Superannuation

The Commission's staff are members of the Commonwealth Superannuation Scheme (CSS), the Public Sector Superannuation Scheme (PSS), or the PSS accumulation plan (PSSap), or other superannuation funds held outside the Australian Government. The CSS and PSS are defined benefit schemes for the Australian Government. The PSSap is a defined contribution scheme.

The liability for defined benefits is recognised in the financial statements of the Australian Government and is settled by the Australian Government in due course. This liability is reported in the Department of Finance's administered schedules and notes. The Commission makes employer contributions to the employees' defined benefit superannuation scheme at rates determined by an actuary to be sufficient to meet the current cost to the Government. The Commission accounts for the contributions as if they were contributions to defined contribution plans. The liability for superannuation recognised as at 30 June represents outstanding contributions.

Accounting Judgements and Estimates

The long service leave has been estimated in accordance with the FRR taking into account expected salary growth, attrition and future discounting using the government bond rate.

People and relationships (continued)

3.2 Key Management Personnel Remuneration

Key management personnel are those persons having authority and responsibility for planning, directing and controlling the activities of the Commission. The Commission has determined the key management personnel to be the President, Commissioners and Chief Executive. Key management personnel remuneration is reported in the table below:

	2025 \$'000	2024 \$'000
Short-term employee benefits	3,394	2,654
Post-employment benefits	346	237
Other long-term employee benefits	78	64
Total key management personnel remuneration expenses¹	3,818	2,955

The total number of key management personnel that are included in the above table are 10 (2024: 13).

1. The above key management personnel remuneration excludes the remuneration and other benefits of the Portfolio Minister. The Portfolio Minister's remuneration and other benefits are set by the Remuneration Tribunal and are not paid by the Commission.

3.3 Related Party Disclosures

Related party relationships:

The Commission is an Australian Government controlled entity. Related parties to the Commission are Key Management Personnel and other Australian Government entities.

Transactions with related parties:

Given the breadth of Government activities, related parties may transact with the government sector in the same capacity as ordinary citizens. Such transactions include the payment or refund of taxes, receipt of a Medicare rebate or higher education loans. These transactions have not been separately disclosed in this note.

Significant transactions with related parties can include:

- the payments of grants or loans;
- purchases of goods and services;
- asset purchases, sales transfers or leases;
- debts forgiven; and
- guarantees.

Giving consideration to relationships with related entities, and transactions entered into during the reporting period by the Commission, it has been determined that there are no related party transactions to be separately disclosed (2024: Nil).

Managing uncertainties

This section analyses how the Australian Human Rights Commission manages financial risks within its operating environment.

4.1A: Contingent assets and liabilities

Quantifiable Contingencies

At the time signing these financial statements, the Commission had no quantifiable contingent liabilities.

Unquantifiable Contingencies

As at 30 June 2025 the Commission was a respondent to three judicial review proceedings in the Federal Court and one judicial review proceeding in the Federal Circuit and Family Court. In one of the judicial review proceedings, the appellant is seeking to challenge a decision by the Administrative Review Tribunal that upheld an administrative decision by the Commission. If the Commission is unsuccessful, it would be liable to pay the appellant's costs which the Commission cannot reliably estimate at this time. In the remaining three judicial review proceedings, the Commission has filed a submitting notice and there are other parties on the record acting as a contradictor. It is not usual for any costs order to be made against the Commission in these kinds of proceedings and we do not expect there to be any financial impact on the Commission. In addition, the Sex Discrimination Commissioner was granted leave to appear as amicus curiae in an appeal to the Full Court of the Federal Court that is listed for hearing in August 2025. We do not expect that the Sex Discrimination Commissioner will have any liability to pay the costs of the parties in this proceeding.

In April 2025 the Commission became aware that a data breach had occurred. The Commission has issued a public notice on our website and notified the Office of the Australian Information Commissioner. The Commission has taken the necessary steps under the *Privacy Act 1988* in relation to notifying individuals. The Commission has received no claims in relation to the incident and it is not possible to quantify the financial impact (if any).

Accounting Policy

Contingent liabilities and contingent assets are not recognised in the statement of financial position but are reported in the notes. They may arise from uncertainty as to the existence of a liability or asset or represent an asset or liability in respect of which the amount cannot be reliably measured. Contingent assets are disclosed when settlement is probable but not virtually certain and contingent liabilities are disclosed when settlement is greater than remote.

4.2 Financial Instruments

	2025 \$'000	2024 \$'000
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4.2A: Categories of financial instruments

Financial assets at amortised cost

Cash on hand or on deposit	36,828	28,549
Trade and other receivables	334	798
Total financial assets at amortised cost	37,162	29,347

Financial Liabilities

Financial liabilities measured at amortised cost

Trade creditors and accruals	1,240	1,360
Total financial liabilities measured at amortised cost	1,240	1,360

Accounting Policy

Financial assets

In accordance with AASB 9 *Financial Instruments*, the entity classifies its financial assets in the following categories:

- financial assets at fair value through profit or loss;
- financial assets at fair value through other comprehensive income; and
- financial assets measured at amortised cost.

The classification depends on both the entity's business model for managing the financial assets and contractual cash flow characteristics at the time of initial recognition. Financial assets are recognised when the entity becomes a party to the contract and, as a consequence, has a legal right to receive or a legal obligation to pay cash and derecognised when the contractual rights to the cash flows from the financial asset expire or are transferred upon trade date.

Comparatives have not been restated on initial application.

Managing uncertainties (continued)

Financial Assets at Amortised Cost

Financial assets included in this category need to meet two criteria:

1. the financial asset is held in order to collect the contractual cash flows; and
2. the cash flows are solely payments of principal and interest (SPPI) on the principal outstanding amount.

Amortised cost is determined using the effective interest method.

Effective Interest Method

Income is recognised on an effective interest rate basis for financial assets that are recognised at amortised cost.

Impairment of Financial Assets

Financial assets are assessed for impairment at the end of each reporting period based on Expected Credit Losses, using the general approach which measures the loss allowance based on an amount equal to lifetime expected credit losses where risk has significantly increased, or an amount equal to 12-month expected credit losses if risk has not increased.

The simplified approach for trade, contract and lease receivables is used. This approach always measures the loss allowance as the amount equal to the lifetime expected credit losses.

A write-off constitutes a derecognition event where the write-off directly reduces the gross carrying amount of the financial asset.

Financial liabilities

Financial liabilities are classified as either financial liabilities 'at fair value through profit or loss' or other financial liabilities. Financial liabilities are recognised and derecognised upon 'trade date'.

Financial Liabilities at Amortised Cost

Financial liabilities, including borrowings, are initially measured at fair value, net of transaction costs. These liabilities are subsequently measured at amortised cost using the effective interest method, with interest expense recognised on an effective interest basis.

Supplier and other payables are recognised at amortised cost. Liabilities are recognised to the extent that the goods or services have been received (and irrespective of having been invoiced).

	2025 \$'000	2024 \$'000
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4.2B: Net gains or losses on financial assets

Financial assets at amortised cost

Interest revenue	1,565	1,358
Net gains on financial assets at amortised cost	1,565	1,358

Managing uncertainties (continued)

4.4 Fair Value Measurement

The following tables provide an analysis of assets and liabilities that are measured at fair value. The remaining assets and liabilities disclosed in the statement of financial position do not apply the fair value hierarchy.

The different levels of the fair value hierarchy are defined below.

Level 1: Quoted prices (unadjusted) in active markets for identical assets or liabilities that the Commission can access at measurement date.

Level 2: Inputs other than quoted prices included within Level 1 that are observable for the asset or liability, either directly or indirectly.

Level 3: Unobservable inputs for the asset or liability.

Accounting Policy

The Commission considers the fair value hierarchy levels at the end of the reporting period. There were no transfers in or out of any levels during the reporting period.

4.4A: Fair Value Measurement

	Fair value measurements at the end of the reporting period	
	2025 \$'000	2024 \$'000
Non-financial assets		
Leasehold improvements, plant and equipment	2,247	2,505
Market replacement cost less estimate of written down value of asset used. Valuation determined to not be materially different to carrying value, so no adjustment was made.		
There were no non-financial assets where the highest and best use differed from its current use during the reporting period.		
The remaining assets and liabilities reported by the Commission are not measured at fair value in the Statement of Financial Position.		

Other information

5.1 Current/non-current distinction for assets and liabilities

	2025 \$'000	2024 \$'000
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5.1A: Current/non-current distinction for assets and liabilities

Assets expected to be recovered in:

No more than 12 months

Cash and cash equivalents	36,828	28,549
Trade and other receivables	334	798
Prepayments	331	322
Total no more than 12 months	37,493	29,669

More than 12 months

Land and buildings	19,606	21,656
Plant and equipment	683	891
Intangibles	163	16
Prepayments	13	10
Total more than 12 months	20,465	22,573
Total assets	57,958	52,242

Liabilities expected to be settled in:

No more than 12 months

Suppliers	1,240	1,360
Other payables	11,989	10,205
Leases	1,975	1,866
Employee provisions	2,212	2,176
Total no more than 12 months	17,416	15,607

More than 12 months

Other payables	1,230	372
Leases	16,832	18,076
Employee provisions	2,598	2,241
Other provisions	749	1,069
Total more than 12 months	21,409	21,758
Total liabilities	38,825	37,365

7. Other reporting requirements

7.1 Managing and developing employees including gender reporting

The Commission strengthened its commitment to building a high performing and engaged workforce through initiatives aligned with our People and Culture and Corporate Services Plans.

We developed programs to support employees through coordinated activities across workforce planning, attraction, recruitment, onboarding, learning and development, performance, recognition, workplace relations, health, safety and wellbeing and offboarding that enhanced the employee experience. These initiatives support a safe, inclusive and high-performing workplace.

Strategic programs and strengthening our policy framework

The Commission implemented the Senior Executive Service (SES) Performance Framework that included all members of the Senior Leadership Team. This was expanded to our Commissioners and the President demonstrating our commitment to leadership development and leading by example.

Recruitment and selection

To enhance our recruitment and selection practices, we launched a recruitment and selection portal that included guides, templates and forms to support consistent and inclusive merit-based hiring processes. We introduced mandatory recruitment and selection training for all selection panel members and held regular drop-in and information sessions to build hiring manager capability and confidence.

Learning and development

We delivered a coordinated learning and development program to build capability across all levels of the organisation. This included a mix of workshops and e-learning modules aligned to our strategic priorities, and changes in legislative and policy obligations.

We developed a new annual training calendar that included:

- wellbeing webinars and mental health programs
- leadership and management development
- diversity and inclusion initiatives
- role-specific, technical and mandatory compliance training.

We also strengthened our partnership with the Community and Public Sector Union through monthly meetings. These meetings support consultation and collaboration on workplace matters.

Diversity, equity and inclusion

We continued our commitment to diversity, equity and inclusion through the following programs and initiatives:

- strengthening our governance committee on organisational development and culture
- establishing a Cultural Safety Taskforce
- LGBTIQA+ awareness workshops
- disability awareness training and resources
- Gender Pay Gap Analysis and Workplace Gender Equality Agency (WGEA) reporting.

The Commission completed an initial gender pay gap analysis of our 2024 results. Following the analysis an action plan will be prepared to reduce our gender pay gap. We published an [employer statement](#) on the Commission's website.

Workplace Health and Safety (WHS)

The Commission participated in a proactive regulatory review and audit by Comcare. The purpose of the inspection was to monitor compliance with the *Work Health and Safety Act 2011* (Cth) and the *Work Health and Safety Regulations 2011* (Cth). The review focused on consultation, cooperation and coordination arrangements. Comcare provided several recommendations for WHS, which the Commission promptly implemented.

We supported employee health, safety and wellbeing through:

- reimbursement for flu vaccinations
- healthy lifestyle allowances
- flexible work practices
- implementation of new incident reporting forms
- ongoing development and roll-out of new and updated suite of WHS policies, procedures, and guidelines.

We conducted a psychosocial risk assessment across the Commission. The results are informing our mental health and wellbeing programs. We also delivered training on vicarious trauma and accidental counselling.

We established new roles to support wellbeing, including Mental Health First Aiders and Wellbeing and Respect Officers. These staff members received relevant training and now participate in a rejuvenated Work Health and Safety Committee.

Workplace Health and Safety Reporting

During this reporting period:

- there were no notifiable incidents arising from the Commission's conduct or undertakings
- there was one workers compensation claim, which incurred no lost time
- there were no investigations relating to the Commission's undertakings
- no notices were received under Part 10 of the *Work Health and Safety Act 2011* (Cth)
- there are no other matters required by reporting guidelines.

Strategic commissioning framework reporting

In 2024-2025 the Commission took steps to bring core work in-house in line with the APS Strategic Commissioning Framework. Our targets for 2024-2025 aimed to bring \$0.202m (excluding GST) of core work in-house in communications and engagement and portfolio, program and project management. This target was partially achieved, with an actual reduction of \$0.034m (excluding GST) in relevant supplier expenditure in 2024-2025. Barriers to bringing monitoring and evaluation resources in-house as planned included perceptions that this work would be more objective if performed by an external supplier.

7.2 Close the Gap reporting

Priority reform 3 of the National Close the Gap Agreement commits all parties, including governments, 'to systemic and structural transformation of mainstream government organisations to improve accountability and respond to the needs of Aboriginal and Torres Strait Islander people'. Governments also commit to 'include in their annual reports information on how they are undertaking and meeting the transformation elements'.

The Commission's work contributes to the following objectives of Priority Reform 3:

- identify and eliminate racism (in accordance with para 59a of the National Agreement)
- deliver services in partnership with Aboriginal and Torres Strait Islander organisations, communities and people (para 59c)
- Support Aboriginal and Torres Strait Islander cultures (para 59e)
- improve engagement with Aboriginal and Torres Strait Islander people (para 59f).

In the past year the Commission has released the National Anti-Racism Framework setting out a roadmap for all Australian governments to address all forms of racism. Key recommendations of the Framework include the:

- development of a national implementation plan on eliminating racism against First Peoples, to be co-designed with First Peoples communities
- development of a nationally recognised definition of First Peoples cultural safety, with minimum standards, for application across sectors, including health
- introduction of a positive duty into the Racial Discrimination Act to prevent discrimination across multiple settings, as well as a range of initiatives to address racial discrimination in employment, such as through the introduction of internal cultural safety frameworks for First Peoples staff by all medium and large employers.

The Social Justice Commissioner has also undertaken the Informing the Agenda project engaging directly with First Peoples communities about their aspirations and priorities for human rights protections. The findings of these consultations will be published in the upcoming *Social Justice Report*.

The Commission is also undertaking the Racism@Uni study which focuses on experiences of racism by Aboriginal and Torres Strait Islander students and staff in university settings and will provide vital information to advance Close the Gap priorities in tertiary education.

The Commission also co-hosted the Gathering Strength summit in Queensland to give voice to First Peoples communities in designing their priorities for government and other actions to advance their rights.

These projects each provide valuable guidance to governments on how to identify and eliminate racism experienced by First Peoples communities.

The Commission has also worked in partnership with First Peoples researchers on key projects, most notably the development of the National Anti-Racism Framework. This included by commissioning First Peoples researchers to conduct specific consultations with First Peoples communities, which occurred in the aftermath of the Voice Referendum, and which was released in a background report to the Framework, as well as research into the health impacts of racial discrimination. The Commission has also worked with First Peoples creatives in developing a rebrand of the National Anti-Racism campaign, Racism. It stops with me, which will be released later in 2025.

The Commission has also commenced internal processes to embed and practice meaningful cultural safety in the organisation, being led by a Cultural Safety Taskforce.

7.3 Executive remuneration and staff statistics

This section contains information about the remuneration of the Commission's key management personnel and Senior Executive Service (SES)..

Remuneration for the President and Commissioners is set by the Remuneration Tribunal. The Remuneration Tribunal also determines increases to remuneration and allowances.

The Commission's remuneration for SES and other highly paid staff is determined by the President under section 24(1) of the *Public Service Act 1999* (Cth). When determining SES and other highly paid staff remuneration, the President has regard to the Australian Public Service Remuneration Report and comparable agencies.

SES determinations set out salary on commencement and provide for increments of salary, in line with percentage increases awarded to the Commissioners by the Remuneration Tribunal.

Remuneration of key management personnel

Name	Position title	Base salary	Bonuses	Other benefits and allowances	Super-annuation contributions	Long service leave	Other long-term benefits	Termination benefits	Total remuneration
Rosalind Croucher	President ceased on 29 July 2024	57,917	-	-	5,886	14,857	-	-	78,660
Hugh de Kretser	President from 30 July 2024	433,943	-	-	29,932	16,837	-	-	480,712
Anne Hollonds	National Children's Commissioner	393,652	-	-	29,932	11,480	-	-	435,065
Lorraine Finlay	Human Rights Commissioner	378,028	-	-	29,932	8,383	-	-	416,343
Rosemary Kayess	Disability Discrimination Commissioner	372,961	-	-	29,932	4,283	-	-	407,176
Giridharan Sivaraman	Race Discrimination Commissioner	363,260	-	-	52,834	3,697	-	-	419,791
Robert Fitzgerald	Age Discrimination Commissioner	381,290	-	-	29,932	3,924	-	-	415,146
Anna Cody	Sex Discrimination Commissioner	363,868	-	-	29,932	6,432	-	-	400,232
Katie Kiss	Aboriginal and Torres Strait Islander Social Justice Commissioner	367,250	-	-	54,186	3,924	-	-	425,360
Leanne Smith	Chief Executive	281,334	-	-	53,768	4,214	-	-	339,316

Remuneration of senior executives

Remuneration Band	Number of senior executives	Average base salary	Average bonuses	Average other benefits and allowances	Average superannuation contributions	Average long service leave	Average other long-term benefits	Average termination benefits	Average total remuneration
245,001 - 270,000	2	220,886	-	-	37,849	9,835	-	-	268,570

Employee statistics

All ongoing employees

	Man/Male - Full time	Man/Male - Part time	Man/Male - Total	Woman/ Female - Full time	Woman/ Female - Part time	Woman/ Female - Total	Non- binary - Full time	Non- binary - Part time	Non- binary - Total	Total
NSW	26	0	26	76	26	102	0	0	0	128
Qld	0	0	0	2	1	3	0	0	0	3
SA	0	0	0	4	0	4	0	0	0	4
Tas	0	0	0	0	0	0	0	0	0	0
Vic	1	0	1	7	4	11	0	1	1	13
WA	0	0	0	2	0	2	0	0	0	2
ACT	0	0	0	3	0	3	0	0	0	3
NT	0	0	0	0	0	0	0	0	0	0
External	0	0	0	0	0	0	0	0	0	0
Overseas	0	0	0	1	0	1	0	0	0	1
Total	27	0	27	95	31	126	0	1	1	154

All non-ongoing employees

	Man/Male - Full time	Man/Male - Part time	Man/ Male - Total	Woman/ Female - Full time	Woman/ Female - Part time	Woman/ Female - Total	Non- binary - Full time	Non- binary - Part time	Non- binary - Total	Total
NSW	7	2	9	32	18	50	1	0	1	60
Qld	1	0	1	4	0	4	0	0	0	5
SA	0	0	0	1	1	2	0	0	0	2
Tas	0	0	0	0	0	0	0	0	0	0
Vic	1	0	1	0	3	3	0	0	0	4
WA	0	0	0	1	0	1	0	0	0	1
ACT	0	0	0	1	0	1	0	0	0	1
NT										
External										
Overseas										
Total	9	2	11	39	22	61	1	0	1	73

7.4 Greenhouse gas emissions

2024-25 Greenhouse gas emissions inventory- location-based method

Emission Source	Scope 1 t CO ₂ -e	Scope 2 t CO ₂ -e	Scope 3 t CO ₂ -e	Total t CO ₂ -e
Electricity (Location Based Approach)	N/A	50.22	3.04	53.27
Natural Gas	-	N/A	-	-
Solid Waste	-	N/A	2.34	2.34
Refrigerants	-	N/A	N/A	-
Fleet and Other Vehicles	-	N/A	-	-
Domestic Commercial Flights	N/A	N/A	159.91	159.91
Domestic Hire Car	N/A	N/A	2.27	2.27
Domestic Travel Accommodation	N/A	N/A	35.92	35.92
Other Energy	-	N/A	-	-
Total t CO₂-e	-	50.22	203.47	253.70

Note: The table above presents emissions related to electricity usage using the location-based accounting method. CO₂-e = Carbon Dioxide Equivalent. The annual solid waste data has been extrapolated based on seven months of actual data. Emissions from hire cars for 2024-25 may be incomplete due to a lack of robust data. The quality of data is expected to improve over time as emissions reporting matures.
n/a = not applicable

2024-25 Electricity gas emissions

Emission Source	Scope 2 t CO ₂ -e	Scope 3 t CO ₂ -e	Total t CO ₂ -e	Electricity kWh
Electricity (Location Based Approach)	50.22	3.04	53.27	76,095.24
Market-based electricity emissions	50.42	6.85	57.27	62,249.71
Total renewable electricity consumed	n/a	n/a	n/a	13,845.53
Renewable Power Percentage ¹	n/a	n/a	n/a	13,845.53
Jurisdictional Renewable Power Percentage ^{2, 3}	n/a	n/a	n/a	-
GreenPower ²	n/a	n/a	n/a	-
Large-scale generation certificates ²	n/a	n/a	n/a	-
Behind the meter solar ⁴	n/a	n/a	n/a	-
Total renewable electricity produced	n/a	n/a	n/a	-
Large-scale generation certificates ²	n/a	n/a	n/a	-
Behind the meter solar ⁴	n/a	n/a	n/a	-

Note: The table above presents emissions related to electricity usage using both the location-based and the market-based accounting methods. CO₂-e = Carbon Dioxide Equivalent. Electricity usage is measured in kilowatt hours (kWh).

¹ Listed as Mandatory renewables in 2023-24 Annual Reports. The renewable power percentage (RPP) accounts for the portion of electricity used, from the grid, that falls within the Renewable Energy Target (RET).

² Listed as Voluntary renewables in 2023-24 Annual Reports.

³ The Australian Capital Territory is currently the only state with a jurisdictional renewable power percentage (JRPP).

⁴ Reporting behind the meter solar consumption and/or production is optional. The quality of data is expected to improve over time as emissions reporting matures.

7.5 Payment to advertising, market research, and other designated organisations

The Commission made the following payments valued at \$16,900 (inclusive GST) or more to advertising agencies, market research organisations, polling organisations, media advertising organisations and direct mail organisations in the reporting period.

Name of organisation	Type of organisation	Purpose	Payment \$ (inc of GST)
Redbridge Group Pty Ltd	Market research	Age and aging in Australian Media Research Project	\$30,993
Quantum Market Research	Market research	Quantitative Survey Research Services- Emergency Response Framework Project	\$57,365
The Wild Ones Agency Pty Ltd	Advertising	Speaking from Experience information campaign	\$45,000

7.6 Information on the Accountable Authority

Emeritus Professor Rosalind Croucher AM FAAL

Prefix	First name	Last name	Post nominals	Qualifications of the Accountable Authority	Experience of the Accountable Authority	
Emeritus Professor	Rosalind	Croucher	AM FAAL FRSA FACLM	LLD (Honoris causa), Macquarie University, 2020; LLD (Honoris causa), University of New South Wales, 2018; PhD, University of New South Wales, 1994; LLB University of Sydney, 1980; BA (Hons) University of Sydney, 1977	Member, AICD; Director, Australian Academy of Law, 2013–2018; Director, Australian Academy of Law, 2013–2018; President, ALRC, August 2009–2017; Governor, Ascham School, 1996–2005; Governor, St Andrews College, University of Sydney, 1999–2002; Dean, Macquarie Law School, November 1999– 2007	
Position title / Position held			Exec / non-Exec	Start date (1 July Previous year or after)	End date (30 June current year or before)	No. of meetings of Accountable Authority attended
Australian Human Rights Commission President			Exec.	1/07/2024	29/07/2024	0

Hugh de Kretser

Prefix	First name	Last name	Post nominals	Qualifications of the Accountable Authority	Experience of the Accountable Authority
	Hugh	de Kretser		Bachelor of Laws (Hons) and Bachelor of Arts, University of Melbourne 1997	CEO Yoorrook Justice Commission 2022-2024; Executive Director Human Rights Law Centre 2013-2022; Board Member Flourish Australia 2022-2024; Director Sentencing Advisory Council 2010-22; Board Member National Association of Community Legal Centres 2012-2014, Executive Officer Federation of Community Legal Centres 2007-2013; Commissioner Victorian Law Reform Commission 2008-2012; Manager Brimbank Melton Community Legal Centre 2004-2007, Solicitor Mallesons Stephen Jaques 2000-2004

Position title / Position held		Exec / non-exec	Start date (1 July Previous year or after)	End date (30 June current year or before)	No. of meetings of Accountable Authority attended
Australian Human Rights Commission President		Exec.	30/07/2024	30/06/2025	4

7.7 Reviews by outside bodies

On 17 February 2025 the Auditor General published a [performance audit report](#) on complaint handling at the Commission. The objective of the audit was to assess the efficiency and effectiveness of the Commission's handling of complaints over a 7-year period.

The audit report found that complaint handling at the Commission is partly efficient and partly effective. The Commission welcomed the audit report and in our published [response](#) acknowledged the importance of providing the Australian public with a free, accessible and effective dispute resolution service.

The Commission agreed or agreed in principle with the audit report's 5 recommendations and has commenced implementing them. We anticipate that all recommendations will be fully implemented by the end of 2025-2026.

8. Appendices

8.1 Key Activities, program areas, and services 2024-25

President: Hugh de Kretser
• Free+Equal: A conversation on human rights.
• Investigation and Conciliation and National Information Services
• Human rights education and training
• Tasmanian National Preventative Mechanism Project
• Australia-Lao PDR Human Rights Technical co-operation
• Australia-Vietnam Human Rights Technical Cooperation Program
• ASEAN Intergovernmental Commission on Human Rights (AICHR) engagement Project
• Southeast Asia Government to Government Human Rights Education Program
• International engagement
• Human rights scrutiny
Aboriginal and Torres Strait Islander Social Justice Commissioner: Katie Kiss
• Informing the Agenda (National listening tour)
• United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) engagement
Age Discrimination Commissioner: Robert Fitzgerald AM
• Ageism in Australian healthcare research
• Financial elder abuse
• Ageism awareness workshop
• Enduring power of attorney research
• Ageism in Australian media research
• Younger and older workers: What do employers think?
• Age Diversity at Work Roundtable
National Children's Commissioner: Anne Hollonds
• National student consent study
• <i>Help way earlier!: How Australia can transform child justice to improve safety and wellbeing</i>
• Supporting quality engagement with children consultation project
• Act for children campaign

Disability Discrimination Commissioner: Rosemary Kayess
• IncludeAbility (Phase 2) - Equality at work
• Accessible Housing Project
• Policy and law reform engagement
• Supporting people with disability and organisations to attend international human rights forum
• <i>Golf Australia guidelines for the inclusion of people with disability in golf</i>
Human Rights Commissioner: Lorraine Finlay
• Emergency Response Framework Project (Phase 1 & 2)
• Protecting cognition project on neurotechnology and human rights
• Review of immigration detention standards and methodology
• Immigration detention thematic inspections
• Youth in solitary confinement report
Race Discrimination Commissioner: Giridharan Sivaraman
• National Anti-Racism Project
• Community support project: Seen and Heard
• Study into prevalence and impact of racism in Australian universities
Sex Discrimination Commissioner: Dr Anna Cody
• Speaking from Experience
• Trans and gender diverse human rights mapping project
• Culturally and racially marginalised (CARM) women workers in care industry scoping project
• Defence Collaboration
• Australian Federal Police Partnership
• Australian Border Force Partnership
Organisational
• Legal services (including legal interventions)
• Public engagement (including communications, media, digital engagement, major events and launches)

8.2 Major events, reports, publications and resources 2024-25

Aboriginal and Torres Strait Islander Social Justice	Women in native title: Native title report 2024
	Women in native title: Native title report 2024 community guide
Age	Shaping perspectives: How Australian media reports on ageing
	Empowering futures: a report on enduring powers of attorney
Australian Human Rights Commission Act Reports	No. 178 Mr Belmont v Commonwealth of Australia (Department of Home Affairs) (June 2025)
	No. 177 Ms QD v Commonwealth of Australia (Department of Home Affairs) (June 2025)
	No. 176 Mr TZ and Mr UA v Commonwealth of Australia (Department of Home Affairs) (June 2025)
	No. 175 Mr Kuster v Commonwealth of Australia (Department of Home Affairs) (April 2025)
	No. 174 Immigration detainees in prolonged or indefinite detention (December 2024)
	No. 173 Mr LD v Commonwealth of Australia (Department of Home Affairs) (July 2024)
	No. 172 Mr NR v Commonwealth of Australia (Department of Home Affairs) (July 2024)
	No. 171 Mr Abela v Commonwealth of Australia (Department of Home Affairs) (July 2024)
	No. 170 Mr Pjetri v Commonwealth of Australia (Department of Home Affairs) (July 2024)
	No. 169 Mr CJ v Commonwealth of Australia (Department of Home Affairs) (July 2024)
	No. 168 Mr Al Dahan v Commonwealth of Australia (Department of Home Affairs) (July 2024)
	No. 167 Mr MF v Commonwealth of Australia (Department of Home Affairs) (July 2024)
Children	‘Help way earlier!’ Transforming child justice for safety & wellbeing
Disability Rights	Guidelines on equal access to digital goods and services

Education and Training	Stats & facts: Refugees and people seeking asylum
	Stats & facts: Children's rights.
Emergency Responses	Collateral damage: What the untold stories from COVID-19 pandemic reveal about human rights in Australia
Immigration Detention and Asylum Seekers	Not just an afterthought: The experience of women in immigration detention
Race	National anti-racism framework
	An anti-racism framework: Voices of First Nations peoples
	Race reporting handbook
	An anti-racism framework: The perspectives of multicultural Australia
	Interim report on racism at Australian universities
	Mapping government anti-racism programs and policies
	International Day for the Elimination of Racial Discrimination (IDERD) resources including; How 'harmony' hides structural and systemic racism and schools fact sheet ; Lesson plan for IDERD Years 9 and 10
	Myths and misconceptions about racism (resource guide)
	Kep Enderby memorial lecture
Sex and gender	Speaking from experience report: What needs to change to address workplace sexual harassment
	Positive duty animations: What is the positive duty? Positive duty and reporting to the AHRC Positive duty: Customers, Clients and Contractors

8.3 Performance measurement framework

Goal	Outcome	Performance expectation	Progress indicator (and PBS target)	Measure Type	Data collection method
1. Improving enjoyment of human rights by all, supporting access to justice and remedies for people and communities whose rights are breached.	1.1 We deliver a fair and effective investigation and conciliation of complaints service. PBS PERFORMANCE MEASURE	Our investigation and conciliation of complaints and dispute resolution meet performance indicators on timeliness, efficiency and service user satisfaction. Our investigation and conciliation of complaints and dispute resolution processes have systemic and educational outcomes.	85% of complaints are finalised in under 12 months. PBS EXPECTED PERFORMANCE RESULT	Effectiveness measure	Data capture through Resolve reports providing number of and length of complaints.
			40% of complaints are resolved by conciliation. PBS EXPECTED PERFORMANCE RESULT	Effectiveness measure	Case files capture the outcome of a compliant process. These results are compiled through Resolve reports for the reporting period.
			85% of parties to complaints are satisfied with the service they receive. PBS EXPECTED PERFORMANCE RESULT	Effectiveness measure	A survey is sent to the complainant and respondent once the complaint is finalised. This includes a satisfaction levels question, that is used to report against this indicator. It is sent to all parties except where a matter has been withdrawn or discontinued before a respondent is notified, or in circumstances where further contact with the Commission may cause distress to the relevant parties and/or staff.
			Instances where the terms on which investigation and conciliation disputes are resolved include systemic outcomes that accord with the objectives of the law. PBS EXPECTED PERFORMANCE RESULT	Effectiveness measure	Case files capture if a systemic outcome (e.g. a change of policy)
			Instances where participation in the investigation and conciliation process results in increased understanding of rights and responsibilities in the law.	Effectiveness measure	A survey is sent to the complaint and respondent once the complaint is finalised. This includes self-assessment question on increased understanding of rights and responsibilities in the law, that is used to report against this indicator. It is sent to all parties except where a matter has been withdrawn or discontinued before a respondent is notified, or in circumstances where further contact with the Commission may cause harm (distress) to the relevant parties and/or staff.

Goal	Outcome	Performance expectation	Progress indicator (and PBS target)	Measure Type	Data collection method
1. Improving enjoyment of human rights by all, supporting access to justice and remedies for people and communities whose rights are breached.	1.2 We support meaningful cultural change towards safer, respectful and more equitable workplaces in Australia.	By supporting meaningful cultural change through inquiry into, and ensuring compliance with, the positive duty, and assist duty holders to achieve this through education, research and public discussion.	Increase in duty holders': - understanding of the positive duty obligation PBS PERFORMANCE MEASURE - taking proactive steps to eliminate and prevent relevant unlawful conduct in the workplace. PBS PERFORMANCE MEASURE	Effectiveness measure	Pre and post engagement assessment of core positive duty concepts. Assessment of duty holders against Adaptive Compliance Evidence Framework.

Goal	Outcome	Performance expectation	Progress indicator (and PBS target)	Measure Type	Data collection method
2. Strengthening Australia's human rights framework, embedding human rights issues at a national level.	2.1 The leadership and advocacy of the President and Commissioners on thematic areas or identified human rights issues, improves the enjoyment of human rights by affected groups. PBS PERFORMANCE MEASURE	Our research, reporting and advice influences and builds capacity in decision makers and other stakeholders to take action to address the identified human rights issues.	Research, reporting and advice activities of the Commission: - are viewed as evidenced, persuasive and credible by stakeholders - increase understanding of the human rights issues and impacts raised - strengthen stakeholder capacity to promote and advocate for the human rights issues raised.	Effectiveness measure	Case studies and narrative stories of change are developed capturing both attribution and contribution against outcomes. These include references to qualitative and quantitative data sets identified in performance monitoring plans.
			Instances of programs attracting strategic partnerships that advance the priority human rights issues we have advocated for. PBS EXPECTED PERFORMANCE RESULT	Effectiveness measure	Case studies and narrative stories of change are developed capturing both attribution and contribution against outcomes. These include references to qualitative and quantitative data sets identified in performance monitoring plans.
			Instances of improved Federal and state government policy, practice and legislative change that reflect our advice. PBS EXPECTED PERFORMANCE RESULT	Effectiveness measure	Case studies and narrative stories of change are developed capturing both attribution and contribution against outcomes. These include references to qualitative and quantitative data sets identified in performance monitoring plans.

Goal	Outcome	Performance expectation	Progress indicator (and PBS target)	Measure Type	Data collection method
2. Strengthening Australia's human rights framework, embedding human rights issues at a national level.	2.2 Law and policy makers, at all levels, consider and address the human rights impacts we identify through our submissions, inquiries, research, reports and United Nations engagement.	Parliamentary committee inquiry reports reflect the human rights issues raised in our submissions and recommendations. The number of recommendations to UN mechanisms made, and instances of recommendations implemented or referenced by Government. Arguments presented in our submissions to courts influence outcomes in a way that is consistent with human rights.	High proportion of Committee inquiry reports reflect and cite the Commission's advice.	Effectiveness measure.	Citation analysis of parliamentary submission document the number of times our submissions are referenced in the final Parliamentary report.
			PBS EXPECTED PERFORMANCE		
			Instances of our recommendations to UN mechanisms being reflected in treaty body concluding observations and other reports.	Effectiveness measure	Citation analysis of our recommendations documents the number of times they are reflected.
			Majority of our applications to the courts for leave to appear are accepted.	Effectiveness measure	Review of number of times we make an application divided by number of times it is accepted.
			PBS EXPECTED PERFORMANCE RESULT		
			Instances of our court submissions reflected in the final judgment of the matter.	Effectiveness measure	Review of the judgements to the Court, summarising outcomes of proceedings and impact.

Goal	Outcome	Performance expectation	Progress indicator (and PBS target)	Measure Type	Data collection method
3. Better understanding of, and respect for, human rights so people and communities take action to defend human rights in their own context.	3.1 Our education activities increase capability among individuals, communities and organisations to promote and protect human rights and address discrimination.	Participants in education activities benefit through achieving the intended human rights learning and capability objectives.	Learner satisfaction with Commission training is at 80% based on participant surveys of our learning courses.	Effectiveness measure	All training participants are sent a survey upon completion of training (and prior to receiving their certificate)
	PBS PERFORMANCE MEASURE	Most participants in our adult training programs report satisfaction with the quality and relevance of the training.	PBS EXPECTED PERFORMANCE RESULT Number of organisations working partnering with the Commission to build human rights skills in their workplaces.	Output (proxy effectiveness measure)	Calculation of number of workplaces training is delivered to. Number of people trained.
	3.2 Our information resources, services, events and campaigns reach, inform and influence users and audiences.	Target audiences benefit from our information resources, services, campaigns and events.	Targeted audiences are reached, access our information resources and services, and participate in our events and campaigns. indicated by: an average engagement rate of 2% or higher for Commission social media posts about our education and information activities.	Effectiveness measure	Metrics assessing impressions and click through rates are compiled through reports for Facebook, X, Instagram and LinkedIn.
	PBS PERFORMANCE MEASURE		PBS EXPECTED PERFORMANCE RESULT high rates of participants finding our events and campaigns engaging and relevant		Program evaluations.

Goal	Outcome	Performance expectation	Progress indicator (and PBS target)	Measure Type	Data collection method
4. Maintaining our international standing as a strong human rights institution representing human rights in Australia and contributing to human rights advancement globally.	4.1 Our activities increase the capacity of vulnerable groups, communities and their advocates to understand and advocate for their rights. PBS PERFORMANCE MEASURE	Participants and stakeholders, in our consultations, research and education and informing activities experience participation, empowerment and benefit.	Instances of participants and stakeholders in our consultations and research activities report participation experiences that are beneficial and empowering. PBS EXPECTED PERFORMANCE RESULT	Effectiveness Measure	Case studies and narrative stories of change are developed capturing both attribution and contribution against outcomes. These include references to qualitative and quantitative data sets identified in performance monitoring plans.
	4.2 Our activities increase the capacity of governments, organisations, other groups and services to understand and address the human rights impact of their actions, particularly when working with vulnerable groups and communities. PBS CRITERION	Our activities with stakeholder organisations lead to systemic and sustained action, including changes to organisational policy and practice, to respect, protect and promote human rights in their context. PBS TARGET	Instances of stakeholders in our activities with organisations reporting that our work has contributed to increased understanding of the impact of their systems and operations on human rights. Instances of stakeholders in our activities with organisations making changes to organisational policy and practice, to respect, protect and promote human rights in their context.	Effectiveness measure	Case studies and narrative stories of change are developed capturing both attribution and contribution against outcomes. These include references to qualitative and quantitative data sets identified in performance monitoring plans.
		Our regional technical cooperation activities increase stakeholder capacity to advance national reform in partner states.	Instances of partners': - increased knowledge of human rights frameworks, principles, and practices to advance human rights reform - increased application of human rights frameworks, principles, and practices to advance human rights reform - practice/policy reform relating to human rights principles, which are reviewed or developed because of AHRC technical cooperation activities.	Effectiveness measure	Case studies and narrative stories of change are developed capturing both attribution and contribution against outcomes. These include references to qualitative and quantitative data sets identified in performance monitoring plans.

Goal	Outcome	Performance expectation	Progress indicator (and PBS target)	Measure Type	Data collection method
4. Maintaining our international standing as a strong human rights institution representing human rights in Australia and contributing to human rights advancement globally.	4.3 The Commission complies with the Paris Principles (Principles Relating to the Status of National Human Rights Institutions) and is assessed as an independent and effective national human rights institution.	The Commission maintains its 'A status' as assessed by the Global Alliance of National Human Rights Institutions (GANHRI).	Compliance with the Paris Principles and/or remediation actions in train, e.g. <i>Australian Human Rights Commission Legislation Amendment (Selection and Appointment) Act</i> .	Effectiveness measure	Review of GHANRI accreditation report to identify compliance.
5. Ensuring that the Commission is sustainable into the future and able to strategically implement its statutory mandate.	5.1 The Commission has a clear strategic direction and confidently implements its mandate with secure and sustainable funding that is transparently and accountably managed.	The Commission maintains its compliance with the <i>Australian Human Rights Commission Act 1986</i> and the <i>Public Governance, Performance and Accountability (PGPA) Act 2013</i> .	Completion of all requirements under the PGPA Act, including corporate accountability, Annual Reports and Financial compliance. Implementation of appropriate governance and financial structures including number of recommendations adopted from the external reviews.	Effectiveness measure	100% compliance against PGPA Act and Rule

8.4 List of requirements - corporate Commonwealth entities

Below is the table set out in Schedule 2A of the PGPA Rule. Subsection 17BE(u) requires this table be included in corporate Commonwealth entities' annual reports.

PGPA Rule Reference	Part of report	Description	Requirement
17BE	Contents of annual report		
17BE(a)	2.1	Details of the legislation establishing the body	Mandatory
17BE(b)(i)	3.1 & 3.2	A summary of the objects and functions of the entity as set out in legislation	Mandatory
17BE(b)(ii)	2.1	The purposes of the entity as included in the entity's corporate plan for the reporting period	Mandatory
17BE(c)	4.4	The names of the persons holding the position of responsible Minister or responsible Ministers during the reporting period, and the titles of those responsible Ministers	Mandatory
17BE(d)	3.2	Directions given to the entity by the Minister under an Act or instrument during the reporting period	If applicable, mandatory
17BE(e)	Not applicable	Any government policy order that applied in relation to the entity during the reporting period under section 22 of the Act	If applicable, mandatory
17BE(f)	Not applicable	Particulars of non-compliance with: (a) a direction given to the entity by the Minister under an Act or instrument during the reporting period, or (b) a government policy order that applied in relation to the entity during the reporting period under section 22 of the Act	If applicable, mandatory
17BE(g)	5.2	Annual performance statements in accordance with paragraph 39(1)(b) of the Act and section 16F of the rule	Mandatory
17BE(h), 17BE(i)	Not applicable	A statement of significant issues reported to the Minister under paragraph 19(1)(e) of the Act that relates to non-compliance with finance law and action taken to remedy non-compliance	If applicable, mandatory
17BE(j)	7.6	Information on the accountable authority, or each member of the accountable authority, of the entity during the reporting period	Mandatory
17BE(k)	4.1	Outline of the organisational structure of the entity (including any subsidiaries of the entity)	Mandatory
17BE(ka)	7.3	Statistics on the entity's employees on an ongoing and non-ongoing basis, including the following: (a) statistics on full-time employees; (b) statistics on part-time employees; (c) statistics on gender; (d) statistics on staff location	Mandatory
17BE(l)	4.3	Outline of the location (whether or not in Australia) of major activities or facilities of the entity	Mandatory
17BE(m)	4.5	Information relating to the main corporate governance practices used by the entity during the reporting period	Mandatory

PGPA Rule Reference	Part of report	Description	Requirement
17BE(n), 17BE(o)	Not applicable	For transactions with a related Commonwealth entity or related company where the value of the transaction, or if there is more than one transaction, the aggregate of those transactions, is more than \$10,000 (inclusive of GST): (a) the decision-making process undertaken by the accountable authority to approve the entity paying for a good or service from, or providing a grant to, the related Commonwealth entity or related company; and (b) the value of the transaction, or if there is more than one transaction, the number of transactions and the aggregate of value of the transactions	If applicable, mandatory
17BE(p)	5.2, Appendix 1 and Appendix 2	Any significant activities and changes that affected the operation or structure of the entity during the reporting period	If applicable, mandatory
17BE(q)	Not applicable	Particulars of judicial decisions or decisions of administrative tribunals that may have a significant effect on the operations of the entity	If applicable, mandatory
17BE(r)	7.7	Particulars of any reports on the entity given by: (a) the Auditor-General (other than a report under section 43 of the Act), or (b) a Parliamentary Committee, or (c) the Commonwealth Ombudsman, or (d) the Office of the Australian Information Commissioner	If applicable, mandatory
17BE(s)	Not applicable	An explanation of information not obtained from a subsidiary of the entity and the effect of not having the information on the annual report	If applicable, mandatory
17BE(t)	Not applicable	Details of any indemnity that applied during the reporting period to the accountable authority, any member of the accountable authority or officer of the entity against a liability (including premiums paid, or agreed to be paid, for insurance against the authority, member or officer's liability for legal costs)	If applicable, mandatory
17BE(taa)	4.6	The following information about the audit committee for the entity: (a) a direct electronic address of the charter determining the functions of the audit committee (b) the name of each member of the audit committee (c) the qualifications, knowledge, skills or experience of each member of the audit committee (d) information about each member's attendance at meetings of the audit committee (e) the remuneration of each member of the audit committee	Mandatory
17BE(ta)	7.3	Information about executive remuneration	Mandatory
17BF	Disclosure requirements for government business enterprises		
17BF(1)(a)(i)	Not applicable	An assessment of significant changes in the entity's overall financial structure and financial conditions	If applicable, mandatory
17BF(1)(a)(ii)	Not applicable	An assessment of any events or risks that could cause financial information that is reported not to be indicative of future operations or financial conditions	If applicable, mandatory
17BF(1)(b)	Not applicable	Information on dividends paid or recommended	If applicable, mandatory
17BF(1)(c)	Not applicable	Details of any community service obligations the government business enterprise has including: (a) an outline of actions taken to fulfil those obligations; and (b) an assessment of the cost of fulfilling those obligations	If applicable, mandatory
17BF(2)	Not applicable	A statement regarding the exclusion of information on the grounds that the information is commercially sensitive and would be likely to result in unreasonable commercial prejudice to the government business enterprise	If applicable, mandatory



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