



Australian Human  
Rights Commission

# Respect at Uni:

Study into antisemitism, Islamophobia, racism and  
the experience of First Nations People

INTERIM REPORT

December 2024



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The Commission acknowledges the vast emotional and intellectual labour of community members, particularly those with lived experiences of racism, who shared their experiences in universities.

The Commission acknowledges and thanks the Advisory Committee, the Senior Officers Working Group and all those who have engaged with the Commission to contribute to this work.

## **Note on terminology and content**

The Commission recognises that labels or terminology can be both empowering and limiting for individuals and communities.

The terms First Nations, Indigenous and Aboriginal and Torres Strait Islander Peoples are used interchangeably in this Report. The Commission acknowledges that definitions of these terms vary and that community members may not identify with these terms.

The Commission uses 'negatively racialised' to refer to communities who experience the harms and traumas of racialisation. The Commission does not use 'negatively racialised' to define or identify individuals or communities. Rather, it is used to highlight how racism operates by racialising various groups of people negatively to maintain the dominance of groups racialised as white and how people who are negatively racialised experience inequity due to false and disproved biological beliefs in race.

Occasionally, the Commission uses the term 'multicultural' to describe the diverse range of communities of non-Indigenous people who experience racism, as it is generally adopted by governments, sectors and some community members. The Commission acknowledges, however, that many individuals and communities may not identify with the term.

The Commission supports the rights of all individuals to express their identities on their own terms.

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

## Commissioner's Foreword

Universities play a critical role in Australian life. They provide opportunity and options for further learning, research and obtaining necessary academic qualifications for numerous important professions. They are bastions of great intellectual thought, debate, research and idea generation. They are gateways to opportunity that can either address inequality or exacerbate it.

However, structural racism has been legitimised by Australia's colonial history and remains embedded in our society. It is pervasive across our institutions -- whether it be workplaces, places of education, or indeed the structures that are intended to serve us. Universities are institutions that fit all those categories, and as such are clearly affected by racism.

Universities are not inoculated from racism by the intellectual endeavour that takes place within them.

In the last year there have been reports of significant increases in antisemitism, Islamophobia, anti-Palestinian and anti-Arab racism in Australian universities. Our initial consultations have shown that each of those experiences is unique and not to be conflated one with the other. But they are all forms of racism, shouldn't be tolerated and require a comprehensive response.

The Australian Human Rights Commission has released, or been part of research, over the last two decades that has examined racism in universities towards Muslim people, international students, students of Asian origin and others.

Running parallel to our current study have been parliamentary inquiries into antisemitism on campuses. There has been a huge response from Jewish students and staff highlighting the nature and scale of the problem. Our study will build on the work undertaken by these inquiries.

The experience of First Nations students and staff is a particular concern. As highlighted in the Universities Accord, the participation rates and experiences of First Nations students lag behind the rest of the population. That is sadly unsurprising when we consider that First Nations people have been enduring racism for longer than anyone else on this continent. Our initial consultations have revealed deep rooted structural problems that continue to affect First Nations students and staff.

We have been hard at work building a team and preparing this historic prevalence study into racism in universities in a very short period of time.

There are 42 universities across Australia and the task we must perform is not small. We have had valuable initial consultations with students and staff from a variety of communities and I thank them for sharing their experiences. Reliving and recounting experiences of racism is traumatic, and I hope we can honour their stories in this and our final report. We have commenced the work to build an online survey tool that will determine the prevalence of racism across universities.

One of our challenges will be getting students and staff from all cohorts affected by racism to complete this survey. I urge universities, staff and student associations to encourage all those who are eligible to participate in the survey when it is circulated next year. I strongly encourage everyone who gets the survey to complete it.

We will run trauma informed engagement to convene focus groups next year so we can get nuanced and detailed information on the experiences of racism on campus. We have conducted an initial literature review and will have a further, more detailed review to accompany the Study's final report. The initial review shows that academics have been writing about racism in universities for some time, but there is a need for a coordinated, in-depth approach. We hope that this prevalence study can be the first step in that direction.

Finally, I'd like to thank the team at the Australian Human Rights Commission that has been working so hard on this project. Led by Hashini Panditharatne, working with Catherine Duff, Emilie Priday, Jenny Renda, Carrie Chan, Anna Nguyen, Wayanna Padukka, and Heaven Muecke, with important advice from Dr Rosalie Atie, Darren Dick, Leanne Smith and President de Kretser.

Thank you to our Advisory Group, the Senior Officers Working Group, our consultants, and everyone else who has assisted.

I look forward to working with you all next year to complete this historic and important project.



**Giridharan Sivaraman**

Race Discrimination  
Commissioner



## Executive Summary

The Australian Government Department of Education (DoE) has engaged the Commission to undertake a groundbreaking study into the prevalence, nature and impact of racism in Australian universities (the Study). The Race Discrimination Commissioner leads the Study.

The Study aims to understand the prevalence, nature and experiences of racism at universities for both staff and students, at the individual and systemic level. At the conclusion of this work, the Commission will deliver comprehensive research findings and recommendations on how to effectively address and reduce racism, in all its forms, at universities.

This interim report is the first deliverable of the Study. Its purpose is to outline how the Commission will undertake this work and provide initial insights that reflect stakeholder feedback, emerging themes and early issues for consideration.

**Part 1** provides an overview of the Study, its objectives, scope and deliverables.

**Part 2** is an environmental scan and analysis of recent developments in relation to racism in universities.

**Part 3** presents initial insights based on stakeholder feedback, expert advice, an environmental scan and desktop research. These initial insights have informed the Study's research methodology. In its initial consultations, the Commission heard from First Nations and other negatively racialised staff and students that experiences of racism including antisemitism and Islamophobia are pervasive, and that systemic and structural racism is deeply entrenched within the university system. Themes emerging from consultation include the diverse nature of staff and student experiences of racism at universities, the dissatisfaction of staff and students with complaints mechanisms, the disjuncture between universities' stated policies on racism and practice and the challenge of finding a common language and understanding around racism.

**Part 4** outlines the Study methodology and approach to data collection. Given the complexity of the research task, which involves investigation across all universities and various stakeholder groups, it is essential to establish a best practice approach that delivers cultural safety for surveys and fieldwork. The Interim Report will explain the crucial foundational work that underpins the success of the Study's next phase.

This Interim Report describes the establishment of the Study's governance and initial stakeholder engagement. Creating a solid conceptual framework, along with effective governance and stakeholder involvement, is essential for the success of the Study and the delivery of the Final Report. Achieving these foundations has been a top priority for the Commission.

The Commission is undertaking this work with a strong commitment to anti-racism. The Study will centre lived experiences and perspectives, be designed and conducted through a trauma informed lens, facilitate cultural safety and will focus on the systemic nature of racism.

# 1 Study Overview

Universities should foster a love of learning, challenge thinking and nurture talent. Underpinning this requires a culture of respect and inclusion and systems that enable safety and equality. Unfortunately, this is not the experience for all students and staff, with experiences of racism negatively impacting study and employment.

Racism in universities is a long-standing problem, with research showing it is a persistent and systemic issue for students and staff from First Nations and other negatively racialised backgrounds. The broader socio-political context impacts the prevalence and patterns of racism in universities. First Nations communities experienced significant racism leading up to the Voice Referendum in 2023 and this has continued even following the result.<sup>1</sup>

Major world events also impact universities. Following the 7 October 2023 attacks on Israel by Hamas and the Israeli response, there has been an increase in reported antisemitism,<sup>2</sup> Islamophobia and anti-Palestinian racism.<sup>3</sup> International students also report alarming levels of racism, especially during the COVID-19 pandemic.<sup>4</sup>

Racism in universities is certainly not a new problem, but action is long overdue. The severity of recent incidents of antisemitism and Islamophobia, combined with other experiences of racism across different groups, create an urgent need to act decisively.

The first step in an effective response is a robust, evidence-based understanding of the issue. **There is no comprehensive data collection of experiences of racism in universities and current evidence about prevalence is limited.**

The Australian Universities Accord recommended a Tertiary Education Racism Study. Recommendation 33 of the Australian Universities Accord Final Report, released on 25 February 2024, states:

That to contribute to making the tertiary education system as safe as possible for students and staff, the Australian Government conduct a study into the prevalence and impact of racism across the tertiary education system, on campus and online, guided by an expert committee with representation from a wide range of stakeholder groups, with the Australian Tertiary Education Commission tasked with leading the response and acting on the outcomes.<sup>5</sup>

The DoE engaged the Commission to lead this Study.

This groundbreaking Study will provide an independent, comprehensive analysis of the prevalence and impact of racism in universities. Given the lack of comprehensive data and evidence, this Study is critical to building understanding and developing concrete solutions.

The Race Discrimination Commissioner leads the Study, with support from the DoE and the Attorney-General's Department (AGD). The National Indigenous Australians Agency (NIAA) is also providing advice on issues related to Aboriginal and Torres Strait Islander staff and students. The DoE has allocated the Commission \$2.5 million for the Study.

## **1.1 Role of the Commission**

The Commission is Australia's National Human Rights Institution. The Commission operates under the *Australian Human Rights Commission Act 1986* (Cth) (AHRC Act) and federal laws that seek to ensure freedom from discrimination on the basis of age, disability, race, sex, sexual orientation, intersex status and gender identity. The Commission's role is to work towards an Australia in which human rights are respected, protected and promoted, finding practical solutions to issues of concern, advocating for systemic change and raising awareness across the community.

Under the AHRC Act, the Commission has functions to:

- promote an understanding and awareness of human rights and the public discussion, of human rights in Australia (s.11(1)(g) AHRC Act)
- undertake research and educational programs and other programs, on behalf of the Commonwealth, for the purpose of promoting human rights (s.11(1)(h) AHRC Act)
- 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 (s.11(1)(j) AHRC Act)
- report to the Minister as to the action (if any) that, in the opinion of the Commission, needs to be taken by Australia in order to comply with human rights (s.11(1)(k) AHRC Act)
- develop, conduct and foster research and educational programs and other programs for the purpose of: (i) combating racial discrimination and prejudices that lead to racial discrimination; (ii) promoting understanding, tolerance and friendship among racial and ethnic groups; and (iii) propagating the purposes and principles of the Convention on the Elimination of All Forms of Racial Discrimination (s.20(c) *Race Discrimination Act 1975* (Cth) (RDA))

- inquire into, and attempt to conciliate, complaints of unlawful discrimination (s11(1)(aa) AHRC Act) and to inquire into any act or practice that may be inconsistent with or contrary to any human rights (s11(1)(f) AHRC Act)
- promote an understanding and acceptance of, and compliance with, the RDA (s.20(b) RDA).

The Commission plays an important national role promoting human rights, including the rights protected under the International Convention on the Elimination of All Forms of Racial Discrimination and the religious freedom protected under Article 18 of the International Covenant on Civil and Political Rights. It also promotes the rights enshrined in the Declaration on the Rights of Indigenous Peoples.

The RDA makes it unlawful to discriminate against a person based on their race, colour, descent or national or ethnic origin and immigration status. The RDA protects people from racial discrimination in various areas of public life, including employment, education, accommodation, getting or using services and accessing public places.

Racial discrimination occurs when a person is treated less favourably or denied the same opportunities as others due to their race, colour, descent or national or ethnic origin, or immigration status.

Part IIA of the RDA prohibits racial vilification in public. Section 18C of the RDA makes it unlawful for someone to commit an act that is reasonably likely to “offend, insult, humiliate or intimidate” someone because of their race, colour or national or ethnic origin. Courts have found that members of groups that share both a faith and an ethnic origin, such as Jews and Sikhs, are protected under section 18C of the RDA and under the more general prohibitions on racial discrimination.

One of the most important functions of the Commission is receiving and investigating complaints from individuals who allege that their human rights have been breached. This complements the process for the protection of human rights offered by the Courts. In carrying out its conciliation function, the Commission performs a vital role in ensuring access to justice for people who have experienced discrimination, harassment and vilification. It is part of a range of measures, including court proceedings, that are designed to ensure that people whose human rights or freedoms have been breached have access to an effective remedy. The Commission’s complaints process is set out in the AHRC Act.<sup>6</sup>

The AHRC Act gives the President of the Commission powers to obtain information when inquiring into complaints of unlawful discrimination and breaches of human rights, and when inquiring into acts or practices that may be inconsistent with human rights.<sup>7</sup> If the President has reason to believe that a person is capable of providing information or producing documents relevant to certain inquiries under the AHRC Act, the President can compel them to do so.<sup>8</sup> Once compelled to give information or produce documents, a person must not refuse or fail to do so, unless they have a 'reasonable excuse'.<sup>9</sup>

The Commission receives complaints of unlawful discrimination under the four federal anti-discrimination statutes.<sup>10</sup> This includes complaints of discrimination, harassment and bullying based on a person's race. The Commission also has the power to intervene, with leave of the Court, in Court proceedings that involve issues of race, sex, age and disability discrimination, human rights issues and equal opportunity in employment. The power to seek leave to intervene in cases involving issues of race discrimination is contained in s 20(1)(e) of the RDA.

When a relevant human rights or discrimination issue arises in a case and the Commission could provide expert assistance that would otherwise not be available to the Court, the Commission may seek leave of the Court to intervene in the proceedings. The Commissioners also have the function of assisting certain Courts as *amicus curiae* in discrimination matters.

(a) Expertise and capability of the Commission to conduct the Study

The Commission is uniquely positioned to lead this Study, drawing on its legislative functions, subject matter expertise and stakeholder relationships across the Australian community. Open, respectful dialogue is the cornerstone of the Commission's community engagement, and the Study will draw on these capabilities to maximise participation in the Study.

The Commission's work strongly focuses on understanding the prevalence and impact of racism to formulate practical solutions.

The Commission released the National Anti-Racism Framework in November 2024 and delivers an anti-racism public awareness and education campaign. Recently, the Commission has also commenced a program of community engagement and awareness raising about racism to support Jewish, Palestinian, Muslim and Arab communities through funding from the Department of Home Affairs. These initiatives will be discussed further in Part 2.

The Race Discrimination Commissioner has strong, collaborative relationships with stakeholders, spanning the breadth of peak bodies, community groups and individual experts in race discrimination. The Commission has leveraged these networks to conduct initial consultations and will continue consultations and

engagements throughout the Study to ensure a wide range of views are part of the solutions for racism in universities.

The Aboriginal and Torres Strait Islander Social Justice Commissioner and the work of the Commission brings First Nations perspectives to the heart of understanding and responding to racism. From the *Bringing Them Home Report* to more recent landmark reports such as the *Wiyi Yani U Thangani Report* raising the voices of First Nations women and girls, the Commission has deep experience in working with First Nations communities on sensitive issues. The *Wiyi Yani U Thangani*<sup>11</sup> Report also particularly highlights the systemic racism and inequalities experienced by First Nations women and girls in Australia, including in relation to education. The Commission can draw on this expertise and community connections to encourage First Nations staff and students to participate in the survey.

The Commission also has extensive experience with the university sector, leveraging expertise and networks from the *Changing the Course: National Report on Sexual Assault and Sexual Harassment at Australian Universities*.<sup>12</sup>

Investigating workplace culture and human rights issues are core areas of the Commission's work. Large projects have included the *Review into the Treatment of Women in the Australia Defence Force*<sup>13</sup> and *Set the Standard: Report on the Independent Review into Commonwealth Parliamentary Workplaces*.<sup>14</sup> These projects showcase the Commission's ability to work constructively with large institutions on sensitive issues, centre lived experience and ensure a trauma-informed approach to dealing with any disclosures of discrimination or abuse.

The Commission's policy expertise and stakeholder engagement strengths will ensure that the Study can inquire into a broad range of issues, accessing relevant information as required.

## **1.2 Study Objectives and Scope**

The Terms of Reference (Appendix I) outline the Study's objectives, scope, consultation, governance and timing.

### **(a) Aim and objectives**

The Study will comprehensively investigate the prevalence and impact of racism in universities, establish a baseline of racism experiences and develop recommendations to create a safe, respectful and inclusive environment for all university students and staff.

## (b) Scope

The Study has a wide-ranging scope and will identify prevalence and impact, including:

- The prevalence, nature and experiences of racism, including antisemitism and Islamophobia at universities for both staff and students at the individual and systemic levels. Universities with dual-sector operations that integrate higher education with vocational education and training (VET) are included in the scope of the Study.
- Which cohorts of students and staff experience racism, including but not limited to the distinct incidences of antisemitism, Islamophobia and the experience of Aboriginal and Torres Strait Islander Peoples, people from other negatively racialised backgrounds and international students.
- The unique context and circumstances of racism for different groups of students and staff, including a specific focus on the experiences of Jewish, Muslim and Aboriginal and Torres Strait Islander students and staff.

The Study will also conduct practical research to develop recommendations for the Government, universities and other relevant stakeholders to address racism and discrimination.

## (c) Research questions and approach

The Study utilises a mixed methodology, combining quantitative and qualitative data from the survey analysis with qualitative data from survey responses, focus groups, interviews and roundtable discussions.

The Terms of Reference establish the areas for inquiry and scope. These areas have been operationalised into specific research questions to guide research design:

- What is the prevalence, nature and impact of racism on university staff and students?
- How do different cohorts of students and staff experience racism?
- How effective are current responses to racism?
- Do current responses sufficiently understand and provide targeted responses to the distinct experiences of different cohorts?
- How can universities embed anti-racism into policy and practice?



- What can we learn from national and international promising practice and prevention?
- How can Government, universities and other stakeholders prevent racism and improve responses to racism?

The Study is designed with a strong commitment to anti-racism, including centring lived experiences and perspectives, trauma informed, facilitating cultural safety, intersectional and focusing on the systemic nature of racism. In addition, upholding privacy and ethical principles are also important components of the Study methodology.

(d) Deliverables

The Study deliverables will include:

- a robust survey instrument (and associated technical reports) for broader use across the tertiary education sector and as the basis for ongoing, longitudinal use in higher education
- a comprehensive literature review
- a report that includes Study findings and a series of recommendations for further work and/or action, for the Government and the university sector.

## 2 Current developments

Initiatives to promote anti-racism and improve the experience of staff and students in the university sector have been underway for some time. The focus on these issues has intensified since the announcement of the Study by the Department of Education in May 2024 and the Senate Legal and Constitutional Affairs Legislation Committee's Inquiry into Antisemitism at Australian Universities. This section maps developments, as well as initiatives from the government and the university sector, with reference to emerging issues and considerations for the Study.

### 2.1 Inquiry into a Commission of Inquiry into Antisemitism at Australian Universities Bill

In July 2024, the Senate referred the Commission of Inquiry into Antisemitism at Australian Universities Bill 2024 (the Bill) to the Legal and Constitutional Affairs Legislation Committee (the Inquiry). The purpose of the Bill was to establish a commission of inquiry with Royal Commission-like powers to comprehensively investigate and report on the prevalence, causes and impacts of antisemitism in Australian universities. The scope of the inquiry included examining the experiences of students and staff, the responses of universities and the effectiveness of existing mechanisms in addressing antisemitism.

The Inquiry received 669 submissions and conducted two public hearings. These submissions came from a broad range of stakeholders, including the Jewish community and student groups, universities, unions, government, advocacy groups, academics and individuals with lived experience of antisemitism on campus. The Inquiry examined issues related to:

- the experience on campus
- university response
- purpose and scope of the Bill
- commission of inquiry mechanism
- matters for inquiry by a commission
- actions of regulators
- alternative mechanisms for addressing antisemitism and other responses.

Insights and evidence from the Inquiry inform initial insights in this Interim Report and are considered in Part 4.

The Committee found that further action is needed to address antisemitism at universities and that a commission of inquiry would not be able to respond in an agile and timely manner. The Committee made three recommendations, including that Australian universities work with TEQSA and the Special Envoy to Combat Antisemitism to review and update complaints processes, that the Government refer an inquiry on the issue to the Parliamentary Joint Committee on Human Rights (PJCHR) and that the Bill does not pass the Senate. Coalition and Greens Senators made six dissenting recommendations.

(a) Parliamentary Joint Committee on Human Rights

On 29 October 2024, the Attorney-General referred the issue of antisemitism at Australian universities to the PJCHR for inquiry and report.

The PJCHR inquiry has been asked to examine:

- the prevalence, nature and experiences of antisemitic activity at universities
- university frameworks for the prevention of, and responses to, antisemitism at universities, including rules, policies and other measures introduced to ensure the safety and wellbeing of students, staff and academics
- the effectiveness and adequacy of these frameworks
- the support provided to students, staff and academics experiencing antisemitism at universities
- what policy or regulatory changes are required to better address and prevent antisemitism at universities
- any other relevant matters.

The PJCHR has been asked to report to both Houses of the Parliament by 31 March 2025. Public hearings to date have been held on 29 November and 12 December.

## **2.2 Government Initiatives**

The Australian Government has led initiatives related to safety and well-being on campus, social cohesion and measures to address vilification, discrimination and related matters.

(a) Australian Universities Accord

The Australian Universities Accord (the Accord) was released in February 2024, following a 12-month review of Australia's higher education system. Led by a panel of experts, the Accord makes wide-ranging recommendations to improve the quality, accessibility, affordability and sustainability of higher education. Specific to the Study, it recommends and clearly reinforces the requirement for inclusion and safety for all students.

(b) National Student Ombudsman

The Australian Government has introduced a National Student Ombudsman as a new statutory function of the Commonwealth Ombudsman. The Universities Accord (National Student Ombudsman) Bill 2024 passed both Houses on 28 November 2024.

The National Student Ombudsman will provide a mechanism for higher education students when they are not satisfied by their higher education provider's response. It will have powers to investigate student complaints and resolve disputes about a broad range of issues, including student safety.

The National Student Ombudsman will begin taking complaints from 1 February 2025.

(c) Tertiary Education Quality and Standards Agency (TEQSA)

The Tertiary Education Quality and Standards Agency (TEQSA) is Australia's independent national quality assurance and regulatory body for higher education. Its role includes ensuring that all higher education providers comply with key frameworks and legislation, such as the Higher Education Standards Framework (Threshold Standards) 2021, the Education Services for Overseas Students Act 2000 and the Australian Qualifications Framework. TEQSA's role is to protect student interests and uphold the reputation of Australia's higher education sector through regulation that supports diversity, innovation and excellence, using a proportionate, risk-based approach to quality assurance.

To address racism and rising tensions on university campuses, TEQSA has strengthened its collaboration with universities, government bodies and student groups. TEQSA has commenced a series of roundtables with universities, government and student representatives to jointly identify and address systemic barriers for providers in meeting obligations they have under the Higher Education Standards Framework (Threshold Standards) 2021 to assure student and staff wellbeing and safety, freedom of speech and academic freedom.

Following these consultations, TEQSA will issue a new statement of regulatory expectations and best practice guidance to further strengthen regulatory conformity by Australian universities.

(d) Special Envoys

The Australian Government has recently appointed:

- Ms Jillian Segal AO as the Special Envoy to Combat Antisemitism in Australia (July 2024)
- Mr Peter Khalil MP as the Special Envoy for Social Cohesion (July 2024)
- Mr Aftab Malik as the Special Envoy to Combat Islamophobia in Australia (September 2024).

Each of the Special Envoys will be engaged during the Study for their perspectives and recommendations.

(e) Commonwealth Criminal Offences (September 2024)

In January 2024, new offences came into force in the *Criminal Code Act 1995* (Cth) (Criminal Code) enacted through the *Counter-Terrorism Legislation Amendment (Prohibited Hate Symbols and Other Measures) Act 2023* (Prohibited Hate Symbols Act). These offences are for the public display and trade of prohibited Nazi and terrorist organisation symbols, the making of a gesture that is the Nazi salute, using a carriage service for violent extremist material and possessing or controlling violent extremist material obtained or accessed using a carriage service. The offences for the public display of prohibited symbols and the public performance of the Nazi salute are designed to prevent the use of Nazi and terrorist organisation symbols and gestures to harass and vilify communities targeted by neo-Nazi and terrorist organisation supporters in person and online.

On 12 September 2024, the Australian Government introduced the Criminal Code Amendment (Hate Crimes) Bill 2024. The Bill would strengthen and enhance Australia's legislative framework to combat hate crime by:

- strengthening existing offences for urging force or violence against groups or members of groups
- creating new offences for threatening force or violence against groups and members of groups

- expanding the groups that are protected under existing offences for publicly displaying prohibited symbols and giving the Nazi salute.

The Bill is currently before the Senate Legal and Constitutional Affairs Committee for inquiry and report by 12 December 2024.

(f) Anti-doxxing measures

On 29 November 2024, the Privacy and Other Legislation Amendment Bill (the Bill) passed Parliament. The Bill amends the Criminal Code and introduces new criminal offences to outlaw doxxing, which is the malicious release of personal data online.

The Bill imposes a maximum penalty of 6 years imprisonment for the malicious use of personal data and a penalty of 7 years imprisonment where a person or group is targeted because of an attribute such as their race, religion, nationality or national or ethnic origin.

The Bill also amends the *Privacy Act 1988* (Cth) and introduced a new statutory tort of serious invasions of privacy, intended to address gaps in the privacy protection framework. The tort complements the existing powers and protections in relation to doxxing and has a lower threshold than offences under criminal law.

(g) Social Cohesion Grants

The Government has announced \$25 million in new national measures to support social cohesion across Australian communities affected by the conflict in the Middle East.<sup>15</sup> These measures include initiatives to combat racism, hate speech and the spread of misinformation, to enhance mental health and wellbeing support, as well as targeted grants programs to support communities and social inclusion.

## 2.3 Australian Human Rights Commission Initiatives

(a) *National Anti-Racism Strategy*

Through funding from the Australian Government, the Commission has been developing a National Anti-Racism Strategy to tackle racism and promote racial equality in Australia. The Strategy includes:

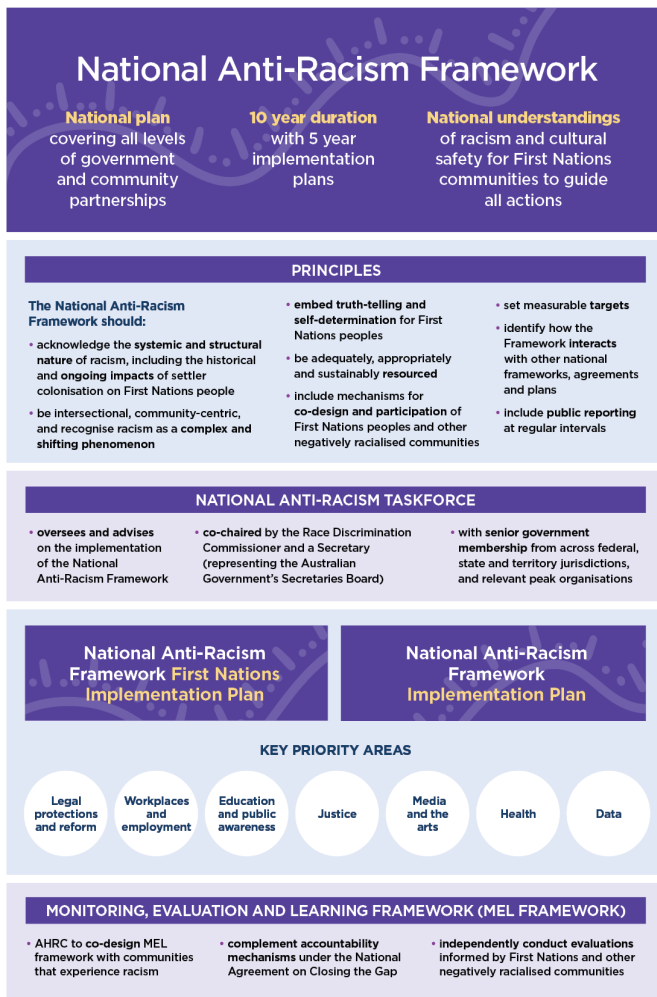
- a National Anti-Racism Framework that recommends actions by government, civil society, businesses and the community to tackle racism and promote racial equality in Australia

- a national anti-racism campaign that seeks to raise public awareness, deliver public education and build community capacity to combat racism and discriminatory attitudes.

The Commission launched the National Anti-Racism Framework in November 2024. The Framework is a vital step in addressing racism which recommends long-term holistic solutions to addressing racism in educational settings and other areas of public life.

The research, consultation and recommendations of the Framework all inform the Study with direct alignment to recommendations related to education, workplaces and legal protections and reforms.

The Framework proposes robust mechanisms to eliminate racism in Australia recommending that the Australian Government commit to the Framework, including national commitments over a 10-year period, with two 5-year implementation plans.



Other relevant intersections of the Framework and the Study are below.

(i) Education

Places of learning – from early childhood through to tertiary institutions – were identified as key settings for preventative education about racism, as well as the need for culturally safe mechanisms for students and staff to report racism.

The Framework recommends:

29. Australian governments and education providers (early childhood to tertiary) co-design and incorporate into curricula nationally consistent anti-racism resources and educational materials for staff and students that focus on recognising and rejecting racism:
  - a. in partnership with Aboriginal and Torres Strait Islander organisations and practitioners, including material about the historical and ongoing impacts of settler colonisation. This should be supplemented by local, place-based materials
  - b. in partnership with non-Indigenous anti-racism experts from negatively racialised communities, including material about Australia’s migration histories, contemporary forms of racism and ongoing impacts of discriminatory policies.
30. Australian governments and education providers (early childhood to tertiary) implement curricula reform:
  - a. in partnership with Aboriginal and Torres Strait Islander organisations and practitioners to embed First Nations knowledges, scholarship and texts across all disciplines
  - b. on the advice of other negatively racialised organisations and practitioners to better integrate knowledges, scholarship and texts authored by non-Indigenous negatively racialised people.
31. Australian governments and education providers (early childhood to tertiary) co-design with community experts, a nationally consistent, effective, comprehensive and culturally safe mechanism for students, staff, families and communities to safely and without fear of repercussions, report experiences of racism across educational settings and improve accountability, support and redress services.
34. Australian governments increase funding for research to address gaps in existing research and contribute to the evidence base on the efficacy of anti-racism initiatives and interventions in education settings, including systemic reforms.<sup>16</sup>



(ii) Workplaces

Universities are significant employers, with approximately 130,000 people employed as academic and professional staff.<sup>17</sup> Workplaces are vital settings for addressing racism, requiring policy reform, training, reporting mechanisms and strategies to increase First Nations and other negatively racialised senior leadership opportunities.

For workplaces, the Framework recommends:

18. All employers ensure that senior leadership have responsibility for organisational change on intersecting forms of discrimination, including racism, and that it is not solely placed on Aboriginal and Torres Strait Islander and other negatively racialised employees.
19. Medium and large employers in all sectors develop internal workplace anti-racism strategies. Strategies must include measures for preventing and responding to racism in the workplace, as an interim measure until **recommendation ten** of the Framework (which calls for the RDA to be amended to include a positive duty to eliminate racial discrimination) is implemented.
20. Employers, including governments, commit to the development and implementation of ongoing, mandatory workplace anti-racism training, resources and educational materials with anti-racism organisations or practitioners.
21. Medium and large employers in all sectors develop an internal cultural safety framework for First Nations staff. This should complement their internal anti-racism strategies for all staff including non-Indigenous staff who experience racism.
22. Medium and large employers in all sectors develop, implement, monitor and evaluate strategies for hiring, promotion and retention of staff identifying as First Nations and from other negatively racialised backgrounds to increase representation in the workforce, particularly in leadership and senior roles.<sup>18</sup>

(iii) Legal protections and reforms

Universities are subject to the RDA which is an important source of protection for students and staff. However, Framework consultations highlighted the need to address systemic and structural racism in Australia beyond the scope of current

legislation. A major recommended reform includes the introduction of a positive duty under the RDA, which would require businesses and organisations- including universities- to have policies and procedures in place to prevent racism. This recommendation is similar to recent reforms to the *Sex Discrimination Act 1984* and also as proposed by the Disability Royal Commission for introduction into the *Disability Discrimination Act 1992*.

The Framework recommends:

10. The *Racial Discrimination Act 1975* be amended to include a positive duty, to eliminate racial discrimination,
  - a. by an employer, business or undertaking
  - b. in the provision of goods and services, with a particular focus on health, education, retail and hospitality, sport, housing and financial settings
  - c. in the access to places and facilities
  - d. in the provision of land, housing and other accommodation.
11. The *Racial Discrimination Act 1975* be amended to provide powers to the Australian Human Rights Commission to assess compliance with the positive duty in **recommendation ten** [above] and for enforcement. This includes providing the Australian Human Rights Commission with the power and funding to:
  - a. undertake assessments of the extent to which an organisation has complied with the duty and issue compliance notices if it considers that an organisation has failed to comply
  - b. enter into agreements/enforceable undertakings with the organisation
  - c. apply to the Court for an order requiring compliance with the duty.<sup>19</sup>

(b) *Department of Home Affairs Social Cohesion Measures Grant*

The Australian Government invited the Commission to apply for grant funding under the Department of Home Affairs Social Cohesion Measures Grant initiative in late November 2023. Through this grant, the Commission has received short-term funding up until June 2025 to support Muslim, Arab, Palestinian and Jewish communities affected by the Hamas-Israel conflict.

As part of this work, the Commission has commenced a program of community engagement and awareness raising about racism to support safety in Jewish,

Palestinian, Muslim and Arab communities, including the following initiatives to support the grant objectives:

- community consultations to inform anti-racism content and initiatives to support community-driven solutions
- a social media campaign to promote existing relevant anti-racism content
- the creation of new anti-racism campaign content.

This work complements the National Anti-Racism Strategy and Framework. It will align with a human rights-based approach, centring anti-racism and the perspectives of all affected communities.

The initial phase of the project involved engaging with peak bodies, representative organisations, community groups and other stakeholders to understand the key issues affecting communities. Consultations are ongoing and have included 55 stakeholders from Arab, Jewish, Muslim and Palestinian communities, various independent organisations, academic research groups, government offices and media organisations.

## **2.4 University Initiatives**

Australia's university sector comprises 42 institutions, including six dual-sector universities that integrate higher education with vocational education and training (VET). Around 1.4 million students attend Australian universities.<sup>20</sup> International student numbers fluctuate but in 2024, around 467,000 international students were enrolled. Universities are major employers, with over 130,000 academic and professional roles.<sup>21</sup> Funded by the Australian Government and student contributions, universities are also one of the largest exports for Australia, worth \$36.4 billion to the Australian economy in 2023.<sup>22</sup>

Universities must ensure safety while also promoting diversity and inclusion, ensuring that these efforts are aligned with their commitments to academic freedom and freedom of speech. Historically, many universities have addressed racism within the framework of broader diversity, equity and inclusion initiatives or Reconciliation Plans. Recently some institutions have begun to implement standalone anti-racism policies. Campus protests have increasingly brought attention to the need to address racism within universities. The adequacy and effectiveness of these measures are critical areas of focus for this Study, with initial insights provided in Part 3.

This section focuses on recent university initiatives addressing protests on campus, reflecting the considerable attention this issue has received over the past year. This is only an initial exploration of university initiatives. The next phase of the Study will conduct a comprehensive audit to evaluate university policies and processes to address racism holistically.

(a) Universities Australia

UA is the peak body representing Australia's universities. UA works with its 39 member universities to ensure they meet the Threshold Requirements, including promotion of equity and access. UA has been working closely with members, including developing a sector-wide working group on antisemitism.<sup>23</sup>

(b) Group of Eight

The Group of Eight, representing the University of Western Australia, Monash University, Australian National University, University of Adelaide, University of Melbourne, UNSW, University of Queensland and University of Sydney, has made public statements against racism in the context of antisemitism on campus:

- **Statement of Eight Principles on Demonstrations on Campus-** 'upholding rights of expression and peaceful assembly while rejecting any form of hate or prejudice, including antisemitism and islamophobia'.<sup>24</sup>
- **Berlin Statement-** co-authoring international statement committing that 'principles of freedom of speech and academic freedom are cherished and remain upheld, but where antisemitism, islamophobia and racism in any of its forms, as well intimidation and harassment, are never tolerated.'<sup>25</sup>

(c) Examples of individual university initiatives

Responses vary across universities, but common elements include:

- inclusion of a prohibition against racism in existing policies
- stand-alone anti-racism policies
- complaints mechanisms, including some specialist complaints services
- support for wellbeing through counselling services
- engagement with student groups.

In the context of antisemitism on campus, universities have expanded counselling services, allocated safe spaces and made special consideration provisions available for impacted students.

Below are some examples of university initiatives. These examples are non-exhaustive. Perceptions of the adequacy and effectiveness of university responses is a key area of focus for the Study and initial insights are included in Part 3.

(i) Monash University

Monash has an Anti-Racism Statement that focuses on eliminating racism towards Aboriginal and Torres Strait Islander Peoples, as well as other peoples of diverse races, ethnicities, nationalities, cultures and religions. It incorporates the International Holocaust Remembrance Alliance definition of antisemitism. The Anti-Racism Statement is supported by a multidisciplinary unit that investigates incidents.

Monash has also invested in initiatives to foster social cohesion and reduce campus tensions, such as the Campus Cohesion Project <sup>26</sup> led by Associate Professor David Slucki and Dr Susan Carland, which addresses antisemitism and Islamophobia. These programs aim to build stronger dialogue and improve classroom safety for all students.

(ii) UNSW

In response to the escalating conflict in the Middle East, UNSW updated its Anti-Racism Policy to include provisions on Anti-Religious Vilification. UNSW also established a task force to ensure the safety of students and staff, enhance physical security, expand counselling services and revise protocols for posters and notices. UNSW has communicated with students and staff about available support mechanisms and safety measures.

(iii) University of Melbourne

The Anti-Racism Commitment was published in 2023, supported by the Anti-Racism Action Plan in 2024. Both documents are aligned with the Reconciliation Action Plan and Indigenous Strategy.

In response to protests on campus about conflict in the Middle East, the University of Melbourne has re-communicated its policies and expectations to staff and students, ensuring clarity about acceptable behaviours. They have also provided a private safe space for the Melbourne University Jewish Students' Society and have maintained regular contact with Jewish student representatives. Additionally, the university has implemented a fast-track response system for removing offensive materials reported through the SafeZone App.

(iv) University of Sydney

The University of Sydney Senate engaged Bruce Hodgkins AM SC to review policies and procedures following encampments. Completed in November 2024, the review notes that the University of Sydney has already taken steps, including making camping on campus an unacceptable activity, prohibiting protests in buildings through the introduction of the Campus Access Policy, reviewing policies, procedures, complaints processes and increasing campus security.

Specific recommendations relate to:

- improving transparency with regular public reports on complaints and penalties to build confidence in the University's complaints process
- establishing a single complaints office to streamline reporting and resolution processes
- holding student and external organisations accountable for policy breaches, with possible sanctions including withdrawal of funding.<sup>27</sup>

The University of Sydney Senate has agreed in principle to implement these recommendations.

## 3 Initial insights

This section summarises the initial consultations conducted by the Race Discrimination Commissioner and Study team. These consultations were preliminary in nature and were not exhaustive. They were a starting point upon which the Commission will build, with the intent of capturing the full diversity of views within the community, as the Study progresses. Other research and sources, including the Inquiry into Antisemitism in Universities, also support these preliminary findings.

Initial stakeholder consultations have also focused heavily on Study design issues to ensure best-practice stakeholder engagement. These considerations have informed the methodology design.

### 3.1 Experiences of racism are pervasive

Initial consultations have highlighted the pervasive nature of racism on campus. While there is no comprehensive data source until the Study survey is completed, smaller surveys indicate a high prevalence of experiences of racism for students and staff.

- (a) National Tertiary Education Union Survey - 2<sup>nd</sup> Report on Cultural Respect, Racial Discrimination, Lateral Violence and Related Policy at Australia's Universities

The National Tertiary Education Union (NTEU) has surveyed Aboriginal and Torres Strait Islander staff in Australian universities about experiences of racism, cultural disrespect and lateral violence. The survey received 149 responses, representing 29.9% of NTEU members and 11.1% of Aboriginal and Torres Strait Islander staff in universities.

The most recent survey data available (2018) found:

- 75% of Aboriginal and Torres Strait Islander staff reported experiencing racism in the workplace, marking a 13.1% increase since the last survey 2011
- colleagues were identified as the primary perpetrators (47.7%), followed by middle management (42.3%) and senior management (30.2%)<sup>28</sup>
- 90.7% of respondents experienced disrespect for their cultural obligations

- disrespect was mostly perpetrated by colleagues (55%) and middle management (54.4%)
- 68% of universities have anti-racism policies, but only 4.5% were considered effective in resolving workplace issues
- 66.3% of respondents reported experiencing lateral violence.<sup>29</sup>

(b) Australian Jewish University Student Experience Survey

The Australian Jewish University Study Experience Survey was published in 2023. Based on a national survey with 563 responses, the survey found:

- 64% of respondents experienced antisemitism at university
- 57% of respondents have hidden their Jewish identity at university to avoid antisemitism
- 85% of students did not make a complaint, and of those that did complain, 61% were dissatisfied with the outcome.<sup>30</sup>

(c) Racism at the University of Melbourne Report

The University of Melbourne Student Union surveyed students' experiences of racism in 2023. Based on 855 responses, it found:

- 34% of respondents experienced racism
- 42% witnessed racism
- 44% reported feeling treated differently due to their racial or ethnic background.<sup>31</sup>

(d) Australian National Imams Council Survey

The Australian National Imams Council (ANIC) highlight 2024 survey data related to tertiary institutions in the ACT, finding:

- 56.2% of respondents have frequently or occasionally witnessed or experienced Islamophobic or anti-Arab behaviour
- 62.5% report negative mental health impacts due to discrimination and unsafe campus conditions
- nearly 50% feel unsafe wearing cultural or religious attire, such as the hijab or keffiyeh, on campus



- 32% believe their institutions provide adequate support to address these issues
- nearly 70% perceive institutional communications as biased against Palestinians, Arabs and Muslims.<sup>32</sup>

(e) Initial consultations

Initial consultations conducted by the Commission indicate that experiences of racism are commonplace for First Nations and other negatively racialised groups. For instance, initial consultations with the National Aboriginal and Torres Strait Islander Postgraduate Association (NATSIPA) suggested that a significant number of First Nations postgraduate students complained to NATSIPA about experiences of racism.

Consistent with the Australian Jewish University Student Experience Survey, the Commission's initial consultations with Jewish students reported escalating experiences of antisemitism on campus since October 2023. The Commission consulted with a Palestinian community group who also highlighted increased experiences of racism and Islamophobia towards Muslim, Arab and Palestinian students in university settings. First Nations academics have also reported deeply entrenched racism in consultations.

### **3.2 Diversity of experiences of racism**

Initial consultations reinforce that racism manifests in a variety of ways and is experienced differently by individuals and different groups. These insights are based on consultations to date, noting that this has not been exhaustive. The Commission will continue to engage a broad range of students and staff. However, it is clear that historical dimensions and power structures shape experiences of racism and university response. Common themes have emerged related to experiences of overt racism, as well as a pervasive experience of being excluded from systems that maintain white privilege, reflecting the National Anti-Racism Framework:

Our systems are built to maintain white privilege. Those who are white can successfully navigate, access and lead systems and institutions without having to shed their language, culture, religion and other parts of themselves.<sup>33</sup>

The Commission's 'Seen and Heard' project has also informed these insights. In particular, the Commission heard that while some experiences of racism are common, such as dehumanisation, different forms of racism have unique

aspects. In initial consultations, the Commission was told that antisemitism is a specific, distinct form of racism embedded in centuries of vilification and persecution. The Commission also heard that Islamophobia stereotypes all Muslims as terrorists while also seriously endangering individuals who 'look Muslim'. Additionally, racism has a specific and often disproportionate impact on women, young people, people with disability and those living in regional areas of Australia.

Adding to this complexity is the diversity, distinction and overlap between communities: for example, not all Muslims are Arab, not all Palestinians are Muslim, and not all Israelis are Jewish.

These insights help the Study attune to the diversity of experience, ensure that recommendations are nuanced and move beyond a one-size-fits-all approach to anti-racism. A key consideration in the next phase of the Study will be understanding whether existing approaches to address racism in universities are sufficiently nuanced to respond to the diversity of experiences.

(a) First Nations experience

Increasing the number of First Nations students who complete university has been identified as a priority for the National Education Accord. It aligns with the Closing the Gap target to ensure First Nations students are supported to participate and succeed in higher education. The Australian Government has made significant commitments, including uncapped university places for First Nations students and the Indigenous Student Success Program (ISSP) to fund universities to support students.

However, Commission consultations highlighted the ongoing impact of racism on First Nations students. Limited understanding of the historical and systematic discrimination faced by First Nations students and ongoing experiences of racism hamper efforts to increase participation. One academic at the Study's initial First Nations Academics Roundtable noted, 'Racism is embedded in every space. You can't go into a university and not breathe it'.<sup>34</sup>

Research shows that First Nations students have lower completion rates than their non-Indigenous counterparts, with a nine-year completion rate of 47%, compared to a 74% nine-year completion rate for non-Indigenous students.<sup>35</sup> The impact of racism is well established in the research and cannot be underestimated as a contributing factor to completion rates. Researchers describe racism for First Nations students as:

Multifaceted in nature and can include: verbal racism (name calling, jokes), behavioural racism (ignored, avoided, stared at), institutional discrimination (unfair treatment) and macro-level racism (denial of Aboriginal views of history, dominance of White values).<sup>36</sup>

Academics at the Study's initial First Nations Academics roundtable also outlined some of the practical challenges for First Nations students, particularly as many are 'first in family' attending university and can struggle with the transition to university. The path to student disengagement can start with seemingly minor practical issues, for instance:

Knowing where to find classes, being late and not wanting to walk into class by yourself, not knowing how to access resources or libraries, not knowing what to do if you need to hand an assignment in late.<sup>37</sup>

These issues are often compounded by lack of social and cultural support and financial pressures, such as:

Cost of living, moving off country, having to find student accommodation... trying to balance work and family commitments, family getting sick and people having to leave university to go back to country to care for family members.<sup>38</sup>

Where culturally safe support from specialist First Nations units is provided to students, the Commission heard of significantly improved outcomes for students. However, resourcing is a significant constraint, with unsustainable workloads for staff.

The impact of racism in universities has recently been an area of focus for the Yoorrook Justice Commission, the truth-telling inquiry into historical and ongoing injustice against First Nations People in Victoria. Yoorrook received submissions and heard evidence from a number of First Nations academics, as well as Victorian universities. For instance, the submission from the Indigenous Law and Justice Hub at Melbourne Law School, highlighted that:

Law schools have not been culturally safe places for Indigenous students, lawyers and legal scholars. A lot of harm has been caused and there is a lot of healing which needs to be enabled.<sup>39</sup>

In Commission consultations, postgraduate First Nations students shared examples of racist language and regularly having individual achievements undermined as 'special treatment' rather than a result of merit. The effects of derogatory comments can be extensive, affecting both staff and students. Consultation participants suggested that some First Nations students are reluctant to access supports such as ISSP as they want to avoid other students criticising them for a 'handout' or special treatment. This undermines equity measures designed to address the historical and systemic racism and discrimination faced by First Nations students.

Again, the research evidence reinforces what the Commission heard in its consultations, with a study with First Nations graduates finding:

Danger and a lack of cultural safety can be found in classrooms when Indigenous students are called out as “experts”, when peers question their identity and ask culturally insensitive questions and when lecturers do not include “meaningful, appropriately developed and appropriately resourced” Indigenous content in curricula so that Indigenous students can see themselves in the curriculum.<sup>40</sup>

(i) Cultural/colonial load

In Commission consultations, First Nations academics also called out cultural load and/or colonial load in the context of experiences of racism. Cultural load is ‘the often invisible additional load borne by Aboriginal and Torres Strait Islander People at work, where they are the only Indigenous person or one of a small number of Indigenous People.’<sup>41</sup> This manifests in extra work demands, an expectation to educate others about Aboriginal and Torres Strait Islander People and racism and an expectation to represent all Indigenous People.<sup>42</sup> For example, the Indigenous Law and Justice Hub at Melbourne University submitted to the Yoorrook Justice Commission that:

There is a great risk that in working towards institutional change additional load is placed on the small numbers of First Nations People within law schools and that experiences of racism are exacerbated within the period of contestation that comes with organisational cultural change.<sup>43</sup>

In Commission consultations, First Nations academics, and academic and non-academic university staff from other negatively racialised backgrounds, noted that the burden of speaking up and educating falls on those who are most vulnerable.

The initial First Nations Academics Roundtable shared that students are regularly ‘put on the spot to speak on behalf of all Aboriginal People... which is really unnerving and intimidating.’<sup>44</sup> The impact for First Nations academics and staff is also severe, resulting in additional workload:

Most of us First Nations academics are regularly called in to provide lectures for faculties, and again, that just shows the laziness of our academic system that continues to think... we’ll just get that Aboriginal lecturer in and they can do this lecture.<sup>45</sup>

Participants noted that this level of cultural/colonial load is not sustainable:

We work with every single head of school, program convenor and course convenor and support them in embedding content into their courses. This

is obviously a colonial load because we are a really small unit and [it is] completely not appropriate and not sustainable.<sup>46</sup>

First Nations academics described expectations from universities that they would carry the cultural/colonial load:

Even though it is not on your PD [position description], you know... what is expected, without it being said, that you must carry that load. And if you do not fulfil that role, you're out the door.<sup>47</sup>

Others noted that increased cultural awareness of non-Indigenous staff has ironically, increased the load on First Nations staff:

Increased awareness equals increased cultural load because non-Indigenous academics want to do the right thing, but they think the right thing is tapping the very small number of Aboriginal academics to help.<sup>48</sup>

Finding respectful, sustainable ways to engage with First Nations staff and students needs to be balanced with an awareness that cultural capability and safety are everyone's responsibility and cannot be abrogated by First Nations Peoples, regardless of good intentions. Connected to cultural load is the concept of identity strain, which refers to 'the strain employees feel when they or others view their identity as not meeting the norms of expectations of the dominant culture in the workplace... [expending] effort and energy maintaining their identity in the workplace to avoid negative consequences of discrimination, harassment, bias and marginalisation.'<sup>49</sup> First Nations academics described the tensions that they face in balancing the expectations of their community and university norms and expectations. In Commission consultations, First Nations academics, and academic and non-academics staff from other negatively racialised backgrounds, described an exhausting and often fraught position when individuals speak up despite potential negative consequences to their careers.

(b) Jewish students and staff

The Commission's initial consultations with Jewish students outlined experiences and the increased prevalence of antisemitism since October 2023. Experiences of antisemitism are also documented in the Inquiry into Antisemitism in Universities and the Australian Jewish Student Experience Survey.

Jewish students and community groups note that antisemitism is an entrenched issue, with Stand With Us Australia submitting to the Inquiry 'that the events that occurred on 7 October 2023 were a 'catalyst' that exacerbated 'an already dangerous environment.'<sup>50</sup>

Jewish students shared their profound concerns about their safety and campus cultural climate. The Zionist Council of NSW submitted to the Inquiry:

Certain staff and students are too frightened to come to campus. We heard about teachers being harassed as they walk to halls to teach, we heard about students being silenced in class because of their Jewish identity. The experiences for the Jewish community of campus have become untenable for many.<sup>51</sup>

Examples of antisemitism documented in the Australian Jewish Student Safety Survey and their incidence include:

- intimidation by people or events (47%)
- tropes of Jewish money, power or influence (37%)
- comparing Israel to Nazi Germany (37%)
- antisemitism based on religion or race (31%)
- holocaust denial or minimisation (30%)
- singled out or excluded over Israel (25%).<sup>52</sup>

When asked about the most impactful incidents in the last 12 months, 29% of respondents reported that staff had participated in the antisemitism and 70% reported that staff were present but not involved and ignored the incident.<sup>53</sup>

The Commission's consultations with Jewish students have revealed that antisemitism significantly affected their sense of belonging. For instance, one Jewish student was told by her peers that they couldn't share a room with a Zionist, so she was forced to leave their accommodation. The Inquiry and Australian Jewish Student Safety Survey both document Jewish students concealing their identities. For instance:

Jewish students, regardless of their level of observance, now feel compelled to conceal their identities. They fear wearing symbols of their faith, discussing their education and travel experiences and most tragically, expressing who they truly are. It is inconceivable that in today's society, individuals should feel threatened simply because of their Jewish identity.<sup>54</sup>

While issues related to encampments have subsided, the Australasian Union of Jewish Students cautions:

This touted reduction in incidents is just as much a product of the reduction in Jewish students who feel comfortable and safe attending their campuses as it is a diminishment in the sentiment that we're seeing.<sup>55</sup>

The degree to which antisemitism is distinct from other forms of racism has been raised with the Commission, with views expressed that a tailored approach is required to address antisemitism. Some Jewish groups have suggested to the Commission that antisemitism can be effectively addressed through comprehensive efforts to address all forms of racism more broadly.

The next phase of the Study will consider this through fieldwork and consultation with stakeholders.

(c) Muslim, Arab and Palestinian staff and students

Muslim, Arab and Palestinian communities are not homogenous and are frequently conflated. Meeting with Muslim and Arab student groups has been challenging in the Commission's initial consultation phase because there are no central organisations that represent these students or academics. The Study team plans to connect with Muslim and Arab student associations at universities in early 2025 to begin consultations. However, initial consultations highlighted that political and media rhetoric often 'others' Muslims, Arabs and Palestinians and links them with terrorism, leading to feelings of exclusion, dehumanisation and isolation.

The Commission has heard from Palestinian representatives that Palestinian students are scared to speak up about racist experiences, with concern about academic and other ramifications, such as doxxing. Some of these organisations have received student reports that prayer rooms had been closed on campus. Students had also reported being required by staff to leave lectures and tutorials because their computers or notebooks had stickers of the Palestinian flag. Another student was told they could not wear their keffiyeh at a graduation ceremony. The Commission heard that Palestinian and Arab academic staff had received hate mail, death threats and experienced abuse on campus.

Consultations also revealed perceptions of differential treatment of Islamophobia, anti-Arab and anti-Palestinian incidents, compared to antisemitism. Some felt that while antisemitism resulted in harsh consequences, Islamophobia, Anti-Arab and anti-Palestinian incidents were treated less seriously.

These experiences are similar to previous consultations conducted by the Commission. The *Sharing the Stories of Australian Muslims*<sup>56</sup> report found that

Muslim Australians experienced racism in education settings, including universities.

Consultations also noted the challenges of addressing religious discrimination and its connections to the experience of racism in universities. Similarly, the *Sharing Stories of Australian Muslims* report found:

Participants noted current civil and criminal legislative mechanisms were insufficient to protect them from the harassment, discrimination and vilification they faced due to their religious background. More robust legal protection from Islamophobia and anti-Muslim hate was called for...<sup>57</sup>

The extent to which Islamophobia can be addressed through comprehensive anti-racism initiatives will be explored further in the next phase of the Study.

(d) Staff and students from African backgrounds

The Commission also engaged with students and staff from African backgrounds, who described frequent and severe incidents of racism, describing Anti-Black racism and sentiment. Some participants noted that they felt the need to moderate their natural ways of expressing themselves to avoid being seen as aggressive or conforming to the stereotype of an 'angry Black person.' This sort of self-moderation responded to tone policing with is the action of criticising the angry or emotional manner in which a person has expressed a view, rather than addressing the substance of the point itself,<sup>58</sup> and can undermine anti-racism.

Some students from African backgrounds are also international students, and the section below also relates to some of their experiences.

(e) Staff and students from Asian backgrounds

Students and staff from Asian backgrounds also shared experiences of overt and systematic racism. Particularly pervasive were 'model minority' stereotypes of Asian background individuals being hardworking, intelligent and able to excel in maths and science.<sup>59</sup> These stereotypes can limit opportunities and overlook discrimination and racism. Research from the Commission on anti-Asian racism also notes the impact of Australia's migration history and rise of anti-Asian racism since the COVID-19 pandemic.<sup>60</sup>

Again, some of the Asian background students are international students and the following section reflects their experiences.

(f) International students

International students come from all over the world. Currently 55% of international students come from five countries: China (22%), India (17%), Nepal



(8%), the Philippines (5%) and Vietnam (5%).<sup>61</sup> The growth in international student enrolments and the announcement of the international student cap in 2025 have placed international students in the spotlight, amplifying underlying experiences of racism.

Consultations with Welcoming Universities, an organisation promoting inclusive and welcoming campuses for international students, migrants and culturally diverse communities, have described a range of negative experiences faced by international students. These experiences include overt derogatory language, as well as racist attitudes and bias regarding academic proficiency.

For example, participants in the Commission's consultations reported that some teaching staff hold low expectations for international students, often assuming they rely on ChatGPT to complete their assessments. There have been instances where students questioned their grades, only to be asked by faculty members to provide their search histories or to justify their English proficiency. Additionally, international students have expressed concerns about communication issues, noting that some staff claim they do not understand students' accents. This has resulted in the requirement for additional English courses, even though many students already possess a high level of English proficiency.

International students often face exclusion and a lack of social support, struggling to find adequate guidance and assistance. Students shared stories of feeling unwelcome and viewed as a commodity or 'cash cow' for universities.

Consultations with international students and the Advisory Committee further highlighted the precarious position of these students due to their visa conditions. Many international students express genuine fear of reporting incidents of racism and discrimination, worried that it may compromise their visas and lead to their deportation. This aligns with research conducted by the Asian Australian Alliance in the context of COVID-19, with international students accounting for 15% of respondents to their survey and 80% of that cohort from a mainland Chinese background.<sup>62</sup> Many international students work to support themselves during their studies, so any risks to their visa and work rights are fundamentally tied to their educational experience.

#### (g) Intersectionality

Intersecting identities and marginalisation were featured as critical considerations across many consultations. There was a strong recognition that experiences of racism were compounded for women and people with disability. For instance, international students noted that they were often neglected in consultation and outreach support related to accessibility and disability

inclusion. Female academics also described the additional layer of sex discrimination over institutional and systemic race discrimination.

Understanding intersectional experiences is a priority for the Study and is a key consideration for the survey and fieldwork component.

### **3.3 Low racial literacy**

Racial literacy is the ability to name, understand and confront racism and is made up of an essential set of skills that:

- enable critical and intersectional understandings of racism and how race operates in society
- increase awareness of the power dynamics that influence the process of racialisation and racist practices, systems and structures
- equip people with tools to understand and challenge racism
- are built over a lifetime and involve continuous learning and unlearning, including normalised practices, ways of being and knowing and understandings of history, particularly in relation to colonisation
- are determined by the needs of communities who experience racism.<sup>63</sup>

Low racial literacy was discussed across many of the consultations as an inhibitor of anti-racism in universities. On one level, low racial literacy manifests in individuals not recognising racism. For instance, international students suggested that they may not be able to recognise racism when it happens to them. When students describe unwelcoming situations, they may be encountering racism, but they often lack the racial literacy to identify it.

On the other hand, consultations also suggest that conversations about racism are shut down and there is a reluctance to discuss institutional and structural racism. In consultations, academics from negatively racialised backgrounds noted that concepts of racialisation were not discussed openly in universities and there is a reluctance to interrogate concepts of negative racialisation that aim to make power dynamics and white privilege visible. Anti-black racism was specifically called out as symptomatic of this, with academics arguing that Black people are the furthest from the 'line of whiteness so they experience the worst and most intense form of racism.' In consultations, academics spoke about feeling gaslit when they raised issues of institutional and structural racism. The discomfort in discussing race contributes to silencing experiences and shifts focus from institutional to interpersonal racism.

### 3.4 Impact of racism on students and staff

The harmful impacts of racism are well established in the literature, with detrimental effects on mental and physical health<sup>64</sup> and contributing to poorer life outcomes. In the context of universities, the Commission's initial consultations have highlighted the negative implications for students and staff, impacting academic performance, wellbeing, retention and progression.

#### (a) Student experiences

Students shared experiences of racism, leaving them feeling unsafe and unwelcome, impacting their engagement and performance at university.

Jewish students impacted by protests on campus and experiencing antisemitism described staying away from campus and not feeling safe to attend lectures. This is supported by the Australian Jewish University Student Experience Survey, where 19% of respondents reported staying away from campus to avoid antisemitism, increasing to 27% of respondents who have experienced antisemitism.<sup>65</sup>

Jewish students also described the negative impact of antisemitism on their mental wellbeing, with one student submitting:

Since the beginning of my university experience, the protests...have heavily affected my mental health and ruined my intended university experience... We want the university to acknowledge the pain and suffering Jewish students have faced since October 7th and, building on this, support Jewish students on campus by allowing us, as paying students, to enjoy the same experiences as other paying students, equally.<sup>66</sup>

The Australasian Union of Jewish Students notes concern that these negative impacts are becoming entrenched:

What we've noticed, and it's something that we warned about at the very beginning of all of this, is there have been behavioural adaptations in students as a response to what they have been facing. We saw it before 7 October, where students were already hiding their identity, but now what we're seeing is students aren't even coming onto campus.<sup>67</sup>

Students also raised issues about access to special consideration following these experiences. Jewish students described feeling exhausted by the toll of recent events.

In the Commission's consultations, students from African backgrounds noted that it could be more difficult for them to access placements given workplace discrimination and bias, consequently creating barriers to progress in their coursework. Practical placements were also noted as an issue for the broader international student cohort, with concerns about the quality of placements on offer and experiences of racism when completing the placement. With numerous university qualifications that require practical components, this poses a significant challenge for universities. Successful completion of placements is a requirement for these degrees, and it is concerning if students are failing or choosing to withdraw based on poor experiences. This will require careful consideration of how to educate and regulate course requirements off-campus.

Ongoing questioning of English language proficiency and suspicion that international students cheat contribute to poor student experiences and often disengage them from studies. Students told the Commission how important it is to feel welcome and trusted. Without these feelings of belonging, student experience and performance can decline and lead to disengagement from university.

International students described a lack of diversity among academic staff, with students finding it difficult to see themselves represented in faculties and leadership positions. The lack of visible role models can be a barrier to progression to higher degrees, undermining feelings of belonging and inclusion.

Recent research also highlighted a bias in academics in responding to emails from people with non-white sounding names. The research, which looked at the propensity of academics to answer emails about a meeting to discuss potential PhD supervision, found that white sounding names averaged a 7% higher reply rate and a 9% higher positive response rate than the non-white sounding names.<sup>68</sup> This experience was echoed in consultations with some academics describing similar experiences.

#### (b) Staff experiences

In initial consultations, First Nations academics, and academics from other negatively racialised backgrounds, described numerous examples of interpersonal and institutional racism. General themes emerged around feeling 'othered' and less confident expressing their opinions or identity. Workplace structures, with high levels of casualisation and a hierarchical academic structure, compounded this.

For instance, academics who spoke with the Commission highlighted how negative student feedback can perpetuate racism, particularly for those teaching challenging subjects such as race theory or Australia's settler colonial foundations. Anonymous feedback from students can be hurtful and, at times,

racist. Poor student feedback can jeopardise casual employment or hinder career progression. The Commission heard that some academics adjust their teaching of these more challenging topics to avoid negative repercussions. This, in turn, leads to a decline in racial literacy within universities, as academics who can teach these subjects become concerned about the impact on their careers and are less willing to address 'difficult knowledge' such as colonisation and white privilege.

The Indigenous Law and Justice Hub also described how these dynamics can add to the cultural and colonial load for First Nations academics:

The 'minority status' of Indigenous Peoples in the field of legal education and the cultural divide between non-Indigenous students and Indigenous educators ... see students emotionally reacting to having their own world view challenged and add to the already significant colonial load for educators.<sup>69</sup>

In Commission consultations, First Nations academics provided an example of a non-Indigenous student writing an entire essay about their frustrations about needing to learn about Aboriginal and Torres Strait Islander health, full of discriminatory language. Staff 'escalated [the matter] under academic misconduct but because the student didn't threaten anyone specifically, there was nothing done about the case.'<sup>70</sup>

In Commission consultations, First Nations academics described the lack of cultural safety directly impacting their career decisions. One academic described their teaching experience as 'terribly unsafe' and led to moving away from teaching roles to pure research roles. The Commission heard that First Nations academics feel 'invisible', that course coordinators took credit for their work, especially related to cultural knowledge. The additional cultural load of supporting First Nations students and colleagues can also create negative impacts:

We've got to work with the students who are dealing with [racism] and our colleagues who are perpetrating colonial violence onto students. We aren't rewarded for that. In fact, we are actually being punished for the work we need to do to keep students safe.<sup>71</sup>

Some academics felt that other faculty members were less likely to collaborate with them if they were known for their strong views. Again, this could result in reduced research and promotion opportunities. Academics described being punished for being outspoken about race issues, ranging from reprimands to

being pushed out of academia. These negative actions can be subtle and hard to prove as discrimination.

The Commission heard that career progression, especially moving into senior leadership roles, continues to be compromised by systems that don't recognise the contributions of First Nations academics and are not culturally safe. The initial First Nations Academic roundtable shared that the work First Nations academics do often 'doesn't fit the metrics for progression.' Participants felt that there was a lack of support for First Nations People in senior leadership roles:

They romanticise our knowledge, but they would never put us in those real leadership positions because to do that, they have to acknowledge something about themselves that they are not ready to do.<sup>72</sup>

Participants felt that progression for First Nations People into mainstream leadership positions was more challenging due to systemic bias.

While the Roundtable noted pockets of support for First Nations senior leadership, broader systemic change is required to extend this across the sector. One participant noted:

If the systems are still perpetuating colonial violence and racism, when we talk about Indigenous representation, I think it needs to sit within an ecosystem of governance and leadership that is culturally safe.<sup>73</sup>

### **3.5 Lack of safety and support on campus**

Campus protests due to the escalating conflict in the Middle East have raised tensions in some locations, sparking antisemitic, Islamophobic, anti-Arab and anti-Palestinian experiences for some students. The Inquiry noted that 'pro-Palestinian encampments varied from university to university...some were respectful protests while others felt they created an environment which was unwelcoming to those with opposing views.'<sup>74</sup>

Jewish students who have spoken with the Commission describe feeling unsafe on campus. For instance, one Jewish student reported feeling so unsafe in their accommodation that they resorted to sleeping in their car. This aligns with many of the submissions to the Inquiry:

...the actions of the encampment go further than belittling and degrading all Jews on campus. The immediate effect of these and other actions of the encampment have resulted in a palpable level of anxiety and, at times, fear among my Jewish peers on campus...Just simply talking with my friends and community, it is clear that many of us are frightened and

scared walking around campus and do not feel comfortable nor safe at times.<sup>75</sup>

My younger brother currently 'attends' University. I say 'attends' loosely, because in reality, he is afraid to step foot on campus. He is afraid to be confronted or targeted. He is afraid to be proud of his heritage. He is afraid that, because he believes in the Jewish right to self-determination and safety in the Jewish ancestral homeland, we will be ostracised, doxxed, harassed or attacked.<sup>76</sup>

Ms Segal AO also submitted:

The Jewish students are traumatised and feel isolated and unsafe. They are not participating as they should in university life. They have been told by their university administration to stay home for their own safety.<sup>77</sup>

In initial Commission consultations, Jewish students expressed a nuanced view of the balance between safety and protest, acknowledging that:

...putting a tent on a university lawn is not antisemitic, advocating for Palestine is not antisemitic. But there are moments that crossed the line where you see demonisation and social exclusion.

In Commission consultations, concerns were raised about postering linked to neo-Nazi groups and other extremist actors on campus.

The Inquiry reported on a range of actions taken by universities to respond to protests and provide a safe, inclusive environment and noted that some responses were more effective than others. The large majority of submissions to the Inquiry described the responses as inadequate. Similarly, Jewish students told the Commission in initial consultations that responses did not adequately address their concerns.

In its initial consultations, the Commission also heard about the experiences of Palestinian students and students of other backgrounds feeling unsafe during the protests and encampments. For instance, the Commission heard of a Palestinian student who was confronted and intimidated on campus.

Evidence from TEQSA to the Inquiry notes that the number of complaints has slowed since June 2024, 'consistent with protest camps closing down. And many universities commencing the mid-year break.'<sup>78</sup> Regardless, consultations indicate that feelings of safety and support need to be fostered across the university community.

### 3.6 Dissatisfaction with complaints mechanisms

Lack of confidence in complaints mechanisms was a common theme across consultations with both students and staff, leading to reluctance to report experiences of racism. There were concerns expressed that making a complaint could be detrimental, particularly for international students who fear risks to their visa status, as well as for early career academics on casual contracts.

Low cultural capability within complaints processes was also described in consultations. For example, the Commission heard that First Nations complainants were made to feel that their complaints weren't valid or of a serious enough nature to pursue. Student complainants were often referred to Aboriginal units rather than formal complaints processes. While Aboriginal units are important sources of support, they are not equipped to deal with complaints.

International students described similar experiences of being referred to international student support services rather than their concerns being properly heard and addressed through appropriate processes. Support services for international students are limited and the scope of the services that are available does not extend to dealing with complaints relating to experiences of racism.

Dissatisfaction with complaints was often related to differential treatment. For instance, the Commission heard from an African-background postgraduate student who had raised concerns about the standard of the course content being taught. While they were able to participate in a formal complaints process, they felt overly scrutinised and felt that they were ultimately pushed out of the course for raising their concerns. This student noted that others in the course from non-racially marginalised backgrounds also raised similar complaints and their experience of the complaints process was vastly different, with far more positive outcomes.

The Commission is aware of academics resigning from positions due to dissatisfaction with the way complaints about institutional racism were dealt with.

The adequacy of complaints mechanisms has also been under scrutiny in relation to antisemitism and the handling of protests on campus. Jewish students told the Commission that while universities have good policies related to discrimination, it is still a matter of choice for universities to use these mechanisms. While some universities dealt with complaints quickly, others did not. The Inquiry heard that Jewish students felt complaints would not be taken seriously:

A significant frustration among Jewish university students is the lack of seriousness or concern with which their peers, academic and university staff respond when they share experiences of antisemitism. This



generates a feeling of helplessness and sense of personal or Jewish devaluation within the university culture and Australian society.<sup>79</sup>

Other submitters argue that this low confidence leads to underreporting of antisemitism on campus.<sup>80</sup>

### **3.7 Disjuncture between policy and practice**

All universities are required to meet TEQSA's Threshold Standards, including requirements related to diversity, student and staff safety and wellbeing, and academic freedom. Most universities comply with this through policies and procedures related to discrimination, bullying, sexual harassment and in some cases, anti-racism. These policies are usually supplemented by university diversity and inclusion units.

While many who participated in the Commission's initial consultations were supportive of these policies, some observed a mismatch between intention and impact. In addition to concerns raised about the efficacy of the complaints mechanisms above, some consultations were critical of the tokenism of diversity and inclusion practices and policies. Some academics have suggested that while there is a strong push for diversity in recruitment, this is not accompanied by an inclusive culture. Individuals are often expected to adapt and conform to existing cultures and norms, rather than being allowed to express their identities authentically. While diversity and inclusion initiatives are seen as well-meaning, they don't necessarily translate into systemic change.

Similarly, lived experience participation and perspectives are often viewed as limited in university diversity and inclusion initiatives. For example, the Commission heard that the perspectives of international students are not always included, and Palestinian students expressed criticism of anti-racism initiatives that fail to incorporate a Palestinian perspective.

### **3.8 Curriculum reform**

Universities in Australia have emerged from a colonial history, emphasising a Western view of knowledge. In recent years, there have been promising moves to broaden the curriculum and particularly include First Nations perspectives. Critically assessing the university curriculum and actively embedding other decolonised perspectives will enable greater racial literacy and practically progress anti-racism.

However, consultations suggest that progress is uneven and at times, contested, with some backlash from staff and students. Academics described resistance

towards teaching subjects like critical race theory and First Nations history. The inclusion of First Nations perspectives in courses, including mandatory components has led to mixed responses, including some backlash:

There are students that are well engaged, and we do get students that are very thankful for learning this historical context and being able to unpack their bias, because we all have bias. But then... it ignites some racism... it also opens up conversations like, why are we only learning about Aboriginal and Torres Strait Islander People?<sup>81</sup>

Other First Nations academics felt that the 'Indigenisation of the curriculum has led to more overt racism.'<sup>82</sup>

When First Nations content is added to courses, some academics felt it was tokenistic. For instance, the Commission heard that when content on First Nations perspectives and history is added into courses, it is not always assessed, so students focus on the content they will be assessed on. The mode of delivery can also impact how this content is received. The initial First Nations Roundtable noted that many mandatory courses related to First Nations issues are taught through online modules, limiting the:

safe space to critically engage with the content...it's a lack of being able to unpack and ask questions. People sitting by themselves... and just stewing on information.<sup>83</sup>

First Nations academics also linked curriculum reform with broadening the pipeline for professions. For instance:

[First Nations] students get taught this Western knowledge and it actually doesn't make sense to them, and they feel like they... don't fit, don't belong... that they have no space within this profession because they can't see themselves in the content...I've engaged them in Indigenous knowledges and ... that has made a huge difference.<sup>84</sup>

Consultations with students from negatively racialised backgrounds also observed Eurocentric approaches to content. For example, international students remarked on the way content about China is taught, describing it as 'orientalist' and degrading.

### **3.9 Balancing academic freedom and freedom of expression with safety and non-discrimination**

Academic freedom is a foundational principle in Australian universities, allowing debate to further intellectual development. Universities should be places where ideas can be questioned, and different views can be respectfully shared.

The Model Code for Protection of Freedom of Speech and Academic Freedom (2019)<sup>85</sup> by Chief Justice Robert French (French Code) informs policies across most universities. TEQSA's Threshold Standards also require all universities to safeguard academic freedom. Universities and people working or studying in them also have responsibilities under Commonwealth, state and territory legislation, including the RDA, not to engage in racial discrimination or vilification.

Freedom of expression is vital. It is critical to Australia's liberal democracy, the pursuit of science, commerce, art, public debate, private discussion and more.

Australia has promised to uphold people's right to freedom of expression under international human rights treaties such as the International Covenant on Civil and Political Rights.<sup>86</sup> However, freedom of expression is not explicitly protected under Australian law. There is no national Human Rights Act or similar instrument that protects freedom of expression. The Australian Constitution has limited protection of freedom of expression through the implied freedom of political communication. At the state and territory level, freedom of expression is protected under human rights laws in Victoria, Queensland and the Australian Capital Territory.<sup>87</sup>

Under international and domestic human rights law, freedom of expression is not absolute; it can be limited, in broad terms if the limitation is reasonable and justified.<sup>88</sup> Preventing racial vilification and incitement of violence are justified limitations on freedom of expression.<sup>89</sup>

Despite the existence of policies around academic freedom at universities, the Commission heard that the definition of academic freedom in practice remains a topic of debate. The challenge of balancing academic freedom and freedom of expression with the right to safety and non-discrimination is constantly being tested, with differing views on events in Gaza, Lebanon and Israel highlighting these complexities.

The Inquiry reported on a range of perspectives about academic freedom and freedom of expression, consistent with themes heard by the Commission during consultations. There is broad agreement that universities should protect academic freedom but not when it 'crosses the line into illegal or hate speech.'<sup>90</sup>

The Commission heard that academic freedom is used as a 'cover' to express racist views. While some raised issues about antisemitism on campus, particularly in relation to protests, conversely, students who participated in pro-Palestinian protests felt that their right to express themselves was being curtailed. International students also raised concerns about academic freedom as a cover for derogatory views on China.

The balance between academic freedom and freedom of expression and safety has been difficult to achieve in relation to protests, particularly the ‘tension between having psychologically safe environments and allowing free speech.’<sup>91</sup> Professor Genevieve Bell, Vice Chancellor of ANU explained some of these tensions and limits of current policies:

We have also found that the limits of legislation, our own rules, how freedom of speech arose as a set of rights and as a set of policy settings—and you’re right from the French review—manifests itself is often attributed to an individual’s act. But the notion of how someone experiences that can be a collective thing, and the tension at law between a rule and a legislation that adheres to an individual, and notions about harm—which are often collective—don’t harmonise well.<sup>92</sup>

Consultations with academics also raised questions about the way safety is interpreted and balanced against academic freedom, with suggestions that the ‘language of safety has been weaponised’ in some instances. Universities face the challenge of fostering a respectful learning environment while also permitting some discomfort in engaging with difficult ideas. This issue is especially noticeable when teaching critical race theory and similar topics, and links to a lack of racial literacy.

Academics also described limits to their academic freedom, with prevailing institutional and cultural norms impacting their ability to speak freely. First Nations and other negatively racialised academics reported needing to moderate their views at times, aware of the risk of being ‘cancelled’ or other negative career ramifications. A First Nations academic describes the experience, ‘you’re on this tightrope of making change, but also making sure the rope doesn’t swing out too far.’<sup>93</sup>

### **3.10 Challenges of finding a common language and definitions**

The Study is dedicated to prioritising lived experiences, being inclusive to understand the wide range of experiences and not rushing to settle on definitions without thorough consultation and collaboration. The National Survey is specifically designed to measure all experiences of racism, irrespective of how they fit within definitions of racial discrimination.

Different definitions and terminology surrounding racism, antisemitism and related concepts were common themes during the consultations. The definition of antisemitism has been a focus of attention through the Inquiry and the Parliamentary Joint Committee on Human Rights. Views about the definition of antisemitism were articulated by consultation participants to the Commission.

Similarly, there were discussions regarding the definitions of anti-Palestinian racism raised with the Commission. At this point in the Study, it is crucial to understand these topics, as they are often seen as barriers to advancing anti-racism initiatives. However, it is equally important to allow space for the Study survey and field research to inform future guidance on establishing common language.

Language around racism and related concepts is constantly evolving. The Australian Union of Jewish Students signalled support for prioritisation of a common definition of antisemitism, highlighting the practical impact:

This isn't an academic exercise... This is an exercise that has an impact on thousands of students across the country.<sup>94</sup>

These developments highlight the importance of consistent language but also remind us that the language we use to describe racism is a vehicle for understanding lived experience and is constantly evolving. The evidence from the Study will be another important input in shaping the discourse around racism in Australian universities.

## **4 Methodology and approach to data collection**

### **4.1 Establishing best practice methodology**

The Study is a unique research opportunity to comprehensively understand racism in the Australian university context, requiring a robust methodology and the highest level of care and respect for research participants.

Discussing experiences of racism can be re-traumatising. Hearing these stories and gathering the data is critical to designing responsive, practical solutions. The Study team has undertaken significant planning and consideration to develop a best practice methodology to meet ethical requirements, minimise harm and collect meaningful data.

The Study utilises a mixed methodology, combining quantitative and qualitative data from the survey analysis with qualitative data from survey responses, focus groups, interviews and roundtable discussions. The Study team has begun collecting qualitative data by undertaking initial consultations with stakeholders and will continue to consult over the course of the Study. Literature review and desktop research inform and supplement the survey, fieldwork data and recommendation formulation.

The research is exploratory. Given the lack of research that considers racism holistically in the university context, the Study design must be responsive to emerging issues and lines of inquiry.

#### **(a) Study Principles**

The Study is undertaken with a strong commitment to anti-racism and ensuring the findings lead to practical improvements for staff and students from negatively racialised backgrounds. That means that its methodology must align with the guiding principles of anti-racism, as follows.

#### **(i) Centring Lived Experience and Perspectives**

The lived experience of racism is at the heart of this Study. The research is designed to provide safe, supportive opportunities for individuals to share their experiences of racism. Perspectives from those with lived experiences will be sought throughout the Study and will inform recommendations.

The Study includes all lived experiences of racism. Definitions related to racism can be contested. It is not within the scope of the Study to resolve all these issues, but it will adopt a consciously inclusive, person-centred lens that ensures all research participants can share their lived experiences.

(ii) Trauma-Informed

The Study recognises that sharing experiences of racism can be re-traumatising and incorporates trauma-informed approaches to support research participants. Trauma-informed research prioritises the safety, dignity and well-being of participants based on an understanding of the impact of trauma. Trauma-informed principles for research include:

- safety
- trustworthiness and transparency
- peer support
- collaboration and mutuality
- empowerment, voice and choice
- responsiveness to cultural, historical and gender issues.<sup>95</sup>

To minimise harm, all aspects of the research will be:

- voluntary
- de-identified
- in a setting that is culturally safe (see below).

(iii) Cultural safety

Cultural safety is an approach that emphasises the strengths of First Nations People by focusing on empowerment, healing and self-determination. Cultural safety has similarities with a trauma-informed approach and a strong focus on co-design and data sovereignty.

As described below, the Study has designed supports and mechanisms aiming to ensure cultural safety, working with First Nations and negatively racialised stakeholder groups throughout the Study.

(iv) Intersectionality

An intersectional approach is an overarching imperative for the Study. Intersectionality acknowledges that race combines with other social categories (such as sexuality, class, gender, age, ability and faith) to create distinct lived experiences and identities. When policy, programs and the law accommodate

intersectional experiences and harms, they can respond meaningfully to the breadth and complexity of racism. The Study actively invites participants with experiences of intersectional marginalisation and will undertake data analysis to build a rich, intersectional picture of experiences of racism.

(v) Focus on the Systemic Nature of Racism

To address racism in a meaningful way, we need to understand the different ways it operates. Racism is more than just interpersonal racism. Focusing on interpersonal racism alone means that a person who doesn't engage in interpersonal racism may feel there is no more to be done to eliminate racism. This is not the case.

Racism is often a process by which systems, policies, actions and institutions create inequitable opportunities and outcomes for people based on race. The Study is designed to investigate systemic racism within universities, enabling institutional and systemic reform.

(b) Privacy and Confidentiality

Privacy and confidentiality are paramount to Study design, ensuring the integrity of the research and adhering to ethical and legal standards. Racism is a sensitive and potentially traumatic topic, and participants may be concerned about discrimination or other negative consequences. Maintaining privacy and confidentiality encourages open discussions, enabling researchers to gather accurate and comprehensive data.

The Commission collects and handles personal information in accordance with the *Privacy Act 1988* (Cth), the *Archives Act 1983* (Cth) and its [Privacy Policy](#).

Section 49(1) of the AHRC Act makes it a criminal offence for Commission staff to disclose, without legal justification, any information relating to the affairs of another person acquired in the course of the Commission's work. The penalty for a breach of s 49(1) of the AHRC Act is 50 penalty units or imprisonment for 1 year, or both.

Survey participation will be anonymous, therefore minimising risks relating to confidentiality and privacy. Confidentiality will be further ensured by the removal and destruction of any Personally Identifiable Information from survey open-text data, if a participant has provided such information.

The fieldwork provider(s) will be responsible for protecting the confidentiality and privacy and ensuring secure storage of the survey data in compliance with the *Privacy Act 1988* and the Australian Privacy Principles and agreed security protocols.



Incentives will be used to encourage survey participation and improve response rates. The incentive will be in the form of a random prize draw, whereby a set number of participants will receive a gift voucher of a nominated value. This is explained further in section 4.1(h)(i) below. Those participating in the prize draw will be required to provide contact information. This contact information will be stored in a completely separate location to the survey data, with only authorised staff able to access the data.

Upon completion of the fieldwork, the fieldwork provider will securely transfer the data to the Commission. Once the Commission has confirmed receipt of the data, the fieldwork provider will destroy their copy of the data. All data received by the Commission from the fieldwork provider will be stored electronically on the Commission's SharePoint system with access restricted to only the required project staff. All SharePoint data is stored securely on an Australian server.

In line with research best practice, the de-identified survey data may be made available via the Australian Data Archive (ADA), a national service facilitated by the Australian Government Department of Social Services (DSS) for collecting, preserving, publishing and accessing digital research data. Access to the data can be requested and accessed in accordance with ADA policy.

All project data and materials will be permanently deleted from the Commission's SharePoint after 5 years but may be retained on the ADA.

The Commission is experienced in complying with the Australian Privacy Principles, through projects such as *Setting the Standard: Report into the Independent Review into Commonwealth Parliamentary Workplaces* and *Speaking from Experience*.

(c) Ethics approval

Ethics approval will be organised by the fieldwork provider(s). The Commission's strong preference is, in alignment with best practice, for ethics approval to be sought from an existing university Human Research Ethics Committee (HREC) operating under the National Health and Medical Research Council (NHMRC) guidelines.

Key ethical considerations for the Study include:

- obtaining informed consent
- participant anonymity and confidentiality
- participant safety

- cultural safety and a trauma-informed approach
- content that is appropriate and accessible
- a referral process and support services that are easily accessible and readily available.

The process for obtaining ethics approval will be initiated when the survey contents, methodology and fieldwork procedures and protocols have been finalised. Obtaining approval is likely to require a minimum of 8 weeks from submission of the application to when approval is given. However, in our experience, often this process can take 12 weeks or longer.

## **4.2 Literature review**

A systematic literature review will be provided by Jumbunna Institute for Indigenous Education and Research and the Centre for Social Justice and Inclusion, two expert academic research bodies at the University of Technology Sydney (UTS).

The literature review will review domestic and international research and evidence on existing and emerging trends in the prevalence, nature and impact of individual and systemic racism within universities on students and staff, including those with experiences of intersectional discrimination. The scope of the literature review includes all areas of investigation of the Study noted in the Terms of Reference, providing the strongest possible academic research basis for the Study and its recommendations.

A rapid review of literature has been undertaken by UTS and an interim report on emerging findings has been delivered. This is attached as Appendix IV. The full literature review will be delivered by mid-March 2025.

## **4.3 University policy and diversity data audit**

An audit of university policies and diversity data is an important step in assessing the readiness and capacity of institutions to implement meaningful anti-racism reforms. The Study will seek information from all universities to develop a comprehensive understanding of existing frameworks, identify gaps in policy and practice and highlight areas requiring attention.

Diversity data will also be sought from universities, with a focus on First Nations and racial diversity of senior leaders, senior academics and the leadership pipeline. Intersectional analysis will also be included, if possible.

This information will contribute to practical recommendations and create a baseline for measuring progress and accountability over time.

#### **4.4 Quantitative data collection (National Online Survey)**

(a) Overview and progress update

The quantitative data collection will involve a national survey on the prevalence and impact of racism experienced by students and staff in Australian universities. The quantitative data will be used to help establish a baseline of the experiences of racism and inform the development of recommendations to foster a safe, respectful and inclusive environment for all university students and staff.

The design and implementation of the quantitative data collection will be completed by a fieldwork provider (survey provider), in close collaboration with the Commission. A rigorous procurement process is underway for selecting the survey provider and the process of contracting the preferred supplier is expected to be completed by early January 2025.

The survey will be in-field, available to participants for a two-month period during the first semester of the 2025 university year. The Study team endeavours for the survey's in-field period to conclude and a final report of survey findings and analysis to be provided by the survey provider by the end of April 2025.

This timeline is indicative and may require adjustment due to substantial pressures on the current timelines, particularly related to ethics approvals and fieldwork requirements.

As noted above, obtaining ethics approval to progress with the online survey may take 12 weeks or longer. In addition, due to the Commission's strong preference for ethics clearance to be sought by a University HREC, the end of year shutdown and highly reduced university staff availability through January is likely to also impact timelines. An alternative HREC will only be considered if necessary. The Commission notes that any changes to the timing of when the survey will be in-field and subsequently concluded will have flow on effects for the delivery of the final report.

Once selected, the survey provider will commence development of the survey instrument and fieldwork processes, based on the following specifications/considerations.

(b) Survey design

(i) Purpose and scope of the online survey

The primary aim of the online survey is to gather information and establish a baseline for the prevalence, nature and impact of individual and systemic racism in universities across Australia.

Other objectives include:

- Giving those who have experienced racism at universities a sense of collective purpose through being heard and contributing to strategies for education and change.
- Ensuring stakeholders, including higher education providers, governments and regulators better recognise and understand racism and are better equipped to create safe study and workplaces.
- Providing stakeholders with access to resources (informed by lived expertise) to better understand and upskill the higher education workforce on what is needed to ensure a safe, respectful, non-discriminatory and anti-racist workplace.

(ii) Survey mode

The survey will be designed to minimise the risk of harm to participants, endeavour to provide a positive participant experience and provide robust, useful data.

Study participants will complete an online survey. Online surveys are convenient, cost-effective, easily formatted to be user-friendly and provide anonymity to participants. They have a national reach and can provide an opportunity for hard to reach and hardly reached cohorts to participate.

The survey will take approximately 15 minutes to complete. This is based on substantial research evidence that suggests that rates of attrition/non-completion of online surveys increase once survey length reaches above 15-20 minutes.<sup>96</sup> This survey length will allow the optimal balance of collecting sufficient data for meaningful analyses while maximising response rates and minimising participant burden.

(c) Survey content

The survey content will be designed to address the key aims of the Study and research questions as described above.

To aid the development of the survey content and ensure these aims are addressed, the following set of key survey domains and topics has been identified.

<b>Survey Domains</b>	<b>Topics</b>
Demographic details	
Student and staff perceptions of belonging	<ul style="list-style-type: none"> <li>• belonging</li> <li>• respect</li> <li>• equitable opportunities</li> <li>• safety - physical/psychological</li> </ul>
Student and staff perceptions of the university environment	<ul style="list-style-type: none"> <li>• racial diversity in course work/curriculum</li> <li>• cultural load</li> <li>• cultural safety</li> </ul>
Experiences of interpersonal racism	<ul style="list-style-type: none"> <li>• type (provide descriptions to aid identification)</li> <li>• frequency (capture multiple experiences)</li> <li>• location (refer to the most serious incident)</li> <li>• who?</li> <li>• reported?</li> <li>• satisfaction with response</li> <li>• barriers to reporting</li> </ul>
Bystanders	<ul style="list-style-type: none"> <li>• witnessed racism?</li> <li>• intervened?</li> <li>• barriers to intervening</li> </ul>
Impact of interpersonal racism	<ul style="list-style-type: none"> <li>• impact on wellbeing</li> <li>• impact on academic/ professional performance/development</li> <li>• absenteeism - i.e. skipping classes</li> <li>• avoiding campus</li> </ul>
Institutional racism	<ul style="list-style-type: none"> <li>• university policies/practices</li> <li>• curriculum/courses- First Nations/different cultural perspectives in courses</li> <li>• racial literacy- openness to having discussions</li> <li>• support services</li> <li>• complaints handling</li> <li>• confidence that the university will take action on the results</li> </ul>
Structural racism	<ul style="list-style-type: none"> <li>• perceptions of racial diversity of leadership</li> <li>• perceptions of impact on academic achievement/career progression</li> </ul>
Suggestions for improvement	<ul style="list-style-type: none"> <li>• free text question</li> </ul>

These topics have been formulated with input from the Higher Education Standards Panel (HESP) and the Study's Advisory Committee and may be further refined in consultation with the survey provider. The study's survey provider, in consultation with the Commission and relevant key stakeholders/experts, will refer to the above topics when developing the survey questions.

When selecting survey questions, consideration will also be given to:

- advice from stakeholders (including the Study's Advisory Committee)
- resources and tools recommended by stakeholders
- relevant previous research on related topics/methodology, by trusted domestic and international organisations and academics
- survey length (i.e. short, effective measures will be required)
- target population (ensuring content is relevant for staff and students)
- safety and comfort for participants and other ethical considerations
- human rights-based approach for question framing.

Content will predominantly consist of closed-ended questions but is likely to include a small number of open text items to capture broader views on potential improvements to university responses to racism and the handling of complaints.

#### (d) Survey instrument development and hosting

The survey provider will design and build the survey instrument in consultation with the Commission, ensuring best practice in instrument design, maximum functionality and visual appeal, optimisation of participant experience and adherence to accessibility requirements (AA WCAG 2.1). The survey will be thoroughly tested by the provider and the Commission, and the provider will engage a series of strategies to minimise risk of duplicate survey responses, including 'bot' or other non-human responses.

The survey provider will develop a webpage to host the online survey. The webpage will also include detailed survey information (developed in consultation with the Commission), such as privacy and confidentiality information and study consent processes. The webpage will be designed to be engaging, intuitive and easy to navigate and will use Study branding. The design will also ensure optimal inclusivity and accessibility.

The survey provider will also supply a QR code/link through which participants can access the Study webpage. The QR code/link will be included in Study promotional materials to allow easy access to the webpage.

(e) Participant wellbeing considerations

The survey will be specifically designed to minimise participant discomfort and distress. This includes careful consideration of the number and placement of sensitive and open-ended questions within the survey. In addition, pilot testing will allow the identification of items considered particularly sensitive and inform content decisions for the main data collection.

Contact information for relevant, free support, referral and complaint lodgement services will be embedded into the survey instrument. In addition, participants will be able to skip any questions they do not feel comfortable answering and a quick escape button will be programmed to allow them to exit the survey at any time.

Other strategies related to participant wellbeing and creating a positive participant experience that have been incorporated into the survey design include:

- Providing comprehensive information about what to expect during the survey on the survey opening page.
- Straightforward presentation of survey items to reduce cognitive load and improve question comprehension, such as using matrix-style formats for response lists.
- High-contrast colours for the visual display within the survey to ensure it is visually accessible, as well as ensuring the survey is screen-reader compatible.

(f) Participant engagement and recruitment

Participant engagement and recruitment processes (covering each of the areas outlined below) will be designed and managed by the survey provider, in consultation with the Commission.

(g) Eligibility and sampling

All students and staff at Australian universities will be eligible to participate in the Study. Processes will be developed to minimise the possibility of those who are not staff or students from being able to access the survey.

The target sample size will be determined by the survey provider, with consideration given to analysis requirements, recruitment methods and cost and timeline factors.

To ensure a representative sample, quotas will be established for population subgroups of key interest to the Study and/or known to be at risk of underrepresentation (e.g. overseas students, Aboriginal and Torres Strait Islander People). Procedures will be established to monitor progress against the target quotas during fieldwork and strategies will be developed to help boost response from groups tracking below their target.

#### (h) Recruitment methodology

The survey provider, in consultation with the Commission, will develop the survey's recruitment strategy. This strategy will take into account sample representativeness, sample-size targets, study budget and timelines and privacy considerations.

The recruitment strategy will involve the survey provider gaining approvals (where required) and cooperation from universities (including dual sector operators) and selected organisations (including relevant peak groups or appropriate community organisations) to support survey dissemination. Universities Australia (UA) (of which most universities are members) has agreed to work with the Commission and the survey provider to facilitate the engagement with universities. The CEO of UA is on the Study Advisory Group.

The Commission will facilitate contacts with stakeholders where possible. The Study team has already started connecting with academics, professional staff, student associations and groups at universities and peak bodies and community organisations that represent certain staff and student groups. The Study team will continue building these connections and relationships to support survey dissemination.

The fieldwork provider will send Study invitation packs, via email, to participating universities and organisations. Consideration will be given to other recruitment modes suggested by the survey provider during procurement and recruitment strategy development.

#### (i) Participant incentives

Incentives will be used to encourage participation and improve response rates. The selected incentive aligns with research best practice, evidence on use of participant incentives and National Health and Medical Research Council (NHMRC) guidelines, which stipulate that incentives must be proportionate to the time involved and not result in pressure to consent to the research.<sup>97</sup>



The incentive will be in the form of a random prize draw, whereby a set number of participants (e.g. 50) will receive a gift voucher of a nominated value (e.g. \$100). The survey provider will manage the prize draw and will provide a recommendation for the number and value of the vouchers, taking into account sample size and past evidence on optimal prize draw incentives. This approach has been used extensively in previous surveys and vast bodies of research have shown that surveys with prize draws render substantially higher response rates.<sup>98</sup> These findings extend to studies specifically focused on university students<sup>99</sup> and comparison to other incentive types, including both prepaid and promised monetary rewards.<sup>100</sup>

(j) Branding and messaging

The Commission is developing a strategy in relation to branding for the Study that is engaging and appealing (considered through a trauma-informed lens) to university staff and students. Branding assets may be incorporated into Study materials, including engagement and promotional materials, the survey instrument on-screen display and Study reports.

(k) Study promotion

The Commission will develop a Study promotion campaign which will be executed with the support of the survey provider. The campaign will include activities such as:

- media release(s)
- a social media campaign, through the Commission and by provision of social media tiles for universities and organisations to post
- electronic direct messages
- promotion on relevant websites
- promotion in digital and physical newsletters, campus newspapers and related publications.

(l) Pilot testing

Pilot testing will be conducted prior to the main data collection. The pilot test will involve a practice run of the survey on a small sample of test participants. The pilot test enables:

- testing of the survey instrument to identify potential errors

- gathering of feedback on the survey. For example:
  - Were the concepts understood?
  - Were respondents comfortable answering questions?
- testing whether the instrument is user-friendly
- calculating indicative response rates (for the survey and each question)
- calculating average survey completion time
- analysis of pilot data to:
  - identify potential survey items for removal
  - identify issues with survey items
  - ensure the items are collecting the right data for the Study's requirements.

A post-pilot review will be conducted by the survey provider in collaboration with the Commission. The purpose of the review will be to identify improvements to survey content, engagement materials and fieldwork protocols and processes to be implemented prior to the main data collection.

#### (m) Fieldwork

The survey provider will be responsible for the conduct of fieldwork for the main data collection. The data collection will take place over a 2-month period during Semester 1 2025 and will primarily involve the implementation of the participant recruitment strategy.

#### (n) Participant supports

Participants will be provided with an 1800 number for the duration of the pilot and main fieldwork period to call with queries/concerns raised by participation in the Study. The survey provider will be responsible for the 1800 number and will provide trained, experienced telephone operators to respond to calls during an agreed time-period each day the survey is open. Safety protocols will be developed and implemented, including addressing participant distress, mandatory reporting obligations and supports for help desk operators. The Commission will work with the survey provider to ensure a culturally safe and trauma-informed approach is used.

Participants will also be provided with relevant, free support service contact information:

- on the Study website
- in the Participant Information Page prior to commencement of the survey
- alongside questions in the survey with particularly sensitive topic areas
- on the 'thank you' page at the conclusion of the survey.

(o) Fieldwork monitoring

Monitoring and reporting throughout the fieldwork period will track key indicators of performance as listed below, as well as any survey data anomalies. The Survey will be implemented in a way that ensures that it can only be completed once by an individual. Survey software will have checks in place which look for AI responses and implementation of a bot check at the start of each survey.

The fieldwork monitoring is expected to be provided via an interactive tool through which the provider and the Study team at the Commission can regularly track progress of the Study fieldwork. Progress will also be monitored through regular reporting against provided parameters, which may include (but is not limited to):

- survey completion rates, reported by:
  - key demographics
  - other target populations
  - timing of survey completion.
- survey landing page traffic (non-completes) and partial completion rates
- average survey completion time
- any programming or completion anomalies
- 1800 Study inbound call line:
  - number of contacts
  - high-level summary of the nature of the enquiries.

(p) Response enhancement strategies

The survey provider will develop and implement a reminder strategy, and other strategies for boosting response during fieldwork, as required. Such strategies may include targeting of priority sub-populations identified during fieldwork monitoring as being at risk of underrepresentation.

## 4.5 Qualitative data collection (Focus Groups)

(a) Overview and progress update

The qualitative component of the Study involves the conduct of focus groups. These focus groups will explore specific topics and themes of interest in greater detail and depth than the quantitative component and will be designed to extend and complement the quantitative findings.

Key objectives of the focus groups are to:

- Share student and staff experiences of racism, including those with intersecting experiences of discrimination.
- Increase understanding of the impact of racism at university settings (for students and staff).
- Contribute to a more detailed understanding of how to change systemic racism at institutional universities settings.
- Assist in identifying and prioritising key directions and recommendations.

The design and implementation for the focus groups will be completed by a fieldwork provider (focus groups provider), in close collaboration with the Commission. A rigorous procurement process is underway for selecting the qualitative fieldwork provider, with the AusTender submission closing on 6 January 2025 and the selection process expected to be completed in January 2025. This is a separate procurement to the one mentioned above for selecting the survey provider. Therefore, depending on the outcomes of the two procurement processes, the two components may be conducted by the same provider or two separate providers.

The focus groups and the survey will run concurrently, with focus group consultations planned to be completed by the end of March 2025 and the focus groups provider to deliver an outcomes report to the Commission by the end of April 2025.

For the reasons outlined above in relation to the quantitative data collection timelines, these timelines are indicative and may require changes.

(b) Scope and design

The scope and design of the focus groups will be defined and developed by the provider in consultation and agreement with the Commission with input from the Advisory Committee. The focus group design will:

- Centre the voices of those who have experienced racism at Australian universities as experts in identifying the prevalence, nature, experiences and impact of racism.
- Enable culturally safe and trauma-informed participation, grounded in the human rights principles of participation, accountability, non-discrimination, equality, empowerment and emphasising lived experience,
- Involve diverse groups of students and staff in Australian universities including:
  - The voices of Jewish, Muslim, Palestinian and Aboriginal and Torres Strait Islander students and staff, international students and those from negatively racialised or culturally and racially marginalised backgrounds.
  - From a diverse range of intersectional identities and lived experiences, such as, but not limited to, cultural and ethnic background, socio-economic background, sexuality and gender identity, disability, migrant and refugee background, faith-based background and rural, regional and remote status.

(c) Themes/discussion guide

The provider will work with the Commission to identify key themes to be discussed in the focus groups. They will also develop the discussion guides for the focus group sessions.

(d) Format of focus groups

The focus groups provider will provide recommendations for the format of the focus groups, including the:

- optimal number and size of focus groups sessions
- optimal composition and length of each focus group
- location of focus groups, including consideration of in person (the Commission's preference where possible and if within budget) or via

videoconferencing (with consideration given to optimal online methods) or a mix of both methods

- participant recruitment and engagement strategy, including strategies on how to engage specific target groups (with the support of the Commission).

(e) Focus group implementation

The focus groups provider will be responsible for conducting the focus groups and to ensure positive participant experiences and collection and accurate recording of quality data.

(f) Focus group participant wellbeing

Given the sensitive nature of some of the topics that will be discussed, it is essential that participant safety and wellbeing is central to focus group planning and implementation. The provider will be responsible for developing a participant wellbeing strategy for the focus groups, in consultation with the Commission. Participant support measures that will be considered for inclusion in the strategy include:

- Engaging with counsellors/psychologists to support participants during or after focus group sessions.
- Provision of contact information for other free support services.
- Partnering with organisations who could provide ongoing and wraparound support (e.g. social workers, counsellors, lawyers).
- Ensuring that focus group facilitators are appropriately experienced and well-trained to manage conversations about sensitive topics and respond to participant distress.
- Ensuring a trauma informed approach.
- Provision of contact information for making formal complaints.

## **4.6 Analysis and reporting**

(a) Fieldwork reports

After the completion of the quantitative fieldwork, the fieldwork provider will prepare a report covering:

- sampling and methodology

- response rates, overall and by key demographics
- key findings, headline data and statistically significant findings
- key themes, systemic issues and emerging trends
- recommendations and learnings
- web analytics.

Similarly, after the completion of the focus groups, the qualitative fieldwork provider will prepare a report covering:

- Analytic findings from the focus groups including quotes and main themes.
- Where relevant, include graphical representations or infographics of results.
- In-depth and contextual information on topics and themes (to extend and complement the survey being undertaken for the Study).
- Details on discussion and suggestions on how to address systemic racism at institutional universities settings, including practical outcomes or educational (programs of learning) outcomes.
- Assist in identifying and prioritising key directions and areas for reform and improvement to foster a safe, respectful and inclusive environment for all university students and staff.

The information in these reports will be used by the Commission for compiling the final report for the Study and informing recommendations.

#### (b) Data analysis and final report

The final report will identify the prevalence and nature of racism in university settings based on an analysis of the survey data and consultation data. The final report will include best practice and areas for reform, recommended actions and issues for further exploration.

## **4.7 Governance**

As outlined in the Terms of Reference, the Study's governance includes an Advisory Committee and an Australian Government Senior Officers Working Group. Both governance bodies have been established.

(a) Advisory Committee

The Advisory Committee provides advice and guidance on the Study's approach, methodology, consultation mechanisms, identification of best practice and analysis of findings and recommendations.

The Terms of Reference for the project required that the Commission consult the Minister for Education and Attorney-General in finalising the membership of the Advisory Committee. Their Departments, as well as the NIAA, were consulted.

The Advisory Committee consists of members from a range of academic and peak organisations that are representative of relevant study cohorts. Members are chosen based on their subject matter expertise, experience as leaders within the sector and lived experience of racism.

The Race Discrimination Commissioner chairs the Advisory Committee meetings, with the Commission and DoE officers attending in an observer capacity. The Advisory Committee will meet via videoconference up to six times during the lifespan of the project, commencing in September 2024 through to June 2025.

The Advisory Committee membership is at Appendix II and the Terms of Reference at Appendix III.

Advisory Committee meetings were held on 25 September and 25 November 2024. Initial considerations for the Advisory Committee included establishing committee governance, Study priorities, Study parameters and student engagement. The Advisory Committee have reviewed and provided input on the key survey domains/topics and on the Study's initial thematic insights. Advisory Committee views are included in initial insights below.

(b) Australian Government Senior Officers' Working Group (SOWG)

The SOWG focuses on the Study objectives and deliverables, discussing emerging issues and key considerations and ensuring deliverables are met by agreed timelines. It is comprised of representatives from the:

- Australian Human Rights Commission
- Attorney-General's Department
- Department of Education
- Tertiary Education Quality and Standards Agency
- Department of Home Affairs
- Department of Prime Minister and Cabinet



- National Indigenous Australians Agency.

## **4.8 Recommendation development**

The Study has designed a robust method for developing and refining recommendations that involve key stakeholders as much as possible within the agreed project timelines. Balancing opportunities for consultation and collaboration with short timeframes is a challenge, but the Commission's strong existing stakeholder relationships will enable the rapid turnaround of recommendation consultation.

The Literature Review will also investigate practical evidence-based solutions. The final report of the Literature Review will include detailed recommendations to supplement other data from the Study. Other Commission projects, such as the National Anti-Racism Framework, provide a successful model for this approach.

Below are detailed steps for recommendation development.

### (a) Analysis and synthesis of findings

The Study will thoroughly analyse data and literature to develop comprehensive recommendations that respond to the Terms of Reference. This will include thematic analysis, prioritising key issues and determining the root causes of racism in universities, including structural and institutional areas for reform.

### (b) Engagement with Advisory Committee, SOWG and key stakeholders

The Study will share the research findings with the Advisory Committee, SOWG and selected key stakeholder groups and lead initial recommendation consultation workshops to incorporate expert and lived experience perspectives in the recommendations. All participants in these workshops and/or consultations will be briefed on effective recommendations, noting clarity of purpose, actionable steps, clear accountability and measurable outcomes.

### (c) Feedback and refinement of recommendations

Once recommendations have been drafted, the Study team will go back to the Advisory Committee, SOWG and selected stakeholders for one round of consultation. While a short period of review is anticipated, the Study team will take steps to give as much notice as possible and target specific advice to

relevant experts or lived experience representatives. Based on this feedback, the Commission will develop a final set of recommendations for the final report.

(d) Limitations and mitigations

While the Study team has designed a robust consultation process to ensure timely delivery of the final report, some limitations are noted. While the Study's approach includes elements of participatory research, collaboration and iteration, there is insufficient time to conduct co-design across the full spectrum of stakeholders.

Mitigations to address this include:

- Explicitly communicating the consultation parameters and timeframes to ensure stakeholder expectations are clearly understood.
- Designing a recommendation workshop format to maximise input and ideation from participants.
- Aligning recommendations to evidence and literature.
- Ensuring consideration of co-designing implementation of the recommendations/next steps.

## 4.9 Next steps/conclusion

This interim report outlines the Study's methodology and governance, considers the current policy environment, including recent developments, and summarises thematic insights from initial consultations. Taken together, all these elements provide a high-level analysis of the issues related to racism in universities and establish the foundations for the next phase of the Study.

The Commission expresses gratitude to all individuals who participated in the consultations so far, sharing their experiences of racism and their ideas for change. The Commission gathered distressing and disappointing examples of interpersonal, institutional and structural racism across all cohorts. These experiences have had a profound negative impact on individuals and hinder universities from fulfilling their purpose as safe, respectful environments where students and staff can belong and excel.

A common theme emerging from all consultations was the diversity of experiences and the need to tailor responses accordingly. These perspectives have been incorporated into the Study methodology and will inform the next phase of research.

Just as the toll of racism on individuals and communities cannot be underestimated, the frustration of ongoing racism and the lack of confidence in universities to take action is also significant. While the Study has outlined some developments and initiatives, it is important to highlight the transformative potential of the Commission's National Anti-Racism Framework to garner widespread support and action. With comprehensive recommendations, mechanisms to implement change across governments, robust data and accountability measures, the Framework is foundational to addressing racism in universities. The Study will build on this significant, existing work as it looks to recommendations and future opportunities.

The Study is moving into the next research phase, beginning survey and fieldwork in early 2025. Ongoing stakeholder engagement will prioritise meetings and roundtable discussions with student groups that have not yet been extensively consulted.

# Appendix I

## Terms of Reference

### Respect at Uni: Study into antisemitism, Islamophobia, racism and the experience of First Nations People

#### 1. The Australian Human Rights Commission, **HAVING REGARD TO:**

- Its functions to:
  - promote an understanding and awareness of human rights and the public discussion, of human rights in Australia (s.11(1)(g) AHRC Act)
  - undertake research and educational programs and other programs, on behalf of the Commonwealth, for the purpose of promoting human rights... (s.11(1)(h) AHRC Act)
  - 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 (s.11(1)(j) AHRC Act)
  - report to the Minister as to the action (if any) that, in the opinion of the Commission, needs to be taken by Australia in order to comply with human rights (s.11(1)(k) AHRC Act)
  - develop, conduct and foster research and educational programs and other programs for the purpose of: (i) combating racial discrimination and prejudices that lead to racial discrimination; (ii) promoting understanding, tolerance and friendship among racial and ethnic groups; and (iii) propagating the purposes and principles of the Convention on the Elimination of All Forms of Racial Discrimination (s.20(c) RDA)
  - promote an understanding and acceptance of, and compliance with, the Racial Discrimination Act 1975 (Cth) (s.20(b) RDA).
- Its duties to ensure that its functions are performed with regard to:
  - the indivisibility and universality of human rights
  - the principle that every person is free and equal in dignity and rights (s.10A(1) AHRC Act)
- Community concern about the rise in antisemitic and Islamophobic incidents in Australia, including in the months following 7 October 2023

- Recommendation 33 of the Australian Universities Accord Final Report to undertake a comprehensive racism study, including a specific focus on the experiences of Aboriginal and Torres Strait Islander students and staff.

**WILL exercise its functions to conduct a study into the Prevalence and Impact of Racism in Australian Universities, with a particular focus on the incidence of antisemitism, Islamophobia and the experience of Aboriginal and Torres Strait Islander students and staff (the Study).**

2. The Study will examine the prevalence and impact of racism in universities (including those with dual-sector operations), establish a baseline of the experiences of racism and develop recommendations to foster a safe, respectful and inclusive environment for all university students and staff (see further Section: Scope below).
3. The Study will be evidence-based and underpinned by principles of cultural safety and trauma-informed practices, inclusion and consultation.
4. The Study will be led by the Race Discrimination Commissioner at the Australian Human Rights Commission, with support from the Department of Education and Attorney-General's Department. The National Indigenous Australians Agency will also provide advice to the Department of Education and AHRC on issues related to Aboriginal and Torres Strait Islander students and staff Peoples.
5. The Study will provide an interim report to be delivered by **13 December 2024** and a final report by **13 June 2025**.

**Scope**

6. The Study will identify:
  - a. The prevalence, nature and experiences of racism including antisemitism and Islamophobia at universities (including those with dual-sector operations) for both staff and students, at the individual and systemic level.
  - b. Which cohorts of students and staff experience racism, including but not limited to the distinct incidences of antisemitism, Islamophobia and the experience of Aboriginal and Torres Strait Islander Peoples, people from negatively racialised backgrounds and international students.
  - c. The unique context and circumstances of racism for different groups of students and staff, including a specific focus on the experiences of Jewish, Muslim and Aboriginal and Torres Strait Islander students and staff.

- d. Any matter incidental to the above.
7. The Study will also identify:
    - a. Frameworks for prevention, including examples of best practice and other guidance available within national and international university contexts to strengthen sectoral and institutional anti-racism approaches and activities.
    - b. The impact and effectiveness of the rules, policies and other arrangements of universities in relation to preventing and addressing, racism on university campuses (physical and online).
    - c. Ways in which universities can increase transparency and accountability to their students, staff, communities and Government on activities to prevent and respond to racism and discrimination.
    - d. The identification and application of benchmarks for measuring sectoral performance and ongoing improvement.
    - e. The adequacy of legislative and regulatory mechanisms in supporting universities to respond to racism and discrimination.
  8. In conducting the Study, the Commission will undertake a national online prevalence survey, as well as focus groups, consultations at universities and online, roundtables and meetings with key stakeholders and research on domestic and international trends.
  9. The Study will include recommendations for reform to Government, universities and other relevant stakeholders to address racism and discrimination. Recommendations provided through the Study will be evidence-based, specific, measurable, implementable, realistic (e.g. in cost) and time-limited, with a focus on systemic and institutional reforms, practices and standards that can be implemented by universities.
  10. The Study will have regard to, and complement, the findings of previous and ongoing Australian Government reviews and processes, such as the AHRC's National Anti-Racism Strategy and the government's social cohesion efforts.

## **Consultation**

11. The Study will consult widely with stakeholders, including universities, students, staff, student and staff representative bodies and unions, community leaders and groups and governments. This will specifically include stakeholders reflecting the experiences of Aboriginal and Torres Strait Islander, Jewish, Muslim, negatively racialised and international students, staff and communities.

12. Such consultations will be conducted in a trauma informed and culturally safe manner.

## **Governance and advisory support**

### Advisory Committee

13. The Commission will establish an Advisory Committee representing students, staff and community and cultural groups to provide advice and guidance on the Study's approach, methodology, consultation mechanisms, identification of best practice, analysis of findings and recommendations.

14. In establishing the Advisory Committee, the Race Discrimination Commissioner will consult the Minister for Education and the Attorney-General on composition of the Committee. The Minister for Education will consult with the Minister for Indigenous Australians regarding the membership of Aboriginal and Torres Strait Islander Peoples on the Committee.

15. It is anticipated that the Advisory Committee will meet at least 6 times during the Study.

### Australian Government Senior Officials' Working Group

16. The Race Discrimination Commissioner will also convene a working group of senior Australian Government officials, comprising of representatives from the:

- Australian Human Rights Commission
- Attorney-General's Department
- Department of Education
- Tertiary Education Quality and Standards Agency
- Department of Home Affairs
- Department of the Prime Minister and Cabinet
- National Indigenous Australians Agency.

17. The Senior Officials' Working Group will discuss progress, emerging issues and key considerations. A focus will be to ensure the Study's objectives and deliverables are met by the agreed timelines. Other Australian Government agencies may be invited as required.

## **Timing**

18. The Commissioner will deliver interim findings of the Study to the Attorney-General and the Minister for Education by 13 December 2024 and a final report by 13 June 2025.
19. Interim findings will reflect stakeholder feedback, emerging themes and early issues for consideration. The final report will identify the prevalence and nature of racism in university settings based on the survey (to be conducted in early 2025), best practice and areas for reform, recommended actions and issues for further exploration.

**Dated: 30 July 2024**



## Appendix II

### Advisory Committee Membership

- Giridharan Sivaraman  
*Race Discrimination Commissioner*  
Australian Human Rights Commission
- Distinguished Professor Larissa Behrendt  
*Laureate Fellow*  
Jumbunna Indigenous House of Learning at the University of Technology  
Sydney
- Professor Braden Hill  
*Deputy Vice-Chancellor (Students, Equity and Indigenous)*  
Edith Cowan University
- Professor Simone Tur  
*Pro Vice-Chancellor (Indigenous), Indigenous Strategy and Engagement*  
Flinders University
- Professor Halim Rane  
*School of Humanities, Languages and Social Science*  
Griffith University
- Dr Aaron Teo  
*Lecturer, School of Education*  
University of Southern Queensland
- Professor Kim Rubenstein  
*Faculty of Business, Government and Law*  
University of Canberra  
*Honorary Professor & Public Policy Fellow*  
Australian National University
- Professor Jioji Ravulo  
*Chair of Social Work and Policy Studies, Sydney School of Education & Social Work*  
University of Sydney  
*Adjunct Professor in the School of Law and Social Sciences*  
University of the South Pacific
- Associate Professor Kathomi Gatwiri  
*Faculty of Health*  
Southern Cross University

- Mr Luke Sheehy  
*Chief Executive*  
Universities Australia (UA)
- Jacinto Hedus  
*Ethnocultural Officer*  
National Union of Students (NUS)
- Professor Joo-Cheong Tham  
*Melbourne Law School*  
National Tertiary Education Union (NTEU)
- Associate Professor Avril Alba  
*Senior Lecturer in Holocaust Studies and Jewish Civilisation*  
University of Sydney
- Ms. Leilani Fatupaito  
*Project Manager*  
Swinburne University.

# Appendix III

## Terms of Reference

### **Respect at Uni: Study into antisemitism, Islamophobia, racism and the experience of First Nations People**

#### **Advisory Committee**

#### **1 Acknowledgement**

The Commission acknowledges the traditional custodians of the land it works on, the Gadigal Peoples of the Eora Nation. The Commission recognises their continuing connection to the land and waters, a connection that has existed since time immemorial. The Commission acknowledges the impacts of colonisation on Aboriginal and Torres Strait Islander Peoples and acknowledges the leadership of First Nations individuals and organisations in advancing the work of anti-racism and addressing racial discrimination. The Commission pays its respects to Elders, past and present and extends that respect to all First Nations Peoples across the continent.

#### **2 Background**

In response to a recommendation from the Australian Universities Accord, the Australian Government has funded the Australian Human Rights Commission, to undertake a groundbreaking study, *Respect at Uni: Study into Antisemitism, Islamophobia, Racism and the experiences of First Nations People* (the Study). The Study will be led by Mr Giridharan Sivaraman, Race Discrimination Commissioner.

This project will address all forms of racism with a focus on investigating the prevalence, nature and impact of individual and systemic racism within universities, including those universities with dual sector operations, in Australia.

This will be a first step in the design and development of a national, longitudinal approach to measuring and tracking racism in the tertiary sector. In conducting the Study, the Commission will undertake:

- research on domestic and international trends
- a national online prevalence survey
- focus groups and roundtables

- consultations at universities and online
- meetings with key stakeholders.

The Commission will consult widely with organisations and leaders on their priorities and solutions as they relate to racism on university campuses (including online). The engagement strategy will be designed to ensure wide consultation with universities, students, staff, student and staff representative bodies and unions, community leaders and groups and governments. This includes representatives of those from specific backgrounds such as First Nations student and staff bodies, Jewish and Muslim peak student groups and other leaders and peak organisations on the topic of the prevalence and impact of racism in Australian universities. Consultation will be undertaken in a culturally safe and trauma-informed way.

The Commission will provide the Australian Government with an interim report in December 2024 and a final report in June 2025. This will include recommendations for reform on reducing individual and systemic racism in universities and creating safer, respectful and inclusive learning environments for university students and staff.

### **3 Purpose**

The Commission has two groups providing overall guidance for the Study, this Advisory Committee and a Commonwealth Senior Officials Working Group, which will focus on the Study's objectives and deliverables.

The Advisory Committee will provide advice and guidance on the Study's approach, methodology, consultation mechanisms, identification of best practice, analysis of findings and recommendations.

This Advisory Committee consists of 10-15 members from a range of academic and peak organisations that are representative of relevant study cohorts. Members are chosen based on their subject matter expertise, experience as leaders within the sector and lived experience of racism.

### **4 Remuneration**

All members of the Working Group will be provided a sitting fee of \$200 per member, per 90-minute meeting, with an additional \$100 per hour after that (up to a maximum of 3 hours of additional meeting time).

There may be times when the Commission asks members to provide additional advice. Time spent providing additional advice will be remunerated using the same rates (\$200 per member, for the first 90-minutes and an additional \$100 per hour after that (up to a maximum of 3 hours of additional time).

## 5 Terms of reference

Terms of Reference for the Study are available on the Commission's [website](#).

1. Members of the Advisory Committee will perform a range of functions, including but not limited to:
  - providing high level guidance on the development, design and implementation of the Study
  - advising on how the Commission can best align with and support the existing work of peak bodies and communities in addressing antisemitism, racism and Islamophobia at higher education institutions
  - providing feedback on draft deliverables including advising on the scope and design of a national online prevalence survey
  - assisting with consultation and community engagement as appropriate, including focus groups and roundtables
  - consulting with any additional stakeholders, including the Senior Officials Working Group, where relevant and appropriate, to inform the work of the Advisory Committee in relation to the Study
  - settling additional operational procedures (if required) separately to these Terms of Reference.
2. The Advisory Committee will operate and undertake relevant work grounded in an approach that centres on community, including First Nations' experiences and is intersectional, trauma-informed, rights-based and culturally safe.
3. To encourage openness and sharing of information, Advisory Committee meetings will be conducted in accordance with the [Chatham House rule](#).
4. Advisory Committee members will not disclose any information and/or documents provided to them in relation to the Commission, the Study, or the Advisory Committee to any person outside the Advisory Committee, without the prior written permission of the Commission, unless it is for the purpose of the internal deliberations of the organisation the Advisory Committee member is representing aimed at providing input to the Study without sharing details of Committee discussions.

5. Advisory Committee members are not representatives of the Commission and will not hold themselves out to be representatives of the Commission.
6. The title to, and intellectual property rights in, materials produced for the purposes of, or in relation to the Study or the Advisory Committee, shall vest in the Commission unless otherwise agreed.
7. The Commission will acknowledge the contributions of the Advisory Committee members in any relevant Study publications.
8. The Commission will take full responsibility for all outcomes of the Study and any actions or statements from the Commission in relation to the Study.
9. Please note that all members of the Advisory Committee agree to:
  - Acknowledge the Commission is independent and impartial in investigating and resolving complaints brought under the *Australian Human Rights Commission Act 1986* (Cth)
  - Acknowledge that nothing in this Terms of Reference is intended to, or should be understood as, having any impact on the independence of the Commission in the exercise of its functions.

## **6 Responsibility for the Project**

The Race Discrimination Commissioner and the Commission will lead the Study, with support from the Department of Education and Attorney-General's Department.

The Race Discrimination Commissioner will solicit input internally and externally as appropriate. The Commission will be responsible for the content of any documentation it publishes in connection with the Study.

The Commission will provide secretariat support for the Advisory Committee with respect to organising meetings and circulating agendas and minutes.

## **7 Meetings and membership**

The Advisory Committee will meet via videoconference up to six times during the lifespan of the project, commencing in September 2024 through to June 2025.

Additional, ad-hoc communications or meetings may be requested, as required. In addition to members, other organisations and leaders may be invited to share their expertise in meetings on an ad hoc basis.

The Race Discrimination Commissioner will chair the Advisory Committee meetings. A Department of Education officer will attend the Advisory Committee meeting in an observer capacity.

Members will be expected to make their best endeavours to participate in meetings. As Members are invited based on their individual expertise and recognition within their community, proxies for members who are unable to attend a meeting are discouraged and will only be arranged in consultation with the Chair. A meeting quorum will consist of a minimum of 50 per cent of members and the Chair or the Chair's proxy.

A member who has a conflict of interest at any time during their membership, must, as soon as possible after the conflict has come to their knowledge, disclose the conflict to the Chair in writing.

A member may resign from the Advisory Committee at any time by writing to the Chair. In such cases, the Chair will appoint a replacement in consultation with the Minister for Education and the Attorney-General and with the Minister for Indigenous Australians in the case of a First Nations appointment.

Membership of the Advisory Committee is voluntary, noting the Committee is an advisory body only and does not have executive powers.

## Appendix IV

# Respect at Uni: Study into Antisemitism, Islamophobia, Racism and the Experiences of First Nations People

## Interim Report on Emerging Findings



Prepared by Jumbunna Institute for Indigenous Education and  
Research and the Centre for Social Justice and Inclusion for the  
Australian Human Rights Commission

UTS CRICOS 00099F  
UTS TEQSA PRV12060



## Acknowledgement of Country

The authors and partners of this proposal wish to acknowledge the Traditional Owners of the nations across Australia and pay our respects to Elders past, present and emerging.

UTS acknowledges the Gadigal People of the Eora Nation, the Boorooberongal people of the Dharug Nation, the Bidiagal people and the Gamaygal people upon whose ancestral lands our university stands. We would also like to pay respects to Elders both past and present, acknowledging them as the traditional custodians of knowledge for these lands.

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# INTRODUCTION

The Australian Human Rights Commission (the Commission) has been funded by the Australian Government to undertake the *Respect at Uni: Study into Antisemitism, Islamophobia, Racism and the Experiences of First Nations People* (the Study), in response to Recommendation 33 from the Australian Universities Accord Final Report, to be led by the Race Discrimination Commissioner. As part of the study, a systemic literature review is required.

This Interim Report on Emerging Findings (the Report) has been developed by a team of researchers from the Research Arm of the Jumbunna Institute for Indigenous Education and Research (Jumbunna) and the Centre for Social Justice and Inclusion (CSJI).

## Project Overview

This Report is part of a suite of activities being undertaken by the Australian Human Rights Commission (the Commission) under oversight of the Race Discrimination Commissioner in relation to their aim of working with governments, business, community partners, education providers, the media and workplaces to help individuals and organisations understand their rights and meet their legal responsibilities under the United Nations Convention on the Elimination of All Forms of Racial Discrimination and the federal Racial Discrimination Act 1975 (RDA).

The National Anti-Racism Framework, released in late November 2024, after extensive consultation over a number of years, now provides a roadmap for governments, business and community organisations to address all forms of racism in Australia. The Framework contains 63 recommendations for a whole of society approach to eliminating racism, with proposed reforms across Australia's legal, justice, health, education, media and arts sectors as well as workplaces and data collection.

In parallel, the Australian Universities Accord, a 12 month review of Australia's tertiary education system, recommended the conducting of a survey into the prevalence and impact of racism across the tertiary education system (Australian Government Department of Education, 2023, p. 32; Australian Government Tertiary Education Quality and Standards Agency, 2024).

This Report is part of the initial response to the Accord Recommendation and seeks to investigate the prevalence, nature and impact of individual and systemic racism within Australian universities (for both students and staff), with a particular focus on (but not limited to) racism, antisemitism, Islamophobia and the experiences of First Nations peoples, international students, as well as people from negatively racialised/culturally and racially marginalised backgrounds.

# Methods and Scope

This Report provides initial findings from a high level, rapid review of domestic and international research, evidence and data on existing and emerging trends in the prevalence, nature and impact of individual and systemic racism within universities on both students and staff, including those with experiences of intersectional discrimination.

In determining the scope of this literature review it is necessary to first establish the parameters of the task. In this section, we offer a brief discussion of the key concepts of this review, as well as the methods used in this report.

## Key concepts

We have, where possible, aligned terminology in this review with the Commission's previously published research. We note that the Respect At Uni project is oriented towards understanding a wide range of lived experiences of racism, which requires not exclusively defining terms and concepts without thorough consultation and collaboration.

The scope and terminology, as detailed below, takes into account emerging findings of current (and previous) Australian Government reviews and processes, as well as broader government social cohesion and anti-racism efforts. Specifically, the review has regard to the National Anti-Racism Strategy including the National Anti-Racism Framework initiative. The authors of this report agree with the Commission's view that terminology can be both empowering and limiting for individuals and communities (Australian Human Rights Commission, 2024). It should also be noted that where different terminology is used, this may reflect terminology or scope of the research cited.

### **Cultural safety**

Cultural safety was originally conceptualised in the context of health care for First Nations people as a process that moved beyond cultural awareness and cultural sensitivity to consider the experiences of recipients of care or services (Australian Human Rights Commission, 2018, pp. 4-5). This concept has now been more broadly applied and adopted in other sectors as a way to create anti-racist environments which support Indigenous and other staff with lived experience of racism in workplaces, as well as the delivery of culturally appropriate, safe services. It is noted that the National Anti-Racism Framework recommends that a nationally recognised definition of First Nations cultural safety be developed, with minimum standards, for application across sectors.

### **Individual racism**

The Australian Human Rights Commission defines individual racism as racism that occurs in everyday interactions. This can be between individuals or groups and is what most people recognise as racism. It can take a range of forms, including abusive language, harassment, exclusion, or humiliation. Interpersonal racism can also be expressed through casual remarks or jokes. Some people refer to this type of racism as 'everyday racism' because it illustrates how systemic racial inequity plays out between people. Interpersonal racism does not always target a specific person and may not even be intended to cause harm or offence. However, the lack of intent does not reduce the negative impacts of racism (Australian Human Rights Commission, 2024, p. 36).

### **Intersectional racism**

Intersectionality is a conceptual framework conceived by Professor Kimberlé Crenshaw, an African American academic (Crenshaw, 1989). It highlights how different aspects of a person's identity and experiences impact one another and 'intersect'. These different aspects of a person's identity then inform their experience of systemic and structural inequality. In other words, a person's experience of racism, is also affected by other parts of their identity, such as their sexual orientation, gender identity, age, socio-economic status, or whether they live with a disability.

Intersectional racism is a nuanced approach to anti-racism that addresses the unique and varying needs of all individuals and communities.

### **Negatively racialised or culturally racialised**

The Commission uses ‘negatively racialised’ to refer to communities that experience the harms and traumas of racialisation. The Commission does not use ‘negatively racialised’ to define or identify individuals or communities. Rather, it is used to highlight how racism operates by racialising various groups of people negatively to maintain the dominance of groups racialised as white.

Similarly, the Diversity Council of Australia (DCA) defines culturally and racially marginalised (CARM) groups as referring “to people who cannot be racialised as white. This group includes people who are Black, Brown, Asian, or any other non-white group, who face marginalisation due to their race. The term “culturally” is added because it recognises that people may also face discrimination due to their culture or background” (Diversity Council Australia, 2021).

It should also be noted that many previous studies and datasets use different terms referring to people from non-English speaking backgrounds (NESB) or culturally and linguistically diverse (CALD) people so these may also be used in this report when referring to such research.

### **Racial literacy**

Racial literacy is a set of skills that: enable critical and intersectional understandings of racism and how race operates in society; increase awareness of the power dynamics that influence the process of racialisation, and racist practices, systems, and structures; equip people with tools to understand and challenge racism; are built over time involving continuous learning and unlearning, including about normalised practices, ways of being and knowing, and understandings of history particularly in relation to colonisation; and are determined by the needs of communities who experience racism (Brown, Kelada, & Jones, 2021; Grayson, 2017).

### **Systemic racism**

Systemic racism is the way a society or institution’s cultural norms, laws, ideologies, policies, and practices result in inequitable treatment and outcomes. Systemic racism involves entire systems, for example, legal, healthcare, and criminal justice systems, and the various institutions and structures that support their operation. Systemic racism can also happen without specific laws, policies, or practices that keep it in place, where the legacy of those norms, laws, policies, and practices persists in systems long after they have ended (Australian Human Rights Commission, 2024, p. 36).

## **Situating this review in the wider socio-political context**

While there are differences in terms of the geographical and geopolitical contexts referenced in the literature, there are key similarities which should be considered. Most universities within the purview of this report are situated in settler colonial nation-states and are formed by the histories that enable colonialism to frame policies, immigration, media representations, and everyday interactions. Many curricula, for instance, are based on western epistemologies. While this could be a drawback for ‘non-western’ international students, it can also perpetuate the racist myth that non-Western curricula and epistemologies are ‘lacking’ and those who study and use them are less than.

For example, there are reports that students from Africa who study health sciences in the United Kingdom (UK), United States of America (USA), Canada and Australia contend with racial stereotypes from domestic staff and students (Inyama, Williams, & McCauley, 2016). Further, the literature highlights how East-Asian international students in the USA experience more difficulties (including race-based discrimination) than students from other parts of Asia, as well as domestic students in completing their studies (Perry, Weatherford, & Laush, 2016). Furthermore, these reports suggest that domestic/local staff and students that also do not fit into a normative ‘white’, ‘western’ category are also packaged as ‘other’, ‘different’ and ‘substandard’.

In compiling this review, it is important to note that Australia, Canada, the USA, Aotearoa New Zealand, and the UK, all share similar issues and tensions concerning Indigenous sovereignty

(which is often delegitimised), as well as immigration and border protection/control, wherein the 'white' majority have authority over who counts as belonging to the nation-state, who can speak and who should be listened to. At the crux of this is the way in which asymmetrical relations of power privilege the 'West' over the 'rest' and imagine the 'West' as being embodied by white individuals (Hall, 1992).

This is not to state that anti-racism work is non-existent in universities. However, even when anti-racism or race literary is considered within the university context, the literature suggests that racism is not generally usually understood in an intersectional manner.

### Note

The above definitions lend itself to exclude from this literature review the accounts, narratives, and experiences of white people who say that they experience systemic or individual racism. As Banaji, Fiske, and Massey (2021, p. 2) write: 'Racism represents the biases of the powerful (Jones, 1971), as the biases of the powerless have little consequence (Fiske, 1993).' Given the Australian context where white people represent the powerful, research examining experiences of white people who claim to have been targets of systemic or individual racism have been excluded.

## Methods

In undertaking this report, an approach that was both exploratory and systematic was adopted to capture both peer-reviewed and grey literature. As this is a rapid interim report, we have applied a simplified protocol guided by subject matter expertise to capture an overview of the available literature. The final report will be developed in accordance with best practice guidance for scoping reviews preferred reporting for systematic reviews and meta-analysis (PRISMA) extension for scoping reviews (PRISMA-ScR) (Tricco, et al., 2018).

This research has been stratified into the following research categories, each with their own respective approach:

1. Domestic and international research, surveys and evidence on existing and emerging trends in the prevalence, nature, impacts and experiences of racism within universities on students and staff, including through a systemic and intersectional lens.
2. Frameworks for prevention, including best practice examples and other guidance available within national and international university contexts to strengthen sectoral and institutional anti-racism with intersectional approaches and activities
3. Impact and effectiveness of the rules, legislation, regulations, policies and other arrangements of universities in relation to preventing and addressing racism on university campuses (both physical and online)
4. Methods for universities to increase transparency and accountability to their students, staff, communities and the Australian Government on racism and discrimination prevention and response activities
5. Benchmarks for measuring sector performance and ongoing improvement
6. Adequacy of legislative and regulatory mechanisms in supporting universities to respond to racism and discrimination.

Due to the diverse research categories included within this report, data gathering approaches were developed to obtain information from sources relevant to each research category. Approaches were exploratory and flexible given this novel subject area in the context of tertiary institutions. Peer reviewed and grey literature published between the years 2014 and 2024, in English were included in this report. Specific search strategies are not contained in this interim report. A brief overview of the research approach is below.

### **Peer reviewed literature searches**

Peer reviewed searches were performed using key terms relevant to each research category in the following databases JSTOR; Race, Ethnicity and Education; and Equality, Diversity and

Inclusion: An International Journal. Examples of searches include combining “University” and “Australia” with the following key words to focus searches: “Racism”, “Islamophobia”, and “Antisemitism”.

### **Grey literature searches**

Grey literature<sup>1</sup> searches were performed in an inductive manner. Iterative searches were conducted within a broad range of search engines. Grey literature searches were performed in Google, Google Scholar, Microsoft Co-pilot, [The Conversation articles](#), and Analysis and Policy Observatory ([APO](#)). Targeted searches of university specific websites and affiliated organisations were researched. These targeted searches included Australian and international tertiary institutions, followed by screening and data extraction of relevant data, refer to the appendix for a comprehensive list of Australian universities included within this report.

To capture both Australian and international data, Google searches were conducted and adapted from the Canadian Agency for Drugs and Technologies in Health method, where the top 25 search results based on key terms were screened according to the aim of each research category (Canadian Agency for Drugs and Technologies in Health, n.d.). Grey literature searches with an Australian focus were supplemented by searches within [The Conversation articles](#) catalogue, using keywords such as “racism” and “Australia”. Further peer reviewed academic literature were identified from literature referenced within relevant Conversation articles; these were included in the findings of this report. Grey literature searches of [Analysis and Policy Observatory \(APO\)](#) collections for “racism” were carried out to identify reports, policy documents, working papers and other sources related to the prevalence of racism in Australia between 2014 and 2024.

To capture international data, the AI search engine, [Microsoft Co-pilot](#) was searched to find best practice examples and other guidance available within America, New Zealand, Canada and elsewhere, which were relevant to university contexts. Research questions aligned with the aims of this report were used as prompts for the Microsoft Co-pilot searches, such as “what frameworks for preventing racism are currently available?” Outcomes were then cross-referenced in Google, peer reviewed databases, such as JSTOR, and university websites.

Grey literature found in Google, elicitor.com, and <https://www.semanticscholar.org/results> pertaining to 'nature, impacts and experiences of racism' were also validated and cross referenced within other databases, search engines, and targeted university related sources. Additional grey literature searches not discussed in this report, but included in the report's findings, were guided by authors' expert knowledge of the subject area.

## Scope

A number of areas have emerged as requiring further refinement of scoping between the research team and the Commission. These are details in the final section of this report on next steps.

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<sup>1</sup> Grey literature, as defined by Schöpfel (2011, p. 2) are the “document types produced on all levels of government, academics, business and industry in print and electronic formats that are protected by intellectual property rights, of sufficient quality to be collected and preserved by library holdings or institutional repositories, but not controlled by commercial publishers i.e., where publishing is not the primary activity of the producing body.”

# High level overview and interim findings

## 1. Domestic and international research, surveys and evidence on existing and emerging trends in the prevalence, nature, impacts and experiences of racism within universities on students and staff, including through a systemic and intersectional lens

In the Australian context, when searching for data on racism, it was found that while there were more academic articles, reports, and newspaper articles on the topic of racism in a general sense, there was a notable drop in data specifically addressing experiences and systemic processes of racism within the higher education sector. In the Australian context, a database search in JSTOR (Journal Storage) yielded significantly fewer articles on racism in universities compared to the broader topic of racism in Australia. When inputting “racism in Australia” as an initial search, 42,259 results were found. When searching for “racism in Australian universities”, 3,435 results were found. When examining these refined results more closely, however, more than half of these results were not focused on racism in Australian universities. Instead, there were articles about racism in universities in other countries or were focused on racism experienced within migrant communities in a broader sense and not specific to the higher education context. Furthermore, declarations of institutional affiliations within the texts themselves often brought them into the search parameters without being directly related to the subject of inquiry.

If we compare the literature available between Australia and America, for example, it reveals just how lacking the literature situated in Australia is. A database search via JSTOR with the search prompts ‘racism in America’ brought up 217,824 results. The search prompts ‘racism in American universities’ resulted in 76,045 book chapters, journal articles, and research reports. Similar to the Australian context, the specific focus on racism in universities is not explored to the extent that racism in general is analysed. However, the disparity of results on geographical lines gives evidence to how the United States of America has a more established history of research and literacy about race as a framework for evaluating societal, cultural, and political systems than countries like Australia. Erin Wen Ai Chew, National Convener of the Asian Australian Alliance, highlights this difference by noting in a personal communication with a co-author (Elaine Laforteza, 2024) “Look at how the US has Black History Month or Asian-American History Month...we don't have anything like that in Australia.” This reflects the greater institutional investment and political recognition in the USA of histories and perspectives that are not Anglo or Euro-centric. The emerging trend of removing Diversity, Equity and Inclusion (DEI) and race-literacy focused subjects in the United States of America offers an example of the ways in which race literacy has and can be a foundational and established part of the academy, to the point that it has evoked reactionary and race-based backlash. For example, the University of Texas recently eliminated a combined 681 contracts, programs and trainings related to diversity, equity and inclusion (Acker, 2012).

With these parameters now established, we move on to discuss the results of this literature review, below.

### Prevalence of racism, antisemitism, and islamophobia in universities

There is, to date, no robust prevalence data available about racism, antisemitism, or Islamophobia that is experienced in a higher education context in Australia. Furthermore, there is little evidence on the prevalence of these in comparable countries. In this section of the report, we canvass the literature on the prevalence of racism (and antisemitism and Islamophobia). In doing so, we establish how under researched this area is.

This lack of research is highlighted in a 2021 concept paper for the National Anti-Racism Framework (Tan, 2021). The (then) Australia’s Race Discrimination Commissioner Chin Tan observed that, despite the need for comprehensive national data to inform, guide and deliver



effective anti-racism, “[r]obust, nationally consistent data about racism and racial inequality is not available in Australia.” What data does exist has serious limitations, as Ben *et al* (2022) found through their stocktake review of quantitative racism data collected nationally up until July 2022. This study examined 42 survey-based research studies and six ongoing organisational reporting initiatives and found that current data has serious limitations that impact our knowledge about the nature, prevalence and impact of racism in Australia. It identified that there were eight gaps to racism data collection and analysis in Australia, including six areas where data collection and analysis were missing or inadequate:

1. Cohorts experiencing racism – experiences of racism among young people (under 18) and humanitarian migrants.
2. Perpetrator demographics – perpetrators’ racial/ethnic backgrounds and other demographics such as age, education and sex.
3. Types of racism – vicarious racism (for example, as witnessed), the existence of structural racism in society (for example, in Australia; towards a group), and specific forms of racism such as being harassed, hassled or stopped from doing things.
4. Settings where racism is experienced – domestic settings, media, sports, online, and financial settings.
5. State- and local-level data - while data about the state where study participants reside are often collected by national studies, those studies rarely report state- and local-level data.
6. Responses to and outcomes of racism – attitudinal, cognitive, behavioural, and health related responses to racism are scarcely studied. Relatively few studies report on associations between experiencing racism and certain health outcomes, such as physical health or substance use, and between racism and key indicators of socio-economic status or outcomes such as employment or income.

Two additional gaps related to limitations to data collection methodologies:

7. Longitudinal data – Longitudinal designs are scarce, limiting our understanding of the transformations and effects of racism over time. These include changes over the lifespan and during critical life phases, and changes in the prevalence and impact of racism on various outcomes and
8. Capacity and resourcing of routine data collection – Organisations play a critical role in the routine collection of racism data, yet face limitations to their data collection methodologies and coordination, and challenges related to organisational resources.

Efforts to address these continuing gaps have led to proposed research methodologies which move beyond individual studies to summarise and synthesise national findings rigorously drawing on robust, established practice in systematic reviews and meta-analysis (Ben, *et al.*, 2022).

Notwithstanding the limitations of national prevalence data, best recent estimates from the annual ‘Mapping Social Cohesion’ survey suggest that 17 per cent of Australian adults reported personal experiences of discrimination based on skin colour, ethnicity or religion, with an even higher proportion of respondents, 34 per cent from non-English speaking backgrounds, reporting such experiences (O’Donnell, Guan, & Prentice, 2024). While this data does not relate specifically to the higher education sector, in the context of both the Federal Government and Opposition rhetoric about enacting policies to reduce immigration and capping the number of international students coming to Australia, survey participants referenced international students in their qualitative feedback.

Western Sydney University has also undertaken a number of quantitative surveys as part of their ‘Challenging racism’ project (Clair, Dunn, Kamp, & Alam). An online survey undertaken between July and August 2015, and in November 2016 of Australian residents generated a completed sample of 6001 respondents, largely representative of the Australian population. The rates of racism experienced by Aboriginal and Torres Strait Islander participants were much higher than non-Aboriginal and Torres Strait Islander participants and also for those respondents who spoke a language other than English compared to those who only speak English. The most common setting for these experiences was within educational institutions; 57 per cent of Aboriginal and

Torres Strait Islander respondents and 56 per cent of LOTE speaking respondents experienced racism within school, university etc. Men consistently reported higher rates of racism than women.

In the international context, there is varying degrees of evidence of the prevalence of racism on university campuses. For example, one study in New Zealand shows that young Māori, Pacific, and Asian people (aged 15-24) experience racism more than white people (Harris, et al., 2024). However, this study was not based just on university campuses, instead accounts for young people more generally and while we can extrapolate this to account for this age range being at university, it is not a true and accurate reflection of the prevalence of racism in the higher education context.

In America, one study found that “5-15% of students, with all racial/ethnic minority groups examined- including Black, Hispanic, Asian, AI/NA/NA, and Multiracial students- more likely to report discrimination relative to White students” (Stevens, Liu, & Chen, 2018, p. 665). In the United Kingdom, a 2019 report from the Equality and Human Rights Commission found that 24% of students and 50% of staff from ethnic minority backgrounds had experienced racial harassment (Equality and Human Rights Commission). There is no readily available data on the prevalence of racism in Canada.

Significantly more literature is available in relation to qualitative experiences and impacts of racism in Australia, both within universities and in the wider community. However, this literature cannot be used to establish prevalence, instead it can give voice to the nature, impacts, and experiences of racism. This is explored below.

## Nature, impacts and experiences of racism

The impacts of racism on individuals and communities have been widely documented in terms of health, wellbeing, economic security, educational outcomes and employment over many years. While only a small amount of this research specifically references the experiences and perspectives of university students (Levy et al., 2016), it does provide important context for the need to address racism in universities. In addition, it is worth observing—as VicHealth did in a recent synthesis review—that [r]acism and racial discrimination are fundamental causes and determinants of health and health inequalities globally. Children and young people are particularly vulnerable to racism’s harms (Priest, Guo, Perry, Thurber, & Jones, 2021).

### Students

The literature highlights a range of ways in which racism on campuses is experienced by those at whom it is directed. For students, this can include:

- **Systems and processes that impact on student enrolment and access:** Admission processes can fail to take into account the differing needs of marginalised cohorts of prospective students. For example, the literature has found that when Indigenous students faced a challenging admission process, such as difficulties in applying for RPL and a lack of articulated pathways from VET qualifications into higher education, they felt stressed, disempowered, and undervalued (Simpson, 2022; Stuart & Gorman, 2015). Similarly, research into the experiences of young African people from refugee backgrounds has identified that even when flexible pathways to higher education exist, these are difficult to access without high levels of navigational capacity and that the stress of racism pervades these students’ educational experiences (Molla, 2019)<sup>2</sup>,
- **Anglo and Euro Centric assessment practices and curriculum:** Students in a recent Melbourne University study (Omer, 2023) reported issues with assessment, citing experiences such as “[t]oo many examples and case studies and exam questions are related to alcohol. As a Muslim, I have not knowledge (or interest) in these examples, and I cannot relate to them” (p. 12); “Exams, lectures and tutorials are 100% not culturally appropriate” (p. 17); “the exam contained an optional question that deeply disadvantaged me as a non native speaker who could not understand the words of the song played the lecturer each class” (p. 26). Similarly, the students identified concerns

<sup>2</sup> Significant research has been undertaken in this space by the [Australian Centre for Student Equity and Success](#) (ACSES) at Curtin University including for a range of marginalised student cohorts including CALD students, humanitarian migrants, refugee young people, and Indigenous students.

with curriculum: “[i]t sometimes feels that looking at something outside of the European canon feels like an obligation for some people, mostly students as teachers have expressed in person to me that they would like to have a more diverse focus in their own courses” (p. 12); “[t]he course outlines and syllabi, even in the film department, are very Eurocentric and Hollywood American-centric. I find that I’m so invisible. Despite that, there are lasting film industries in other parts of the world” (p. 11); and “[w]hen I cite from Chinese credited resources, my professor refused to recognize the credibility of it” (p. 13).

- Linguistic bias and stereotyping:** Australian research suggests a mismatch between current academic thinking on the importance of translanguaging in education and the relative invisibility and lack of privilege given to languages other than English on campus, especially from a non-European context (Dobinson & Mercieca, 2020; Sender, 2020). This has been found to be particularly experienced by international students from East Asian (e.g. China) and/or South Asia (e.g. India), who experience linguistic racism in the form of accent bullying and stereotyping, leading to psychological damages like depression and suicidal ideation. ‘Ethnic accent bullying’ refers to bullying in the forms of ‘laughing’ and ‘joking’ towards ethnically and linguistically different background speakers’ biographical English accent. ‘Linguistic stereotyping’ refers to predefined negative perceptions imposed on English speakers based on their race, ethnicity, and nationality. These speakers are often ‘heard,’ ‘seen,’ or ‘imagined’ speaking ‘bad’ or ‘low proficient’ English irrespective of their actual high-level in English. An ‘ethnic accent’ may shape perceptions of one’s English competency, which does not seem to elicit the same treatment as British, Australian, American, Canadian (and so on) English accents (Sender, 2020 p. 4).
- Racial bias and racialised stereotyping:** Recent research (Goldsmith, MacKenzie, & Wynter, 2024) has identified significantly different responses from faculty to prospective PhD students. Approximately 7000 emails were sent by the research team from fictitious students to academics based at the main campuses of Australia’s Group of Eight universities. Depending on the student’s name and association with a racialized group, statistical analysis showed the white-sounding names averaged a 7% higher reply rate and a 9% higher positive response rate than the non-white sounding names. Racialised stereotyping of students (Mitchell, Stelle, Marie, & Timm, 2017) is often reinforced by media representations (Ritter et al., 2015) and thus likely to become more evident when race based events are given greater media coverage.
- Retention and completion:** Racism and discrimination towards Indigenous students from non-Indigenous peers and staff has been found to impacting on successful course completion (Simpson, 2022). Examples cited in the literature include questioning over Indigenous cultural identity, and students being treated negatively by others due to the perception that they are receiving ‘special treatment’ (Stuart & Gorman, 2015; West et al., 2016).
- Social segregation and isolation:** McAllister and colleagues have found that having Māori and Pacific colleagues and mentors within their discipline, heavily influenced the success of Māori and Pacific postgraduates, reducing discomfort and isolation (McAllister, et al., 2022). The Melbourne University Racism survey (Omer, 2023) found students reported a deliberate isolation of students based on race: “[m]any local Australian white students sometimes ignore international students’ existence. Sometimes they just assume we don’t exist and continue on their own discussion in class” (p. 11); and “I have experienced situations where my classmates declined to collaborate with me, citing that I am not their friend and am Asian. They preferred to work with their friends” (p. 11).
- Racism in professional practice settings:** One recent study examining the prevalence of exposure to racism, discrimination, bullying, and harassment for Māori medical students and physicians found high exposure to multiple forms of racism, discrimination, bullying, and harassment in medical education, training, and work environments (Cormack, et al., 2024) and

- **Microaggressions:** A systematic review of racial microaggressions in US higher education learning environments (Ogunyemi et al., 2020) examined more than 40 studies which included microaggression experiences related to the experiences of minorities, difficult racial dialogues, coping strategies for microaggressions, and system interventions strategies. More than 80% of reports related to microinsults, close to 28% to institutional microaggressions, 20% to microassaults, and 5% to microinvalidations. Microaggressions were prevalent and “invisible” in colleges with minority students seemingly worn down by ongoing strategies used to confront the inherent associated stresses. Difficult racial dialogues were characterized by intense emotions in both professors and students that interfered with successful learning experiences. American research has also highlighted the intersectional experience of microaggressions in the higher education system. Harris (2017) highlights gender influences on multiracial microaggressions – for example, women’s hair played a large part in the assumptions about identity. The author stressed that these findings reinforced the importance of future research exploring the intersectional influence of race, gender, and other social identities in multiracial students’ experiences with multiracial microaggressions. (Harris J. , 2017).

Surveys undertaken by student led organisations have been particularly useful in shedding light on the nature and impact of racism, Islamophobia and antisemitism on students. The University of Melbourne People of Colour committee (part of the university’s student organisation, UMSU) has now undertaken their third annual survey of racism in their institution (Omer, 2023). The surveys were conducted in Semester two of 2021 (Hadi, 2021), 2022 (Adam, 2022) and 2023 and have grown from 51 responses in 2021 to 855 responses in 2023. The surveys are not an attempt to establish prevalence but to explore students’ experiences of race discrimination and microaggressions in academic settings, and their comfort with reporting incidents. The demographics collected from students were in relation to current or alumni status, the course they study/studied, residency status, whether they’re a person of colour and whether they’ve witnessed or experienced racism at University. In addition, focus groups were conducted in person, with participants asked questions covering three main themes: how racism manifests at Melbourne University, the challenges to reporting racism, and initiatives to tackle racism and improve reporting.

Key themes emerging from the survey and focus groups related to:

- Language and terminology - academic policies and guidelines are often not translated or available in languages accessible to students from diverse backgrounds, particularly international students.
- Lack of representation in the curriculum and the teaching staff, particularly when it comes to topics related to colonialism and intersectionality
- The impact of racism on students’ sense of belonging and inclusion within the University community
- Challenges in addressing racism effectively on campus, including the perception that racism is no longer a significant issue in the University. This perception can lead to resistance when these issues are raised and highlights “white fragility” with some individuals react defensively when confronted with discussions about race and racism.
- Barriers to reporting including a lack of transparency, complexity and accessibility when it comes to reporting issues, navigating University websites, and finding resources; lack of culturally appropriate support for victims
- Concerns about how Indigenous knowledges are taught and treated
- The need for education and awareness campaigns on recognising different forms of racism, including microaggressions (Omer, 2023).

The Jewish Student Experience Survey (2023), undertaken by the Social Research Centre on behalf of the Australasian Union of Jewish Students (AUJS), with the support of the Zionist Federation of Australia (ZFA), the Scanlon Foundation, the Besen Family Foundation and the

World Zionist Organization (WZO), has also provided insights into the nature of antisemitic behaviour experienced by students.

The aim of the survey was to understand Jewish students' experiences of antisemitism in Australian universities and was the first survey of its kind in Australia. An online survey was conducted between March and April 2023 with current and former (within the last five years) Jewish university students. Given the challenges in reaching this specific student population, there were two pathways to survey entry provided to maximise responses: survey invitations were sent by the Social Research Centre to contacts on the AUJS database along with an opt-in link to the ZFA, who then promoted the survey through their own communication channels. A total of n=563 surveys were completed over a three-week period, this comprised of n=396 from the AUJS database and n=167 from the opt-in link.

A significant proportion of respondents experiencing antisemitic behaviours in a university setting (either on campus or online). Almost two thirds (64%) of the students surveyed had experienced at least one antisemitic behaviour during their time at university. The majority (88%) of these students had recently experienced antisemitism, that is, within their last twelve months of university. Women (92% vs 82% of men) and those who wear Jewish clothing and/or jewellery (92% vs 84% of those who don't) more likely to have recent experience with antisemitic behaviour.

The most common antisemitic experiences reported were:

- People or events that made students feel intimidated because of your Jewish identity
- Antisemitism based on perceptions of Jewish money, power or influence
- People comparing Israel to Nazi Germany
- Antisemitism based on religion or race
- People denying or minimising the Holocaust (reported more commonly by women than men) and
- Being involuntarily singled out, or excluded, because of matters relating to Israel.

This research also highlighted the impacts of antisemitic experiences, distinct from the impacts of racism on campus identified elsewhere in the literature including:

- Students hiding their Jewish identities (for example, by not wearing identifying clothing or jewellery),
- Students avoiding or not attending campus, and
- Students lacking confidence in complaints mechanisms and so avoiding making complaints, even about very distressing incidents.

It is also notable that university students were reported as active participants in these antisemitic behaviours the majority (90%) of the time, however close to a third (29%) of respondents had witnessed university staff as active participants.

A mini survey conducted with a group of Australian Muslim university students (cited in Iner et al., 2017) points to numerous unreported experiences of harassment. Circulated as verbal narratives at the grassroots level, 77.9% (n=67) of the participants stated they were exposed to Islamophobic incidents. The number of Islamophobic incidents averaged 2.2 cases per person. Some 50% of the participants experienced Islamophobia in some form. Although individual experiences of Islamophobia were high, only 8.16% of cases were reported to the police. Even fewer were reported to relevant agencies or organisations like the Islamophobia Register even though one-third of participants were aware of the existence of these reporting mechanisms.

The National Union of Students in the UK has also carried out a range of research examining experiences of racism, antisemitism and Islamophobia (National Union of Students, n.d.). This research, although some of which is out of scope, will be a useful addition for the final report as there are numerous self-published studies about the lived experiences of students.

Other community-based organisations, although not student specific, have also undertaken research projects which expose more details of the nature of racism experienced by students. For

example, the Asian Australia Alliance undertook research in 2020 examining incidences of racism in the context of COVID-19 (Asian Australian Alliance, 2020). International students accounted for 15% of respondents to this survey, 80% of whom were from a Mainland Chinese background. This research highlighted specific issues—also echoed in other literature—which include concerns about the impacts of racism on students as well as uncertainty about their immigration rights which may lead them to believe that reporting to authorities may compromise their visas (see also: Pass, Madon, Murphy, & Sargeant, 2020). This may also be compounded by the large number of people working illegally or being underpaid in cash, especially in the restaurant industry (Commonwealth of Australia, 2016). Given the socioeconomic situation that many students face in relation to having external employment in order to make ends meet, these concerns about the status of their visa and work-rights are inextricably linked to their experience of studying.

### Staff

For staff at universities, while the nature of their experiences of racism may be similar, there are other impacts in terms of their role as employees of organisations. The research notes:

- **Biases in recruitment and promotion:** Both Australian and international research recognise the impact of racism on university staff in terms of promotion. In 2017, Nana Oishi reviewed 317 studies on minority faculty finding that major issues such as negative stereotypes, tokenism and marginalisation had not changed for ethnic minority scholars for the last two decades. This corroborated her research findings that the majority (54.3%) of Asian Australian academics felt that their ethnic and cultural background worked to their disadvantage. Asian-born academics while well represented in lower ranks of academic positions, they were severely under-represented in the most senior management positions in Australian universities. In 2015, only 3.4% of Deputy Vice-Chancellors were Asian-born, there were no Asian-born Vice-Chancellors at any Australian university; and the majority of Asian Australians (63.0%) believed that they were not appropriately represented in the university management.

Surveys of union members conducted by the National Tertiary Education Union (NTEU) National Aboriginal & Torres Strait Islander Policy Committee (A&TSIPC) found 75% of Indigenous university staff respondents had experienced racism in the workplace (Frogley, 2018), concluding that racism, discrimination, a lack of cultural understanding/respect and lateral violence continue to impact Aboriginal and Torres Strait Islander staff in the Australian higher education sector.

A recent Australian Research Council (ARC) 3-year longitudinal study *Developing Indigenous Early Career Researchers*, investigated a strength-based, culturally relevant approach to Indigenous ECR mentoring (Povey, Trudgett, Page, & Lea Locke, 2022). While mentoring was found to be an important foundation for a successful academic career, it faces criticism on many fronts, with literature increasingly contesting the underpinning ideological constructs.

A Canadian study of more than 300 senior university leaders, mapped the demographic composition of academic leaders across Canada, including presidents, vice-presidents, assistant vice-presidents, associate vice-presidents, provosts, and vice-provosts. The findings suggest that racialised people in leadership are under-represented compared with their presence in the university population—consistent with the pyramid of exclusion where the representation of racialized people decreases as they move up the ranks. (Cukier, Adamu, Wall-Andrews, & Elmi, 2021).

Another 2020 study of New Zealand based universities showed that Māori and Pacific academics, compared with non-Māori non-Pacific male academics, were significantly less likely to be promoted to the professoriate (associate professor, professor) and earn less, over a 15-year period. These gaps are not explained by research performance (measured by Performance Based Research Fund scores), age or field (e.g., science) (McAllister, et al., 2020). In followup research, (Kidman & Chu, 2021) explored ways to address current promotional processes that discriminate against Māori and Pacific academics in New Zealand universities

US research (Rucks-Ahidjana, 2019), examines the pressures facing racially marginalised academics with almost three-quarters of black, Asian and Latinx professors reporting “feeling a need to work harder than their colleagues to be seen as legitimate scholars,” compared to less than half of white professors. The work involved in supporting and mentoring students, legitimizing one’s research, and navigating ethno-racial microaggressions is part of the ‘invisible labor’ that most colleges and universities do not recognise in the tenure and promotion process.

- **High levels of cultural load:** In the US context, cultural load on minoritized academics has been identified in activities such as mentoring, DEI (diversity, equity and inclusion) responsibilities, including strategic planning and implementation, managing DEI budgets, and/or determining university wide DEI efforts (Hodges & Welch, 2023) undertaken by racially marginalised staff, particularly women. New Zealand based research (Haar & Martin, 2022), has identified similar themes impacting on Māori scientists: *whakawhanaungatanga* (relationship management), *kawenga* (responsibilities), *taumaha* (workload), *āheinga tangata* (human capacity), *tikanga* (correct practice), *hauora* (well-being), and *umanga takaware* (career disruption). The authors classify these pressures as *aronga takirua* (cultural double-shift) and present a theoretical model for understanding the drivers and consequences of this cultural double-shift for Māori scientists.

In 2020, the ‘Gari Yala’ project surveyed Aboriginal and/or Torres Strait Islander Australians who were employed at the time of responding or had been employed in the past two years (Brown, D’Almada-Remedios, Gilbert, O’Leary, & Young, 2020). The survey used a combination of two sampling methods: an online survey of 250 Aboriginal and/or Torres Strait Islander Australians, administered through a research-only survey panel and a non-probability/ snowballing convenience sampling method. While this study examined the experiences of more than 1000 Aboriginal and/or Torres Strait Islander workers across sectors, slightly more than 10% of the participants were working in education and training organisations.

The study found that:

- 38% of participants reported being treated unfairly because of their Indigenous background sometimes, often or all the time
- 44% reported hearing racial slurs sometimes, often or all the time
- 59% reported experiencing appearance racism – receiving comments about the way they look or ‘should’ look as an Aboriginal or Torres Strait Islander person

The research found racism impacted wellbeing and job satisfaction, with Aboriginal and/or Torres Strait Islander workers who experienced unfair racist treatment were 2.5 times less likely to always be satisfied with their job, compared to those who rarely or never experienced unfair racist treatment; 3 times less likely to always recommend their workplace to other Indigenous people; and 2 times as likely to be looking for a new employer in the next year

Of particular concern, the report found current workplace supports were ineffective with only 1 in 3 reporting they had the workplace support required when they experienced racism and only 1 in 5 working in organisations with both a racism complaint procedure and anti-discrimination compliance training that included reference to Indigenous discrimination and harassment.

In 2021, the Gari Yala data was re-analysed by gender, revealing that Indigenous women who are carers were experiencing a ‘triple jeopardy’ – that is, the combination of three aspects of their identity are amplifying their experiences of discrimination and exclusion at work (Evans, 2021). Indigenous women with caring responsibilities were:

- more likely to feel unsafe in the workplace,
  - more likely to carry extra expectations to make their workplace culturally sensitive and engaged, and
  - less supported when they encounter racism and unfair treatment.
- **The impact of racist or biased student feedback on career progression, particularly for women:** A 2021 Australian analysis of the recent research regarding student evaluations of courses and teaching (Hefferman, 2021) found that student evaluations are influenced by racist, sexist and homophobic prejudices, and are biased against discipline and subject areas. With student evaluations undertaken in over 16,000 higher education institutions at the end of each teaching period, it is critical to understand that the data informing student surveys is flawed and prejudiced against those being assessed. Evaluations have been shown to be heavily influenced by student demographics, the teaching academic's culture and identity, and other aspects not associated with course quality or teaching effectiveness. Evaluations also frequently include increasingly abusive comments which are mostly directed towards women and those from marginalised groups, and subsequently make student surveys a growing cause of stress and anxiety for these academics. Yet, student evaluations are used as a measure of performance and play a role in hiring, firing and promotional decisions.

This analysis is reinforced by a range of international research (Daniel, 2022; Rollock, 2021).

- **Racism in research:** Despite recent increases in the number of Indigenous Higher Degree by Research (HDR) enrolments and completions in Australian universities - from 80 prior to 2000 to a total of 372 by 2014 - and with doctoral research completion rates growing from 33 in 2008 to 54 in 2018, there remains a disparity in the representation and retention of Indigenous Australians in research training (Povey, Trudgett, Page, & Lea Locke, 2022). Povey et al. (2022) build on the work of Bodkin-Andrews and Carlson (2016), Seet and Paradies (2018), and Moreton-Robinson (2015), to explore institutional racism in Australian universities, in particular focusing on the impact of racism on the experiences and career trajectories of Indigenous ECRs in Australian universities.
- **Impacts of intersectional bias on academic staff:** A range of studies have examined various intersections of the racialized experiences of university staff. Carangio (2023) explored the differences between the career progressions of cisgender, highly skilled immigrant women of different racial and ethnic backgrounds employed in a variety of industries, revealing how both Anglo White and non-Anglo White highly skilled immigrant women were affected by colonial patriarchal power relations, which served to hinder their career progression. Similarly, da Silva, Pereira, & de Castro (2024) have explored intersections of gender and race among business academics in Brazil and Tekeste, Zakariah, Azer, & Salahuddin (2024) advocate for the needs of racially marginalised ECRs facing issues around finances, political conflicts, and family from pre- to post-COVID-19 pandemic.

It is worth emphasising that limited research references intersectionality, and when it does, it is largely focused on intersections of race and gender. This has implications for our understanding of the impacts of intersectional racism on individuals and communities in relation to issues such as direct and indirect discrimination, career progression and pay gaps. For instance, according to *The Power Gap among Top Earners at America's Elite Universities* report: 'Only 11 colleges and universities (8.4%) have gender parity when it comes to top earners while just two institutions have attained racial/ethnic parity. Eight schools have no women among their top earners (Silbert & Mach Dubé, 2021).' This is replicated in the Canadian context where it is reported that Canadian universities systematically discriminate



against women and racialised minorities, preventing them from reaching tenured faculty and top administrative positions (Acker, 2012).

While some research has been undertaken into such issues internationally, data in Australia remains limited, thus hampering more detailed analysis (Alonso-Villar & del Rio, 2023). Victoria is the first and only jurisdiction in Australia to have formally integrated intersectionality into equality law via the Gender Equality Act 2020 (Vic) and released Australia's first analysis of intersectional workforce and survey data (for the Victorian public sector) in October 2023 (Commission for Gender Equality in the Public Sector, 2023). The [Gender Equality Act 2020](#) applies to defined entities (organisations that have 50 or more employees), including the public sector, universities and local councils. If available, these organisations are required to report data about Aboriginality, age, disability, ethnicity, gender identity, race, religion and sexual orientation and are required to have regard to the disadvantage or discrimination that a person may experience on the basis of these attributes in addition to gender inequality (i.e. compounded or intersectional gender inequality).

As a result, the Victorian data considers TAFE, universities and other Victorian education institutions in relation to their regulatory obligations to take positive and transparent action towards achieving gender equality in their workplaces and in their public policies, programs and services. While the specific implications of racism in universities are not entirely clear, the 2023 analysis indicates significant gender pay gaps for CARM and Indigenous women working in education and limited recognition of overseas education, work experience, and qualifications leading to a higher likelihood of working in unstable and casual roles within lower paid industries and sectors (Carangio et al. 2021)

Underpinning the staff and student experiences of racism, the literature also highlights the importance of world events and political rhetoric in episodically elevating experiences of racism experienced by various racially marginalised groups. In recent years this has included:

- Discrimination against Asian Australians and temporary migrants in the context of COVID-19 (Berg & Farbenblum, 2020; Kamp, Sharples, Vergani, & Denson, 2021),
- Inflammatory rhetoric and inhumane policies towards asylum seekers (Sharples, Dunn, & Diallo, 2023),
- Islamophobia and racist targeting of Muslim Australians (Dunn, Diallo, & Sharples, 2021),
- Mediatized racialisation and episodic criminalisation of African Australians (Majayu, 2020; Weng & Mansouri, 2021),
- The 2023 Voice Referendum created an environment in which racism towards Indigenous peoples increased. After the referendum, Indigenous-led national crisis hotline 13YARN were facing 100 calls daily and in the first two weeks of November, 25 per cent of the calls were reports of racial vilification or abuse (Knowles, 2024).
- Increases in antisemitism and Islamophobia have been noted in the context of ongoing conflict in Israel and Palestine – As the 2024 Scanlon Social Cohesion found, “deeply divided response to the conflict in the Middle East are creating a deeply challenging environment for intercultural and interfaith relations in Australia today. This year has been particularly challenging for many in Australia’s Jewish and Muslim communities as well as those from Palestinian, Lebanese, other Arabic and Iranian backgrounds” (O'Donnell, Guan, & Prentice, 2024).
- Significant race related events such as the death of George Floyd in 2020 and the Black Lives Matter movement (Subramaniam & Kokan, 2023).

## 2. Frameworks for prevention, including best practice examples and other guidance available within national and international university contexts to strengthen sectoral and institutional anti-racism with intersectional approaches and activities

In this section of the report, we examine the different anti-racism responses from universities, including their action plans and policies, their programs, projects, and campaigns, networks, student groups and employee resource groups, research undertaken from universities, and curriculum design. In taking such a broad sweep of the literature, we seek to cast the net as wide as possible to inform the Commission of the state of the sector.

### Action Plans and Policies

Currently there are few prevention frameworks specifically focused on anti-racism which have been adopted in Australian universities, however what does exist is canvassed below.

In 2024, Melbourne University launched its first [Anti-Racism Action Plan](#), detailing the steps it will take to combat racism on its campuses (University of Melbourne). The plan builds on an [Anti-Racism Commitment](#) published in January 2023 and is structured around four pillars – acknowledging, understanding, preventing and responding to racism. Similar approaches can be seen in the program of activities undertaken by other universities; for example [Monash](#) university has adopted an anti-racism statement which details their commitment to eliminating multiple forms of discrimination including towards indigenous Australians (Monash University, n.d.).

A number of universities have developed formal Anti-Racism policies (including [Charles Sturt University](#); [Victoria University](#); [UniSA](#); [Charles Darwin University](#) UNSW). Some universities specifically mark out the interconnection between anti-racism and various aspects of cultural diversity. For example, Queensland University of Technology names their policy as a [Cultural Diversity and Anti-racism policy](#). The University of New South Wales has developed an [Anti-Racism and Anti-Religious Vilification Policy](#). The University of Wollongong names their policy as an [Anti-Racism and Cultural Safety Policy](#), thus addressing the interconnected ways in which anti-racism and cultural safety work to benefit campus culture.

### Programs, projects and campaigns

Since 2019 the Indigenous Law and Justice Hub at Jumbunna have been working in collaboration with the National Justice Project to establish [Call It Out](#) – a First Nations Racism Register which was launched on 21 March 2022. In mid-2024, the digital reporting platform was supplemented with the addition of apps for apple and android devices, as well as print and easy read resources to assist reporting. The Register is a simple and secure way for people to report incidents of racism and discrimination toward First Nations peoples and details of individuals reporting on the Register are kept confidential.

The Register provides an independent, Indigenous-controlled platform which is distinct from traditional complaints and legal processes. Reports of incidents to police or complaints bodies are often restricted or limited to more overt acts of racism, and responses available through antidiscrimination and other laws and complaints mechanisms can be inaccessible or otherwise ineffective. In contrast, Call It Out is an ongoing, respondent generated initiative with a national focus. The Register provides the opportunity to identify patterns of racism at institutional and structural levels, including to inform evidence-based advocacy and campaigning initiatives that proactively strive towards eliminating racism and discrimination towards First Nations peoples in this country.

The first annual report from the project, analysed incidents of racism recorded during the first 12 months of the Call It Out Register, covering the period 21 March 2022 to 20 March 2023 (Allison, Cunneen, & Selcuk, In Every Corner of Every Suburb'. The Call It Out Racism Register 2022-2023, 2023). Close to 500 validated reports were received. The most common types of racism were negative attitudes or stereotyping (20%) and discrimination (17%). Reported experiences also included:

- bullying
- institutional racism
- hate speech
- not recognising cultural rights
- verbal abuse
- shunning or exclusion
- threats or intimidation
- physical abuse, assault or attack
- property damage or vandalism
- graffiti.

Reports by witnesses were proportionately more likely to identify negative attitudes or stereotyping, while accounts shared by both First Nations people experiencing racism directly and friends or relatives reporting racist incidents were proportionately more likely to identify racial discrimination.

There has been a significant number of universities adopting bystander intervention programs which aim to reduce racism and other forms of harassment and discrimination by encouraging bystander action. These intervention programs are often considered in the context of gender-based violence prevention work that is currently being carried out in many universities across Australia. Bystander anti-racism is defined as action that someone takes in response to witnessing racism, such as reporting the incident to an authority figure, seeking the help of others, comforting or supporting the target, or interrupting or distracting the perpetrator (Priest, et al., 2020). Bystander anti-racism action and education aim to minimise the physical, psychological and social harms that result from racism and potentially prevent or reduce racism (Nelson, Dunn, & Paradies, 2011). Universities currently using bystander approaches include [Western Sydney](#), [La Trobe](#), [Monash](#), [ANU](#), [RMIT](#), [Flinders](#), and [Wollongong](#). A number have adopted the [MATE Bystander Program](#), developed by Griffith University, which is now used across various industries and organisations.

While it could be considered out of scope for the timeframe of this report, since 2012 a number of universities have been participants in the Commission's *Racism. It Stops With Me* campaign – 18 universities are currently listed as [supporters](#) of the campaign.

The [Speak Out Against Racism \(SOAR\)](#) program pilot launched by Western Sydney University in 2017, was the first large-scale population-representative study on experiences and attitudes to racism and racial bullying, and on bystander responses to racism and racial discrimination among Australian students in government schools in New South Wales and Victoria. While not directly relevant to the experiences of university students or staff, the project highlighted a range of issues which could be considered by universities in developing effective responses to racism. The project:

- Examined experiences of, attitudes towards, and responses to, racism and racial bullying among school students
- Identified health, wellbeing, education and social outcomes of racism and racial bullying for individuals, schools and communities
- Explored the enablers and obstacles associated with bystander responses to racism and racial bullying
- Developed, piloted and evaluated a school-based program to foster proactive bystander responses to racism and racial bullying. As noted below, the fact that this project has been evaluated, unlike many other initiatives and interventions, makes it a valuable contribution to the literature.

In 2023, the University of Technology Sydney (UTS) was the first Australian university to display the '#RacismNOTWelcome' signs on its campus. The signs were unveiled on 21 March, which is

the International Day for the Elimination of Racial Discrimination (University of Technology Sydney, 2023). This initiative is part of a [broader community-led campaign](#) by the Inner West Multicultural Network in partnership with the Addison Road Community Organisation Initiated by the [Inner West Multicultural Network](#) in partnership with Addi Road.

It is also worth noting that the Athena Swan program, now widely adopted in Australian universities has increasingly taken an intersectional focus, including in relation to race. since its introduction into Australia in 2014. As of January 2024, SAGE had 42 subscribers from universities, medical research institutions and publicly funded research agencies across Australia. The scheme, overseen by SAGE (Science in Australia Gender Equity Ltd), accredit and grant awards to tertiary education and research institutions for gender equity, diversity and inclusion. It is the only Australian organisation licensed to grant awards under the internationally recognised Athena Swan Charter. The scheme while originally firmly focused on increasing the representation of women in science, technology, engineering and medicine (STEM) disciplines, has developed a wider mission of raising awareness of and build capacity to improve equity, diversity and inclusion in the Australian tertiary education and research sector. Athena Swan requires member organisations to adopt a number of key principles including actively incorporating Indigenous knowledges and perspectives, taking an intersectional approach to advancing gender equity and engaging with those most impacted by inequitable practices. The program highlights good practice in relation to anti-racism and helps support member organisations to collect and interpret intersectional data (Science in Australia Gender Equity (SAGE), n.d a; n.d b)

The SAGE special interest group on cultural diversity, part of the program, further aims to create a supportive platform for academics and researchers in health-related disciplines to come together to: exchange ideas for inclusive workplace practices, for example mentoring and Western Sydney University's introduction of Australia's first branded hijab for clinical practice, share lived experience and influence policy.

Established in early 2024, this special interest group holds monthly meetings amongst its member universities and institutes. These include: Western Sydney University, the Australian Institute of Marine Science, Charles Sturt University, Curtin University, Griffith University, La Trobe University, Monash University, Murdoch University, University of Melbourne, University of Newcastle, University of Southern Queensland, University of Technology Sydney, and the University of Sydney. There are specific tasks, discussion points and projects discussed at the meetings, including the development of a guide focused on championing Ethno-Racial Diversity in the Australian higher education and research sector.

The Realise. Inspire. Support. Energise (RISE) project also has the potential to strengthen sectoral and institutional anti-racism frameworks within the tertiary sector. RISE is a collaborative project between Diversity Council Australia (DCA), Settlement Services International (SSI) and Chief Executive Women (CEW) and is funded by the Australian government Office for Women through the Women's Leadership and Development Program (WLDP) 2022-2026. 'The RISE project is working with 25 organisations across Australia to implement organisational change interventions that will help address systemic and organisational barriers for culturally and racially marginalised (CARM) women. The RISE project will work with up to 15 women from each of the 25 organisations to support their progression to leadership positions' (Diversity Council Australia, n.d.).

The University of Technology of Sydney was part of the pilot iteration of the RISE project and have used the guidance and resources offered through RISE to develop the university's first Cultural Diversity and Anti-Racism (CDAR) Action Plan (yet to be launched). The RISE project has been particularly helpful in mapping out the intersectional ways in which race and gender inform academic and professional staff career progression and the leadership pipeline.

## Networks

A further initiative has been developed across Australian universities with '[Welcoming Universities](#)' which 11 Australian universities have now joined. The initiative builds on the success and learnings of [Welcoming Cities](#) and is a network to inspire and support Australian universities to develop a culture and practice of welcome, inclusion and belonging within their institutions, in the community, and across the higher education sector. In addition to providing these

opportunities to share good practice across the sector, the initiative has recently introduced a Standard which supports universities to benchmark their work and understand leading practices in welcoming, inclusion, and belonging (see benchmarking below for further information).

In the USA, the National Association of Diversity Officers in Higher Education (NADOHE) released a guide in 2021 'for higher education leaders to foster diversity, equity, inclusion, and justice on their campuses. [A Framework for Advancing Anti-Racism Strategy on Campus](#) is a comprehensive tool to support students, faculty and staff as they work establish anti-racism. NADOHE convened a task force to create the framework which aims to assist diversity officers and higher education leaders with advancing anti-racism strategies after the senseless murders of Breonna Taylor, Ahmaud Arbery and George Floyd and the rise in incidents of anti-Black racism on college campuses. The NADOHE President Paulette Granberry Russell (as cited in NADOHE, n.d.) summarises the NADOHE framework as a:

...[F]oundation to build upon as we work together to eradicate systemic racism and advance racial equity on campus. If colleges and universities wait to respond only to individual events or take action only after harm is done to their communities, they will fail to truly create safe, equitable conditions for their marginalized students. Working together toward a common goal, we can transform our institutions of higher education into equitable, just and inclusive organizations.

In the UK, the Universities UK (UUK) is a group that consists of 140 universities in England, Scotland, Wales and Northern Ireland. They act on behalf of universities, represented by their heads of institution. An advisory group tasked to oversee the progress tackling racial harassment published an evaluation report in 2023. This is an important piece of work given the context of little evaluation being undertaken in this space.

The report was based on the UUK's published guidance in 2020 'on tackling racial harassment in higher education, putting out a call to the sector for urgent action.' Professor Charles Egbu, Chair of the project's advisory group specifies: '...after the original guidance's publication, we are setting out the findings of our engagement with universities, staff and students about the sector's progress in this area. What we have found is that the recommendations of the original guidance were strong, and in following them, universities have made progress in many areas in their efforts to tackle racial harassment, including publishing strategies and working with staff and students with lived experience of racial harassment. Polling commissioned by UUK also suggests that Black, Asian and minority ethnic students have increased confidence in university reporting processes, compared with 2019. However, we know that universities are at different stages of this work and that progress has not been uniform. It is essential that all universities take action to tackle racial harassment – that we continue to step up and maintain focus on this issue, even as we are faced with competing priorities and pressures' (Egbu, 2023, p. 3).

### Student Groups and Employee Resource Groups

Alongside completing their degree, university students can opt to join a student group. These usually include clubs, societies or collectives. While clubs and societies can sometimes be used interchangeably, clubs are often more focused on specific activities or interests (e.g. Chess Club), societies can have a broader scope (e.g. First Nations Society), and collectives are more about shared values and collective decision-making. Collectives often focus on social, political and/or cultural issues (e.g. Ethnocultural Collective, Indigenous Collective). In the Australian context, these groups cannot be equated to American Greek college system of fraternities and sororities.

The appendix shows the list of student clubs, societies and collectives in all the Australian universities that could be considered in-scope of this research. The results were found by visiting the university websites and searching for 'student clubs, societies and collectives' and then doing a more focused search using the keywords 'racism', 'multicultural', 'cultural', 'ethnocultural', 'BIPOC', 'People of Colour', and/or 'religious'. The list focuses on the groups that pertain to anti-racism and issues that affect Black, Indigenous, People of Colour (BIPOC) and/or are relevant to the purview of this systematic literature review. Therefore, groups that attend to and have lived experience of Islamophobia and antisemitism are included. Not all university cultural groups are included as they may not specifically focus on anti-racism even if their members may have lived experience of racism. The appendix demonstrates the wealth of student organising in this space,

and future research is needed on their efficacy within their institutions and the wider sociopolitical context that they operate within.

Employee resource groups such as the [UTS Multicultural Women's Network](#) (MWN) and the [University of Sydney's Mosaic Network](#) also deliver events and advocacy work (e.g. campaigns) to promote anti-racism and celebrate cultural diversity. For example, both networks have worked to deliver the ['Say My Name' \(SMN\) campaign](#), with the MWN offering a suite of resources (e.g. infographics, educational videos and associated events). The SMN campaign is a decolonial approach into understanding, acknowledging and celebrating names that are deemed as 'foreign', 'tricky' or 'unfamiliar' within mainstream Anglo linguistic contexts. The SMN campaign works to address linguistic bias, as well as to increase race literacy about the colonial frameworks which foreground how language (including people's names, accents, and ways of listening) is used in Australia and other western contexts. The UTS MWN is open to all UTS staff members who identify as female and coming from a culturally and linguistically diverse (CALD) background. The Mosaic Network is open to all University of Sydney staff who identify as CALD.

## Research Centres

A number of Australian universities have established research centres with a focus on racism, cultural diversity and/or cultural capability and these frequently take an approach which integrates the research agenda with practice-based initiatives.

For example, UTS's [Jumbunna Institute for Education and Research](#) (Jumbunna) includes academics, lawyers, creatives, practitioners and activists who use research as a tool to produce change and build capacity (University of Technology Sydney, n.d.). This includes:

- World-class research on legal and policy issues that supports Indigenous sovereignty and wellbeing, through articles, case studies, books, legal analysis, policy submissions, contributions to Indigenous methodologies and critical legal theory, engagement with international scholars, and contribution to new media.
- Providing a suite of sophisticated, ethical and expert professional services in law, governance, policy and new media.
- Developing teaching and learning capacity via tailored subjects, short courses and professional courses to help communities and clients better effect change.
- Telling stories with purpose that prioritise community voices of Indigenous sovereignty, strength and vitality.

Similar First Nations focused research and practice centres can be found at a number of universities including:

- [Indigenous Knowledge Institute - The University of Melbourne](#)
- [Indigenous Education and Research Centre – James Cook University](#)
- [La Trobe Gabra Biik, Wurruwila Wutja](#)
- [Griffith University Indigenous Research Unit](#)
- [Swinburne Indigenous Research – Moondani Toombadool Centre](#)
- [Centre for Global Indigenous Futures, Macquarie University](#)

Further examination of such integrated approaches, their outputs and impacts would be a useful for the next stage of this project.

Western Sydney University's Challenging Racism Project is a leading national research program on racism and anti-racism in Australia, which works to advance social justice, equity and harmony via rigorous research, community engagement, and the practical application of research findings (Western Sydney University, n.d.). The Project was established in 2002 and works with anti-racism researchers and practitioners, partnering with government, non-government and community organisations that have a shared outlook on intergroup relations and anti-racism initiatives.

The [Centre for Resilient and Inclusive Societies](#) funded by the Victorian Government and hosted by Deakin University with a range of tertiary institution and community sector partners, including: Reconciliation Australia, All Together Now, University of Huddersfield in England, Queensland University of Technology, Department of Premier and Cabinet Victoria, the Victorian Equal Opportunity and Human Rights Commission, Victorian Multicultural Commission and the South Australian Office of the Commissioner for Children and Young People is another example of policy focused research that actively engages in antiracism work.<sup>3</sup>

In the North American context, Stanford University's Center for Racial Justice (USA) operates out of the Stanford Law School to 'counter racial division and political polarization through rigorous research' (Stanford Law School, n.d.). One of their projects includes 'Elevating Student Voice in Policy and Practice' which involves 'working with Stanford students from across campus to engage and elevate the voices of marginalized students in San Jose Unified in education policymaking.' Stanford University is also committed to conducting regular surveys to track the current racial climate among its university community (e.g. staff and students); its Office of [Faculty Development, Diversity, and Engagement publishes annual reports of faculty demographics](#) to track such progress (World Economic Forum, 2021). Similarly, the University of Ottawa (Canada) launched the *Campus Climate Survey on Diversity and Inclusion* in June 2018 to identify more inclusive policies to promote diversity. The report (University of Ottawa, 2018, p. 6) specifies:

Yes, we have a long way to go. The challenges that inhibit further progress are significant. They involve, inviting, welcoming, and working with all in the university community regardless of age, religious affiliation, ability, country of origin, socio-economic status, gender identity, sexual orientation, and so on, because it is the right thing to do and because it makes our institution stronger in every way possible. They involve continuing to move courageously down the path of Truth and Reconciliation with Indigenous Peoples and communities.

[The Institutional Antiracism and Accountability \(IARA\) Project](#), situated within the Ash Center for Democratic Governance and Innovation at Harvard Kennedy School (Harvard University, USA), consists of researchers, students, and experts committed to evaluating policies and practices to create antiracist change in organisations across sectors. They also provide a [search portal](#) dedicated to race, research and policy.

In Aotearoa New Zealand, many universities have taken steps to uphold the principles of Te Tiriti o Waitangi (the founding document of New Zealand), which includes partnership, participation, and protection. This involves integrating Māori perspectives and values into university policies and practices and addressing institutional racism through decolonisation efforts. Such attempts have been made at the University of Otago, the University of Auckland, and the University of Waikato, among others (Hamley, Tan, Waitoki, & Tiakiwai, 2024). While this provides an enabling environment to establish frameworks for preventing racism in universities, the Working to End Racial Oppression (WERO) organisation recently reported otherwise: WERO published a research brief in June 2024 that examined how "university policies that purport to address inequities for Māori fall short of their stated intentions and, in doing so, maintain the status quo. We identify that operations of racism within universities are ongoing and propose recommendations to better align actions with intention to uphold Te Tiriti o Waitangi obligations" (Waitoki, Tan, & Hamley, 2024, p. 2).

### Curriculum design and delivery

Designing and delivering a curriculum that genuinely includes First Nations and diverse cultural perspectives, knowledges and understandings is another way in which race literacy, celebration of cultural diversity, and valuing multicultural perspectives, scholarship, and methods can be established, all of which are key factors in developing anti-racism within universities.

The international literature has considered approaches to curriculum, pedagogy, recruitment, retention, and progression, how to develop curriculum interventions that enable anti-racism within a context of professional autonomy, disciplinary inertia, and organisational resistance (Tate et al.,

<sup>3</sup> [Centre for Resilient and Inclusive Societies](#) (2024) accessed December 14, 2024

2016; Arday et al., 2020). In response, HE sector organisations have developed tools to support this work, including the UK based Advance HE which has developed an [Anti-Racist Curriculum Project](#) which stresses the importance of curricula that respond to the needs and perspectives of a broad student cohort.

US based studies (Brunsma, 2013) have also reinforced the need for curriculum based interventions, noting that many white students enter universities fortified by ‘walls of whiteness’ i.e. manifestations of racial privilege that shield white students from challenges to white supremacist assumptions about racial disparities and inequality. Those assumptions are reinforced in historically white colleges and universities that are predominately staffed by white male faculty and primarily attended by middle- to upper-class white students.

The authors have highlighted that while these institutions are undergoing demographic changes that marginally disrupt their embedded class and race privileges, institutional symbols and norms continue to act as a “hidden curriculum” that reinforces the institution’s historic ideology and demography. This inconsistency with many universities’ stated missions of promoting critical thinking, diversity, and multiculturalism presents a critical challenge in disrupting these “whitespaces” and making them more responsive to and representative of historically underserved and marginalized communities.

Within Australian universities, the need for race literacy in curriculum has been more focused on the need to include Indigenous perspectives. The *National best practice framework for Indigenous cultural competency in Australian universities* (Universities Australia, 2011) highlights that professionals, educated and trained by universities, contribute to the construction, perpetuation and implementation of policies and practices that determine health strategies, place children in care, send Indigenous Australians to jail and structure the curriculum taught to the future generation of Australian professionals, based upon little or no knowledge and understanding of Indigenous cultures, histories or contemporary realities.

To quote the former Aboriginal and Torres Strait Islander Social Justice Commissioner, Tom Calma (2007): “we need to respect and promote Indigenous knowledges and perspectives. They have much to offer all Australians. Tertiary education institutions exercise cultural leadership when they offer courses that are enriched by Indigenous knowledges and perspectives. This is reconciliation in action” (Universities Australia, 2011).

There are now an increasing number of universities taking up the challenge of appropriately incorporating Indigenous perspectives on curriculum design and delivery. For example, at the University of Technology Sydney, the [IGA \(Indigenous Graduate Attribute\) Curriculum Framework](#) ‘provides an approach for faculties to embed Indigenous curriculum content across core subjects in an undergraduate course (University of Technology Sydney, 2023). According to Attree et al., (n.d., p. 2):

*Calls for inclusion of an Indigenous Graduate Attribute (IGA) within universities so that all graduates may be able to develop professional capabilities to facilitate better outcomes with Indigenous peoples and communities began as early as 2007 with the work of the Indigenous Higher Education and Advisory Council (IHEAC) (Bodkin-Andrews, et al., 2022). Indigenous scholars have added their voices to this call, highlighting the importance of an IGA to enhancing the competence of the Australian workforce by producing graduates who engage productively and work collaboratively for the advancement of Indigenous peoples and communities (Anning, 2010; Behrendt, Larkin, Griew, & Kelly, 2012). At the sectoral level, these calls were echoed by Universities Australia (2011) in their National best practice framework for Indigenous cultural competency and reinforced in their 2017 Indigenous Strategy.*

Another program working to embed cultural and racial diversity in curriculum delivery is the [UTS Shopfront Community Coursework Program](#) (Shopfront). It is a key initiative at the University of Technology Sydney that champions social justice and social change. It places UTS students at the heart of the community sector, allowing them to gain real-world experience by working on projects for non-profit organisations.

Since its inception in 1996, the program has facilitated over 1,698 successful projects and overseen more than 70,000 hours of student volunteering. Courses across the university can be matched with community organisations to help their students gain ‘real world/real work’



experience. The Socially Responsive Design (SRD) subject from the School of Design fits into this framework by engaging students in live projects that respond to the needs of community-based organisations. This subject emphasises client collaboration, design leadership, and a human-centered approach to design, focusing specifically on organisations working in social justice. Students work in teams to develop design solutions inspired by research and contemporary global contexts, providing design assistance to not-for-profit organisations (including university employee resource groups) that might otherwise lack the funding for such services. While their remit is not specifically on anti-racism, students frequently work with groups who work in this field. For example, in the last two years, SRD (through the Shopfront program) have assisted in the creation of visual assets for two projects led by the UTS Multicultural Women's Network: the [Say My Name](#) campaign and the [How I Celebrate](#) project. Both projects focused on celebrating cultural diversity and anti-racism to ensure cultural safety.

Internationally, there have also been advances in pivoting curricula to be more responsive to indigenous knowledge methods. For example, the University of British Columbia (UBC) has implemented the Indigenous Strategic Plan, which includes integrating Indigenous knowledge and perspectives into the curriculum (University of British Columbia, n.d.). They offer courses and programs that focus on Indigenous issues and support Indigenous students and faculty. Meanwhile, in Aotearoa New Zealand there has been recent efforts to incorporate more knowledge on te Tiriti o Waitangi into university curricula, as well as incorporating more Indigenous knowledge systems (mātauranga Māori) into curricula and assessment. Both have been met with varying degrees of success and acclaim. For example, the University of Auckland has announced that from 2025 it will be compulsory for all undergraduates to complete a unit on the history of te Tiriti o Waitangi and indigenous concepts as part of their first-year studies (Brennan, 2024). However, some scholars do not think enough is being done to give equal status to indigenous knowledge systems (Waitoki, Tan, & Hamley, 2024).

The drivers, potential and impact of broader comprehensive curriculum reform that addresses issues of diverse cultural perspectives, knowledges and understandings in tertiary education in Australia is an area which should be further investigated.

It is worth noting that recent mapping of Australia's national, state, territory and local governments engagement in anti-racism work carried out for the Commission as part of the development of the National Anti-Racism Framework (AHRC, 2024), identified a range of good practice initiatives. However, with the exception of Australian Research Council (ARC) grants, there were no activities identified in the higher education space.

### 3. Impact and effectiveness of the rules, legislation, regulations, policies and other arrangements of universities in relation to preventing and addressing racism on university campuses (both physical and online)

This is an area which requires considerably more research in terms of the efficacy and impact of various university approaches to addressing racism, from policy responses to prevention initiatives. This research gap is not isolated to the Australian context, but internationally as well.

Some recent research examining Australian responses to racism (Ben, et al., 2022; Elias, Mansouri, & Paradies, 2021) has examined the effectiveness of the most commonly used anti-racism approaches, namely: intergroup contact; training and education; communications and media campaigns; and organisational development. While this research was not specific to universities, it did examine many of the approaches frequently taken in higher educational settings and workplaces. In addition, it highlighted learnings from the evaluation of a collaborative programme by VicHealth and the University of Melbourne, the Localities Embracing and Accepting Diversity (LEAD), which applied a locality-based approach to anti-racism, piloting in the towns of Whittlesea and Shepparton. The project emphasised prevention as the key objective of anti-racism, and demonstrated the effectiveness of interventions that are well planned, have a high-quality evidence base and involve well-coordinated partnership and collaboration (Ferdinand, Paradies, & Kelaher, 2017).

However, a significant gap remains in assessing how well Australian universities are effectively preventing and responding to racism. Among priorities for future research should be a number of key issues facing the sector including balancing academic freedom with antiracism approaches, the adequacy of complaint handling systems and showcasing leading practice for antiracism complaints managements. There is potential to explore these issues in more detail in the next iteration of this review.

In the US, there is a range of literature exploring the efficacy of anti-racism measures. An evaluation conducted by Cooper *et al* in 2022 found that a number of psychology programs that changed their syllabi and curricula in response to anti-racism organising (Cooper, Radliff, & Weinberg, 2024). Another study found that while embedding Critical Race Theory into curricula does not have an independent or direct relationship with students' self-assessed ability to respond to racism, but it does indirectly impact their ability to respond to racism through increased self-efficacy (Fernandez, et al., 2024). However, there have been calls for greater accountability and transparency measures to better measure the effectiveness of DEI and anti-racism activities on American college campuses (Christopher, 2023).

#### 4. Methods for universities to increase transparency and accountability to their students, staff, communities and the Australian Government on racism and discrimination prevention and response activities

Encouragingly, Australian universities have many student clubs, associations and other groups who provide activities, support and services to students from racially marginalised communities. This approach is backed by research which indicates the value of moving toward inclusive, partnered learning communities in higher education (Mercer-Mapstone, et al., 2017).

An assessment carried out for this review found that of 43 universities, all but six publicly list groups within their universities that support a range of specific groups (for example Muslim students, Indigenous students or Jewish students) or racially marginalised students more generally (for example international students or People of Colour groups). Engaging with these already active students offers considerable potential to better understand the experiences and nature of racism on university campuses, and one which is able to reflect the nuances of very different university environments across the country. The appendix shows the full list of student groups in Australia. However, there are only five universities that have an Ethnocultural Collective or equivalent. Ethnocultural Collectives are generally student groups dedicated to students who identify as Black, Indigenous or as a Person of Colour (BIPOC). The UTS Ethnocultural Collective describes themselves as a space “to connect and organise together. It’s a safe space for BIPOC students to forge friendships and be surrounded by in a sense of community... We are working to ensure that BIPOC voices are at the forefront of campus activism and anti-racism efforts. We also offer a space for students to escape whiteness and the structures that often exclude them” (University of Technology Sydney Students' Association, n.d.). Some universities are already formalising such partnership arrangements through agreements, with one such example being the [UTS Student Partnership Agreement 2022–2024](#) in Australia, with a range of other institutions being to adopt such agreements.

An international example of this student-institution partnering is at the University of Edinburgh in Scotland. the University of Edinburgh has a Student Partnership Agreement that states how the Edinburgh University Students' Association and the University are working in partnership to enhance the student experience. The Student Partnership Agreement is reviewed annually and the priorities are agreed in consultation with students and staff (Institute for Academic Development, 2024).

Universities have generally welcomed recommendations in the Accord that the Australian Tertiary Education Commission (ATEC) monitor and track student access and success from equity groups (Universities Australia, 2023). The introduction of student success targets for equity groups, including First Nations people have also been supported, although suggestions have been made that these could be usefully expanded to set student success targets for other cultural minority groups, such as those from Pasifika and African backgrounds.

In addition, the appointment of a National Student Ombudsman is seen as offering a useful avenue for students to report instances of racism in the sector (Universities Australia, 2024). The Ombudsman (or ATEC more broadly) could play a useful role in tracking the experience of racism and safety of students and staff, overtime.

Western Sydney University has recommended that the Implementation Advisory Committee that advises the Minister on the Accord implementation should articulate an anti-racism monitoring role for the ATEC, including the collection and dissemination of good anti-racism practice within tertiary education settings.

## 5. Benchmarks for measuring sector performance and ongoing improvement

Little data is available to facilitate benchmarking in relation to sector performance in Australia. Large Australian datasets such as that collected by the Workplace Gender Equality Agency are still yet to provide sufficient information to allow sector benchmarking in relation to race and workforce experience. There is, nonetheless, recognition of the value of such data with recommendation 6 of the [2021 Review of the Workplace Gender Equality Act](#) proposing qualitative research “on the best way to collect more diversity data in addition to gender data to enable voluntary reporting, including on Aboriginal and Torres Strait Islander background, cultural and linguistic diversity, and disability”.

It is worth emphasising that while the literature suggests a range of initiatives which could be considered leading practice, these have largely not been evaluated in terms of impact. Developing evidence based guidance for universities about good practice in preventing and responding to race discrimination will be an important next step in this project.

To date, 11 Australian universities have joined the Welcoming Universities network to strengthen their commitment to equity, inclusion and belonging. This includes the commitment to increase transparency and accountability to their students, staff, and communities on racism and discrimination prevention and response activities (Leaney, 2024). [The Welcoming Universities \(WU\) Standard](#) was designed to provide a comprehensive framework designed to guide universities in creating welcoming, inclusive, and supportive campuses for all students and staff. It sets benchmarks and best practices across various aspects of university life, including admissions, curriculum, student support services, and community engagement (Leaney, 2024).

The Standard was launched in May 2024 to provides a clear framework for universities to benchmark their work and understand leading practices in welcoming, inclusion, and belonging within universities. The Standard has four categories:

- Leadership
- Social and cultural inclusion
- Teaching, learning and research
- Places and spaces

Under each category are several criteria, followed by indicators outlining how these criteria can be met. The Standard establishes a framework for universities to:

- benchmark their cultural diversity and inclusion policies and practices across the organisation;
- identify where and how further efforts could be directed; and,
- assess progress over time.

At the time of writing, no benchmarking information had yet been published on how effective the WU Standard has been in benchmarking the work of universities in ensuring equity, diversity and inclusion.

Limited data is available via [Australian Government statistics](#) on outcomes for cohorts of students including international students, First Nations students, those from low SES communities and

students from non-English speaking backgrounds. Commonwealth higher education data sets can provide comparisons of award course completions; attrition, success and retention; and completion rates. However, this data does not allow for analysis around possible causation.

In the UK, a similar project to Welcoming Universities has been developed: [Universities of Sanctuary](#). As in the Australian experience, the initiative aims to develop a culture and a practice of welcome within institutions, the wider community, and across the Higher Education sector in the UK. The initiative also offers an accreditation program - The University of Sanctuary Award and from 2017, onward, approximately 40 UK universities are now accredited. As well as offering an opportunity for sector benchmarking, the program provides universities with resources and guidance on good practice.

In addition, the UK based organisation Advance HE, has developed a Race Equality Charter which aims to help higher education institutions in their work to identify and address the barriers facing Black, Asian and minority ethnic staff and students, while also providing a framework for action and improvement. Institutions can apply for a bronze or silver award, depending on their progress.

## 6. Adequacy of legislative and regulatory mechanisms in supporting universities to respond to racism and discrimination.

There is currently little research available that explores the adequacy of legislative and regulatory mechanisms in the higher education sector. This is an area for future research which would be usefully considered. There is however, a considerable body of research that critiques Australian regulatory racism and anti-discrimination frameworks more generally, and could be applicable to universities as employers and education providers.

The key legislative and regulatory mechanisms that support universities in preventing and responding to racism are as follows:

### 1. Racial Discrimination Act 1975 (Cth)

This Act makes it unlawful to discriminate against people on the basis of race, colour, descent, or national or ethnic origin.

Universities must comply with this Act by ensuring their policies and practices do not discriminate and by providing avenues for complaints, grievances, and redress.

### 2. Australian Human Rights Commission Act 1986 (Cth)

This Act establishes the Australian Human Rights Commission (AHRC), which promotes and protects human rights in Australia.

The AHRC conducts research, provides education, and investigates complaints about discrimination, including racism, within universities

### 3. Higher Education Standards Framework (Threshold Standards) 2021 (Cth)

These standards set out the requirements for higher education providers to be registered and maintain their registration.

The Tertiary Education and Quality and Standards Agency (TEQSA) is responsible for enforcing a set of minimum standards and enforcing a baseline for provider behaviour. However, TEQSA's powers of regulation are limited by its enabling legislation and the regulatory standards. The TEQSA [Guidance Note on Equity and Diversity](#) addresses the students from equity groups including Indigenous students and students from NESB, but it should be noted that Guidance Notes are not definitive or binding documents. The definitive instruments for regulatory purposes remain the [TEQSA Act](#) and the [Higher Education Standards Framework](#) which only require the creation of equivalent opportunities for academic success regardless of students' backgrounds, within a relevant policy framework. It further requires universities to give 'specific consideration to the recruitment, admission, participation and completion of Aboriginal and Torres Strait Islander

peoples' meaning that this particular group must be specifically referred to in the policy and monitoring frameworks.

#### 4. State and Territory anti-discrimination legislation:

Each State and Territory has enacted legislation<sup>4</sup> via which individuals can lodge complaints about discrimination, harassment and bullying, depending upon the circumstances of the complaint with the relevant agency in that state or territory. A number of jurisdictions have also introduced human rights charters eg Victoria's Charter of Human Rights and Responsibilities Act 2006.

#### 5. Fair Work Act 2009 (Cth) (FW Act)

The FW Act protects staff in universities against racial discrimination via:

1. Making it unlawful for an employer to take adverse action against an employee, former employee, or prospective employee because of their race. Adverse actions include dismissal, altering the employee's position to their detriment, or discriminating between employees
2. Providing for general protections that prohibit discrimination based on race, among other attributes such as sex, sexual orientation, age, and disability. These protections apply to all stages of employment, including hiring, terms and conditions of employment, and termination
3. Facilitating complaints and remedies: Employees who believe they have been discriminated against can lodge a complaint with the Fair Work Commission or the Fair Work Ombudsman. Remedies for proven cases of discrimination can include compensation, reinstatement, or other corrective actions
4. Promoting Equality: The FW Act encourages employers to promote equality and prevent discrimination through workplace policies and practices. This includes training and awareness programs to foster an inclusive and respectful work environment.

#### 6. Workplace Health and Safety (WHS) Laws

These laws require employers, including universities, to provide a safe working environment, which should include protection from racial harassment and discrimination. While WHS legislation across Australia requires that any person conducting a business or undertaking ([PCBU](#)), has a duty under the [model WHS laws](#) to do all that they reasonably can to eliminate or minimise the risk of racism occurring in their workplace. The extent of these obligations is outlined in the [Code of Practice: Managing Psychological Hazards at Work](#) released by Safe Work Australia.

There is no substantial data readily available on whether universities are successfully implementing measures or taking appropriate risk assessment and prevention activities to prevent and address racism to ensure the safety and well-being of staff and students. However, this is an area worthy of additional investigation.

In addition, there is a lack of clarity among employers and PCBUs generally about threshold requirements for actioning racism complaints under WHS legislation. If an employee complains about racism at work posing a risk to their health and safety [WHS regulators](#) can investigate, but this is currently an area that has not been explored in any detail in the literature, despite the fact that it is of increasing interest in relation to parallel obligations in relation to sex discrimination (eg Smith et al., 2019).

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<sup>4</sup> **Australian Capital Territory:** Discrimination Act 1991; **New South Wales:** Anti-Discrimination Act 1977; **Northern Territory:** Anti-Discrimination Act 1992; **Queensland:** Anti-Discrimination Act 1991; **South Australia:** Equal Opportunity Act 1984; **Tasmania:** Anti-Discrimination Act 1998; **Victoria:** Equal Opportunity Act 2010; **Western Australia:** Equal Opportunity Act 1984

## 7. University-Specific Policies and Codes of Conduct

In line with TEQSA requirements, universities have a range of internal policies, procedures and codes of conduct that address discrimination and/or racism.

These policies frequently include procedures for reporting incidents, conducting investigations, and imposing sanctions on those found to have engaged in discriminatory behaviour, including but not exclusive to racism.

The efficacy of these internal policies is an area worthy of additional investigation in the next stage of this project, with an increasing number of universities beginning to publicly report on the number, nature and outcomes of complaints by various grounds.

## 8. National Anti-Racism Framework

This framework, developed by the AHRC, aims to provide a coordinated approach to addressing racism across various sectors, including education.

It is too early to specify how this Framework will be implemented, tracked and evaluated.

In general terms, anti-discrimination laws across Australian jurisdictions:

1. **Specify prohibited grounds of discrimination:** These laws make it unlawful to discriminate against individuals based on specific attributes such as race, sex, age, disability, sexual orientation, gender identity, and more.
2. **Specify areas of public life:** The laws apply to only to specific areas of public life, including employment, education, provision of goods and services, accommodation, and access to public places. It is also worth noting there are a range of exceptions and defences to unlawful conduct available.
3. **Prohibit harassment and victimisation:** They also protect against harassment and victimisation related to the protected attributes.
4. **Provide for complaints processes and remedies:** Individuals who believe they have been discriminated against can lodge complaints with relevant state or territory anti-discrimination agencies. These agencies investigate complaints and can offer remedies such as compensation, apologies, or changes in policies.
5. **Positive Duties:** In some jurisdictions and laws, impose positive duties on employers and service providers to take proactive steps to prevent discrimination and promote equality.

As indicated above, there has been longstanding criticism of Australia's laws that are intended to prevent and respond to racism, which may be applied equally to processes and remedies offered within the university context. Key limitations (as per Gaze & Smith, 2017; Gelber & McNamara, 2016; Thackrah, 2008) of the frameworks identified in the literature include:

- A failure to adequately address discrimination on a range of grounds (for example socio-economic status),
- Inadequate redress and coverage of discrimination experienced on the grounds of multiple protected attributes (ie intersectional discrimination).
- They are likely to be inadequate to achieve substantive equality because they largely are unable to tackle systemic practices (Arantes, 2019). This has begun to change in Australia with the recent introduction of the concept of positive duty provisions (in the Sex Discrimination Act, 1984 (Cth)) but at the time of writing the efficacy of these provisions is yet to be assessed).

- The coexistence of federal, state, and territory laws can create confusion and complexity. Individuals must navigate multiple legal frameworks, which can sometimes have different requirements and exemptions.
- Laws generally rely on individuals making complainants (again there has been some shift in this via recent amendments to in the Sex Discrimination Act, 1984 (Cth) but at the time of writing the adequacy of these provisions is yet to be assessed).
- Many anti-discrimination laws include exemptions and exceptions that can limit their effectiveness. For example, religious organisations and small businesses are frequently exempt from certain provisions, which can leave some individuals without protection.
- There can be tensions between anti-discrimination protections and other rights, such as freedom of speech and religious freedom. Balancing these rights can be complex and contentious (Taylor, 2019).
- Anti-discrimination agencies often operate with limited resources, which can affect their ability to effectively investigate and resolve complaints (Andrews, 2016).
- The onus of proof, is on the claimant under Australian anti-discrimination laws, however precedent exists in the Fair Work Act 2009 (Cth) where the shifting onus of proof is a major attraction for bringing work discrimination actions under that statute. Gaze and Smith (2017) have identified the mechanism of protective costs orders as a way to support more people to enforce their anti-discrimination rights.

In addition, research has highlighted the specific concerns of First Nations people in relation to the limitations of anti-discrimination laws (Allison, 2020; see also Allison, 2023 & Allison, Schwartz, & Cunneen, 2013).

## Next steps

The purpose of the next stage is to develop and provide the final literature review report to the Commission.

It is recommended that consideration be given to scope in relation to a number of other associated areas including:

- Considering prevalence, experience, and good practice initiatives in other educational settings (ie school or VET settings)
- Any research into relevant student groups (e.g. clubs, societies and collectives) outside of Australia or relevant employee resource groups within Australia and internationally (e.g. Mosaic Network in the University of Sydney and the UTS Multicultural Women's Network).
- Good practice initiatives in other sectors that may be adaptable to the higher education context (eg government, corporate, NFP, union or employer initiatives)

Subject to any scope changes made in collaboration with the Commission in the final report will include the following:

- Additional synthesis of available information and publications from 2014 onwards
- The way in which the historical and political context of colonial Australia has influenced race, racialisation and racism in university settings
- The ways in which people of Muslim and Jewish faiths; of First Nations backgrounds, and; of culturally and racially marginalised or negatively racialized backgrounds were and continue to be racialized in Australian university settings
- Intersections between racism and other forms of discrimination including but not limited to age, disability, gender, sexuality and family/caring responsibility in university settings
- Further analysis of existing advocacy, strategies, policies, legislation and/or public education and awareness efforts to tackle antisemitism, Islamophobia, and racism in physical and online university settings including through a systemic intersectional lens including relevant international literature from New Zealand, UK, Canada, US and where appropriate, specific European countries where they are leading key best practice anti-racism initiatives in university settings.
- The ways in which racist discourse manifests, including impacts of the 2023 Voice Referendum and current conflict in the Middle East, with regard to misinformation, disinformation, hate speech, and techniques and language of de-humanisation in higher education settings including online spaces for learning and working
- Further details on best practice examples addressing and prevention racism in higher education settings, including with respect to workforce and capability training, improving access, preventing attrition, enhancing process for reporting racism and complaints handling and referral support services pathways
- Resources, strategies and best practices that may assist better understanding, accountability, recruitment and upskilling of the higher education workforce (including dual sector operators) to sustain a safe space to study and work
- Efforts including research and/or public education, by human rights institutions, higher education institutions and Governments, to counter racism in university settings



- Key recommendations including recommendations:
  - for reform to the Australian Government, universities and other relevant stakeholders with a focus on systemic and institutional reforms, practices and standards to address racism and discrimination and
  - on the role of and/or opportunities for the Commission to contribute to ongoing research, policy, laws or regulatory approaches, advocacy, and/or public education and awareness raising efforts.

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## Appendix: Australian University Student Groups.

University	Name of Club/Society/Collective	State/Territory
Australian National University	Australasian Union of Jewish Students, ANU Muslim Students' Association	ACT
University of Canberra	University of Canberra Muslim Staff and Students Association	ACT
Avondale University	One of Australia's newest universities. While they have an Equity, Diversity and Disability program ( <a href="https://www.avondale.edu.au/student-life/diversity-program/">https://www.avondale.edu.au/student-life/diversity-program/</a> ) and Indigenous Support, there is no information about clubs/societies or collectives focused on anti-racism or the relevant foci of Islamophobia, anti-semitism or international students.	ACT NSW Victoria QLD
Charles Sturt	First Nations Club (Orange campus) CSU Muslim Students Association (Orange campus)	NSW
Macquarie University	Australasian Union of Jewish Students, Macquarie University Indigenous Students Association	NSW
Southern Cross University	International Student Club	NSW
Swinburne University of Technology	Swinburne AUJS Swinburne International Students Club Swinburne Islamic Society	NSW
Torrens University Australia	No information found	NSW
University of New South Wales	Indigenous Collective Little Sister, Big Sister International Collective UNSW People of Colour Collective (Ethnocultural Collective) Australasian Union of Jewish Students, UNSW UNSW Students for Palestine Islamic Society of UNSW	NSW
University of Newcastle	University of Newcastle Islamic Society (UNIS)	NSW



University of Sydney	Multiracial Intercultural Experience Society Queers of Colour Palestinian Youth Society People of Colour Review Australasian Union of Jewish Students, University of Sydney Sydney University Muslim Students' Association (SUMSA) Autonomous Collective Against Racism (ACAR)	NSW
University of Technology Sydney	Australasian Union of Jewish Students, UTS Ethnocultural Collective First Nations Society Indigenous Collective International Collective Palestine Youth Society UTS Muslim Society	NSW
University of Wollongong	Muslim Association of Wollongong University (MAWU) The UOW Palestine Society UOW Social Justice Club (SJC)	NSW
Western Sydney University	Ethno-Cultural Collective Indigenous Student Council International Youth and Students for Social Equality Western Sydney International Student Association	NSW
Victoria University	Islamic Society (Victoria) Cultural Club (NSW) Cultural Club (QLD)	NSW
University of Notre Dame Australia	Notre Dame Indigenous Students Society (NDISS), Fremantle campus Sydney website - deadlink: <a href="https://www.notredame.edu.au/students/student-life/clubs-and-societies">https://www.notredame.edu.au/students/student-life/clubs-and-societies</a>	NSW
Charles Darwin	CDU Muslim Society	NSW QLD Victoria
Bond University		NSW WA

CQ University	None listed, but the Students Events and Experience team can be emailed for more information via this website: <a href="https://www.cqu.edu.au/study/experience/be-involved">https://www.cqu.edu.au/study/experience/be-involved</a>	NT NSW
Griffith	Griffith University Muslim Students Association	QLD
James Cook	JCU Muslim Association	QLD
Queensland University of Technology	Muslim Students' Association of QUT QUT Indigiso	QLD
University of Queensland	UQ Muslim Student Association UQ Muslimah Society ('sisters only club') International Students Engagement Association UQ International Student Society UQ Minorities in Media Society	QLD
University of South Queensland	None relating to search found	QLD
University of the Sunshine Coast	USC Muslim Student Association	QLD
Flinders	Palestinian Students' Association Muslim Association	QLD
University of Adelaide	Australasian Union of Jewish Students, Adelaide University Islamic Students Society of the University of Adelaide	QLD
University of South Australia	<a href="#">Islamic Society UniSA</a>	SA
University of Tasmania	Tasmania University Union Muslim Society (TUUMS) Tasmanian Students for Palestine	SA
Deakin	Australasian Union of Jewish Students, Deakin (Burwood) Deakin University Islamic Society, Geelong Islamic Society of Deakin University, Burwood	SA
Federation University of Australia	FedUni Culture Club (Mt Helen Campus, Ballarat)	TAS

La Trobe	Bendigo International Student Club Bendigo Latrobe Islamic Student Society International PhD Student Community (Bundoora campus) Islamic Society (Bundoora campus)	Victoria
Monash	Australasian Union of Jewish Students, Monash (Caulfield campus) Monash Caulfield Islamic Society Australasian Union of Jewish Students Monash (Clayton) Parkville International Students Association Monash Parkville Islamic Society	Victoria
RMIT	RMIT Islamic Society	Victoria
University of Divinity	No information found	Victoria
University of Melbourne	People of Colour Department Australasian Union of Jewish Students (also known as Jewish Students Society) UMSU International Indigenous Department	Victoria
Curtin	Australasian Union of Jewish Students, Curtin Curtin Palestinian Society Students for Refugees	Victoria
Edith Cowan	ECU Islamic Society	Victoria
Murdoch	Murdoch International Students Association (MISA) Murdoch Students For Palestine Murdoch University Muslim Student Association	WA
University of Western Australia	Australasian Union of Jewish Students, UWS Palestinian Cultural Society	WA
Australian Catholic University	Only current ACU students who have their login details can access the list of current student clubs and societies: <a href="https://www.acu.edu.au/student-life/clubs-activities-and-student-associations/clubs-and-societies">https://www.acu.edu.au/student-life/clubs-activities-and-student-associations/clubs-and-societies</a>	WA
University of New England	International Muslim Students Association	WA

## Endnotes

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- <sup>87</sup> *Charter of Human Rights and Responsibilities Act 2006* (Vic) s 15; *Human Rights Act 2019* (QLD) s 21; *Human Rights Act 2004* (ACT) s 16.
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