

إسمع

## Ismaع – Listen:

**National consultations on  
eliminating prejudice against  
Arab and Muslim Australians**





## Foreword

In March 2003, I launched the IsmaU project to find out whether Arab and Muslim Australians had become targets of increased hostility since 11 September 2001. IsmaU means 'listen' in Arabic. In 2003, the Commission 'listened' to the experiences of over 1,400 Arab and Muslim Australians who participated in consultations around the country. We also commissioned researchers from the University of Western Sydney to survey and interview Arab and Muslim Australians in Sydney and Melbourne about their experiences.



**Dr William Jonas, AM**  
Acting Race Discrimination  
Commissioner

What we heard was often disturbing. Participants identifiable as Arab or Muslim by their dress, language, name or appearance told of having been abused, threatened, spat on, assailed with eggs, bottles, cans and rocks, punched and even bitten. Drivers have been run off the road and pedestrians run down on footpaths and in car parks. People reported being fired from their jobs or refused employment or promotion because of their race or religion. Children have been bullied in school yards. Women have been stalked, abused and assaulted in shopping centres. Private homes, places of worship and schools were vandalised and burned. 'Terrorist' 'Dirty Arab' 'Murderer' 'Bloody Muslim' 'Raghead' 'Bin-Laden' 'Illegal immigrant' 'Black c..t' are just some of the labels and profanities that we were told have been used against Arabs and Muslims in public places. Arab and Muslim Australians were told to 'Go back to your own country', even those whose families have been in Australia for many generations. Perhaps more troubling than the nature and intensity of discrimination and vilification is the impact such incidents had on participants. Many Arab and Muslim Australians said they were feeling isolated and fearful. 'I don't feel like I belong here anymore' was a common sentiment.

Yet not all participants experienced discrimination or vilification and those who did often qualified their comments by explaining that in the majority of circumstances, they were treated with respect. As one participant explained, 'Don't get me wrong, there are a lot of good people out there, but there are these very few people that are making a bad impact on a lot of us.' For most Arab and Muslim Australians, discrimination and abuse is not an everyday occurrence. However, when it does happen, it leaves a lasting impression that contributes to a sense of alienation, distrust and fear of future discrimination and attacks.

## Foreword

The IsmaU project was as much about solutions as problems. Arab and Muslim Australians have not been passive 'victims' of discrimination – they have challenged negative stereotypes and misinformation about their communities in a range of positive and creative ways. Governments too have sought to quell the worst manifestations of anti-Arab and anti-Muslim prejudice and discrimination. Nevertheless, there is still work to be done.

We can do more to counter anti-Arab and anti-Muslim prejudice through education programs that promote positive awareness of cultural and religious diversity among Australians. We can also challenge negative stereotyping by encouraging better communication between government, non-government and media organisations and Arab and Muslim communities and assisting communities to challenge negative stereotyping. Supporting and strengthening Arab and Muslim community organisations to develop and participate in projects which address discrimination and vilification is essential. Ensuring that both Arab and Muslim Australians have adequate legal protection from discrimination and vilification is also vital. Currently, there is no federal law which makes discrimination or vilification on the basis of religion unlawful and only piecemeal coverage of religious discrimination and vilification across the states and territories. A federal law would ensure there is a national 'safety net' protecting everyone around the country from religious discrimination and vilification.

The need for action is urgent. In the current environment of fear and suspicion fostered by terrorism and the 'war on terror', our multicultural values of social equity and respect for diversity are at risk of diminishing. As one consultation participant cautioned,

*the Australia which was the kind of society everyone would want to live in is slipping away from us ... The 'fair go' motto we always believed in has been replaced with the 'fear go' ... When fear is embraced, we all cling to what we have and society is tilted in a direction where the majority rules without the slightest regard or respect for the rest of society.*

We need to confront the fears and uncertainties that have become part of our everyday lives post-September 11 and guard against prejudice and intolerance, not just towards Arab and Muslim Australians, but also against other culturally and linguistically diverse communities. Increased hostility towards particular groups produces a dynamic of exclusion that encompasses a range of vulnerable groups – attacking the very principle of respect for diversity has an alarming ripple effect.

Protecting the core multicultural values of our society is good reason for action. We need to ensure that all Australians, Arabs and Muslims included, have the opportunity for equal participation in Australian society. To do this, we need to listen to and acknowledge the kinds of prejudice, discrimination and vilification experienced by Arab and Muslim Australians post-September 11. We hope that the IsmaU project is an important step along this path.

A handwritten signature in blue ink that reads "W. Jonas". The signature is written in a cursive style with a large, looped 'J'.

Dr William Jonas, AM  
Acting Race Discrimination Commissioner



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## Executive Summary

Dr William Jonas AM, the acting Race Discrimination Commissioner of the Human Rights and Equal Opportunity Commission (the Commission), launched the IsmaU project in March 2003. The project was a response to increasing concerns expressed by Arab and Muslim organisations about the rise in anti-Arab and anti-Muslim prejudice in Australia.

These concerns were expressed against the backdrop of the September 11 2001 attacks in the United States and the Bali bombings of October 2002, as well as national and local events such as the growing numbers of asylum seekers from the Middle-East and Muslim countries and the trial, conviction and sentencing of gang rapists in Sydney in 2001-2002.

While the number of formal complaints of racial discrimination and racial hatred received by the Commission did not increase, in 2002 the Commission heard mounting anecdotal evidence from a range of Arab and Muslim community members and organisations about a rise in anti-Arab and anti-Muslim prejudice in Australia. The IsmaU project was launched with a view to understanding and accounting for this discrepancy.

The aim of the IsmaU project was to explore whether Arab and Muslim Australians were experiencing discrimination and vilification post-September 11. If so, what was the nature of these experiences and what were their impacts? How were Arab and Muslim Australians responding to such experiences and why weren't they reporting them through official complaint channels?

The Commission was also interested in finding out what was being done to address underlying prejudice towards and discrimination and vilification of Arab and Muslim Australians and what else Arab and Muslim Australians thought should be done in this area. The project involved three main components:

- 1. National consultations** with Arab and Muslim Australians. A total of 1,423 people participated in 69 consultations in all states and territories around Australia between April and November 2003. Consultations involved group discussions on the following broad questions: *Have you (or the community group you represent) experienced discrimination and vilification? If so, what are those experiences? What is being done to fight anti-Arab and anti-Muslim prejudice and discrimination? What more could be done to fight anti-Arab and anti-Muslim prejudice and discrimination?*

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2. **Empirical and qualitative research** conducted by the researchers at the University of Western Sydney using questionnaires and follow-up interviews to learn more about Arab and Muslim Australians' responses to racism and abuse and their experiences and understanding of complaints processes. 1,475 self-complete questionnaires were distributed in New South Wales and Victoria between August and November 2003. The 25 multiple-choice and open-ended questions asked about people's experiences and responses to racism, abuse and violence. 186 people returned questionnaires. 34 of these agreed to take part in open-ended semi-structured interviews where participants were asked to expand on survey questions. The UWS research report is available on the Commission's website at: [http://www.humanrights.gov.au/racial\\_discrimination/isma/research/index.html](http://www.humanrights.gov.au/racial_discrimination/isma/research/index.html)
3. **An audit of strategies and initiatives** that seeks to address anti-Arab and anti-Muslim prejudice, discrimination and vilification. The Commission contacted over 100 local, state and federal government agencies and community groups and had over 50 meetings with representatives from these organisations to provide an overview of existing strategies and identify gaps. Information received from these organisations is summarised in Chapter 4 and is set out more extensively on the Commission's website at: [http://www.humanrights.gov.au/racial\\_discrimination/isma/strategies/index.html](http://www.humanrights.gov.au/racial_discrimination/isma/strategies/index.html)

This summary of the IsmaU project is comprised of five chapters.

**Chapter 1:** provides background information about the IsmaU project, the role of the Commission, the demography and history of Arab and Muslim Australians, federal and state anti-discrimination law, and the Commission's previous research and findings relating to religious discrimination and vilification and anti-Arab and anti-Muslim prejudice.

**Chapter 2:** summarises the experiences of Arab and Muslim Australians since September 11 who participated in the IsmaU project.

**Chapter 3:** describes how Arab and Muslim Australians have been affected by and responded to these experiences.

**Chapter 4:** examines current strategies that seek to address anti-Arab and anti-Muslim prejudice.

**Chapter 5:** explores future strategies to help eliminate prejudice and discrimination against Muslim and Arab Australians.

It is important to note that the experiences outlined in this summary present the different perspectives of Arab and Muslim Australians who participated in the IsmaU project. While participants used terms like discrimination and

vilification to describe their experiences, this does not necessarily amount to unlawful discrimination or vilification as defined in federal or state and territory anti-discrimination legislation. Nor was it the purpose of this project to verify every allegation of violence, discrimination or vilification. Rather, it was the Commission's aim to listen to Arab and Muslim Australians describe how they perceived and experienced prejudice, discrimination and vilification in order to gain insight into their understanding of the nature, causes and solutions to anti-Arab and anti-Muslim prejudice.

### **Summary of information provided by participants**

The following summary is based on information drawn from the three major components of the IsmaU project:

1. The majority of participants in the IsmaU project reported experiencing various forms of prejudice because of their race or religion. These experiences increased after international incidents such as the attacks of 11 September 2001 and the October 2002 Bali bombings, and were exacerbated by particular national and local events such as public debates over asylum seekers and the trial, conviction and sentencing of gang-rapists in Sydney in 2001-2002.
2. These experiences ranged from offensive remarks about race or religion to physical violence.
3. Most experiences described by participants were unprovoked, 'one off' incidents from strangers on the street, on public transport, in shops and shopping centres or on the roads. However, participants also reported experiencing different forms of prejudice from people known to them in the workplace, at school, universities or colleges and from neighbours. Discrimination in the provision of some government services, particularly police services, was also reported.
4. Participants felt that those most at risk were readily identifiable as Arab or Muslim because of their dress, physical appearance or name. For example, Muslim women who wear traditional Islamic dress were especially afraid of being abused or attacked. Many have restricted their movements and reported becoming more isolated since September 11. Arab and Muslim youth felt that they were particularly at risk of harassment which has led to feelings of frustration, alienation and a loss of confidence in themselves and trust in authority. Many newly arrived Arab or Muslim migrants and refugees have reported that their experiences of prejudice have made it harder for them to negotiate the already difficult process of settling into a new country.

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5. These experiences are having a profound impact on Arab and Muslim Australians. The biggest impacts are a substantial increase in fear, a growing sense of alienation from the wider community and an increasing distrust of authority.
6. Participants indicated that they were more likely to complain about these experiences to their families, friends or their local ethnic or religious community organisations than to police or government organisations. The reluctance to complain to police or government organisations was due to: fear of victimisation; lack of trust in authority; lack of knowledge about the law and complaints processes; the perceived difficulty in making a complaint and the perception that outcomes were unsatisfactory.
7. The absence of consistent legal protection from religious discrimination and vilification across the country was of concern to participants. The lack of protection under NSW anti-discrimination law was of particular concern to Muslims in NSW, where the majority of Australian Muslims live.
8. Participants identified lack of knowledge and misinformation about their history, culture and faith as the major underlying cause for the rise in prejudice against them and that this lack of knowledge and misinformation has been exacerbated by terrorism and an international climate of political tension between the Arab and Muslim world and western nations, including Australia.
9. Participants also felt that biased and inaccurate reporting of issues relating to Arabs and Muslims is commonplace amongst some sections of the media and is extremely damaging. Survey respondents and interviewees also felt that increases in anti-Arab and anti-Muslim prejudice, discrimination and violence were linked to negative media portrayals of Arab and Muslims, especially on commercial television, talkback radio and in the tabloid press.
10. Governments and community organisations have undertaken a range of both short-term crisis responses to eliminate discrimination and vilification of Arab and Muslim Australians and longer term strategies to address anti-Arab and anti-Muslim prejudice.

## Recommendations

A major goal of the IsmaU project was to engage members of Arab and Muslim communities, government and non-government organisations in constructive discussion about future strategies to eliminate anti-Arab and anti-Muslim prejudice and discrimination. While much has been done by community and government organisations to allay prejudice and discrimination against Arab and Muslim Australians, participants in the IsmaU project identified six key areas for improvement and future action: improving legal protections; promoting positive public awareness through education; addressing stereotypes and

misinformation in public debate; ensuring community safety through law enforcement; empowering communities and fostering public support and solidarity with Arab and Muslim Australians. The Commission developed more specific recommendations from these broad areas following investigation of the kinds of initiatives which were already in place at a local, state and federal level across Australia. A full discussion of the issues raised below can be found in Chapter 5.

### **1. Legal protection**

Ensuring that both Arab *and* Muslim Australians have adequate legal protection from discrimination and vilification is vital. Current legal protections against discrimination on the ground of religion or belief, at federal, state and territory level, lack consistency and uniformity with the result that whether someone can seek redress under anti-discrimination laws for religious discrimination or vilification depends on where the conduct complained of occurred in Australia.

A person who believes they have been discriminated against solely because of their religion has no legally enforceable rights if the alleged discrimination happened in NSW or South Australia. A person who believes they have been vilified because of their religion has no legally enforceable rights if the alleged vilification happened in the ACT, NSW, South Australia, Western Australia or the Northern Territory. The current lack of enforceable legal protection from acts of discrimination or vilification based solely on religion in NSW is particularly problematic as the majority of Muslim Australians live in that state (see appendix 3 for detailed data on Australian Muslims summarised from the 2001 national census).

At the federal level, the Commission has the power to inquire into and attempt to conciliate complaints that a person has been discriminated against on the basis of their religion in their employment or occupation, or if their human rights in relation to religious belief have been breached by the Commonwealth. However, these complaints do not give rise to any enforceable right or remedy.

The Commission has previously considered the lack of enforceable remedies at a federal level in its 1998 report *Article 18: Freedom of Religion and Belief* (Article 18 report). In the Article 18 report, the Commission expressed the view that Australia currently falls short of the internationally recognised human rights standards in the *International Covenant on Civil and Political Rights* and the *Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief*.

The Commission is of the view that the enactment of federal legislation that makes discrimination and vilification on the basis of religion unlawful, would provide greater consistency and uniformity in this area and would assist in Australia satisfying its international obligations in this regard.

### **Recommendation:**

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#### **That a federal law be introduced making unlawful:**

- **discrimination on the ground of religion or belief**

Appropriate exemptions, such as those set out in the Article 18 report relating to the inherent requirements of the job and employment by religious institutions, should be considered and

- **vilification on the ground of religion or belief**

It is acknowledged that the proposed legislation must make allowances for fair speech and fair reporting to ensure a balance between the competing rights of freedom of expression and the right to be free from vilification on the basis of religion or belief. Appropriate exemptions, such as those set out in the Article 18 report, should be considered.

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It is also important for the Commission and other state and territory anti-discrimination agencies to continue working with Arab and Muslim communities to increase their knowledge about existing anti-discrimination laws and complaints processes. Informing Arab and Muslim communities about provisions which allow organisations to make complaints on behalf of individuals under a number of state and territory anti-discrimination laws is especially important.

## **2. Education**

Confronting negative stereotyping and misinformation about Arabs and Muslims through education is an important long-term solution to overcoming anti-Arab and anti-Muslim prejudice and intolerance. Consultation participants stressed the need for more broad based public education and for more targeted education campaigns aimed at specific groups such as young people, employers and service providers to help dispel myths and negative stereotypes about Arab and Muslim Australians.

In relation to the education of young people, while each state and territory education department develops and implements specific anti-racism policies and programs in accordance with broad national guidelines, such as the *Adelaide Declaration on National Goals for Schooling in the Twenty-First Century*, the implementation of these policies and programs is the responsibility of individual schools. Concerns were raised by several consultation participants that there is a lack of consistency in how racism is tackled in different schools.

In light of this, collaboration between federal, state and territory education authorities to promote more consistent implementation of anti-racism policies in schools could be fostered through the federal Ministerial Council on Education, Employment, Training and Youth Affairs (MCEETYA). MCEETYA is comprised of State, Territory, Australian Government and New Zealand Ministers with responsibility for the portfolios of education, employment, training and youth affairs. It is supported by a number of taskforces convened as needed to meet particular goals such as improving Indigenous education employment and training. Information provided by the MCEETYA Secretariat indicated that issues relating to anti-racism and cultural diversity in schools could be addressed by existing MCEETYA taskforces such as the Student Learning and Support Services Taskforce or the Teacher Quality and Educational Leadership Taskforce (or whatever the new configuration of these taskforces may be after a review currently being undertaken by MCEETYA).

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### **Recommendation:**

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**That MCEETYA consider referring these issues to the relevant taskforce for advice on best practice in implementing anti-racist education policies in schools with a view to ensuring schooling is free from discrimination based on culture, ethnicity, religion or race, and for an action plan to implement that best practice.**

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To ensure that teaching professionals are well prepared to administer anti-racism policies and programs and help promote respect for cultural and linguistic diversity, teachers should receive diversity training as part of their ongoing professional development. While in some states and territories induction programs for new teachers includes diversity awareness and anti-racism training, there appears to be no compulsory on-going training for established teachers. The MCEETYA taskforce on Teacher Quality and Educational Leadership (or its new configuration) could develop standards for anti-racism and diversity training aimed at improving the quality of teaching and learning in schools.

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### **Recommendation:**

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**That MCEETYA consider referring the issue of diversity training of teachers to the relevant taskforce for advice on an action plan for implementation, as part of its commitment to enhancing teacher quality.**

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### 3. Public language

#### a) Media

During the course of consultations and the independent research carried out by UWS, concerns were consistently raised by the participants about the reporting of issues relating to Arabs and Muslims. This issue has been the subject of vigorous public debate and analysis. Participants felt that biased and inaccurate reporting of issues relating to Arabs and Muslims is commonplace among some sections of the media and is extremely damaging.

Consultation participants saw the development and implementation of strategies to challenge stereotyping in the media as essential to achieving the broader goal of eliminating prejudice and discrimination against Arab and Muslim Australians. Suggestions for addressing these concerns included:

#### i) Targeted information campaigns on media standards and complaint processes

Some consultation participants felt that there were few, if any, constraints or checks on the media in relation to reporting of issues relating to race and religion. However, the media are bound by the racial hatred provisions of the RDA and by racial and religious vilification laws in the states and territories where they exist. In addition to this, each of the media sectors has its own form of self-regulation which allows members of the public to make complaints to the relevant industry body. This includes industry codes of practice developed in accordance with the *Broadcasting Services Act 1992* (Cth) and registered with the Australian Broadcasting Authority, the Australian Press Council's Statement of Principles and reporting guidelines, and the Australian Journalists' Association Code of Ethics which binds members of the Australian Journalists' Association of the Media Entertainment and Arts Alliance.

Few consultation participants were aware of these bodies or avenues of complaint and it appears that raising awareness of the existence of these bodies and complaints processes would be an important step towards enforcing industry standards. Providing communities with better information about the relevant regulatory standards and avenues of complaint may be more appropriately handled by organisations responsible for administering these standards.

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### **Recommendation:**

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**That the relevant industry groups, the Australian Broadcasting Authority and the Australian Press Council consider undertaking information campaigns in relevant community languages and in a variety of formats to inform Arab and Muslim organisations and community members about their standards and complaint processes.**

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**ii) Constructive engagement between media and community representatives**

Forging good relations between media and Arab and Muslim communities is vital to addressing concerns raised by participants about stereotyping and misinformation. Participants expressed a strong desire to see more varied and positive images of Arab and Muslim Australians in the Australian media and many felt that communities themselves should be more pro-active about providing media with positive stories and photo opportunities which show Arab and Muslim Australians contributing in positive ways to Australia. In addition, participants wanted more dialogue with media to allow them to explain the impacts of media reporting and commentary on their communities. In some cases, attempts made by community organisations alone to foster this dialogue have not succeeded. Instances where a third party, such as a government agency, has intervened and acted as intermediary between media and community organisations have been more successful in building relations and trust.

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**Recommendation:**

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**That government agencies responsible for promoting multiculturalism consider facilitating consultation between media organisations and ethnic and religious community organisations, including Arab and Muslim groups, to improve mutual understanding.**

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**iii) Training for community leaders and journalists**

Identifying and training community spokespeople was seen by many consultation participants as vital to challenging stereotypes. Participants stressed that it is important for community representatives to learn to speak up and participate more effectively in public debate – not just in specific discussions about religion or world politics, but in matters of general public interest like health care and education. The need for women as spokespersons was particularly acute. Some participants argued that the absence or rarity of female spokespersons for Arab and Muslim communities helped to reinforce negative stereotypes about Arab and Muslim women.

Participants also suggested that media themselves be educated to understand cultural and inter-racial issues as well as reporting standards established by anti-discrimination laws. Some participants suggested that anti-racism induction programs and ongoing staff training be made compulsory in all media organisations and in university journalism and media courses.

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### **b) Police**

All state and territory police services, with the exception of NSW Police, use the following four categories to describe alleged criminals, offenders, suspects, victims and missing persons by reference to their race: 'Aboriginal appearance', 'Caucasian appearance', 'Asian appearance' and 'Other appearance (to be specified)'. These four categories were recommended for use among all Australian police services in 1997 by the former National Police Ethnic Advisory Bureau (now called the Australasian Police Multicultural Advice Bureau (APMAB)).

The NSW Police did not adopt the recommended four descriptors, choosing instead to review their entire policy on descriptions of persons issued by police to the media in consultation with internal and external stakeholders. The review resulted in a revised policy, which includes use of only the following ethnicity-based descriptors: 'Asian appearance', 'Aboriginal appearance', 'Black/African appearance', 'White/European appearance', 'Indian/Pakistani appearance', 'Pacific Islander appearance', 'South American appearance' and 'Middle Eastern/Mediterranean appearance'. In developing these descriptors, the NSW Police consulted with representatives from the then Ethnic Affairs Commission, the Ethnic Communities Council of NSW and various community groups in 1999. They also established policy guidelines to regulate the use of ethnicity based descriptors.

Many consultation participants felt that a significant cause of heightened prejudice occurred as a result of the description of criminal suspects and offenders by reference to their presumed ethnicity or ethnic appearance. The main objection to the use of ethnic descriptors raised by consultation participants was that they were seen as inflaming prejudice against whole communities making them accountable for the actions of individuals. In most examples cited by participants, it was the use of descriptors like 'Middle Eastern' by media and political commentators which aroused most concerns. The NSW Police cannot control how the media or politicians use ethnic labels to report and comment on crime. However, some participants have argued that by legitimising the public use of ethnic descriptors like 'Middle Eastern' for one purpose (catching alleged criminals), these terms become more acceptable in broader public debates about ethnicity and crime. These broader debates can inflame prejudice by suggesting there is a link between criminal behaviour and the ethnicity of offenders.

At a national level, APMAB has monitored the use of the four ethnic descriptors it recommends police use nationally. In 2003, APMAB conducted a scoping exercise to understand more about current practice in the use of descriptors in all police jurisdictions, to compare and contrast this practice with international practice and to make recommendations which will further support police work. The research found that many police were experiencing difficulties in ensuring the accurate use of descriptors and in managing the media's use of descriptors.

As one respondent noted, 'it is often the media themselves who take the information and present it in a manner that may be offensive.' Police also reported that the use of descriptors often elicits significant community concern and that, 'when used inappropriately, ethnic terms can offend members of the public adversely and affect the relationship between police and the community.' The report recommended development of a national and Australasian set of standards in training police to use descriptors in a consistent and culturally informed manner.

The Commission supports this recommendation and encourages the undertaking of further research on the issue of descriptors in order to provide a better understanding and a firm basis for the development of a national set of standards. Given the concerns raised by consultation participants in New South Wales about the specific use of the descriptor 'Middle Eastern', it may be appropriate to include in this research a specific review of the NSW policy of eight ethnicity based descriptors.

This research could be conducted either by NSW Police, APMAB, or an independent body. Importantly, it should involve representatives from affected communities, including Arab and Muslim communities, to provide a balanced analysis of the efficacy of descriptors to police, in terms of apprehension and conviction rates, alongside the perspectives of affected communities.

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### **Recommendation:**

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**That in any development of national standards concerning the use of descriptors by police, consideration be given to a review of the use of the ethnic descriptor 'Middle Eastern' which takes into account perspectives of affected communities.**

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## **4. Law enforcement**

Much of the behaviour reported during the consultations and empirical research went beyond discrimination and vilification. Participants also described potentially criminal behaviour including stalking, assaults, property damage and threats of violence. However, many participants reported a general reluctance to seek police assistance. A number of reasons were given for this reluctance including scepticism about obtaining a useful outcome. Some of those who had reported incidents to police were dissatisfied with the police response and felt that police had not taken reported hate offences seriously.

## Executive Summary

To ensure that criminal behaviour with a racial or religious motivation is treated seriously and appropriately, the motivation for the offence and its significance to the victim needs to be acknowledged. There is inconsistency across the state and territory police services as to how, or if, they collect information about incidents that may have an element of racial or religious prejudice.

Sharing information about hate crimes across the state and territories has been identified as a priority by the Australasian Police Minister's Council (APMC). In December 2003, the APMC tasked the Australasian Police Multicultural Advisory Bureau (APMAB) to report on the development of mechanisms 'to improve police-police and police-community information sharing on the issue of racist violence'. The Commission suggests that establishing greater consistency in the collection of information about racially or religiously motivated incidents by police services across Australia is vital to improving information sharing between police and communities about racist violence.

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### **Recommendation:**

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**That APMAB, together with all state and territory police services, consider reviewing current systems for recording incidents motivated by racial or religious prejudice with a view to ensuring greater consistency in the collection of data across Australia.**

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Consultation participants whose complaints to police were dismissed because they did not meet the threshold for investigation under criminal law often felt unsupported and unsure of where else to turn for assistance. Better communication between police, community organisations and anti-discrimination agencies who may be able to assist when an incident of discrimination or vilification is not a criminal offence may be a solution. Providing more effective information sharing between these organisations could help support Arab and Muslim Australians who have experienced discrimination or vilification and increase the chances that a satisfactory outcome will result from reporting an incident.

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### **Recommendation:**

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**That officers of all police services have the necessary information to enable appropriate referral of victims of racial or religious discrimination or vilification to appropriate community or anti-discrimination agencies in the event their complaints do not meet the threshold for investigation under criminal law.**

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## 5. Community action

Initiatives to eliminate prejudice and discrimination against Arab and Muslim Australians cannot be effective without community involvement in the development and implementation of such strategies. Governments should ensure that community organisations are properly consulted and adequately resourced to enable their participation in development and implementation of strategies to tackle anti-Arab and anti-Muslim prejudice. The issue of adequate resources is especially vital. Currently, many community organisations are struggling to meet their core social welfare or religious functions while helping members of their communities cope with the extra burden of discrimination and vilification.

In addition, consultation participants expressed strong views about the need for more effective community action by the Arab and Muslim community to tackle anti-Arab and anti-Muslim prejudice and discrimination. Participants called for stronger community leadership, improved networking between community groups and better education within communities as well as to the broader public about issues affecting Arab and Muslim Australians. Providing greater support for individuals who were seen to be particularly at risk of discrimination or vilification, (such as women, young people and newly arrived migrants and refugees) was also identified as a priority.

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### **Recommendation:**

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**That Muslim and Arab community leaders continue to promote harmony within their communities, build closer links to other religious and ethnic communities in Australia to foster mutual respect and tackle racism and work in partnership with government agencies and other non-government organisations to educate members of their communities about laws and complaint processes which provide access to services and protect against racial or religious discrimination.**

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## 6. Public support

Strong, clear messages of support and solidarity from a range of national, state and local political and community leaders were seen as crucial to overcoming the sense of alienation and isolation identified by so many participants. Messages of support and inclusiveness should be delivered regularly by the most senior federal and state politicians, particularly during times of crisis, to protect Arab and Muslim Australians from any potential backlash. Participants felt that such messages should not single out Arab or Muslim Australians for 'special' treatment, but rather, should emphasise the importance and values of multiculturalism to Australian society.

**Recommendation:**

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**That political and community leaders at a federal, state and territory and local level, encourage Australians to uphold the principles of multiculturalism including respect for the right of all Australians to express their own culture and beliefs and responsibility to support the basic structures and principles of Australian society that guarantee freedom and equality for all.**

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## Chapter 1. Background

This chapter sets out background information about the IsmaU project and the role of the Human Rights and Equal Opportunity Commission (the Commission). It provides a basic demographic and historical overview of Arab and Muslim Australians as well as information on current federal and state anti-discrimination laws on racial and religious discrimination and vilification. Finally, a brief outline details the Commission's previous research and findings relating to religious discrimination and vilification and anti-Arab and anti-Muslim prejudice.

### 1.1 The IsmaU project

Dr William Jonas AM, the acting Race Discrimination Commissioner, launched the IsmaU project in March 2003. The Commission saw a need for the IsmaU project following the September 11 attacks in the United States and the Bali bombings of October 2002. Heated public debate surrounding specific national and local events such as the trial, conviction and sentencing of gang-rapists in Sydney in 2001 and 2002 and growing numbers of asylum seekers from the Middle-East and Muslim countries reflected increasing hostility towards diverse communities of Arab and Muslim Australians. While the number of formal complaints of racial discrimination received by the Commission did not increase, in 2002 the Commission heard mounting anecdotal evidence from a range of Arab and Muslim community organisations about a rise in anti-Arab and anti-Muslim prejudice in Australia. The IsmaU project was launched with a view to understanding and accounting for this discrepancy.

The aim of the IsmaU project was to explore whether Arab and Muslim Australians were experiencing discrimination and vilification post-September 11. If so, what was the nature of these experiences and what were their impacts? How were Arab and Muslim Australians responding to such experiences and why weren't they reporting them through official complaint channels? The Commission was also interested in finding out what was being done to address underlying prejudice towards and discrimination and vilification of Arab and Muslim Australians and what else Arab and Muslim Australians thought should be done in this area.

It is important to note that the experiences included in this and subsequent chapters present the different perspectives of Arab and Muslim Australians who participated in the IsmaU project. While participants used terms like discrimination

and vilification to describe their experiences, this does not necessarily amount to unlawful discrimination or vilification as defined in federal or state and territory anti-discrimination legislation. It was not the purpose of this project to verify every allegation of violence, discrimination or vilification. Rather, it was the Commission's aim to listen to Arab and Muslim Australians describe how they perceived and experienced discrimination and vilification in order to gain insight into their understanding of the nature, causes and solutions to anti-Arab and anti-Muslim prejudice.

### 1.1.1 The role of the Human Rights and Equal Opportunity Commission

The Commission is an independent statutory body established by the *Human Rights and Equal Opportunity Commission Act 1986* (Cth) (HREOC Act). The Commission has specific legislative functions and responsibilities for the protection and promotion of human rights and the elimination of discrimination. In particular, the Commission is required to:

- promote an understanding and acceptance of, and compliance with, the Racial Discrimination Act 1975 (Cth)<sup>1</sup>
- develop, conduct and foster research and educational programs and other programs for the purpose of
  - combating racial discrimination and prejudices that lead to racial discrimination,
  - promoting understanding, tolerance and friendship among racial and ethnic groups, and
  - propagating the purposes and principles of the International Convention on the Elimination of All Forms of Racial Discrimination<sup>2</sup>
- promote an understanding and acceptance, and the public discussion, of human rights and equal opportunity in employment and occupation in Australia<sup>3</sup>
- undertake research and educational programs and other programs, on behalf of the Commonwealth, for the purpose of promoting human rights and equality of opportunity and treatment in employment and occupation, and to co-ordinate any such programs undertaken by any other persons or authorities on behalf of the Commonwealth.<sup>4</sup>

### 1.1.2 The project reference group

The IsmaU project was advised by a reference group of 17 people, including representatives from government agencies and religious and community organisations from across Australia:

- Father Geoffrey Abdallah, Episcopal Vicar for Youth and Dean of St Maroun's Cathedral, Maronite Catholic Diocese of

Australia

- Mrs Aziza Abdel-Halim AM, President, Muslim Women's National Network of Australia
- Ms Rawan Abdul-Nabi, independent youth representative
- Dr Leela de Mel, Director, Office of Multicultural Interests Western Australia; alternate Ms Anne Rida
- Assistant Commissioner Garry Dobson, Commander Education Services, NSW Police; alternate Commander Alan Clarke
- Mr John Doyle, broadcaster and writer
- Ms Joumanah El Matrah, Coordinator, Islamic Women's Welfare Council of Victoria
- Mr George Green, Assistant Director General, Schools, NSW Department of Education and Training
- Mrs Fatima Hamdan, Chairperson, Al Zahra Islamic Council
- Mr Roland Jabbour, Chairperson, Australian Arabic Council; alternate Mr Laurence Abou-Khater
- Ms Randa Kattan, Executive Director, Australian Arabic Communities Council
- Mrs Maha Krayem Abdo, President, United Muslim Women's Association
- Mr Christopher Kremmer, author and journalist
- Mr Stephen Maguire, Director, Multicultural Affairs Queensland, Department of Premier and Cabinet; alternate Mr Warren McMillan.
- Ms Linda Matthews, Commissioner, South Australian Equal Opportunity Commission; alternate Ms Anne Burgess
- Mr Amjad Mehboob, Chief Executive Officer, Australian Federation of Islamic Councils
- Mr Hasan Sowaid, Manager, Multicultural Affairs and Settlement, Department of Immigration and Multicultural and Indigenous Affairs

The role of the reference group was to provide support and advice to the IsmaU team on the project objectives, the scope and conduct of the consultations and the findings and recommendations.

### 1.1.3 Methodology

The project had three major components:

- consultations with Arab and Muslim Australians
- an empirical survey using questionnaires and interviews to

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learn more about Arab and Muslim Australians' responses to racism and abuse and their experiences and understanding of complaints processes

- documentation of government and non-government strategies that address anti-Arab and anti-Muslim prejudice.

### 1.1.3.1 National consultations

The consultation process sought to engage Australians who identify as 'Arab' and those who profess the Islamic faith. The consultation process was extensive: a total of 1,426 people participated in 69 consultations in all states and territories between April and November 2003 (see Appendix 1).

Consultations involved group discussions on the following broad questions:

- Have you (or the community group you represent) experienced discrimination and vilification? If so, what are those experiences?
- What is being done to fight anti-Arab and anti-Muslim prejudice and discrimination?
- What more could be done to fight anti-Arab and anti-Muslim prejudice and discrimination?

The consultations were organised with the assistance and cooperation of a range of government and community organisations and individual community members around Australia. Hosts included Arab and Muslim community groups, state anti-discrimination commissions and multicultural affairs agencies, police and educational authorities and individual community members.

Most consultations were conducted in major cities reflecting the demographic concentration of Arab and Muslim Australians in metropolitan areas. However, consultations were also held in rural and regional centres including Shepparton, Wollongong and Alice Springs.

The consultations varied considerably in both number and diversity of participants. Some consultations were more intimate (two people attended the smallest meeting) while others were significantly larger (the largest comprised 250 participants). For a full description of the size, location, date, participants and hosts of specific consultations see Appendix 1.

The most complex and difficult aspect of planning the consultations was to capture opinions that reflected the broad ethnic and religious diversity of Arab and Muslim Australians. When consulting Muslim Australians, the Commission sought to include Muslims from a variety of ethnic backgrounds and ancestries including Lebanese, Turkish, Afghan, Bosnian, Pakistani, Indonesian, Iraqi, Bangladeshi, Iranian and Fijian.<sup>5</sup> When planning consultations with Australians of Arab background, we relied on Arab community organisations to invite Arab

participants from a variety of national, ethnic and religious backgrounds. IsmaU flyers and invitations were translated into Arabic for wide distribution through these networks in an effort to attract Arabic-speaking participants.

Care was taken to ensure that women, young people and refugees felt comfortable and able to fully participate in consultations. Specific meetings, often small focus group discussions, were convened with Arab and Muslim women, youth and refugees to encourage their participation. Of the 69 consultations, 17 were with women's groups, 14 were with young people aged 29 and under, and six were with refugees.<sup>6</sup> Women, young people and refugees also attended other, general, consultations.

While most consultations were conducted in English, several were entirely in Arabic. Eritrean, Dari, Farsi, Pashtu, Bosnian, Bahasa Indonesia and Albanian interpreters were also used in select consultations.

Participants' permission to tape each consultation was requested and granted in most cases. Detailed notes were also taken by Commission staff in each consultation. These notes, together with transcripts of tapes (where available), were used to produce summaries of consultations which are published on the Commission's website.

In addition to the consultations, Commission staff held 53 meetings with federal, state and local government officers as well as individual community members who provided independent advice to the IsmaU project team. Although the Commission did not originally call for written submissions, nine written submissions were received from individuals or organisations unable to attend consultations.

### **1.1.3.2 Independent empirical research**

To obtain a more comprehensive picture of the nature and extent of unreported incidents of discrimination and vilification, the Commission asked the Centre for Cultural Research at the University of Western Sydney to conduct in-depth research on Arab and Muslim Australians' experiences of discrimination and vilification and their understanding and use (or non-use) of existing complaints mechanisms. With an independent third party investigating these issues, research participants had greater freedom to be critical of complaint processes and complaint-handling agencies including the Commission. The research focused on Arab and Muslim Australians in New South Wales and Victoria and comprised two major components: self-complete questionnaires and a sub-set of semi-structured interviews. The report setting out the results of the research, *Living with Racism: The experiences and reporting by Arab and Muslim Australians of discrimination, abuse and violence since 11 September 2001* (the UWS report), is available on the HREOC website.<sup>7</sup>

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### *a) Self-complete questionnaires*

1,475 self-complete questionnaires (in Arabic and English) were distributed to individuals and through community organisations and mosques in NSW (685) and Victoria (790) between August and November 2003. The 25 multiple-choice and open-ended questions asked about people's experiences and responses to racism, abuse and violence. Respondents were also invited to participate in follow-up interviews. 186 people returned questionnaires, a response rate of 12.6%, and one third agreed to a follow-up interview.<sup>8</sup> The majority of survey respondents (68%) were from NSW with the remainder from Victoria. These proportions roughly reflect the number of Arab and Muslim Australians in each state (see Appendices 2 and 3).

### *b) Semi-structured interviews*

34 open-ended semi-structured interviews were conducted with a representative cross-section of survey respondents, with roughly half from each state.<sup>9</sup> Interviews were conducted in either English or Arabic, as preferred by the interviewee. Interviewers asked participants to expand on survey questions and the following additional questions:

- What meanings do incidents of discrimination and vilification have for the people involved, and for the communities with which they identify?
- What forms of redress or action are people interested in?
- Do people who make formal complaints feel that their reports have been acted upon or will make a difference?
- Do people who make formal complaints understand the law relevant to their complaint and why the complaint was treated in the way it was?

The results of this research are included in this report where relevant.

### **1.1.3.3 Audit of strategies and initiatives**

The Commission is by no means the only agency aware of an increase in anti-Arab and anti-Muslim prejudice and committed to taking action to combat it. Government, non-government and community organisations have initiated programs and strategies to address the causes of prejudice and to support people affected by discrimination and vilification. One objective of the IsmaU project has been to map existing strategies, identify gaps and shortcomings and make suggestions for strengthening the community and government responses in the future.

Many projects and initiatives were brought to the Commission's attention through the consultation process by individual participants or host organisations

and reference group members. In addition, the Commission contacted relevant federal, state and local government agencies and non-government community organisations requesting information about existing projects and initiatives that specifically address anti-Arab and anti-Muslim prejudice. Information received from these organisations has been sampled and summarised in Chapter 4 and is set out more extensively on the Commission's website.<sup>10</sup>

#### **1.1.4 Terminology**

A number of terms require clarification. These include:

##### *Arab Australian*

We have used the term 'Arab Australian' broadly to include people bound by a common language (Arabic) and a common cultural heritage which can be traced back to the Arabic-speaking countries of the Middle East and North Africa. 'Arab Australians' encompasses all those who identify with this group and live in Australia, including those with temporary resident status.

##### *Muslim Australian*

In this report, the term 'Muslim Australian' denotes Australians who identify themselves as followers of Islam. All Muslims who live in Australia, including those with temporary resident status, comprise this group.

##### *Discrimination, vilification, racism, abuse, racial violence, prejudice, racial hatred*

A number of different words were used by consultation participants to describe their experiences. These words included: discrimination, vilification, racism, abuse, racial violence, intolerance, prejudice and racial hatred. Where this report reflects what we were told at consultations and in the survey and interviews, we have used the language used by the participants and survey respondents. As a result, unless clearly stated otherwise, these words are not used in a strict legal sense. See section 1.3 of this chapter for the specific legal definitions of some of these terms.

##### *Islam and Muslim*

Islam commonly refers to the religion of Islam and matters relating to the Islamic faith. The term Muslim refers to a person or community of people who believe in or follow Islam.

##### *Islamic dress*

The terms hijab, niqab, chador and burqa describe particular kinds of Islamic dress worn by women. The word 'hijab' comes from the Arabic word 'haya', meaning modesty and applies generally to the modest dress of Muslim women. Consultation

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participants commonly referred to the headscarf as 'hijab' or 'veil', the 'niqab' as a veil covering the face, the 'chador' as a full length over-garment which covers the head and body, and the 'burqa' as a garment which covers the entire body including the hands, feet and face. Muslim men may also be identified by particular religious dress including the 'sunnah hat' otherwise known as a skull cap. It is important to note that because Muslims are a very diverse group, there are many different terms used to refer to different types of Islamic religious dress depending on country of birth or region.

### *Islamic leaders*

While there is no official religious leader of all Muslims, there are several types of religious leaders in Islam. An 'Imam' is an Islamic religious leader who leads ritual prayer and provides religious, social and welfare guidance to a congregation. A 'Sheikh' is a religious scholar with formal training in a spiritual institution. A 'Mufti' is a jurist who interprets Islamic law and works closely with government authorities in advising on matters relevant to Islam.

### *Mosque*

A mosque is a Muslim place of worship. All Muslims are expected to pray five times a day. Muslims can pray anywhere, but where possible, Muslims pray in mosques ('masjid' in Arabic), especially for Friday lunchtime prayers. Prayers may also be conducted in a 'musallah', meaning prayer room.

## **1.2 Who are Arab and Muslim Australians?**

### **1.2.1 Arab Australians**

'Arab Australian' or 'Australian Arab' is a complex label. To sketch a demographic overview of this group, we have used a combination of statistics relating to country of birth, ancestry and language. Particular care has been taken in interpreting country of birth statistics. Birthplace data used uncritically present an inaccurate picture of the Arab Australian population as nationality is not always synonymous with cultural identity or ethnicity. For example, some Iraqis identify their ethnicity as Kurdish not Arab. Similarly, some Lebanese-born Christians identify as Phoenician. Limiting a definition of 'Arab Australian' to people born in Arab countries would have excluded Arabic-speaking Australians from places like Ethiopia and Eritrea which are not usually defined as 'Arab' countries.

Leaving aside the complexities of how people may define *themselves*, it is important to note that the wider Australian public does not often make such fine distinctions about ethnic identity among people they label as 'Arab' or more broadly 'Middle Eastern'. Some Australians see Persians, Afghans or Turks as 'Arab' and may discriminate against them on the basis of that perception.

While it is our understanding that a definition of 'Arab Australian' should be flexible enough to incorporate self-identification as 'Arab' as well as labelling by external groups or individuals, we have interpreted the term 'Arab Australian' broadly to include people bound by a common language (Arabic) and a common cultural heritage which can be traced back to the Arabic-speaking countries of the Middle East and North Africa. 'Arab Australians' encompasses all those who identify with this group and live in Australia, including those with temporary resident status.

### 1.2.1.1 History

Arab migration to Australia occurred mainly in the post-WWII period. However, some communities such as the Lebanese and Egyptians are more established than others. The Lebanese comprise the largest group with the longest history of settlement in Australia. The earliest migrants from Lebanon (then a semi-autonomous district in the Ottoman province of Syria) came to Australia in the late 1880s. These pioneer settlers, most of whom were Christians, were variously identified as Turks, Syrians, Lebanese or Syrian-Lebanese.<sup>11</sup> The second wave of Lebanese migration to Australia from 1947-1975 was again mainly Christian, gathering pace after the Arab-Israeli war of 1967. The third wave of Lebanese came to Australia after 1976 fleeing the civil war in Lebanon. This group of predominantly Muslim Lebanese were humanitarian entrants who had family connections in Australia willing to sponsor their migration.

Like the Lebanese, most Egyptian migrants came to Australia in the post-WWII period (in two waves from 1947-71 and the late 1980s).<sup>12</sup> Most Egyptian migrants are Coptic Christians who left Egypt in response to pan-Arabist and pan-Islamist policies. In contrast to the longer established groups, the more recent arrivals from Arab or Arabic-speaking countries such as Iraq, Sudan and Somalia have been refugees or humanitarian entrants fleeing war.

### 1.2.1.2 Arab Australians today

162,283 Australians were born in the 22 Arab League nations (0.8% of Australia's population). Another 120,000 Australian-born people have at least one parent born in an Arab country. Around 200,000 Australians speak Arabic.

Arab Australians are a diverse group. The most common national origin of Arab Australians is Lebanese followed by Egyptian, Iraqi and Syrian. While the longer established groups such as the Lebanese are more numerous, more recently arrived communities tend to be smaller in number and come from a wider range of Middle Eastern and North African countries. Communities with relatively small numbers in Australia are disadvantaged by the limited community infrastructure to help them settle. This is especially a problem for small but fast-growing groups such as Iraqis.<sup>13</sup>

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There is a widespread misconception that all Arab Australians are Muslim. While Muslims are usually the majority in their countries of origin, Arab Australians are predominantly Christian. For example, 55% of Lebanese-born Australians are Christian (the main groups are Maronite and Melkite Catholics) while 41% are Muslim (predominantly Sunni with smaller numbers of Shi'ites, Druze and Alawi).

The majority (85%) of Arab Australians are Australian citizens. Among major Arab immigrant groups, the citizenship take-up rate is highest for longer established groups such as Egyptians (91.6%), Lebanese (91.3%) and Syrians (86.2%). These rates are among the highest for all immigrant groups in Australia (the average is 74%). The fact that Arab Australians have been so willing to become Australian citizens demonstrates their commitment to settling in Australia and also reflects the fact that many Arab countries allow dual citizenship.<sup>14</sup>

Most Arab Australians live in New South Wales and Victoria with smaller populations in Western Australia, Queensland and South Australia. A relatively small proportion live in the Northern Territory, Tasmania or the ACT. Arab Australians live mainly in urban areas and are concentrated in specific parts of cities such as Sydney's south-west and Melbourne's north-western suburbs.

Arab Australians are a relatively young population. Those born overseas are more likely to be of working age (25-64 years of age) than other Australians. Second generation Arab Australians (those with a parent born in an Arab country) are a very youthful group: over 75% are aged 24 years or under with a further 14% aged 25-34 years.

It is difficult to classify the socio-economic status of Arab Australians as there are tremendous variations in income, level of education, types of occupation and employment status across different national groups. On the whole, Australians born in Arab nations have very similar levels of education compared to all Australians and they generally work in the same kinds of occupations. However, Arab Australians are slightly disadvantaged economically compared to the average Australian.

Detailed data on Arab Australians, summarised from the 2001 Census of Australia, are set out in Appendix 2.

### 1.2.1.3 Community structure

As a result of religious, national and political differences among and within Arab Australian communities, there are few organisations which service Arabs as a group. The two main representative bodies are the Australian Arabic Communities Council (AACC) and the Australian Arabic Council (AAC). The Melbourne-based AAC was founded in 1991 in response to stereotyping and discrimination directed against the Arabic-speaking community in Australia

during the Gulf War. Its aims are to challenge negative perceptions of Arabs and Arabic culture within Australia, promote greater participation by the Arab community in Australian society and act as a consultative group to government, media and the wider community on issues affecting Arab Australians. The AAC has representatives in most states.<sup>15</sup> The Sydney-based AACC, founded in 1979 as the Arabic Welfare Interagency, has similar goals of community advocacy. In addition it provides social services (such as settlement and family support services) to Arabic-speaking clients.<sup>16</sup> A range of other community organisations also deliver welfare services, promote culture or religion and provide recreational or educational opportunities to sub-groups within the Arab Australian community.

## 1.2.2 Muslim Australians

The terms 'Muslim Australians' and 'Australian Muslims' denote Australians who identify themselves as followers of Islam. All Muslims who live in Australia, including those with temporary resident status, comprise this group. Islam is a major world religion with an estimated 1.2 billion followers worldwide. Muslims believe in one God (Allah who is the one, single god of Islam and is considered to be the same god as that worshipped by the Jews and the Christians) who has sent prophets and messengers, from Adam, the first prophet, to Muhammad, the last. Muslims also believe that God provided revelations in the written scriptures including the Torah and the Gospel, and that the Holy Qur'an is the final scripture from God as revealed to the Prophet Muhammad. The Qur'an, together with the stories, sayings and deeds of the Prophet Muhammad (the 'hadith'), sets out the five fundamental practices for Muslims:

- making the shahada – a declaration of belief in Allah as the one and only God and Mohammed as his final messenger
- five-times-daily prayer (salat)
- fasting during the holy month of Ramadan (sawm)
- giving charity (zakat)
- pilgrimage to Mecca (hajj).<sup>17</sup>

### 1.2.2.1 History

Contact between Muslim Macassan fishermen from Southern Sulawesi (now Indonesia) and Indigenous people in northern Australia from around the 1750s is the earliest evidence of a Muslim connection in Australia. However, it was not until the 1860s with the arrival of Afghan cameleers that Muslims settled in greater numbers in Australia. At the peak of exploration and settlement of central Australia, around 3,000 Afghans worked as camel drivers carting water and goods in the difficult terrain.<sup>18</sup> With the end of the camel transport industry in the 1920s and the restrictive effects of the White Australia immigration policy, the number of Afghans dwindled.<sup>19</sup> It was not until policies which restricted the immigration of non-Europeans to Australia were dismantled in the late 1960s that Muslim

migration resumed. The 1960s and 1970s saw the arrival of large numbers of Turkish and Lebanese migrants, who today comprise the majority of overseas-born Australian Muslims.

### 1.2.2.2 Australian Muslims today

Just over one-quarter of a million Muslims (281,578) live in Australia.<sup>20</sup> Muslims are the third largest religious group in Australia behind Christians (who make up 68% of the population) and Buddhists (1.9%).<sup>21</sup> They constitute a relatively small proportion of the Australian population (1.5%) compared to countries like the United Kingdom (where they comprise 3.1% of the population), France (10%) or Canada (2%).<sup>22</sup> Over the last decade, there has been a significant increase in the number of Australian Muslims. The population almost doubled between 1991 and 2001 and has grown 157% since 1986.<sup>23</sup>

Australian Muslims are a very young population: almost 50% are aged 24 and under (compared to 35% of non-Muslim Australians). Australian-born Muslims, who make up just over one-third of all Australian Muslims, are particularly youthful. A substantial 86% of the 102,566 Australian-born Muslims are aged 24 and under.

While they share a common religion, Australian Muslims are a culturally and linguistically diverse group. Around two-thirds were born overseas in countries such as Lebanon, Turkey, Afghanistan, Bosnia-Herzegovina, Pakistan, Indonesia, Iraq, Bangladesh, Iran, Fiji, Cyprus, Somalia, Egypt, and Malaysia. Despite the stereotype that all Muslims are of Arab or Middle-Eastern background, less than 20% of Australian Muslims were born in Middle Eastern or Arab countries. A significant number come from Asia, Europe and Africa. They speak a range of languages such as Arabic, Turkish, Persian (Farsi), Bosnian, Bahasa Indonesia, Bengali, Malay, Dari, Albanian, Hindi, Kurdish and Pashtu. Most Australian Muslims are Sunni but there is a significant minority of Shi'ite Muslims and smaller numbers of Bektashis, Ahmadis, Alawis and Druze.<sup>24</sup>

The vast majority of Australian Muslims live in either New South Wales (50%) or Victoria (33%) with smaller populations in Western Australia (7%), Queensland (5%), South Australia (3%) and the ACT (1%). Within these states and territories, Muslims are concentrated in capital cities. Almost half of Australian Muslims (48%) live in Sydney while another third (31%) live in Melbourne. Thirteen per cent live in other cities while only seven per cent live in regional centres and towns.

Muslims are, on average, economically disadvantaged relative to other Australians. For example, according to the 2001 Census of Australia, 43% of Australian Muslims compared with 27% of all Australians had a weekly income under \$200.<sup>25</sup> Muslim Australians are more likely than other Australians to work in blue-collar occupations as production and transport workers or labourers than as managers, administrators or professionals even though they have a very similar educational

profile to other Australians. It is worth noting that socio-economic indicators vary according to birthplace. For example, overseas-born Muslims (particularly those from India, Pakistan, Bangladesh and Egypt) are more likely to be highly educated and employed than Australian-born Muslims.<sup>26</sup>

Detailed data on Australian Muslims, summarised from the 2001 Census of Australia, are set out in Appendix 3.

### 1.2.2.3 Community structure

There are a range of organisations providing religious, educational and welfare services to Australian Muslims. There are some 85 mosques around Australia and around 50 *musallahs* (prayer rooms) which cater to Muslims' religious needs.<sup>27</sup> There are also 25 Islamic schools attended by 12,000-15,000 students.<sup>28</sup>

A number of Islamic societies in each state and territory aim to ensure the appropriate provision of welfare services to Australian Muslims. There are over 50 such organisations in NSW alone.<sup>29</sup> Most of these associations are connected through state Islamic councils, many of which are represented at a national level by the Australian Federation of Islamic Councils (AFIC). Since the 1970s, AFIC has been the main advocacy body for Muslim Australians at the federal level.

There are an estimated 70 Imams in Australia who serve as religious leaders at mosques and prayer centres. Over the past decade, boards of Imams have been created in some states, bringing together religious leaders from individual mosques to discuss matters of common interest. While there is no single spokesperson representing the interests of all Australian Muslims, the Mufti of Australia, Sheikh Taj al-Din al-Hilali, Imam of the Lakemba Mosque in Sydney, is recognised by many as the spiritual leader of Australian Muslims.

## 1.3 Legal background

### 1.3.1 Federal laws

#### 1.3.1.1 Constitutional basis of the *Racial Discrimination Act 1975* (Cth)

The *International Convention on the Elimination of All Forms of Racial Discrimination* (ICERD) was one of the first human rights treaties to be adopted by the United Nations and was ratified by Australia on 30 September 1975.<sup>30</sup> In Australian law, the ratification of an international treaty by the Executive does not automatically incorporate the treaty into domestic law and this can only be done as a result of legislation enacted by the federal Parliament. The ICERD was therefore given effect domestically by the enactment of the *Racial Discrimination Act 1975* (Cth) (RDA) relying on the external affairs power of the Australian Constitution.<sup>31</sup>

The fact that the ICERD forms the constitutional basis of the RDA means that it should, as far as possible, be interpreted in the same way as the ICERD.<sup>32</sup> This is

important for a number of reasons. For example, the grounds of discrimination included in the RDA (race, colour, descent, or national or ethnic origin) are taken directly from the ICERD.<sup>33</sup> It is also relevant to note that it was not intended that the ICERD include religion as a ground of discrimination.<sup>34</sup> As a result, the RDA does not include religion as a ground of discrimination.

### 1.3.1.2 Discrimination under the *Racial Discrimination Act 1975 (Cth)*

The RDA makes direct and indirect discrimination based on the grounds of race, colour, descent or national or ethnic origin unlawful.

Direct discrimination<sup>35</sup> occurs when someone is treated less fairly because of their race, colour, descent or national or ethnic origin than someone of a different race, colour, descent or national or ethnic origin and which has the effect of impairing their ability to exercise their human rights in a wide range of areas of public life. For example, it would be discrimination if a real estate agent would not rent a house to a person because that person is of Arab descent.

Indirect racial discrimination<sup>36</sup> occurs when a rule is applied to everyone, but it affects people of a particular race, colour, descent or national or ethnic origin more harshly than other groups, and it is not reasonable. For example, a rule that only people over a certain height can be employed in a particular job could be applied to everyone 'equally'. But it may disadvantage some races more than others. The rule may be indirectly discriminatory if the height requirement is not necessary to do the job and is not a reasonable requirement.

None of the grounds of discrimination used in the RDA (race, colour, descent or national or ethnic origin) are defined in the Act. However, it is important to understand the meanings of these terms because this will affect who is covered by the law.

For example, Courts have decided that to fall within the ground of ethnic origin, the following characteristics are considered essential:<sup>37</sup>

- a shared history, of which the group was conscious as distinguishing it from other groups, and the memory of which it keeps alive and
- a cultural tradition of its own, including family and social customs and manners, often but not necessarily associated with religious observance.

The following characteristics are considered relevant, but not essential by courts:<sup>38</sup>

- a common geographical origin or descent from a small number of common ancestors
- a common language, not necessarily peculiar to the group;
- a common literature peculiar to the group

- a common religion different from that of neighbouring groups or the general community surrounding it and
- being a minority or an oppressed or a dominant group within a larger community.

Courts in the United Kingdom have decided that Jewish people<sup>39</sup> and Sikhs<sup>40</sup> fall within the meaning of ethnic origin outlined above.

Australian courts have adopted these meanings and have also found that Jewish people comprise a group of people with a common ethnic origin under the RDA.<sup>41</sup> As yet, Australian courts have not been asked to consider whether Muslim people constitute a group with a common ethnic origin under the federal RDA.

However, cases that have considered this issue under different laws have found that Muslims do not share a common racial, national or ethnic origin because while Muslims profess a common belief system, the Islamic faith is widespread covering many nations and languages.<sup>42</sup> A recent decision of the NSW Administrative Decisions Tribunal noted that

*[t]here are Muslims in every continent and of many different racial and ethnic backgrounds. It is common knowledge for example that there are South Asian, South-East Asian, African, Middle-eastern and European communities of Muslims. Many African-Americans, most famously Muhammed Ali, are Muslims; and that 'while Muslims are all adherents to Islam, they do not share common racial, national or ethnic origins.'*<sup>43</sup>

If a person believes that they have been discriminated against because they are of a particular national origin (such as Lebanese or Turkish) rather than religious belief, then they are likely to be covered by the grounds in the RDA and can make a complaint to the Commission.

If such a complaint were made to the Commission, the President, on behalf of the Commission, would investigate the circumstances and, when appropriate, assist the parties – the person making the complaint (the complainant) and the person against whom the complaint is made (the respondent) – to resolve their dispute. This is called conciliation. If the complaint cannot be resolved, the President must terminate the complaint and the person making the complaint can have the dispute heard by the Federal Court of Australia or the Federal Magistrates Court. The Federal Court and Federal Magistrates Court can make legally enforceable decisions about whether or not discrimination has occurred.

However, if a person feels they have been discriminated against solely because they are of the Islamic faith then, on the basis of the current case law, it is unlikely

that they are covered by the grounds in the RDA.

### 1.3.1.3 Racial hatred under the *Racial Discrimination Act 1975 (Cth)*

In 1995, the RDA was amended by the *Racial Hatred Act 1995 (Cth)* to make it against the law to use words, sounds, images or writing

- in public
- that are reasonably likely to offend, insult, humiliate or intimidate another person or a group of people, and
- are used because of the race, colour or national or ethnic origin of the other person or group of people.<sup>44</sup>

In considering the kinds of actions that are reasonably likely to offend, insult, humiliate or intimidate another person, recent decisions of the Federal Court of Australia have held that the action in question must have 'profound and serious effects, not to be likened to mere slights'.<sup>45</sup>

The RDA contains very broad grounds which exempt from liability anything said or done 'reasonably and in good faith' in relation to:

- an artistic work or performance
- an academic publication, discussion or debate
- a fair and accurate report on a matter of public interest
- a fair comment on a matter of public interest, provided the comment is an expression of the person's genuine belief.

The Explanatory Memorandum<sup>46</sup> (EM) to the amendments introduced in 1995 made specific reference to the grounds that are covered. It states:<sup>47</sup>

*The term 'ethnic origin' has been broadly interpreted in comparable overseas common law jurisdictions (cf King-Ansell v Police [1979] 2 NZLR per Richardson J at p.531 and Mandla v Dowell Lee [1983] 2 AC 548 (HL) per Lord Fraser at p.562). It is intended that Australian courts would follow the prevailing definition of 'ethnic origin' as set out in King-Ansell. The definition of an ethnic group formulated by the Court in King-Ansell involves consideration of one or more of characteristics such as a shared history, separate cultural tradition, common geographical origin or descent from common ancestors, a common language (not necessarily peculiar to the group), a common literature peculiar to the group, or a religion different from that of neighbouring groups or the general community surrounding the group. This would provide the broadest basis for protection of peoples such as Sikhs, Jews and Muslims.*

*The term 'race' would include ideas of ethnicity so ensuring that many people of, for example, Jewish origin would be covered. While that term connotes the idea of a common descent, it is not necessarily limited to one nationality and would therefore extend also to other groups of people such as Muslims.*

So far, there have been no cases brought under these more recent provisions to test whether they provide coverage to Muslim people by including them under the ground of race or ethnic origin under the federal RDA.

It is important to note that while the EM makes specific reference to Muslim people, this does not necessarily determine the issue. It would still be up to a court to decide if Muslim people are included in the term race or ethnic origin. While a court may take into account what is in an EM,<sup>48</sup> it will be unlikely to influence a court's decision if the EM is at odds with the clear intention of the legislation.<sup>49</sup> At this stage, on the basis of the case law, it is uncertain whether a court would find that Muslim people constitute a group with a common race or ethnic origin under the racial hatred provisions of the RDA.

#### **1.3.1.4 Religion under the *Human Rights and Equal Opportunity Commission Act 1986 (Cth)***

Under the *Human Rights and Equal Opportunity Commission Act 1986 (Cth)* (HREOC Act), religion is dealt with in two ways.

*a) Acts or practices of the Commonwealth that are inconsistent with the right to freedom of religion*

First, the Commission is given the function to inquire into and attempt to conciliate allegations that an act or practice of the Commonwealth<sup>50</sup> is inconsistent with any human right.<sup>51</sup> 'Human rights'<sup>52</sup> mean the rights and freedoms recognised in the international instruments which are declared or scheduled to the HREOC Act.<sup>53</sup>

Two such instruments have particular relevance to the freedom of religion and belief:<sup>54</sup>

- the *International Covenant on Civil and Political Rights*<sup>55</sup> (ICCPR) and
- the *Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief*<sup>56</sup> (Religion Declaration).

The freedom to hold and manifest religions and other beliefs is guaranteed by article 18 of the ICCPR. Article 18 guarantees to everyone 'the right to freedom of thought, conscience and religion'. It prohibits coercion which would impair

the exercise of this right. It states that freedom to manifest religion or belief may only be subject to those limitations which are prescribed by law and are necessary to protect public safety, order, health or morals or the fundamental rights and freedoms of others. It allows for parents and legal guardians to determine the religious and moral education of their children.

The ICCPR also provides that:

- advocacy of religious hatred which amounts to incitement to discrimination, hostility or violence must be prohibited by law (article 20)
- everyone is entitled to equality before the law and equal protection of the law without discrimination on the ground of religion among other grounds (article 26) and
- minority groups are entitled to profess and practice their own religion (article 27).

The Religion Declaration is a comprehensive statement of the right to freedom of religion and belief and elaborates on the ICCPR guarantees. The freedom is not to be inhibited by discrimination on the ground of religion or other beliefs (article 2). Some of the elements of the freedom to manifest one's religion or belief are listed in article 6 and include the freedom to assemble for worship, freedom to use the articles and materials related to the rites or customs, freedom to write and disseminate publications and freedom to teach the religion.

### *b) Discrimination in employment or occupation based on religion*

Under the HREOC Act, the Commission is also given the function to investigate and attempt to conciliate complaints of discrimination in employment or occupation on a number of specified grounds including religion.<sup>57</sup> This part of the HREOC Act<sup>58</sup> has its basis in the International Labour Organisation *Discrimination (Employment and Occupation) Convention 1958* (ILO Convention 111). ILO Convention 111 defines discrimination to mean any distinction, exclusion or preference made on the basis of, amongst others, religion,<sup>59</sup> that has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation.<sup>60</sup> The definition of discrimination in s 3 of the HREOC Act relevant to this particular function is based on the definition of discrimination in article 1 of ILO 111.

However, the definition of discrimination in s 3 of the HREOC Act also recognises that a distinction, exclusion or preference will not amount to discrimination when it is:

- based on the inherent requirements of a particular job; or
- in connection with employment as a member of the staff of an

institution that is conducted in accordance with the doctrines, tenets, beliefs or teachings of a particular religion or creed, and is a distinction, exclusion or preference made in good faith in order to avoid injury to the religious susceptibilities of adherents of that religion or that creed.

If a complaint as described under (a) or (b) above were made to the Commission, the President, on behalf of the Commission, would investigate the circumstances and, when appropriate, assist the parties to resolve their dispute through conciliation. If the complaint cannot be resolved, and the President finds that the complaint is substantiated, he then must provide a report to the federal Attorney-General concerning his findings, reasons and any recommendations. This report must be tabled in the federal Parliament. The findings of the President are not enforceable and the respondent can ignore them if it wishes to do so. This is an important distinction from complaints of discrimination and racial hatred made under the RDA which can lead to an enforceable decision of the Federal Court or Federal Magistrates Court.

## **1.3.2 State and territory laws**

### **1.3.2.1 Race Discrimination**

Anti-discrimination laws in all Australian states and territories make race discrimination against the law.<sup>61</sup> These laws generally also make discrimination on the basis of ethnic origin or ethnicity against the law.<sup>62</sup>

However, the laws in NSW and Tasmania are different to the other state and territory laws and the RDA because, in addition to the ground of ethnic origin (and in Tasmania, the ground of religion), those laws also specify that it is unlawful to discriminate against a person on the basis of their 'ethno-religious' origin.<sup>63</sup> In NSW, this ground has been considered specifically in relation to a complaint made by a Muslim person that he had been discriminated against because he was denied Halal food in a prison.<sup>64</sup> The complainant argued the case solely on the basis that he was a Muslim and that this was sufficient to come within the ground of ethno-religious origin. The NSW Administrative Decisions Tribunal found that it was insufficient for the complainant merely to assert his Muslim faith in order to come within that ground and that there 'must be some evidence that there exists a close tie between that faith and his race, nationality or ethnic origin for him to be regarded as a member of an 'ethno-religious' group.'<sup>65</sup>

### **1.3.2.2 Racial vilification**

What is commonly referred to as racial vilification is unlawful in all Australian states and territories except the Northern Territory.<sup>66</sup> In all but South Australia<sup>67</sup> and Western Australia,<sup>68</sup> these laws are contained in anti-discrimination legislation. Western Australia provides only criminal remedies, and Tasmania only civil remedies,<sup>69</sup> while the rest provide both civil and criminal remedies.<sup>70</sup>

The key elements of the state and territory provisions are as follows:

- there must be a public act
- which incites hatred towards, serious contempt for or severe ridicule of another person or group
- because of the race, colour or national or ethnic origin of that person or group.

Like the RDA, each of the state and territory legislation in relation to racial vilification contains exceptions to what would otherwise be unlawful conduct.<sup>71</sup>

### 1.3.2.3 Religious discrimination

Discrimination on the basis of religion is unlawful in the ACT, Western Australia, Queensland, the Northern Territory, Tasmania and Victoria.<sup>72</sup>

In the ACT and Western Australia, the term used is 'religious conviction'.

In Queensland, the Northern Territory, Tasmania and Victoria, the terms used are 'religious belief or activity' (the Tasmanian legislation also includes religious affiliation). Furthermore, in Queensland<sup>73</sup> and Victoria,<sup>74</sup> these terms include the absence of religious belief as well as any refusal to participate in religious activity.

In NSW, discrimination on the ground of religion is not unlawful, however (as noted previously) discrimination on the ground of ethno-religious origin is. As set out above, a recent decision of the Administrative Decisions Tribunal indicates that in order to establish a complaint under the ethno-religious ground, a person cannot rely solely on their religion, such as Islam.<sup>75</sup>

South Australian anti-discrimination law does not cover religious discrimination.

### 1.3.2.4 Religious vilification

Vilification based on 'religion' is against the law in Queensland, while vilification based on 'religious belief or activity' is against the law in Victoria and Tasmania (the Tasmanian provisions also cover vilification based on 'religious affiliation').<sup>76</sup>

## 1.4 Overview of laws protecting people because of their race or religion

Summarising the analysis above, the coverage provided by Federal, State and Territory anti-discrimination laws is as follows:

- It is unlawful to discriminate against someone because of their race, descent or national or ethnic origin under federal law and under all state and territory anti-discrimination laws. For example, a person with a

particular background (such as Arab background or someone of Lebanese or Turkish origin) who believes they have been discriminated against because of their race, descent or national or ethnic origin, wherever that happened in Australia, can make a complaint under the RDA or the particular law of the state or territory.

- It is unlawful to express racial hatred towards or vilify a person because of their race or national or ethnic origin under federal law and under state and territory anti-discrimination laws (except for the Northern Territory and Western Australia). For example, a person with a particular background (such as Arab background or someone of Lebanese or Turkish origin) who believes that what has been said or done amounts to racial hatred or vilification, wherever that has happened in Australia, can make a complaint of racial hatred under the RDA or of vilification under the particular law of the State or Territory.
- It is unlawful to discriminate against someone because of their religion in the ACT, Western Australia, Queensland, the Northern Territory, Tasmania and Victoria. Therefore, a person who believes they have been discriminated against solely because of their religion has no legally enforceable rights if the alleged discrimination happened in NSW or South Australia.
- It is unlawful to vilify a person because of their religion in Queensland, Tasmania and Victoria. Therefore, a person who believes they have been vilified solely because of their religion has no legally enforceable rights if the alleged discrimination happened in the ACT, NSW, South Australia, Western Australia or the Northern Territory.
- It is not unlawful under federal law to discriminate against someone, or vilify them, solely on the basis of their religion. However, if a person believes that they have been discriminated against on the basis of their religion in their employment or occupation, or if they believe their human rights in relation to religious belief have been breached by the Commonwealth, then under the HREOC Act, the President, on behalf of the Commission, has the power to inquire into and attempt to conciliate such a complaint. If the complaint cannot be resolved, and the President finds that the complaint is substantiated, he then must provide a report to the federal Attorney-General concerning his findings, reasons and any recommendations. This report must be tabled in the federal Parliament. The findings of the President are not legally enforceable and the respondent can ignore them if it wishes to do so.

## 1.5 Previous research

Since 1991, the Commission has undertaken several projects which have addressed the prejudices, discrimination and vilification faced by Arab and Muslim Australians. The Commission has also investigated the broader area of the human right to freedom of religion and belief in Australia.

### **1.5.1 National Inquiry into Racist Violence (1991)**

In 1989-90, the Race Discrimination Commissioner convened a National Inquiry into Racist Violence in Australia. The Inquiry looked broadly at the incidence of racist violence against individuals and organisations and the current and prospective government strategies to deal with it. A wide range of individuals and groups gave evidence and made submissions to the Inquiry, including Arab and Muslim Australians.

The inquiry heard evidence that during the 1991 Gulf War, Arab and Muslim Australians, particularly women, were afraid to leave their homes or allow their children to leave their homes. There were also widespread reports of Muslim women having their hijabs pulled off in the street and incidents of vandalism and arson against mosques, schools, offices and restaurants belonging to Arab or Muslim Australians. Community leaders submitted that media misrepresentation aggravated tensions in the community and contributed to an increase in hostile acts against Australians of Arab background or Muslim faith.

The inquiry's report, *Racist Violence*, published in 1991, argued that the Gulf War was simply the trigger for the violence which was experienced at the time and pointed to deeper, long-term underlying tensions as the root cause of racist violence against Arab and Muslim Australians. The inquiry recommended that a new criminal offence of racist violence and intimidation should be introduced into the Commonwealth *Crimes Act* and that the RDA should be amended to make incitement to racial hostility unlawful. In 1995, in response to the inquiry's recommendations, the RDA was amended to make racial hatred unlawful as outlined above in section 1.3.1.3.

### **1.5.2 Review of the Racial Discrimination Act (1995-96)**

In 1995, to mark the 20th anniversary of the RDA, the Race Discrimination Commissioner undertook a review of the Act and called for public submissions on a series of questions about its reach and effectiveness. These questions included whether the RDA should be extended to cover ethno-religious background like the NSW *Anti-Discrimination Act* and whether the RDA should be amended to make religious discrimination unlawful. Of the submissions which answered these questions, a number were in favour of an extension to cover ethno-religious background including the submissions from the Executive

Council of Australian Jewry and a group of 250 Western Australian Muslims. Others, including the federal Department of Immigration and Multicultural Affairs and the NSW Ethnic Communities Council favoured a fuller extension of the Act to include religious discrimination.

### **1.5.3 National inquiry into freedom of religion and belief (1997-98)**

In 1997, the Human Rights Commissioner launched a national inquiry into religious freedom in Australia. The inquiry received 254 submissions from a range of individuals and organisations including representatives of the Anglican, Presbyterian, Methodist, Muslim, Jewish, Coptic and Lutheran faiths.

The inquiry's report, *Article 18: Freedom of religion and belief*, was published in 1998. Its primary recommendation was for the enactment of a federal Religious Freedom Act which, among other provisions, would make both discrimination and vilification on the grounds of religion and belief unlawful. The recommendation was rejected by the federal government.<sup>77</sup>

In April 1999, the Minister for Foreign Affairs asked the Joint Standing Committee on Foreign Affairs, Defence and Trade to inquire into Australia's efforts to promote and protect freedom of religion, particularly the extent that religious freedom is recognised in the region and around the world. The report, *Conviction with Compassion: A Report on Freedom of Religion and Belief* was published in November 2000. The report recommended that the Australian Government table a response to recommendations made in HREOC's Article 18 report and that it continues to support and encourage HREOC's work in relation to freedom of religion. It also recommended that the Australian Government coordinate a review of Commonwealth, State and Territory legislation to ensure maximum domestic protection of freedom of religion and ensure greater uniformity of human rights law and practice in Australia.

### **1.5.4 E-race forum on Islamophobia (2003)**

The need for a more specific focus on discrimination and vilification against Arab and Muslim Australians became increasingly apparent to the Commission during 2001 and 2002 in the wake of the September 11 attacks in the United States and the Bali bombings of October 2002. Among the initiatives taken by the acting Race Discrimination Commissioner in response to the reported backlash against Australian Arabs and Muslims was further research on whether the federal RDA can protect people discriminated against or vilified as Muslims. The research was published in February 2003 on the Commission's 'E-race forum' website. The research paper, *Islamophobia – is it racism?* concluded that because Muslims do not constitute a group with a common ethnic origin, it is unlikely that they are protected by the RDA when they experience religious discrimination.<sup>78</sup>

### Endnotes

- 1 RDA s 20(1)(b).
- 2 RDA s 20(1)(c).
- 3 HREOC Act ss 11(1)(g), 31(c).
- 4 HREOC Act ss 11(1)(h), 31(d).
- 5 The Commission did not attempt to recruit participants by religious group, although Muslims of certain ethnic origins are more likely to belong to certain groups than others. For example, Iraqi refugees in Australia are more likely to be Shi'ite than Sunni Muslims.
- 6 The Commission aimed to convene more consultations with refugee men and women of Arabic-speaking or Muslim background but found it difficult to attract participants. Community workers also found it difficult to invite refugees to attend IsmaU consultations on specific days as many had no fixed addresses and are in only sporadic contact with community workers. Community settlement workers also expressed the view that refugees, particularly those holding temporary protection visas, were reluctant to complain about discrimination for fear of bringing attention to themselves and jeopardising their chances of obtaining a permanent visa.
- 7 [http://www.humanrights.gov.au/racial\\_discrimination/isma/research/index.html](http://www.humanrights.gov.au/racial_discrimination/isma/research/index.html)
- 8 In the UWS report, the authors estimate that about 1,000 of the 1,475 reached the hands of distinct eligible individuals and that on this basis, they secured a response rate of just under 20%. They note that '[g]iven the length of the questionnaires (4 pages in the English version, 6 in the Arabic version), the fact that most were not addressed to individual recipients, and the impossibility therefore, of individual follow-up, the response rate of about 20% is well within the conventionally acceptable range. It is likely that some of the very same phenomena that we were investigating in relation to under-reporting of racism, that is wariness of the state and lack of trust in its authorities, militated against higher response rates for the survey. Certainly, interviewers reported repeated instances where (especially Arabic-speaking) respondees had changed their mind about volunteering for interviews. These participants explained that, despite their respect for the researchers and their appreciation of the research, and notwithstanding the anonymity, the level of state surveillance and intervention in their lives left them fearful of negative repercussions.' Independent advice provided by the Survey Research Centre of the School of Population Health at the University of Western Australia supports the claim that a 10-20% response rate for the self-administered survey is reasonable given the specific constraints of the survey methodology, particularly the lack of follow-up strategies. The Survey Research Centre also advised that as the survey was not random, as it was distributed through Arab and Muslim community organisations, this may have impacted on the likelihood that certain kinds of individuals would respond to the written survey.
- 9 Pseudonyms were assigned to each interviewee and these pseudonyms have been referenced in this report and in the UWS research report, *Living with Racism* available at: [http://www.humanrights.gov.au/racial\\_discrimination/isma/research/index.html](http://www.humanrights.gov.au/racial_discrimination/isma/research/index.html)
- 10 [http://www.humanrights.gov.au/racial\\_discrimination/isma/strategies/index.html](http://www.humanrights.gov.au/racial_discrimination/isma/strategies/index.html)
- 11 G. Hage, 'The Lebanese' in J. Jupp (ed), *The Australian People: an encyclopaedia of the nation its people and their origins*, Cambridge University Press, 2001, pages 554-571.
- 12 A. Ham, 'Egyptians' in J. Jupp (ed), *The Australian People: an encyclopaedia of the nation its people and their origins*, Cambridge University Press, 2001, pages 274-275.
- 13 *New Country, New Stories: discrimination and disadvantage experienced by people in small and emerging communities*, Human Rights and Equal Opportunity Commission, 1999.
- 14 T. Batrouney, 'From White Australia to Multiculturalism' in G. Hage (ed), *Arab-Australians Today: Citizenship and Belonging*, Melbourne University Press, 2002, page 55.
- 15 Information from the Australian Arabic Council, 17 November 2003.
- 16 Information from the Australian Arabic Communities Council, 5 February 2004.
- 17 A. Saeed, *Islam in Australia*, Allen & Unwin, 2003, pages 39-114.
- 18 *Ibid*, page 4.
- 19 B. Cleland, *The Muslims in Australia: A Brief History*, Islamic Council of Victoria, 2002.
- 20 The number of Muslims is believed to be an under-estimate as 15% of Australians did not report their religion in the 2001 census, some of whom would be Muslim.
- 21 *The People of Australia: Statistics from the 2001 Census*, Department of Immigration and Multicultural and Indigenous Affairs, 2003, Table 9: Religious Affiliation.

- 22 T. Batrouney, 'From White Australia to Multiculturalism' in G. Hage (ed.), *Arab-Australians Today: Citizenship and Belonging*, Melbourne University Press, 2002, page 39.
- 23 Australian Bureau of Statistics, *Census of Australia: 1986, 1991, 1996 and 2001*.
- 24 A. Saeed, *Islam in Australia*, Allen & Unwin, 2003, page 2. Some of these groups are not considered Muslim by the mainstream Muslim community.
- 25 Australian Bureau of Statistics, *Census of Australia, 2001*, data provided through ABS consultancy service, 2003. See also: Appendix 2.
- 26 A. Saeed, *Islam in Australia*, Allen & Unwin, 2003, page 2.
- 27 Australian Federation of Islamic Councils website: <http://www.afic.com.au/sm02.htm>
- 28 A. Saeed, *Islam in Australia*, Allen & Unwin, 2003, page 151.
- 29 Australian Federation of Islamic Councils website: <http://www.afic.com.au/sm02.htm>
- 30 Ratification is the process by which a State confirms that it intends to be bound by a treaty.
- 31 In the case of *Koowarta v Bjelke-Petersen* (1982) 153 CLR 168, the High Court upheld the constitutional validity of the RDA as a valid exercise of the power conferred by section 51(29) of the Constitution on the basis that the RDA gives effect to ICERD.
- 32 *Applicant A v Minister for Immigration and Ethnic Affairs* (1997) 190 CLR 225; *De L v Director General of Community Services* (1996) 187 CLR 640, 675; *Waters v Public Transport Corporation* (1991) 173 CLR 349, 359, 372, 394, 406-407.
- 33 See: article 1(1) ICERD. Note also that the wording of the prohibition of racial discrimination in s 9(1) of the RDA is almost identical to the meaning given to 'racial discrimination' in article 1(1) of ICERD.
- 34 Egon Schwelb, 'The International Convention on the Elimination of All Forms of Racial Discrimination' (1966) 15 *International and Comparative Law Quarterly* 996, 999; Natan Lerner, *Group Rights and Discrimination in International Law* (Martinus Nijhoff Publishers, 1991), 123; *Toben v Jones* (2003) 199 ALR 1, [92]-[98] (Allsop J).
- 35 RDA s 9(1).
- 36 RDA s 9(1A).
- 37 See: *Mandla v Dowell-Lee* (1983) 1 All ER 1062; *Macabenta v Minister of State for Immigration and Multicultural Affairs* (1998) 159 ALR 465, 471; *Jones v Scully* [2002] FCA 1080.
- 38 *ibid.*
- 39 *Seide v Gillette Industries Ltd* [1980] IRLR 427.
- 40 *Mandla v Dowell-Lee* (1983) 1 All ER 1062.
- 41 Footnote relevant Aust decisions.
- 42 See, for example: the UK decisions of *Tariq v Young* (Employment Appeals Tribunal 247738/88, EOR Discrimination Case Law Digest No 2); *Nyazi v Ryman's Limited* (1988) EAT 86; and *JH Walker Ltd v Hussain & Ors* [1996] IRLR 11. See also: A discussion of the term 'ethno-religious' (a ground of discrimination in the *Anti-Discrimination Act 1977* (NSW)) and the Muslim faith in *Khan v Commissioner, Department of Corrective Services* [2002] NSWADT 131.
- 43 *Khan v Commissioner, Department of Corrective Services* [2002] NSWADT 131, [18].
- 44 RDA s 18C.
- 45 *Creek v Cairns Post Pty Ltd* (2001) 112 FCR 352, 356-57 [16]; *Jones v Toben* [2002] FCA 1150, [92]; *Bropho v Human Rights and Equal Opportunity Commission* [2004] FCAFC 16 [70] (French J).
- 46 An Explanatory Memorandum is a document issued by a Minister which explains the aims of a new piece of legislation.
- 47 Explanatory Memorandum, Racial Hatred Bill 1994 (Cth), 2-3.
- 48 *Acts Interpretation Act 1901* (Cth) s 15AB(2)(e).
- 49 *Re Bolton; ex parte Bean* (1987) 70 ALR 225, 227-228, per Mason CJ, Wilson and Dawson JJ: 'The words of a Minister must not be substituted for the text of the law... It is always possible that through oversight or inadvertence the clear intention of the Parliament fails to be translated into the text of the law. However unfortunate it may be when that happens, the task of the court remains clear. The function of the court is to give effect to the will of parliament as expressed in the law.'
- 50 This includes acts or practices done on behalf of the Commonwealth or by an authority of the Commonwealth,
- 51 HREOC Act s 11(1)(f).
- 52 See: HREOC Act s 3(1).
- 53 They are: International Covenant on Civil and Political Rights, Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief, Declaration on the Rights

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- of the Child, Declaration on the Rights of Mentally Retarded Persons, Declaration on the Rights of Disabled Persons and the Convention on the Rights of the Child.
- 54 The Convention on the Rights of the Child (CRC) also provides that States parties shall respect the right of the child to freedom of thought, conscience and religion (article 14.1) and that the State shall respect the rights and duties of the parents and, when applicable, legal guardians, to provide direction to the child in the exercise of his or her right in a manner consistent with the evolving capacities of the child (article 14.2).
- 55 Opened for signature 16 December 1966, 999 United Nations Treaty Series 171; entered into force 23 March 1976 except article 41 which came into force 28 March 1979; ratified by Australia 13 August 1980 except article 41 which was ratified by Australia 28 January 1993.
- 56 The Religion Declaration was adopted unanimously by the 37th Session of the United Nations General Assembly in November 1981. Australia supported the adoption of the Declaration. On 8 February 1993, following consultations with state and territory governments, the Declaration was declared to be a 'relevant international instrument' for the purposes of the HREOC Act. The Attorney-General's declaration became effective on 24 February 1993.
- 57 HREOC Act s 31(b).
- 58 HREOC Act Part II Division 4.
- 59 In 1989 the *Human Rights and Equal Opportunity Commission Regulations 1989* declared a number of additional grounds of discrimination for the purposes of the HREOC Act with effect from 1 January 1990. Section 4(a) of the Regulations sets out these additional grounds which include the following: age, medical record, criminal record, impairment, marital status, mental, intellectual or psychiatric disability, nationality, physical disability, sexual preference and trade union activity. ILO Convention 111 article 1.
- 60 *Anti-Discrimination Act 1977* (NSW) Part 2; *Equal Opportunity Act 1995* (Vic) s 6(i); *Anti-Discrimination Act (1991)* (QLD) s 7(g); *Equal Opportunity Act 1984* (SA) Part 4; *Equal Opportunity Act 1984* (WA) s 36; *Discrimination Act 1991* (ACT) s 7(1)(g); *Anti-Discrimination Act 1992* (NT) s 19(1)(a); *Anti-Discrimination Act 1998* (Tas) s 16(a).
- 62 Anti-discrimination statutes in NSW, WA, Tasmania, the ACT and the Northern Territory refer to ethnic origin (*Anti-Discrimination Act 1977* (NSW) s 4; *Equal Opportunity Act 1984* (WA) s 4(1); *Anti-Discrimination Act 1998* (Tas) s 3; *Discrimination Act 1991* (ACT) s 4; *Anti-Discrimination Act 1992* (NT) s 4). The statutes in force in Victoria and Queensland refer to 'ethnicity or ethnic origin' (*Equal Opportunity Act 1995* (Vic) s 4; *Schedule to the Anti-Discrimination Act (1991)* (QLD)). South Australia's legislation mentions neither term, instead defining race as encompassing 'nationality, country of origin, colour or ancestry' (*Equal Opportunity Act 1984* (SA) s 5). The legislation in South Australia that makes racial vilification a criminal offence (the *Racial Vilification Act 1996* (SA)) uses the terms 'nationality, country of origin, colour or ethnic origin' (s 3).
- 63 'Ethno-religious' origin is included in the definition of 'race' in section 4 of the *Anti-Discrimination Act 1977* (NSW). It also appears in the legislative definition of race in Tasmania's *Anti-Discrimination Act 1998* (Tas) s 3. NSW differs from Tasmania, though, in that no other protection on the ground of religion is afforded in NSW. In Tasmania, separate provisions covering religious activity, belief or affiliation also exist in addition to the inclusion of 'ethno-religious origin' as a facet of race: *Anti-Discrimination Act 1998* (Tas) ss 16(o) and 16(p).
- 64 *Khan v Commissioner, Department of Corrective Services* [2002] NSWADT 131.
- 65 *ibid.*, [21]. The Tribunal adjourned the proceedings so that the complainant could bring such evidence before the Tribunal. However the case was subsequently settled without this issue being decided.
- 66 The *Anti-Discrimination Act 1992* (NT) does not specifically include vilification as a form of prohibited conduct. The Act's definition of discrimination does include 'harassment on the basis of an attribute' which may cover more overt cases of vilification: *Anti-Discrimination Act 1992* (NT) s 20(1)(b).
- 67 See: The *Racial Vilification Act 1996* (SA) s 4, which makes racial vilification a criminal offence and the *Wrongs Act 1936* (SA) s 37, which provides a remedy in tort for acts of racial victimisation.
- 68 In Western Australia the *Criminal Code 1913* (WA) ss 76-80 imposes criminal sanctions for racial vilification.
- 69 Section 19 of the *Anti-Discrimination Act 1998* (Tas) proscribes racial and religious vilification.
- 70 In New South Wales, s 20C of the *Anti-Discrimination Act 1977* (NSW) prohibits racial vilification and s 20D provides that racial vilification may in serious cases amount to a criminal offence. In Victoria, racial vilification is unlawful under the *Racial and Religious Tolerance Act 2001* (Vic) s 7,

and particularly serious incidents may be treated as criminal matters under s 24. In Queensland, s 124A of the *Anti-Discrimination Act 1991* (Qld) makes vilification on grounds of race, religion, sexuality or gender identity unlawful, and serious incidents may amount to a criminal offence under s 131A. In the ACT, s 66 of the *Anti-Discrimination Act 1991* (ACT) makes racial vilification unlawful, and s 67 provides that serious incidents of racial vilification may be treated as criminal acts.

- 71 The exceptions specific to the vilification provisions are as follows: *Anti-Discrimination Act 1977* (NSW) s 20C(2); *Discrimination Act 1991* (ACT) s 66(2); *Anti-Discrimination Act 1991* (QLD) s 124A(2); *Wrongs Act 1936* (SA) s 37(1); *Anti-Discrimination Act 1998* (Tas) s 55; *Racial and Religious Tolerance Act 2001* (Vic) ss 11-2. The provisions under the *Criminal Code 1913* (WA) which impose criminal sanctions for racial hatred offences are subject to the range of general criminal defences.
- 72 *Discrimination Act 1991* (ACT) s 7(1)(h); *Equal Opportunity Act 1984* (WA) s 53; *Anti-Discrimination Act (1991)* (QLD) s 7(i); *Anti-Discrimination Act 1992* (NT) s 19(1)(m); *Anti-Discrimination Act 1998* (Tas) ss 16(o) and 16(p); *Equal Opportunity Act 1995* (Vic) s 6(j).
- 73 *Anti-Discrimination Act (1991)* (QLD), Schedule.
- 74 *Equal Opportunity Act 1995* (Vic) s 4.
- 75 *Khan v Commissioner, Department of Corrective Services* [2002] NSWADT 131.
- 76 *Anti-Discrimination Act 1991* (Qld) ss 124A, 131A; *Anti-Discrimination Act 1998* (Tas) s 19; *Racial and Religious Tolerance Act 2001* (Vic) ss 8, 25.
- 77 Hon. Daryl Williams AM QC MP, Attorney-General, House of Representatives, *Hansard*, 9 February 1999, Question No. 293, p 2273.
- 78 View the research paper and readers' comments at [http://www.humanrights.gov.au/racial\\_discrimination/Erace/islamaphobia/index.html](http://www.humanrights.gov.au/racial_discrimination/Erace/islamaphobia/index.html)





## **Chapter 2. Experiences of discrimination, vilification and prejudice**

This chapter outlines the experiences of some 1,400 Arab and Muslim participants in 69 Ismaʿīlī consultations around Australia. Participants were asked whether they had experienced discrimination or vilification because of their race or religion, particularly since 11 September 2001. If they had, they were invited to describe the experience and its impacts. This chapter also incorporates information about experiences of discrimination and vilification from the 186 survey respondents and 34 interviewees who participated in the empirical research project undertaken by the Centre for Cultural Research at the University of Western Sydney.<sup>1</sup>

As noted previously, it was the Commission's aim to listen to Arab and Muslim Australians describe how they perceived and experienced discrimination and vilification in order to gain insight into their understanding of the nature, causes and solutions to anti-Arab and anti-Muslim prejudice. Accordingly, it was not the purpose of this project to verify every allegation of violence, discrimination or vilification. Nor were group consultations an appropriate forum for taking details of specific allegations.<sup>2</sup>

### **2.1 The extent of discrimination, vilification and prejudice**

Most consultation participants experienced an increase in the level of discrimination and vilification following 11 September 2001. The Australian Arabic Council recorded a twenty-fold rise in reports of discrimination and vilification of Arab Australians in the month after 11 September 2001.<sup>3</sup> The Muslim Women's Association of South Australia received a 'significant number of reported incidents, specifically of discrimination and harassment against Muslims', most involving offensive verbal abuse of women.<sup>4</sup> The Al Zahra Muslim Women's Association in Sydney also reported a 'phenomenal' increase in both discrimination and vilification reports.<sup>5</sup> Many individual community members concurred that September 11 was a turning point.

*It is common that people who used to be nice to you before September 11 change the way they react to you after. Before September 11 and after September 11, we are the same Muslims, we haven't changed.<sup>6</sup>*

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*Before September 11th I have lived here and had a normal life and maybe one out of a hundred would come and give a story like that. Now I drive a taxi as well and now you get about ninety out of one hundred. They will not just tell you that you sound differently, they will not look at you like you are a human. They look at you like all the Muslims are involved with it [i.e. terrorism].<sup>7</sup>*

Consultation participants reported how the incidence of discrimination and vilification has peaked and waned since 2001 following various local, regional, national and international crises, including the Bali bombings in October 2002 and the war on Iraq in 2003.

*I think there has been a dramatic increase in the number of incidents and the underlying feeling of alienation and unease since September 11 and, more particularly, since October [2002] in Bali.<sup>8</sup>*

*There was a huge impact on the community after September 11 but I think for young people it got worse after the gang rapes incidents because it was in Australia ... The effect of the Bali bombing was big too ...<sup>9</sup>*

*The situation for Arabs and Muslims was worse after the Bali bombing because it was more personal for Australians ...<sup>10</sup>*

Participants were divided on the question of whether discrimination and vilification had become more or less intense following subsequent incidents in the wake of September 11. One community organisation in Sydney argued that the Bali bombings were a major turning point for worsening community relations.

*We believe from our research that after 9/11 there was a significant bias but then that eased out – but after Bali there was no return because the public didn't quite give us the sympathy ... it was so close to home ...<sup>11</sup>*

Others were optimistic that the worst was over and that initiatives such as inter-faith dialogues and education programs have gradually eased prejudice against Arab and Muslim Australians.

*After September 11, the community was in a state of fear – you walked down the street and everyone was pointing fingers looking suspiciously. After this Gulf War, the community was braced again for these kinds of actions – but personally, and from what I've heard from speaking to other people, it hasn't been that bad because in the intervening period there has been a lot of discussion about how not every Muslim is a terrorist and about 'what is Islam'. The awareness is growing slowly – very slowly.<sup>12</sup>*

Consultation participants were more in agreement on the question of who was most affected by the upsurge in discrimination and vilification: Muslims and women.

*The community has a fear of Muslims and Muslims have a fear of being targeted.*<sup>13</sup>

*After September 11, Bali and the Iraq war we are treated like terrorists ... Even Muslims who have been part of this country for many years all of a sudden were no longer treated as part of this country ...*<sup>14</sup>

*What all Muslims get is discrimination. There's just a basic idea and a stereotype that 'they're all trouble makers' and that they just don't like you just because of your looks ... There is nowhere you go that there is no discrimination.*<sup>15</sup>

People readily identifiable as Muslim because of their dress or appearance were particular targets of racist violence and abuse. Muslim women who wear the hijab, niqab or chador have been especially at risk.

*I think there is no doubt that after September 11 there has been a rise in terms of the perception that you are a danger. From a woman's perspective, if you wear the veil then you are seen as a fundamentalist – you are a danger.*<sup>16</sup>

*Everyone here has been through an experience or heard about an experience somehow, and we can go on for days and days ... we all have that experience of feeling that people look at us as terrorists. As a Muslim woman, we are more a victim than any other.*<sup>17</sup>

*Many people think and feel that a woman wearing the hijab is a moving bomb.*<sup>18</sup>

People mistaken for Muslims have also been attacked. Consultation participants described how Sikh men wearing turbans and Christian Arab men and women have been targeted by perpetrators unable to differentiate them from Muslims. At a consultation with members of Western Australia's Sikh community, a Sikh man reported having been followed to his car late at night by a group of young people, who called him 'Osama', threw beer bottles and threatened to assault him.<sup>19</sup> At a consultation with Maronite Christian youth in Sydney, participants discussed how the widespread misconception that all Arabs are Muslim was impacting negatively on their community making them targets of discrimination. 'At first they discriminate against you because you look like a 'wog' – then since September 11, everyone discriminates against you because you look like a Muslim.'<sup>20</sup>

*I don't think that it only happens to those that wear the hijab. It happens to anyone who looks Arab also ...*<sup>21</sup>

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*I have always found that I still copped it even as a Christian and was still called a terrorist and whatever growing up. So it doesn't matter whether I'm a Muslim or not, I'm still copping the vilification and discrimination.<sup>22</sup>*

*People think Sikhs are Arab people or Muslim people. So there is some discrimination directed towards them.<sup>23</sup>*

*It is not my experience, but actually that of a friend of mine who is from Sri Lanka so she is quite dark. I think this was just the next day after September 11 and she was in Kaleen early in the morning buying some bread and she told me this story when she got to work. She said that this man came up to her, pointed to her chest and said, 'If you weren't wearing that cross [crucifix], I would punch you!'<sup>24</sup>*

Not all consultation participants experienced discrimination and vilification before or after September 11. Some told of positive experiences of receiving support and encouragement from other Australians.

*It is important to note that the picture is not all bad and that there are very good people in Australia who do show respect for others.<sup>25</sup>*

*I have had all positive experiences. I have never experienced any discrimination in any shop or anywhere.<sup>26</sup>*

*I put the scarf on after 9/11 as a form of being an Aussie courageous young woman. And nothing happened. People would smile at me and I'd smile back.<sup>27</sup>*

*I've noticed that in the smaller country towns, even though Muslims do get discriminated against, the towns are a lot better than the big cities. I've noticed it when I go home to Innisfail, which is 65 kilometres south of Cairns. When I go back home, I have no problem at all. I'm one of the only ladies who wears the scarf. You might see one every couple of months but really there's no-one up there who wears it. I've actually had ladies come up and ask me 'Oh, why do you wear it? You look so beautiful with it on.'<sup>28</sup>*

Survey responses support the information provided during the IsmaU consultations about perceptions of the incidence of discrimination and vilification against Arab and Muslim Australians. The majority of survey respondents believed there had been an increase in discrimination and vilification against themselves as individuals and against the ethnic and religious communities with which they identify. Two-thirds personally experienced an increase in racism; one-third reported 'a bit more' racism, one-third 'a lot more'. About one-third of survey respondents reported that they had not personally experienced racism, abuse or violence since 11 September 2001 or that they had not experienced any increase in racism, abuse or violence after September 11.<sup>29</sup>

Women were more likely than men to report that they had experienced more racism, abuse or violence since 11 September 2001.<sup>30</sup> Muslims were also far more likely to report they had experienced more racism, from both a personal and community perspective, compared with other respondents.<sup>31</sup> The frequency of racist incidents was also greater for Muslim survey respondents: 27 percent of Muslims experienced racism weekly compared with 13 percent of Christian respondents.<sup>32</sup> Most survey respondents, whether Muslim or Christian, male or female, reported experiencing racism, abuse or violence once a month or less. Interestingly, while a slightly higher proportion of female respondents experienced racism daily, a higher proportion of male respondents reported racist experiences on a weekly basis since 11 September 2001.<sup>33</sup> Most significantly, 93 percent of those surveyed felt there had been an increase in racism, abuse and violence against their ethnic or religious community with 64 percent reporting 'a lot more' discrimination and vilification directed at their community.<sup>34</sup>

## 2.2 Types of experiences

IsmaU participants described experiences of racially and religiously motivated violence against people and property, threats of violence, racist and anti-Muslim abuse and other offensive speech and behaviour. Each category is briefly outlined below before details are provided of specific incidents experienced in a range of locations.

### 2.2.1 Violence

#### 2.2.1.1 Attacks on people

Physical attacks, threats of physical violence and attempted assaults were widely reported during the consultations. Muslim women were particular targets of physical violence carried out by strangers. Consultation participants reported numerous incidents of women in hijab being spat at, of objects being thrown at them from passing cars and of their hijabs being pulled off. Forcible removal of the hijab in public was regarded by Muslim women as the worst violation.<sup>35</sup> Physical violence of this kind is a criminal offence. However most of the incidents described during IsmaU consultations were not reported to the police due to lack of supporting evidence or fear of retribution.

*Myself and my husband since September [11<sup>th</sup>] have been abused in the city square several times and in one instance a man threw rocks at us and cut my niece's face.<sup>36</sup>*

A participant in Perth described how a man set his three dogs on her.

*Luckily I had an umbrella to defend myself. The man just watched then a driver stopped and screamed so the man called the dogs back. I asked for his name but he walked away.<sup>37</sup>*

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Non-Muslim women of Middle Eastern background were also targeted. An Australian-born girl of Egyptian Christian background explained how a relative had been attacked following September 11.

*My Aunty was walking on the street in Granville and this guy drives past in his car and threw stones at her and she fell to the ground and was lying on the ground and after a while a stranger came by and then she was taken to hospital. That happened right after September 11 and till this day she is afraid of leaving the house. It's scary because you don't expect to get stones thrown at you, especially at Granville, and she's not a Muslim either ...<sup>38</sup>*

Similar incidents have continued throughout 2003 and were not confined to the periods immediately after September 11 or the Bali bombings.

*Just yesterday for example [26 May 2003] my mum and brother were walking on the street and someone threw eggs out of a car at them.<sup>39</sup>*

*I was picking up my children from the local Islamic school at Broadmeadows and on the way home a lady tried to run me off the road. She followed me home and then when I was in my driveway, I was getting the kids out of the car and the lady threw a can at my daughter who is 12 years old. She then came up the driveway and physically assaulted my daughter and grabbed her very hard and continued to shout at her. She kept yelling abuses and swear words at us. My daughter was badly hurt. The woman yelled things like 'We'll fix you, you nappy heads' and 'Get the f... out of our country you f...ing terrorists'. The whole time the neighbour was watching. She called my daughter a 'slut' many times also. Now I don't leave the house ... I am afraid that she will come back because she threatened us and knows where we live.<sup>40</sup>*

Several interviewees also reported physical assaults. A Muslim man described how his wife and daughter were assaulted in a supermarket in north west Melbourne in late 2002 by an angry woman who tried to remove his wife's scarf and broke her tooth in the ensuing scuffle.<sup>41</sup> A Muslim woman reported another violent incident at a Melbourne shopping centre car park in late 2002. A group of youths in a car began following the woman and her two children yelling abuse and threatening to rape her elder (16 year old) daughter. As the car sped up and tried to hit them, the woman and her children ran to their car, locked themselves inside and waited for several hours until the youths left to be sure they would not be followed home.<sup>42</sup>

### 2.2.1.2 Attacks on property

In the immediate aftermaths of 11 September 2001 and the Bali bombings, vandalism and threatened attacks on mosques, the offices of community organisations, cars and homes belonging to Arab and Muslim Australians were reported. Within days of September 11, a Perth mosque was defiled with human faeces.<sup>43</sup> On 22 September 2001, Kuraby Mosque in Queensland was fire bombed and burnt to the ground in a racially motivated act of arson.<sup>44</sup> A school bus carrying Muslim children in Brisbane was also stoned on 13 September 2003.<sup>45</sup> Following the Bali bombings in 2002, the school and home of the Imam at Rooty Hill Mosque in New South Wales and the East Doncaster Mosque in Victoria were also vandalised on 15 and 17 October 2002.<sup>46</sup>

Consultation participants reported numerous other acts of vandalism on places of worship and private property.

*[The Islamic Women's Association – IWAQ – office] got graffitied around the time of the 55 year [rape] sentence. There was a scout hut that the Brisbane City Council was doing up and IWAQ was using it temporarily and the graffiti was 'F... Muslim Sluts' ...<sup>47</sup>*

*It still happens at mosques. We go to Kuraby Mosque and we still get people shouting at us. After the Bali incidents Kuraby Mosque got Molotov cocktails thrown at it. And they break the windows of all the cars parked for prayer there.<sup>48</sup>*

*At the Logan Mosque also, many times people have thrown beer bottles and glass through the window while we were sitting inside.<sup>49</sup>*

It is important to note that attacks on places of worship other than mosques also took place in the aftermath of September 11. For example, in Perth, the exterior walls and doors of the Sikh Gurdwara in Bayswater were vandalised and the severed head of a pig was placed on the doorstep of the Sikh temple in Canning Vale on 13 September 2001.<sup>50</sup> Immediately following the Bali bombings, the Chung Tian Buddhist Temple in Queensland was broken into and a religious icon was decapitated.<sup>51</sup> Synagogues have also been vandalised. The Executive Council of Australian Jewry recorded an increase in incidents of property damage to synagogues and Jewish community centres.<sup>52</sup>

### 2.2.1.3 Threats of violence

Several community organisations who advocate for Arab and Muslim Australians reported receiving abusive mail and phone messages including, in some cases, death threats. In the weeks following 11 September 2001, the Australian Arabic Council in Melbourne received 26 threatening letters, emails, phone calls and faxes. The Council's office door was graffitied and a staff member received a note threatening, 'I saw you on the street and know what you look like and where you work. I am going to come and kill you as you have killed others'.<sup>53</sup>

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The United Muslim Women's Association in Sydney also received abusive mail, faxes, phone calls and even pornographic photographs.<sup>54</sup> In Darwin, an anonymous phone call was made threatening to blow up the Darwin Islamic Centre. The call was reported promptly to the police and the threat was not carried out.<sup>55</sup> The Muslim Women's Association of South Australia also reported numerous threats:

*All the South Australian mosques, including our office and the people answering phones were bombarded with offensive language and even threats. Our social worker actually had people come to the office and verbally threaten her. She was quite frightened and we actually had to close the office for about two weeks because of that. It was directly after September 11, and we had another influx directly after Bali.<sup>56</sup>*

*Since September 11, we [Sule College] used to get threatening calls once or twice. I mean they were seriously disturbing. Because there are lots of children, you take everything, even the tiniest threat seriously, even if it was a joke. So, we did take certain precautions and now we have security guards 24 hours a day, and it's been like that since September 11 to have someone guarding until 11 o'clock in the school, which makes us feel safer.<sup>57</sup>*

Abusive emails were also commonplace. Examples of messages received by community organisations include:

*To you people in Australia who call yourselves Muslim ... If you haven't got the guts to call yourselves Australians first and have respect for the majority Christians then f... off back to the s..thole you ran away from (f...ing cowards) ... Bear in mind; whenever you take us on your sorry little chocolate arses will be well and truly f...ed.<sup>58</sup>*

*Islamic vermin are not welcome here ... get out now. Go back to your war torn countries were you belong. The only safe world is a world without Islam ...<sup>59</sup>*

**MURDERERS<sup>60</sup>**

*Hey guys, Are you the people funding the court challenge for those Kurds [ie those who arrived by boat on Melville Island]. Well this is a message from the Australian public. We don't want these people or any similar in this country. As for you people, assimilate or go home.<sup>61</sup>*

Individuals were also threatened with violence. The Australian Arabic Communities Council reported that some Arab residents in Sydney had received a series of abusive letters threatening householders with violence unless they moved out of the neighbourhood. The letters read:

*F...ing Lebanese are terrorising our beautiful city of Sydney. You c...ts are problematic. As we mentioned last time, our aim is to protect innocent Australians from those f...ing Lebanese ... we will get rid of Lebanese from our streets. Just remember that you are numbered and you number will be coming up sooner than later. F... off ...*<sup>62</sup>

### 2.2.2 Discrimination

Consultation participants described many circumstances in which they believed they had been discriminated against because of their race or religion. For example, allegations of discrimination against Arab and Muslim job applicants and employees were especially common.

*It is difficult to explain the disillusion you feel, when the only explanation you're given when you are fired, is that, 'Sorry, but you do not fit into our culture' ... only days after the company is informed of your racial origin and religious practices.*<sup>63</sup>

### 2.2.3 Vilification

Vilification can take spoken or written form, and may also include images, which offend, insult, humiliate or intimidate the person vilified for a number of reasons such as their race or religion. Some racial or religious vilification may be so strong and persuasive as to incite other people to discriminate against or even physically attack that person or people of that race or religion.

Common terms of abuse reportedly used to vilify Arab and Muslim Australians included:

- 'Arab'; 'dirty Arab'<sup>64</sup>
- References to the hijab including 'towel head', 'tablecloth', 'raganaught' and 'nappy head'<sup>65</sup>
- 'Go back to your own country'; 'You are bad for Australia'<sup>66</sup>
- 'Terrorist'; 'Bin-Laden'; 'Osama'; 'murderer'; 'Taliban'<sup>67</sup>
- 'Bloody Muslim'<sup>68</sup>

It is possible to identify three main themes from the use of such terms. The first is that Australian Arabs and Muslims share responsibility for terrorism or are potential terrorists.

*I was at Children's Court one day and a prosecutor said to a kid with an Arabic name 'Oh are you related to Bin-Laden?' I said to the prosecutor, 'Excuse me – I am a Muslim. Does that mean we're all terrorists?'<sup>69</sup>*

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*My friend, who wears the niqab was at a shopping centre with her children. A man pointed at her and started screaming 'Terrorist! Terrorist! Terrorist!'*<sup>70</sup>

*I've been in class and other students have said, in front of the teacher, 'Why do you have a towel on your head?' or 'The Muslims are coming to bomb us' and 'All Muslims are terrorists'.*<sup>71</sup>

The second theme is that there is no place in Australia for Arabs and Muslims.

*I've had comments like 'Go back to your country!' and I think well, 'You came from England! My mother was born here.' The only people that can tell us to go back to our country are the Aborigines, the Indigenous people.*<sup>72</sup>

*Walking to work the other day someone yelled out 'Go back to your country'. I was born in Australia.*<sup>73</sup>

*I've had people in shopping centres walk past and say 'Go back to your own country'. Which part of the country would they like me to go back to?... I'm seventh generation Australian, my ancestors came on ships, that's how far, I can't get much further back than that. So its extremely insulting to say that to me...*<sup>74</sup>

The third theme is that new migrants to Australia should assimilate and discard their 'foreign' dress codes, languages and cultural practices.

*I was personally abused by an Australian because I was talking another language and he said 'Why don't you talk bloody English?' and things like that. My husband was abused because he had a radio on playing in another language, not the English language, and that was in [our] own home, which is very scary.*<sup>75</sup>

*The patient that I was left with asked what country I was from. 'What country are you from, Saudi Arabia? Where?' I advised that patient that I was born here and that I am Australian. His response was, with an air of disgust and shaking his head, 'Well, why do you wear that thing on your head? It is not Australian. You all look the same'. I advised this patient that by wearing the scarf it does not make me any less Australian.*<sup>76</sup>

### 2.3 Places where violence, discrimination and vilification occur

Consultation participants described their experiences of violence, discrimination and vilification which occurred in a variety of places and situations. These places included: on the street, in shops and shopping centres, while driving a car or travelling on public transport, at work, at school, college or university, in the media and in their dealings with police and other government services.

### 2.3.1 On the street

According to survey respondents the street was the most common location for racist violence and vilification. Fifty-eight percent experienced some form of racism, abuse or violence on the street. Women were more likely to experience abuse on the street than men and Muslims were more likely to be abused than non-Muslims.<sup>77</sup> Consultation participants also described numerous instances of racist behaviour directed at them by strangers on the street.

*In general there are some problems facing us in the streets, like not feeling safe in the streets especially if you walk alone ...*<sup>78</sup>

*Usually it will be a man or woman from an Anglo-Saxon background who will mutter certain things 'Go home you wog', 'Terrorist' and stuff like this and then just walk off. When you hear that once or twice you probably ignore it. But when you hear it consistently then it does emotionally disturb you. Where Muslims congregate, it's happening a lot more. If they want to abuse a Muslim, they know exactly where to go.*<sup>79</sup>

*A lot of the women while walking in the street have had bottles thrown at them in the centre of town during the day. Or they would have people abuse them very badly with obscene language – language that these women are not even familiar with and is highly offensive ... Men of our community have had people yell out at them in the street calling them 'Bin-Laden' ...*<sup>80</sup>

One young woman reported an incident, in which a young man punched her friend, tore off her hijab and swore at her, yelling 'You Muslim terrorists! You don't belong here!' She advised that many people witnessed the attack, which took place in the city of Sydney, but did not intervene. She was too scared to go to the police and also believed nothing could be gained by reporting it.<sup>81</sup>

### 2.3.2 At home

Some consultation participants reported incidents which took place at their homes. In many cases, these incidents involved neighbours.

*We have to lock our gates now because after being sworn at and verbally abused by our neighbours and people driving by – we are afraid ...*<sup>82</sup>

*My front yard was on fire, petrol was thrown purposely and it was on fire ... During the day, we were at home, we were cooking, and then my sister calls out, she goes 'Mum the front yard is on fire!' ... We called the fire brigade, and the police, and they go 'Oh we can't do anything because we've got no witnesses or proof.'*<sup>83</sup>

*I have had eggs thrown at my house because of formal complaints that I have made...I wrote to the editor of a local newspaper to answer a negative letter about Islam and it was published with my surname.<sup>84</sup>*

However, some consultation participants gave examples of positive experiences with neighbours. One woman reported how, during the war on Iraq, a neighbour brought her flowers and a card to show her support and sympathy.<sup>85</sup> Another woman told how her neighbours invited her and her family to a Christmas Eve barbecue where they provided halal food, asked if they wanted foil on the barbecue [to avoid contact with pork] and served fish 'so we could all eat the same'.<sup>86</sup>

*A lot of people, about 70% of people, are very kind and polite and when they talk to me they say 'ma'am'. For example my neighbours are so nice, and they collect my washing when I am away.<sup>87</sup>*

### **2.3.3 In transit**

Many consultation participants reported receiving abusive comments while travelling on public transport. Muslim women reported numerous incidents of verbal and physical abuse on trains, trams and buses. Some young Arab and Muslim Australians also felt they were under particular surveillance by transit officers.<sup>88</sup>

*My friend was coming back from work and she had to travel by train. An old man sitting in front of her intimidated her. She was wearing the hijab and he said 'You're from Indonesia, you're Muslim right? Well you're a terrorist right?' She started crying. She got off at Frankston station and the passengers all watched this happen. Another young passenger said 'Old man, shut up.'<sup>89</sup>*

*I got off the train and headed towards the elevators as my bag is too heavy to carry up the stairs. After I had gotten out of the elevator I heard a blonde, Caucasian woman screaming to such an extent it literally stopped the peak hour pedestrian traffic at the station. I would have estimated it was approximately 40 to 50 persons. She was screaming at the top of her lungs, 'I am going to rip that scarf of your head and smash your bag over the top of head, smash it in.'<sup>90</sup>*

*One time I was sitting on the tram ... I was going to the city to pay a bill, and the veiled woman was sitting by herself. There were two Australians that were eating sandwiches, and I'm positive it was on purpose, they started spitting food out of their mouths at her. The poor thing looked like she was a non-English speaker because she said to them 'Don't rubbish, No rubbish'. They only started laughing and continued spitting on her. She ran to the tram driver and said to*

*him 'Please police, call police, please police.' The tram driver said to her 'It's not my business. You want to call the police – do it yourself.' She started crying and got off on the next stop but they followed her...<sup>91</sup>*

*Even people who carry the right ticket and look Arab or Muslim get stopped at train stations to get checked and it's clear because other people don't get stopped.<sup>92</sup>*

Discrimination on buses was identified as a particular issue at the IsmaU consultation in Hobart. Participants reported that sometimes buses went by without picking them up, and they suffered abuse from the people waiting for the bus, or avoidance or rudeness from some other passengers.<sup>93</sup> A young Muslim woman at a consultation in Sydney reported three separate incidents of verbal harassment from fellow bus passengers. On one of the occasions, she approached the bus driver in tears asking for help but was ignored.<sup>94</sup> Several Muslim women at other Sydney consultations believed that some bus drivers do not stop for women wearing the hijab or make derogatory comments as they board.

*I don't know why the bus didn't stop, but I think it was because I am Muslim. Maybe he was afraid? I don't know.<sup>95</sup>*

Consultation participants also reported a high number of incidents of verbal abuse and physically threatening behaviour while travelling in private vehicles. Women identified as Muslim by their clothing were particular targets of abuse on the roads.<sup>96</sup> Almost half of female survey respondents reported experiencing abuse while driving.<sup>97</sup>

*On the freeway ... [a driver] got his hand pretending to be a gun, and just went 'bang' – like he was going to shoot me in the head. I waved to him and I was trying to quickly get his number plate, but I couldn't get it in time.<sup>98</sup>*

*Someone tried to run me off the road while I was driving and my eight year old she is sitting in the car with me, frightened to death. Now, why is this? She is an Australian citizen, and she has every right to feel safe in this country, and she doesn't!<sup>99</sup>*

*My daughter is the one driving, and we found a man suddenly crossed the road without a crossing ... she almost hit him. My daughter said to him 'Didn't you see me, I could have hit you?' and he said 'F... Muslim...' and he stormed up to the car and he came to hit her, the poor thing. What a man, he was as big as a bear and he wanted to come and hit her and he showed us his bum. She started crying and she was so shaken she couldn't drive anymore.<sup>100</sup>*

*My experiences have been that I am often shouted at when I'm driving the car and it's not my poor driving either.<sup>101</sup>*

Participants also faced abuse as pedestrians from drivers yelling abuse, hurling

objects or trying to run them over.

*I was walking with my grandson and a lady was driving and she got onto the footpath and tried to run us over and was yelling abuses. I was so scared.*<sup>102</sup>

*I was walking and a car came past and the driver yelled out 'Bloody Muslim'. I was very scared that they would do something ...*<sup>103</sup>

*Younger people say things to you from the car. Older people are more likely to say something to your face.*<sup>104</sup>

### **2.3.4 In shops and shopping centres**

Forty-three percent of survey respondents reported experiencing racism, abuse or violence in shops or shopping centres. Almost half the female respondents experienced racism in shops compared with one-third of males. Over half of Muslim survey respondents experienced racism in shops compared with 16 percent of non-Muslims.<sup>105</sup> Consultation participants also described numerous incidents which took place in shops and shopping centres. The most common incidents were of verbal abuse although physical attacks were also reported.

*I was shopping at Kogarah in the centre and someone threw eggs at me, spit at me and took my veil off. Who was there to help?*<sup>106</sup>

*At the shopping centre one day a [Muslim] lady was eating with her child and another lady was sitting next to her and she just got up, packed up her rubbish and just put it on the table and said 'That's what you deserve. That's what you are' ...*<sup>107</sup>

A Muslim woman in Melbourne recalled an incident in which she was followed around a shopping centre by a woman who eventually said to her, 'the problem with you Muslims is that you are a gangrene in our society and you need to be amputated.'<sup>108</sup>

Many consultation participants avoided shops and shopping centres in the months after September 11 for fear of being abused or attacked. For some Muslim women, shopping has become a daunting activity which they try to avoid doing alone.

*After September 11 and Bali, my mum is scared to go to the shopping centres ...*<sup>109</sup>

*Like many other women, I'd rather stay inside the house and if you want to go shopping you'll be escorted by your son, your husband.*<sup>110</sup>

A consultation participant in New South Wales told of an incident which took place at a shopping mall in northern Sydney shortly after 11 September 2001. The Muslim woman, who was eight months pregnant at the time, accidentally

brushed against a man in the shopping centre. 'When he noticed I was veiled he looked at me fiercely and said, "What are you doing here Muslim? We don't want you here. What you've done to America is terrible and we will get rid of you all"...'<sup>111</sup> The man then followed her outside the mall all the while abusing her and trying to touch her. Although she threatened to call the police, he continued following her for five to ten minutes until she reached her bus-stop where he kept taunting her until the bus arrived.

*Afterwards I felt angry, very angry. My husband said, 'You don't deserve to be treated like that'. But I blamed myself. I know I have to be strong living in a different country ... If I go to the authorities, what can they do? Can they catch this man?'*<sup>112</sup>

Following this incident, the woman bought a personal alarm and avoided catching public transport by having her husband drop her off and pick her up from the shopping centre. Even though she was still shaken by the incident almost two years later, she stressed that the incident had been an isolated one and that the majority of Australians were not abusive.<sup>113</sup>

Several consultation participants, all Muslim women, also felt they were being particularly scrutinised by shop owners and in-store security staff because of their religious dress.

*Two or three weeks ago, I went to the local fruit market. You know how you pay money to get in? Well the security didn't let me in the market, and I said 'Why?' And they said 'Because people wearing [hijab] like you, they steal from the market and maybe you're going to do the same thing'. I said 'But I would never do it'. But he still refused to let me get in.'*<sup>114</sup>

*I have noticed that they do not check other people's bags as often as they check our bags – that makes us feel humiliated because other people are watching.'*<sup>115</sup>

### 2.3.5 At school, college or university

Arab and Muslim Australians are both very young populations. As noted in Chapter 1, almost 50% of Australian Muslims are aged 24 and under compared to 35% of non-Muslim Australians. Second generation Arab Australians (those with a parent born in an Arab country) are also a very youthful group: over 75% are 24 years or under with a further 14% aged 25-34 years. (See Appendices 2 and 3). Given this demographic profile, issues relating to discrimination in schools and educational institutions are particularly significant.

Seventeen IsmaU consultations were convened especially with children or young people. They included six consultations involving 72 primary and secondary students in Sydney public schools, a consultation with students at the

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University of Sydney and another with Monash University students.

The school experiences of many Arab and Muslim students were positive. Many reported feeling physically safe and culturally respected within the school environment.

*I have never been discriminated against at school or anywhere else and I don't know if that is because I am not a Muslim.*<sup>116</sup>

*At my old school we – the Arabs – used to get called 'Arab', 'Osama', 'Taliban'. But here it's a multicultural school so it's not that bad.*<sup>117</sup>

*In this school we all have different opinions but we still respect what others feel and are thinking even if we do fight about it. The teacher for example in Legal Studies when we start talking about these things [terrorism and the war on Iraq] controls the discussion and allows everyone to have their say and it reflects understanding generally across cultures.*<sup>118</sup>

Others described experiences of abuse and bullying.

*A lot of discrimination is happening in schools. You have kids saying 'Go home, go back to your own country' and this is at school and they are just kids ...*<sup>119</sup>

*It's normal for us to get into a lot of fights and it's normal for us to be teased every day. Everyone picks on us ...*<sup>120</sup>

*... kids at school say, especially when we're playing, they say 'Get away from them, they're Muslim.'*<sup>121</sup>

*[My son] stood up in front of the class and he had to present a project, and when he said 'Palestine', everyone just laughed at him. After that he just didn't want to have anything to do with being Arab again. Then they sent him a [text] message on the phone which says 'Bin Laden.'*<sup>122</sup>

Some participants told how words sometimes escalated into blows.

*Some people, if you talk about their language or religion, they just bash you but it's ok if they talk about your language or religion.*<sup>123</sup>

*There are occasional incidents of discrimination between students. These did increase following September 11th. They were mostly verbal, but did result in one physical confrontation. Several students also were made to feel uncomfortable while travelling on public transport.*<sup>124</sup>

Some students reported incidents where they felt that teachers and staff condoned racist behaviour or were directly discriminatory. Their three main concerns about teachers were favouritism towards non-Muslim students, lack of support or assistance in coping with discrimination and a perceived lack of understanding of students' religious and cultural backgrounds.

*I've been in class and other students have said, in front of the teacher, 'Why do you have a towel on your head?' or 'The Muslims are coming to bomb us' and 'All Muslims are terrorists'. But the teacher said nothing.*<sup>125</sup>

*My teacher would even discriminate against the religion and say 'It's all those Islamic people from the Middle East. They're terrorists'. I would just look at my teacher in the face and I would go crazy. I started going crazy at every student in the class saying to them 'You're ruining my life. You don't understand how just talking casually can affect people'. And they're like going 'We should kick them all out'. I'm just sitting there in the class thinking 'Hello, you're talking about me'. And the teachers allow them to talk like that ...*<sup>126</sup>

*During the time after September 11, my teacher was awful, and whenever teachers used to refer to Lebs or Muslims, they used to refer to them in a bad way – like some teachers used to say to us 'Typical dumb Leb attitude.'*<sup>127</sup>

*Sometimes the teachers understand but a lot of times they don't because they're not Muslims and they don't know how Muslims feel. Sometimes I think that they might even believe that Muslims are terrorists or may feel afraid.*<sup>128</sup>

In schools where students described feeling safe, confident and respected, it appeared that leadership on anti-racism was strong and clearly articulated to the entire school community, particularly during times of international crisis.

*When September 11 happened, my girls were at school. At the time they started to tease the Arabs, and the school put a stop to it. They got all their Arabic girls together and they said if anybody said anything to them, we want to know about it, and they just put a stop to it completely. And that was it, it was never heard of it again.*<sup>129</sup>

*My daughter goes to [high school] and I think she is the only one wearing the hijab and she gets picked on by other students and one day the teacher got her to stand up in front of the class and talk about herself and a bit about Islam and talk about how she really isn't different and I think it worked. I don't take her to school to be discriminated against but to be educated.*<sup>130</sup>

Consultation participants also described incidents of discrimination and abuse which took place at college or university.

*Women and girls have had their hijab taken off and been spat at and physically abused by other non-Muslim students at university. This to them is the equivalent of feeling raped.<sup>131</sup>*

*I saw written on a desk [on a university campus] 'kill all Muslims!'<sup>132</sup>*

*Post September 11th it seemed like every class I went to I had to sit there and justify who I was, what I was, what I believed, the position of Muslim women and that we are not terrorists. It took a lot of energy out of me. Each time I came home I would cry.<sup>133</sup>*

### **2.3.6 At work**

Just over one quarter of survey respondents experienced some form of racism, abuse or violence at work.<sup>134</sup> Men were slightly more likely to indicate concerns about racism in employment than women.<sup>135</sup> Muslim respondents were also more likely to report discrimination at work than non-Muslims.<sup>136</sup> Consultation participants spoke about their experiences of racial or religious abuse from colleagues or supervisors, failure to accommodate religious practices including time for prayer and wearing the hijab, and possible discrimination in hiring decisions. Specific issues in relation to securing employment that were noted by consultation participants included:

- non-recognition of overseas qualifications or experience<sup>137</sup>
- lack of local experience<sup>138</sup>
- employer aversion to people with Arabic or Islamic names<sup>139</sup>
- fear of clients' reactions, especially to religious dress<sup>140</sup>
- stereotypes that Muslim women are oppressed and ignorant<sup>141</sup>
- the uncertain status of refugees on Temporary Protection Visas.<sup>142</sup>

Recognition of overseas-qualifications was a major issue for many consultation participants. Even if overseas qualifications were recognised in Australia, participants felt that Australian employers were reluctant to hire people without local experience.

*Arabic speaking people are not getting further in employment. We have anti-discrimination laws but it doesn't help with recognition of overseas qualifications ... There are a lot of people working in jobs not suited to their qualifications – people with PhDs are working as cleaners.<sup>143</sup>*

*Employers want people with 'Australian experience', not overseas qualifications ...<sup>144</sup>*

Certainly, Arab and Muslim Australians are not the only migrants and refugees who experience difficulties in having their qualifications recognised and finding employment that matches their skills.<sup>145</sup> However, participants felt that a broader climate of prejudice towards Arabs and Muslims, particularly towards Arab and Muslim refugees, further impacted on their chances of finding employment. Iraqi refugees who participated in IsmaU consultations in regional Victoria were acutely aware of barriers to their employment.

*Overseas qualifications, in all honesty, do not hold any value whatsoever in Australia. We come here educated with postgraduate qualifications and when we apply for jobs they say our English is not good enough or we are under or over qualified. I have been a qualified agriculturalist and engineer educated in Iraq for about 20 years and I cannot find good work here. Most of us become pickers and work on the farms.*<sup>146</sup>

*The problem is also having TPVs. People don't treat you as part of the community anyway – and when you try to find work, even though you are allowed to work, it's hard because of the instability ...*<sup>147</sup>

Both male and female participants felt they had been discriminated against in finding employment. For men, an Arabic or Islamic name or evidence of Arabic language skills was seen as a significant barrier.

*I know a person who went for a job and sent in two applications – one with his Arabic Muslim name and a slightly different one with an Anglo-Saxon name. He didn't get an interview with his Arabic persona but he did with his Anglo. They must not even have looked at them. They must have just seen the name and tossed it aside.*<sup>148</sup>

*I'm hesitant to say I've experienced discrimination, but when I was looking for a job my resume said I spoke Arabic. I didn't get one interview. Then when I took this off my resume I got four interviews. It might have been a coincidence.*<sup>149</sup>

*I've actually known people who have tried to call for a job and when they say 'My name is Mohammed' they say the job's gone. But then two minutes later, just to test them, they call back and they say 'My name's Andrew' or whatever, and they say 'Yeah, mate the job's still available. Do you want to come in for an interview?'*<sup>150</sup>

Many Muslim women felt that wearing the hijab deterred potential employers.

*I'm a qualified dental technician and it was really hard for me to get employment with my scarf. I applied for a position at a dental laboratory and the boss, well we talked on the phone and everything was ok. When he saw me for the first time he was shocked. But I had*

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*all the qualifications and experience, and I got employment for two weeks. Then he told me I was a really good and hard worker but that I could not continue being employed there unless I take off that scarf...I asked him 'Are there any other reasons why you wouldn't give me this job?' He said 'No. You're a really nice person and a hard worker but I don't want to bring religion into my laboratory'.<sup>151</sup>*

Some women felt they had to bow to pressure from employers and remove their hijab so as to secure employment.

*I was unemployed for about two years. Every job that I would go to I know that I've got the skills ... it would really, really surprise me to get a phone call telling me that I didn't get the job. I was thinking to myself, why? I know that I'm fit, that I can do this job. I know that I'm the best person for it. I automatically knew the reason. Three months later, when I took it [the hijab] off, I automatically got a job ... to find work this is what I had to do ...<sup>152</sup>*

Employer pressure on Muslim women not to wear the hijab at work was reported to be especially acute in service industries where client contact is an essential part of the job. For example, a young Muslim woman working in an Adelaide pharmacy was told by her employer that she was not allowed to wear her hijab to work. 'I just wear my uniform, put my hijab on. When I get there [work] I take it off, go to work, and as soon as I leave I put it back on.'<sup>153</sup> A receptionist in a Melbourne real estate agency was threatened with dismissal by her employer's wife who said, 'Don't come anymore unless you change the scarf'.<sup>154</sup>

Uniform requirements were also a point of contention for a young Muslim woman employed as a cleaner at a Melbourne hotel. Before starting work, she met with her supervisor and was assured that there was no problem with her wearing the hijab and long sleeves to work. However, within days of commencing the job, the supervisor changed the uniform requirements.

*On the second day she asked me if it was possible to take off my scarf and I said no ... On the third day of work she said to me that I looked very good today, and I knew that she was mocking me because she didn't want the hijab, so she then handed me a t-shirt ... I then said 'I told you that I was not able to wear short sleeves on the first day, so why did you accept me knowing that if you are not happy?' ... After this conversation she said to me that if I was going to wear the hijab, then I had to leave the job.<sup>155</sup>*

Many Muslim women working in fields such as law and medicine felt that employers and colleagues saw them as less intellectually capable or professionally committed compared with other staff if they wore traditional Islamic dress.

*When I started wearing the hijab at work people started talking to me very slowly and very loudly as if I could not understand because the veil was blocking my communication skills. They assume Muslim women don't have brains ...*<sup>156</sup>

Another commented, 'I was not seen as a professional because I wear the hijab.'<sup>157</sup>

A number of participants described law firms as being among those who use the hijab as an excuse for refusing to employ Muslim women.

*They would never employ you in a commercial law firm with the hijab ... I've actually had people tell me, 'You take that [i.e. the hijab] off and you can come' ...*<sup>158</sup>

A Muslim midwife reported being reprimanded by a supervisor for wearing her hijab in an operating theatre. The midwife reported that medical staff in operating theatres must change their clothes and cover their heads with a clean close-fitting cap and that many doctors and nurses comply with this regulation by wearing hats or bandannas which they bring from home. Before entering the operating theatre, the midwife changed into a clean hijab but was disciplined by the nursing manager who yelled, 'Get that dirty thing off your head!'<sup>159</sup> The midwife complained to hospital management about the incident and the nursing manager was counselled. Even though the midwife received tremendous support from the hospital and was able to wear her hijab without question in future, the incident affected her professional confidence. 'I feel really paranoid as though everyone thinks I'm this terrorist weirdo that goes down to the [operating] theatres and doesn't know how to do her job.'<sup>160</sup>

Other issues described by Arab and Muslim workers included:

- denial of prayer breaks<sup>161</sup>
- refusal to change shift to accommodate holy days and religious festivals<sup>162</sup>
- restricted client contact<sup>163</sup>
- restricted networking and team building opportunities for non-drinkers<sup>164</sup>
- pressure to Anglicise their names.<sup>165</sup>

On the other hand, a number of participants described work situations in which their religious beliefs and obligations were both respected and accommodated.

*I used to do the mad rush home every lunch hour to pray ... one of my bosses said to me one day 'Come and have lunch' and I said 'No I've got to go home to pray'. He said, 'What do you do when you pray? Do it here – go in the conference room. If anyone says anything tell them to come and see me'. ... About a week later the big boss came and saw me and asked, 'Have you had any problems? If you do, you*

*come to me and I'll sort it out because it's not on!' So I have had really positive responses.<sup>166</sup>*

*I find that they actually cater for it [i.e. Muslim staff who are non-drinkers]. If it's Friday afternoon drinks we will have soft drinks or we will have orange juice.<sup>167</sup>*

### **2.3.7 In the media**

Consultation participants were greatly concerned about what they saw as vilification of Arab and Muslim Australians in the media. Forty-seven percent of survey respondents felt they had been vilified by the media.<sup>168</sup> Respondents from New South Wales were also more likely to report vilification by the media compared with those from Victoria.<sup>169</sup>

Most consultation participants were critical of Australian and other Western media for what they considered to be unfair stereotyping of Arabs and Muslims.

*If I wasn't Muslim myself I wouldn't like them either the way the media portrays them.<sup>170</sup>*

*The media is a business – their consideration for the communities are the last of their concerns. They can't represent us positively because nobody wants to read good stuff...<sup>171</sup>*

*The media are so quick to say anything negative about the Lebanese community, but are so reluctant in putting up their tremendous efforts in bettering the whole community.<sup>172</sup>*

The use of ethnic or religious labels in reporting crime was seen by participants as a particular concern.

*Whenever a Muslim does something, in the media they highlight their name and the fact of their religion but whenever someone else does it they never ever barely mention their name or their religion. Why only when it's a Muslim or an Arab they have to mention where they're from?<sup>173</sup>*

*Every time if there is a crime committed by a Greek for example, they will not say his ethnicity. If an Iraqi committed a crime, they will say he is an Iraqi. If it is a European they will say 'a Victorian man' or a 'Sydney man'; but if it was an Arab they will say 'Muslim man' or 'Middle-Eastern man'.<sup>174</sup>*

*The media makes it really difficult as well. I remember when the gang rapes first happened and the description of the bloke that did specifically have 'Middle Eastern Muslim'. When you look at that and you look at other rape cases that have been in the newspaper before,*

*you would never see, say, 'Anglo-Saxon' and you wouldn't see that word 'Christian' in there. That's where the media is going wrong – identifying people by their religion not just by the person that they are.*<sup>175</sup>

Consultation participants argued that some media reporting fosters a climate conducive to discrimination and vilification of Arab and Muslim Australians and can incite hatred and discrimination.

*I reckon that the media and the propaganda that the media has caused is a big cause of discrimination against Arabic and Muslim people ...*<sup>176</sup>

*I think the media is the main cause because kids are picking on Muslims at school and these kids get it from their parents and their parents get it from the media.*<sup>177</sup>

*The media play a big role in pushing members of the society against a section of the community by drawing a bad picture so that neighbours and other people look at you as if they are frightened.*<sup>178</sup>

*The media often aims to stir up racial tensions and discrimination against Muslims.*<sup>179</sup>

## **2.3.8 Government agencies**

### **2.3.8.1 Provision of welfare services**

Comparatively few participants raised concerns about discrimination in the provision of health and welfare services. Those who did were primarily describing what they saw as institutionalised discrimination in accessibility, where services designed for Anglo-Celtic Australians are not culturally appropriate for Arabs and Muslims.

*Lack of access to culturally and Islamically appropriate services is a form of discrimination. It is difficult to find services that are for women only ...*<sup>180</sup>

*I had my baby at this hospital without my family or anyone with me. It was awful and I felt like I was treated like an animal ... no-one stopped to help me and ask me if I needed anything – they did not have an interpreter on hand ... I did not get the support I needed...*<sup>181</sup>

*Wherever we go and get services, as soon as they see us that we cover our hair they start mocking us and not serve us properly ... the people there just stop answering you. They ignore us.*<sup>182</sup>

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Housing larger families was an obvious point of friction between one Iraqi woman with five children and a staff member at the local Department of Housing who allegedly told her, 'You don't deserve to live amongst Australians, not with that many kids'.<sup>183</sup>

A Somali Muslim woman in Perth described how a government service provider, attempting to explain a complex point, suggested she go home and get her husband to explain it.

*I was dealt with by my image – that I am oppressed, uneducated and that I can't speak English. I am a double degree educated woman wearing a veil [i.e. niqab] and yet I am told that I need to go to my husband. I am taken on face value.*<sup>184</sup>

Provision of social services to migrants and refugees was another area of concern. One participant described fears that the closure of several migrant resource centres in Sydney's west and an impending cut to the number of bi-lingual community workers could impact on Arab refugees in particular. 'Arabic refugees will have more difficulty getting help from someone who speaks their language.'<sup>185</sup> These refugees and migrants may then seek assistance from community organisations who can help in their own languages but who may not necessarily have the resources to cope with additional clients.

Restricted access to services for refugees with temporary protection visas (TPVs) was also raised. TPV visa conditions allow refugees to work but not to claim Newstart Allowance or a range of other social security allowances. These difficulties were noted by several consultation participants.

*I work in a factory and I have a PhD in engineering. I know that studying English or continuing studying anything may help me get a better job, but studying is not an option for me on a TPV. I have no option but to work, because without work, I cannot feed myself or my family ...*<sup>186</sup>

*I work with TPV holders and I think it is in the economic area where discrimination is mainly felt. They walk into a doctor's surgery or to get pharmaceuticals and people think that they are from the broader community. But as soon as they are required to provide some sort of identification or paperwork for whatever reason and they are identified as TPV holders ... suddenly they feel things coming down.*<sup>187</sup>

### 2.3.8.2 Policing

A substantial number of consultation participants felt that they were targeted by police<sup>188</sup> and that young Arab men, in particular, were dealt with unfairly.<sup>189</sup>

*Cops stop me and defect my car and it's not because my car is in bad condition but it's a hotted up car and it's a target for cops ... nice car with an Arab driving it.*<sup>190</sup>

Parents and community leaders echoed concerns about alleged police harassment.

*I'm the P&C president [at the school] and I wanted to go the [train] station for five days in a row to see how the police were reacting to the students and it was really bad ... They [police] were walking around stirring trouble.*<sup>191</sup>

There were also allegations that, at times, police officers themselves engaged in discriminatory conduct.

*Of course Muslims and Arabs are targeted ... Guys get abused, they get called 'terrorists' and 'Bin-Ladens' by the police.*<sup>192</sup>

### 2.3.8.3 Counter-terrorism measures

Several consultation participants felt the Muslim community in Australia had been unfairly targeted in investigations by Australian Security Intelligence Organisation (ASIO) officers and Australian Federal Police officers following the Bali bombings in October 2002. Consultation participants in Perth were particularly concerned about the treatment of Muslims in counter-terrorist investigations.

*There is a fear in the community that one day you will wake up and your husband will be taken away under the new ASIO laws. The way the government treated people who underwent the raids was shocking ...*<sup>193</sup>

*[They] treat Muslims differently than they would if the suspects had been Anglos. If this is how they're going to treat us, why give us citizenship? They might as well take it away.*<sup>194</sup>

One Muslim man who had been questioned by ASIO on repeated occasions felt extremely vulnerable for his own and his family's safety.

*It has affected me a lot. I felt like I am an Australian a level lower than the other, I am not an Australian regular citizen ... they don't want me here in Australia. I feel they have been accusing me with things to make me leave this country ...*<sup>195</sup>

In June 2002, the federal government introduced a series of anti-terrorism laws to create new offences in relation to terrorist acts and the financing and membership of terrorist organisations. The *Australian Security Intelligence Organisation Legislation Amendment (Terrorism) Act 2003* which came into effect

in July 2003 gives ASIO the power to obtain a warrant to detain and question a person who may have information important to the gathering of intelligence in relation to terrorist activity.<sup>196</sup> Some consultation participants believed their human rights were at risk of violation under these new laws.

*Don't you find that there's something wrong here with the fact that nine Muslims in one room and three of you, who haven't done anything wrong, have been approached [as if] you have done something wrong. I would like to know the figures of how many do get approached and how many have actually been found to have done something wrong out of those people, like what they've got out of the numbers that they have been approaching, and who they're approaching.*<sup>197</sup>

*The changes in the legislation, with the anti-terrorist laws and things like that has made me feel more vulnerable to the whims of the government and what they can potentially do to people, on their whim, not on any factual basis, but because they feel like it at the time. That's where I feel vulnerable, because they're making all these allegations about people all over the world, with not necessarily any factual basis, and then they enact the consequences on those people whether they've been found guilty or not ...*<sup>198</sup>

Many consultation participants also felt they were under surveillance by neighbours and colleagues following the federal government's national security campaign launched early in 2003. Some felt that the booklet, *Let's Look out for Australia*, which was distributed to all homes in Australia in February 2003 unfairly targeted Muslims in particular.

*I know that a lot of people were very offended as they feel that the government tried to not make it with an Arabic or Islamic focus but it did have. They felt like criminals and they hadn't even done anything. The fear about the repercussions of the campaign was prevalent in the community.*<sup>199</sup>

Several participants described how, following distribution of the booklet, their neighbours reported even routine domestic activities and family gatherings. One woman was reported to her real estate agent by a neighbour for washing her balcony with soapy water.

*My neighbour called the agent and said, 'She is putting chemicals on the property!' The agent came immediately – it was the first time he had ever come.*<sup>200</sup>

*A close friend was walking on the beach with her son and his wife and grandson ... the police came within 20 minutes of them being on the beach because someone rang and said 'We have to report to*

*you something suspicious' only because she was wearing the scarf. I think one of the differences between now and the past is that what we're facing in the community is that more people are reporting so-called suspicious circumstances. Suspicious circumstances are a woman wearing a hijab walking in a public place, and a young man that might be wearing Islamic dress in a public place ... definitely people are more suspicious.*<sup>201</sup>

Security measures at airports were also criticised by some participants as arbitrary and degrading. Both the Australian Customs Service and the Department of Transport and Regional Services advised the Commission that search procedures are not based on ethnic profiling.<sup>202</sup> Nevertheless, some participants felt that an Arabic name, a Middle Eastern travel itinerary or Muslim dress may attract unwarranted attention in airports.

*I was subjected to searches for three hours. I was asked why I had spent time in Cairo, Dubai and Saudi Arabia. They read my diary from A-Z. They even removed the film from my camera. When I queried the treatment they said they were entitled to do it. When they let me go they didn't apologise or acknowledge the reason for this treatment. They realised I was a Muslim because of my name. I decided never to travel again.*<sup>203</sup>

*When me and my mum came back from Lebanon in August 2001, we were pulled aside for extra checking of our bags even though we had declared everything. The customs officer made me take my bum bag, shoes, socks and jacket off. She didn't find anything. She said 'I was hoping to find drugs on you'. That's exactly what they want.*<sup>204</sup>

How participants responded to and were impacted by these experiences is the subject of the following chapter.

### Endnotes

- 1 The UWS report, *Living with Racism*, further explores the context and consequences of incidents of discrimination and vilification reported by survey respondents and interviewees. The report is available on the Commission's website at: [http://www.humanrights.gov.au/racial\\_discrimination/isma/research/index.html](http://www.humanrights.gov.au/racial_discrimination/isma/research/index.html)
- 2 Each group was informed in general terms about the complaint handling role of the Commission and most were asked whether they had or would make a complaint and, if not, as was usually the case, why not. Further, when an allegation was made against a government department or agency, the Commission informed the department or agency head and invited a response or comment.
- 3 Australian Arabic Council, Melbourne, 28 May 2003.
- 4 Women only consultation hosted by the SA Equal Opportunity Commission, Adelaide, 17 July 2003.
- 5 Al Zahra Muslim Women's Association, Sydney, 23 April 2003.
- 6 Consultation with Islamic Girls/Women's Group Inc., hosted by the Victorian Department of Human Services, Melbourne, 28 May 2003.
- 7 Consultation hosted by the Anti-Discrimination Commission of Queensland (ADCQ) and Multicultural Affairs (MAQ), Brisbane, 16 June 2003.
- 8 Consultation hosted by the WA Office of Multicultural Interests, Perth, 1 July 2003. See also: Consultation hosted by Anti-Discrimination Commission of Queensland (ADCQ) and Multicultural Affairs Queensland (MAQ), Brisbane, 16 June 2003.
- 9 Consultations with NSW secondary students at three government schools, Sydney, August 2003.
- 10 Consultation hosted by the Anti-Discrimination Commission of Queensland (ADCQ) and Multicultural Affairs Queensland (MAQ), Brisbane, 16 June 2003.
- 11 Lebanese Community Council, Sydney, 4 September 2003.
- 12 Muslim lawyers group, Melbourne, 27 May 2003.
- 13 The Muslim Council of NSW, Sydney, 21 June 2003.
- 14 Consultation with students from Goulburn-Ovens TAFE at Shepparton (Victoria) hosted by Shepparton Ethnic Communities Council, Shepparton, 29 May 2003.
- 15 Consultation with Lebanese Muslim children and young people organised by the Lebanese Muslim Association, Sydney, 12 June 2003. See also: The Muslim Council of NSW, Sydney, 21 June 2003.
- 16 Muslim lawyers group, Melbourne, 27 May 2003. See also: Consultation with Iraqi refugees in rural Victoria, 30 May 2003.
- 17 Islamic Women's Association of Queensland Senior Women's Respite Group, Brisbane, 17 June 2003.
- 18 Consultation with Iraqi refugees in rural Victoria, 30 May 2003.
- 19 Consultation with Sikh community members, Perth, 30 June 2003.
- 20 Maronite Youth Organisation at Our Lady of Lebanon Church, Sydney, 4 June 2003.
- 21 Consultation with Arab women's group, The Women's Centre, Sydney, 8 August 2003.
- 22 Consultation with Arab young people hosted by Australian Lebanese Welfare Inc., Melbourne, 17 November 2003.
- 23 Interfaith Network of the City of Greater Dandenong, Dandenong, 14 November 2003.
- 24 Canberra Islamic Centre, Canberra, 2 June 2003.
- 25 Consultation with refugee women hosted by the Ecumenical Migration Centre, Melbourne, 26 May 2003.
- 26 Canberra Islamic Centre, Canberra, 2 June 2003.
- 27 Lebanese Community Council, Sydney, 4 September 2003. See also: Consultation with refugee women hosted by the Ecumenical Migration Centre, Melbourne, 26 May 2003; Canberra Islamic Centre, Canberra, 2 June 2003.
- 28 Consultation with young Muslim women, Brisbane, 17 June 2003.
- 29 UWS Survey. 36% of survey respondents reported that they had personally experienced 'a bit more' racism, abuse or violence since 11 September 2001 and 30% reported experiencing 'a lot more' racism, abuse or violence since 11 September 2001. 28% believed that the community they most identified with had experienced 'a bit more' racism abuse or violence since 11

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- September 2001 and 63% believed that the community they most identified with had experienced 'a lot more' racism, abuse or violence since 11 September 2001.
- 30 UWS Survey: 70% of women surveyed said a bit more or a lot more compared with 61% of men. 19% of women said they didn't experience anything compared with 26% of men.
- 31 UWS Survey: 13% of Muslim respondents said they experienced no racism since 11 September 2001 compared to 45% of Christian respondents. 39% of Muslim respondents reported a bit more racism compared with 30% of Christians. 37% of Muslims reported a lot more racism compared with 6% of Christians. 72% of Muslim respondents reported a lot more racism against their community since 11 September 2001 compared with 29% of Christian respondents.
- 32 UWS Survey: 30% of Muslim survey respondents reported experiencing racism, abuse or violence once a month since 11 September 2001 compared with 26% of Christian respondents. Further, 37% of Muslim respondents reported experiencing racism, abuse or violence less than once a month compared with 52% of Christian respondents.
- 33 UWS Survey: 40% of male respondents reported experiencing racism, abuse or violence weekly since 11 September 2001 compared with 19% of female respondents. 9% of female survey respondents reported experiencing racism, abuse or violence daily since 11 September 2001 compared with 2% of male respondents.
- 34 UWS Survey: 66.1% of survey respondents said they had personally experienced 'a bit more' or 'a lot more' racism, abuse or violence since 11 September 2001. 92.3% of survey respondents believed that the community with which they most identify had experienced 'a bit more' or 'a lot more' racism, abuse or violence since 11 September 2001.
- 35 It was described by one woman as akin to being raped: Consultation with Muslim women hosted by Auburn Gallipoli Mosque and Affinity Intercultural Foundation, Sule College, Sydney, 21 October 2003.
- 36 Consultation hosted by the Anti-Discrimination Commission of Queensland (ADCQ) and Multicultural Affairs Queensland (MAQ), Brisbane, 16 June 2003.
- 37 Women only consultation hosted by the Office for Women's Policy, WA Department for Community Development, Perth, 30 June 2003.
- 38 Consultations with NSW secondary students at three government schools, Sydney, August 2003.
- 39 Muslim lawyers group, Melbourne, 27 May 2003.
- 40 Consultation with Islamic Girls/Women's Group Inc., hosted by the Victorian Department of Human Services, Melbourne, 28 May 2003.
- 41 UWS interview with 'Ali', Victoria, 10 December 2003.
- 42 UWS interview with 'Fairuz', Heidelberg, 18 November 2003.
- 43 AAP, 13 September 2001.
- 44 'Islam in the Suburbs', *Courier Mail*, 30 November 2002.
- 45 AAP, 13 September 2001.
- 46 Information about the firebombing of the Doncaster East Mosque following the Bali bombings in 2002 by Imam Abdus Samad Mahkri, 30 January 2004. Information about vandalism at Rooty Hill Muslim school from *Sydney Morning Herald*, 15 October 2002.
- 47 Consultation with young Muslim women, Brisbane, 17 June 2003.
- 48 Islamic Women's Association of Queensland Senior Women's Respite Group, Brisbane, 17 June 2003.
- 49 Islamic Women's Association of Queensland Senior Women's Respite Group, Brisbane, 17 June 2003.
- 50 Consultation with Sikh community members, Perth, 30 June 2003.
- 51 Information from Chung Tian Buddhist Temple, 30 January 2003. The perpetrator was caught on security camera and the police were notified. While the temple was happy with the police and government assistance, not much could be done because they could not identify the perpetrator.
- 52 Executive Council of Australian Jewry, *Report on Anti-Semitism in Australia, 1 October 2002 – 30 September 2003*.
- 53 Information provided by Australian Arabic Council, 17 November 2003.
- 54 Information from United Muslim Women's Association, 3 February 2003.
- 55 Information from Mr Bruce Wernham, Deputy Commissioner, NT Police, 17 November 2003.
- 56 Women only consultation hosted by the SA Equal Opportunity Commission, Adelaide, 17 July 2003.
- 57 Muslim women's consultation hosted by Auburn Gallipoli Mosque and Affinity Intercultural Foundation, Sydney, 21 October 2003.

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- 58 Email message forwarded by Centre for Refugee Research, UNSW.  
59 Email to Forum on Australia's Islamic Relations, 14 October 2002.  
60 Email to Forum on Australia's Islamic Relations, 16 October 2002.  
61 Email to Australian Federation of Islamic Councils, 14 November 2003.  
62 Information provided by Australian Arabic Communities Council, 16 December 2003.  
63 Written Submission, 'D.O.' Sydney, 26 April 2003.  
64 See: Consultations with NSW secondary students at three government schools, Sydney, August 2003; Australian Arabic Council, Melbourne, 28 May 2003; consultations with NSW primary school students (Years 5 and 6) at three Sydney public schools, August 2003; UWS interview with 'Katia', Melbourne, 15 November 2003.  
65 See: Consultation with Islamic Girls/Women's Group Inc., hosted by the Victorian Department of Human Services, Melbourne, 28 May 2003; Muslim Women's National Network of Australia, Sydney, 5 April 2003; UWS interview with 'Manal', Melbourne, 9 December, 2003.  
66 See: Lebanese Community Council, Sydney, 4 September 2003; consultation with students from Goulburn-Ovens TAFE at Shepparton (Victoria) hosted by Shepparton Ethnic Communities Council, Shepparton, 29 May 2003; Consultation hosted by Tasmanian Anti-Discrimination Commission, Hobart, 14 June 2003.  
67 See: Consultation with young Arab Muslims and Christians and non-Arab Muslims, Adelaide, 17 July 2003; Consultation with young Muslim women, Brisbane, 17 June 2003; Consultation with members of the Indonesian Muslim Community of Victoria, Monash University, 28 May 2003; Consultation with Iraqi refugees in rural Victoria, 30 May 2003.  
68 See: Women only consultation hosted by the Office for Women's Policy, WA Department for Community Development, Perth, 30 June 2003; Consultations with NSW secondary students at three government schools, Sydney, August 2003.  
69 Muslim lawyers group, Melbourne, 27 May 2003. See also: Consultations with NSW secondary students at three government schools, Sydney, August 2003.  
70 Women only consultation hosted by the Office for Women's Policy, Perth, WA Department for Community Development, Perth, 30 June 2003.  
71 Consultations with NSW secondary students at three government schools, Sydney, August 2003. See also: Consultation with young Muslim women, Brisbane, 17 June 2003; Consultation with Arab young people hosted by Australian Lebanese Welfare Inc., Melbourne, 17 November 2003.  
72 Consultations with NSW secondary students at three government schools, Sydney, August 2003.  
73 Islamic Women's Association of Queensland Senior Women's Respite Group, Brisbane, 17 June 2003. See also: Consultation with Iraqi refugees in rural Victoria, 30 May 2003.  
74 UWS interview with 'Melissa', Melbourne, 17 November 2003.  
75 Islamic Women's Association of Queensland Senior Women's Respite Group, Brisbane, 17 June 2003. See also: Al Zahra Muslim Women's Association, Sydney, 23 April 2003, in which a female participant described how she had been told by another shopper that if she were Australian she would take off her scarf.  
76 Written submission, 'A.L.', Sydney, 7 July 2003.  
77 UWS survey: 67% of female survey respondents received abuse on the street were women compared to 50% of males. 67% of Muslim respondents reported abuse on the street compared with 29% of Christians.  
78 Horn of Africa Senior Women's Program, Melbourne, 13 November 2003.  
79 Islamic Council of NSW, Sydney, 10 June 2003.  
80 Consultation with Iraqi refugees in rural Victoria, 30 May 2003.  
81 Consultations with NSW secondary students at three government schools, Sydney, August 2003.  
82 Consultation with Iraqi refugee women hosted by the Shepparton Ethnic Communities Council at the Goulburn-Oven's TAFE, Shepparton, 30 May 2003.  
83 UWS interview with 'Amal', Melbourne, 18 November 2003. See also: Consultation with Arab community members, Melbourne, 15 November 2003.  
84 Women only consultation hosted by the Office for Women's Policy, WA Department for Community Development, Perth, 30 June 2003.  
85 Women only consultation hosted by the Office of Women's Policy, WA Department for Community Development, Perth, 30 June 2003.  
86 Women only consultation hosted by the Office of Women's Policy, WA Department for Community Development, Perth, 30 June 2003.  
87 Islamic Women's Association of Queensland Senior Women's Respite Group, Brisbane, 17 June 2003.

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- 88 See for example: United Muslim Women's Association, Sydney, 23 June 2003. Consultations with NSW secondary students at three government schools, Sydney, August 2003.
- 89 Consultation with members of the Indonesian Muslim Community of Victoria, Monash University, 28 May 2003.
- 90 Written submission, 'A.L.', Sydney, 7 July 2003.
- 91 Consultation with Arab Muslim women hosted by Islamic Women's Welfare Council of Victoria, Melbourne, 12 November 2003.
- 92 Consultations with NSW secondary students at three government schools, Sydney, August 2003.
- 93 Consultation hosted by Tasmanian Anti-Discrimination Commission, Hobart, 14 June 2003. See also: Consultation hosted by ACT Human Rights and ACT Office of Multicultural Affairs, 3 June 2003; Consultation with Muslim women in northern Sydney, 26 June 2003.
- 94 Arabic Workers' Network, Sydney, 29 April 2003.
- 95 Al Zahra Muslim Women's Association, Sydney, 23 April 2003.
- 96 UWS Survey.
- 97 UWS Survey: 46% of female respondents reported racist abuse while driving compared with 36% of males.
- 98 UWS interview with 'Alya', Melbourne, 17 November 2003.
- 99 Consultation with Muslim women hosted by Auburn Gallipoli Mosque and Affinity Intercultural Foundation, Sule College, Sydney, 21 August 2003.
- 100 Tripoli and Mena Association Seniors' Group, Sydney, 15 October 2003.
- 101 Islamic Women's Association of Queensland Senior Women's Respite Group, Brisbane, 17 June 2003.
- 102 Consultation with Islamic Girls/Women's Group Inc., hosted by the Victorian Department of Human Services, Melbourne, 28 May 2003. See also: United Muslim Women's Association young women's group, Sydney, 7 June 2003; Women only consultation hosted by the Office for Women's Policy, WA Department for Community Development, Perth, 30 June 2003.
- 103 Women only consultation hosted by the Office for Women's Policy, WA Department for Community Development, Perth, 30 June 2003.
- 104 Consultation with Muslim women in northern Sydney, 26 June 2003.
- 105 UWS survey: 47% of female respondents experienced racism in shops compared with 34% of males. 51% of Muslims respondents experienced racism in shops compared with 16% of non-Muslims.
- 106 St George Lebanese Joint Committee Women's Group, Sydney, 11 April 2003.
- 107 Consultation with NSW Teachers, Anti-Racism Contact Officers (ARCOs) and Community Information Officers (CIOs), Sydney, August 2003.
- 108 UWS interview with 'Ameera' 10 December 2003.
- 109 Consultations with NSW primary school students (Years 5 and 6) at three Sydney public schools, August 2003.
- 110 Consultation hosted by Illawarra Ethnic Communities Council, Wollongong, 9 August 2003. See also: Consultations with NSW secondary students at three government schools, Sydney, August 2003.
- 111 Consultation with Muslim women in northern Sydney, 26 June 2003.
- 112 Consultation with Muslim women in northern Sydney, 26 June 2003.
- 113 Consultation with Muslim women in northern Sydney, 26 June 2003.
- 114 Islamic Women's Association of Queensland Senior Women's Respite Group, Brisbane, 17 June 2003.
- 115 Consultation with Iraqi refugee women hosted by the Shepparton Ethnic Communities Council at the Goulburn-Oven's TAFE, Shepparton, 30 May 2003.
- 116 Consultations with NSW secondary students at three government schools, Sydney, August 2003. Note: this quote was said by an Arab non-Muslim student.
- 117 Consultations with NSW secondary students at three government schools, Sydney, August 2003. Note: this quote was said by an Arab non-Muslim student.
- 118 Consultations with NSW secondary students at three government schools, Sydney, August 2003.
- 119 Consultation with Iraqi refugees in rural Victoria, 30 May 2003.
- 120 Consultations with NSW primary students (Years 5 and 6) at three Sydney public schools, August 2003.
- 121 Consultations with NSW primary students (Years 5 and 6) at three Sydney public schools, August 2003. See also: Consultation with Lebanese Muslim children and young people organised by the Lebanese Muslim Association, Sydney, 12 June 2003.

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- 122 Antiochian Community Support Association, Melbourne, 13 November 2003.
- 123 Consultations with NSW primary students (Years 5 and 6) at three Sydney public schools, August 2003.
- 124 Consultation hosted by the Multicultural Education Committee and the SA Equal Opportunity Commission, Adelaide, 17 July 2003.
- 125 Consultations with NSW secondary students at three government schools, Sydney, August 2003.
- 126 Consultation with young Muslim women, Brisbane, 17 June 2003.
- 127 Consultation with Lebanese Muslim children and young people organised by the Lebanese Muslim Association, Sydney, 12 June 2003.
- 128 Consultations with NSW primary students (Years 5 and 6) at three Sydney public schools, August 2003.
- 129 Antiochian Community Support Association, Melbourne, 13 November 2003.
- 130 Consultation with Arab women's group, The Women's Centre, Sydney, 8 August 2003.
- 131 Consultation with Islamic Girls/Women's Group Inc., hosted by the Victorian Department of Human Services, Melbourne, 28 May 2003.
- 132 Consultation with Sydney University students, 9 October 2003.
- 133 United Muslim Women's Association young women's group, Sydney, 7 June 2003.
- 134 UWS survey: 28% of respondents reported experiencing racism, abuse or violence at work.
- 135 UWS survey: 36% of male respondents reported racism at work compared with 24% of female respondents.
- 136 UWS survey: 30% of Muslim respondents experienced racism at work compared with 20% of Christian respondents.
- 137 See: Consultation with Iraqi refugees in rural Victoria, 30 May 2003. Arabic Workers' Network, Sydney, 29 April 2003. Consultation with students from Goulburn-Ovens TAFE at Shepparton (Victoria) hosted by Shepparton Ethnic Communities Council, Shepparton, 29 May 2003.
- 138 Consultation with students from Goulburn-Ovens TAFE at Shepparton (Victoria) hosted by Shepparton Ethnic Communities Council, Shepparton, 29 May 2003. Consultation with staff of the Northern Migrant Resource Centre Inc. (NMRC), Melbourne, 13 November 2003.
- 139 Maronite Youth Organisation at Our Lady of Lebanon Church, Sydney, 4 June 2003; Antiochian Community Support Association, Melbourne, 13 November 2003. Consultation with young Arab men, Brisbane, 18 June 2003. Islamic Council of NSW, Sydney, 10 June 2003.
- 140 Consultation with young Arab Muslims and Christians and non-Arab Muslims, Adelaide, 17 July 2003. Muslim lawyers group, Melbourne, 27 May 2003. Consultation hosted by Multicultural Community Services of Central Australia, Alice Springs, 5 June 2003.
- 141 Consultation with members of the Indonesian Muslim Community of Victoria, Monash University, 28 May 2003. Women only consultation hosted by the Office for Women's Policy, WA Department for Community Development, Perth, 30 June 2003. Consultation with young Muslim women, Brisbane, 17 June 2003. Islamic Women's Association of Queensland Senior Women's Respite Group, Brisbane, 17 June 2003.
- 142 Consultation with Iraqi refugees in rural Victoria, 30 May 2003. Consultation with students from Goulburn-Ovens TAFE at Shepparton (Victoria) hosted by Shepparton Ethnic Communities Council, Shepparton, 29 May 2003. Consultation with staff of the Northern Migrant Resource Centre Inc. (NMRC), Melbourne, 13 November 2003. Consultation with Iraqi refugee women hosted by the Shepparton Ethnic Communities Council at the Goulburn-Oven's TAFE, Shepparton 30 May 2003.
- 143 Arabic Workers' Network, Sydney, 29 April 2003.
- 144 Consultation with students from Goulburn-Ovens TAFE at Shepparton (Victoria) hosted by Shepparton Ethnic Communities Council, Shepparton, 29 May 2003.
- 145 See: HREOC, *New Country, New Stories: Discrimination and disadvantage experienced by people in small and emerging communities*, 1999.
- 146 Consultation with Iraqi refugees in rural Victoria, 30 May 2003. See also: Consultation with Migrant Resource Centre staff hosted by Canterbury-Bankstown, MRC, 27 August 2003.
- 147 Consultation with students from Goulburn-Ovens TAFE at Shepparton (Victoria) hosted by Shepparton Ethnic Communities Council, Shepparton, 29 May 2003.
- 148 Consultation hosted by ACT Human Rights Office and ACT Office of Multicultural Affairs, Canberra, 3 June 2003.
- 149 Maronite Youth Organisation at Our Lady of Lebanon Church, Sydney, 4 June 2003.
- 150 Consultation with young Arab men, Brisbane, 18 June 2003.

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- 151 Women only consultation hosted by the SA Equal Opportunity Commission, Adelaide, 17 July 2003.
- 152 Lebanese Community Council, Sydney, 4 September 2003.
- 153 Consultation with young Arab Muslims and Christians and non-Arab Muslims, Adelaide, 17 July 2003.
- 154 Australian Arabic Council, Melbourne, 28 May 2003. See also: Consultation with refugee women hosted by the Ecumenical Migration Centre, Melbourne, 26 May 2003.
- 155 Consultation with refugee women hosted by the Ecumenical Migration Centre, Melbourne, 26 May 2003.
- 156 Women only consultation hosted by the Office for Women's Policy, WA Department for Community Development, Perth, 30 June 2003.
- 157 Arabic Workers' Network, Sydney, 29 April 2003.
- 158 Muslim lawyers group, Melbourne, 27 May 2003.
- 159 UWS interview with 'Latifa', Sydney, 31 October 2003.
- 160 UWS interview with 'Latifa', Sydney, 31 October 2003.
- 161 See: Canberra Islamic Centre, Canberra, 1 June 2003; consultation hosted by WA Office of Multicultural Interests, Perth, 1 July 2003.
- 162 See: Muslim lawyers group, Melbourne, 27 May 2003.
- 163 See: Muslim lawyers group, Melbourne, 27 May 2003.
- 164 See: Canberra Islamic Centre, Canberra, 2 June 2003.
- 165 UWS interview with 'Khaled', 3 November 2003.
- 166 Canberra Islamic Centre, Canberra, 2 June 2003.
- 167 Muslim lawyers group, Melbourne, 27 May 2003.
- 168 UWS survey: 46% of survey respondents reported media vilification. 52% of respondents in NSW compared with 34% of respondents in Victoria reported media vilification. 53% of Muslims compared with 27% of non-Muslims reported media vilification.
- 169 *ibid.*
- 170 Consultations with NSW secondary students at three government schools, Sydney, August 2003. See also: Consultation with members of the Indonesian Muslim Community of Victoria, Monash University, 28 May 2003; Islamic Women's Association of Queensland Senior Women's Respite Group, Brisbane, 17 June 2003.
- 171 Islamic Council of Victoria, Melbourne, 26 May 2003.
- 172 Maronite Youth Organisation at Our Lady of Lebanon Church, Sydney, 4 June 2003.
- 173 Consultation with young Arab men, Brisbane, 18 June 2003. See also: Australian Arabic Council, Melbourne, 28 May 2003; consultation with Iraqi refugees in rural Victoria, 30 May 2003; Antiochian Community Support Association, Melbourne, 13 November 2003; Consultation with Arab young people hosted by Australian Lebanese Welfare Inc., Melbourne, 17 November 2003.
- 174 Consultation with Iraqi refugees in rural Victoria, 30 May 2003.
- 175 Lebanese Community Council, Sydney, 4 September 2003.
- 176 Consultation with Lebanese Muslim children and young people organised by the Lebanese Muslim Association, Sydney, 12 June 2003.
- 177 The Muslim Council of NSW, Sydney, 21 June 2003.
- 178 Australian Arabic Communities Council, Sydney, 10 June 2003.
- 179 Islamic Council of Victoria, Melbourne, 26 May 2003.
- 180 Women only consultation hosted by the Office for Women's Policy, WA Department for Community Development, Perth, 30 June 2003. See also: Consultation with Iraqi refugee women hosted by the Shepparton Ethnic Communities Council at the Goulburn-Oven's TAFE, Shepparton, 30 May 2003,
- 181 Consultation with Iraqi refugee women hosted by the Shepparton Ethnic Communities Council at the Goulburn-Oven's TAFE, Shepparton, 30 May 2003.
- 182 Tripoli and Mena Association Seniors' Group, Sydney, 15 October 2003.
- 183 Consultation with Iraqi refugee women hosted by the Shepparton Ethnic Communities Council at the Goulburn-Oven's TAFE, Shepparton, 30 May 2003.
- 184 Women only consultation hosted by the Office for Women's Policy, WA Department for Community Development, Perth, 30 June 2003.
- 185 Arabic Workers' Network, Sydney, 29 April 2003.
- 186 Consultation with Iraqi refugees in rural Victoria, 30 May 2003.
- 187 Canberra Islamic Centre, Canberra, 2 June 2003.

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- 188 United Muslim Women's Association, Sydney, 23 June 2003.
- 189 Consultation with young Arab Muslims and Christians and non-Arab Muslims, Adelaide, 17 July 2003.
- 190 Consultation with young Arab men, Brisbane, 18 June 2003. See also: Maronite Youth Organisation at Our Lady of Lebanon Church, Sydney, 4 June 2003; Consultations with NSW secondary students at three government schools, Sydney, August 2003; Consultation with Sydney University students, 9 October 2003.
- 191 United Muslim Women's Association, Sydney, 23 June 2003. See also: St George Lebanese Joint Committee Women's Group, Sydney, 11 April 2003; Islamic Council of NSW, Sydney, 10 June 2003; Tripoli and Mena Association Seniors' Group, Sydney, 15 October 2003.
- 192 Muslim lawyers group, Melbourne, 27 May 2003.
- 193 Women only consultation hosted by the Office for Women's Policy, WA Department for Community Development, Perth, 30 June 2003.
- 194 Consultation hosted by the WA Office of Multicultural Interests, Perth, 1 July 2003. See also: The Muslim Council of NSW, Sydney, 21 June 2003.
- 195 UWS interview with 'Ali', Melbourne, 10 December 2003.
- 196 Jenny Hocking, Counter-Terrorism and the Criminalisation of Politics: Australia's New Security Powers of Detention, Proscription and Control, *Australian Journal of Politics and History*, Volume 49, Number 3, 2003, pp 355-371.
- 197 Consultation with young Arab Muslims and Christians and non-Arab Muslims, Adelaide, 17 July 2003.
- 198 UWS interview with 'Melissa', Melbourne, 17 November 2003.
- 199 Consultation hosted by ACT Human Rights Office and ACT Office of Multicultural Affairs, Canberra, 3 June 2003. See also: Muslim Women's National Network of Australia, Sydney, 5 April 2003.
- 200 Consultation with Muslim women in northern Sydney, 26 June 2003.
- 201 UWS interview with 'Ameera', Melbourne, 10 December 2003.
- 202 Information from Australian Customs Service, 23 December 2003, and from federal Department of Transport and Regional Services, 23 December 2003.
- 203 Consultation hosted by the WA Office of Multicultural Interests, Perth, 1 July 2003.
- 204 Consultation with young Arab men, Brisbane, 18 June 2003. See also: Tripoli and Mena Association Seniors' Group, Sydney, 15 October 2003.

## Chapter 3. Impacts and responses

This chapter examines both the impacts of the experiences described in Chapter 2 on Arab and Muslim Australian communities and individuals and the variety of ways in which they have responded to the challenges posed by those experiences.

### 3.1 Impacts

#### 3.1.1 General impacts

The biggest impact of prejudice on Arab and Muslim Australians is a substantial increase in fear. 'Scared,' 'isolated,' 'uncomfortable,' 'vulnerable' and 'alienated' were words commonly used by consultation participants to describe individual responses to racial abuse and violence. Almost 80 percent of survey respondents reported that, since September 11, they are more worried or afraid of something bad happening to them personally because of their race, culture or religion.<sup>1</sup>

*Everywhere you go, you have this constant fear that someone's going to attack you, or you expect everywhere you go someone's going to be racist to you ...<sup>2</sup>*

In consultations, participants described feeling fearful and alienated.

*We are citizens of Australia not strangers. We just want security because we are not feeling safe or secure at all. We walk in the street and we are afraid; we go into train stations and we are afraid; wherever we go we are afraid.<sup>3</sup>*

*Muslim women are portrayed as being oppressed by their husbands but in fact we are being oppressed by the society where we can't feel comfortable wearing our hijab and practising our religion. People are fearing for their lives.<sup>4</sup>*

*After September 11, it felt like our home, which Australia has been our home for almost all of my life and definitely all of their lives [referring to children] was somehow not home anymore ... I've started feeling more like a foreigner.<sup>5</sup>*

One of the major findings of the UWS research report, *Living with Racism*, was this widespread sense of fear and alienation reported by Arab and Muslim Australian interviewees and survey respondents.<sup>6</sup>

### 3.1.2 Impacts on women

Women identified as Muslim by their dress were especially afraid of being abused or attacked in public. Many restricted their movements in public, spending much more time inside their homes.

*My experience is if something happens to me on the street, I stay in for one week.<sup>7</sup>*

*I used to always go down to the city as a day out with my kids but a year ago I was physically abused and since then I no longer step out of the house alone, not a train to the city or anything.<sup>8</sup>*

Many women reported seeking safety in numbers, relying on friends and relatives to escort them while shopping or walking in public places.

*My mother is proud of taking my older brother, who is 23 years old, out with her shopping and stuff. She feels its more protective.<sup>9</sup>*

*If I go to the beach I go with a large group of people, and we'll go to a beach that is well known, and is really busy, and there are lot of, I know this might sound racist, but there's a lot of Arabic or Muslim people there. You know at least if there are people there you feel safer.<sup>10</sup>*

Some Muslim women found that their desire to adopt the hijab increased after September 11. Others felt pressured by what they described as a steady stream of abuse and discrimination to remove it.

*I thought long and hard about taking the scarf off after September 11 like many women ... I remember within one hour of going out I had been spat on, had someone threaten me as if they were going to hit me, the shop assistant at Coles would swipe my card and would not look at me in the eye. I remember coming home crying my eyes out and asking myself, 'Do I take this scarf off?'<sup>11</sup>*

*People are always going to pick on you for being different. Why should I change for this handful of ignorant people and they will never be happy with me anyway? A lot of girls have taken the scarf off after September 11. It's sad because they [the perpetrators] have won. These handfuls of ignorant people have won and why should we cater for their needs?<sup>12</sup>*

*Living in Australia it makes me want to wear the hijab less and I shouldn't have to feel that way.<sup>13</sup>*

### 3.1.3 Impacts on children and young people

Understanding the implications of racist violence, discrimination and abuse for children and young people is especially important given the high proportion of youth in Arab and Muslim communities. Damaging impacts on children and youth were widely reported in consultations. Many young Arab and Muslim Australians felt stressed and alienated and had lost confidence in themselves and felt less trust in authority.

*Young people, even kids have turned against the system because they have been left feeling alienated and scared. Experiences in schools have particularly alienated them.<sup>14</sup>*

*It's pressure on the children, not only the adults and the veiled women.<sup>15</sup>*

One mother described how her six year old son is being bullied at his local state primary school, making him angry and withdrawn. He stays home from school, wants to return to his country of birth (Indonesia) and change his name (Mohammed) to disguise his religious identity.<sup>16</sup> Another mother said:

*My daughter is terribly affected and now wants to have blonde hair so other students will play with her. I could not face those mothers every day so I was forced to change schools. I still have negative experiences because they know I am Muslim. Other mothers don't want to socialise with me although I try very hard so that my daughter will have playmates but the mothers do not want their children to play with mine ...<sup>17</sup>*

Many parents, fearing for their children's safety at school, have removed them from public schools and have enrolled them instead in Islamic schools.

*I know of parents sending their kids from my area pulling them out of public schools and sending them a far distance to Islamic schools. Most of the women wear a hijab and they go to pick up their kids from school and remarks have been passed ... and the kids have been bullied.<sup>18</sup>*

*The parents are saying they are moving the kids to Islamic schools not for the better education and that's the tragedy. The kids have to be moved from one school to an Islamic school which may not be that good a quality. It's about safety.<sup>19</sup>*

*There is a security issue – lots of parents don't feel comfortable exposing their children to the stress of being teased so it's more likely they'll go to Islamic schools. A school shouldn't be like a boxing arena where the kids have to learn to fight back. We need to focus on education without having to justify our religion.<sup>20</sup>*

### Chapter 3: Impacts and responses

Fear, stress and anger were the most common reactions of young Arab and Muslim Australians to discrimination and vilification. Coping with these emotions can be especially difficult for young people developing their identities. A community-based counsellor has reportedly found that a growing number of Muslim girls are experiencing psychological problems as a result of discrimination. 'She talked to 13 girls in the last few months and six are suicidal due to their exposure to discrimination.'<sup>21</sup>

*A lot of young people are struggling and parents are saying 'We have our culture, but how can we pass it on to our children without them having to go through such a huge struggle?' We are creating a very angry generation who will eventually end up with psychological repercussions. I don't believe that anyone can endure this kind of pressure and come out feeling ok.'*<sup>22</sup>

Several young people reported feeling tired and frustrated by the constant pressure to explain their ethnic identity or justify their choice of dress.

*Everywhere you go and you have a new encounter with somebody new, 60% to 70% of your energy is putting in extra energy and effort to justify yourself. I can speak English; I am the most articulate person in the room; I am so well presented; I am educated; I am all this stuff. Why should you have to do that? You just can't concentrate on what you are there to do which is look for a job or study or whatever it is. You get sick of it.'*<sup>23</sup>

*If you wear the scarf you are representing the whole community. But we're not experts. We do not know everything about our religion. We always have to watch what we do and we always have to explain ourselves. Sometimes even if I make a little mistake they are like 'See she is a terrorist. Look what she does.'*<sup>24</sup>

*I'm sick of always having to justify my beliefs. I shouldn't have to. I don't make Jews or Christians justify their beliefs ...'*<sup>25</sup>

Some young people experienced frustration which caused them to occasionally lash out in anger.

*Sometimes when it gets really serious, like once I did something I regret ... she discriminated against me so bad, I used violence against her and I regret that.'*<sup>26</sup>

*They react violently. They've been abused a lot and the students have that limit.'*<sup>27</sup>

*I can see the students coming nearly every day to school and what they want is to let out their feelings to me in the classroom about what was news or on the front page ... 'Look, they are blaming the*

*Muslims again' or 'They are doing this' so they are all angry. I try to change the subject and say 'Look what happens outside, let's change it, don't get upset, it's the media' ... I can see the children being so angry. And it's really wrong because anger breeds anger and then violence ...*<sup>28</sup>

Young people frequently talked about the need to keep their anger in check to avoid a cycle of escalating violence and abuse.

*Take it in a calm way because [otherwise] people get more geed up...*<sup>29</sup>

*Don't retaliate. People believe that all Islam does is teach you violence, so it's important that people when they respond don't make themselves so noticeable.*<sup>30</sup>

Fear, not anger, was the more common response to discrimination and vilification by young Arab and Muslim Australians. Many young people expressed fears for their own personal safety and for the safety of their family members. Children were especially worried about violence or abuse directed towards their mothers.

*We're scared for ourselves and our family. How could I live my life if something happened to them?*<sup>31</sup>

*Women are the most important people in the world. I fear for my mum the most.*<sup>32</sup>

Some young people have also become more cautious and guarded in their personal relationships as a result of prevailing prejudices. One young woman explained how her experiences of racism feed her own prejudices making her mistrustful of people who are not Muslim.

*What I'm afraid of though is that it's breeding racism in me, where I don't feel safe with people who are not Muslim. Or I think if they're not Muslim they're going to be racist. I know mentally that they're not like that. I know there are a lot of good people ...*<sup>33</sup>

Several young Arab Australian men who participated in consultations described how they had become more cautious and guarded in their contacts with women since September 11 and particularly following reporting and media commentary on the gang rapes which occurred in south west Sydney in 2000.

*We were scared after September 11 and Bali ... and after the gang rapes meeting up with girls was hard. We had to watch our moves around a girl. It was hard to approach a girl. You had to be careful.*<sup>34</sup>

*[We] were having a friendly chat with these girls, and seriously it was just friendly chatting and it was out in the open in the public eye as*

*well and these police officers pulled up right beside them [in Parramatta Rd Sydney]. They ask 'Girls are you all right?' The girls say 'Yeah we're all right officer.' The cops ask 'Are you sure?' 'Yeah, we're all right.' They ask again 'Are you sure?' Something like six or seven times they asked them and then one of us said 'Yeah, they're all right officer.' And one of the cops said 'You shut your mouth mate.' It was like they were saying to the girls: just say the word and they're gone. They wanted to arrest us. They were waiting for the girls to say we were harassing them ... I don't think I've spoken to a girl without hesitating since.<sup>35</sup>*

The level of abuse against Muslim women in particular has also impacted on parental relationships. Some Muslim women who wear the hijab reported that their children did not want to be seen with them in public to avoid being harassed or having to defend their mothers from abuse.

*My son wanted to go watch the football but his brother didn't want to go with him because he doesn't like football. So I offered to go with him instead. My son was horrified. He said 'Yeah, I'm really going to take a veiled woman with me'. I only offered because I didn't want him to miss out but he refused because he said they'd all harass me.<sup>36</sup>*

### 3.1.4 Impacts on migrants and refugees

Around 160,000 Arab Australians were born overseas.<sup>37</sup> The majority of these Australians, particularly those born in Lebanon, Egypt and Syria, migrated to Australia in the 1970s and 1980s. More recently arrived migrants and refugees have come to Australia from Arabic-speaking countries such as Iraq, Sudan and Somalia. Approximately 180,000 Muslim Australians were also born overseas in the Middle East, Africa, Asia and Europe.<sup>38</sup> In recent years, there has been an increase in the number of Muslim migrants and refugees who have arrived from Afghanistan, Iraq, Bosnia-Herzegovina, Pakistan, Indonesia, Bangladesh and Malaysia.<sup>39</sup>

For many new arrivals, experiences of prejudice make it harder to negotiate the already difficult process of settling into a new country. However, some felt that this paled into comparison with the dangers they faced at home.

*They come out into this country to get the better life and they do. There are so many good things that they are experiencing being in Australia, they sort of just try and forget because they [incidents of racism] are not very important to them most of the time. Their focus is on something else, and sometimes these experiences can seem minimal compared to some things they have experienced before coming to Australia.<sup>40</sup>*

However, not all new arrivals felt so positive. Many felt alienated and isolated. Some were even contemplating moving elsewhere or returning to their countries of origin if possible.

*We feel very bad because we feel not welcome. We are considered second class citizens in this country ...*<sup>41</sup>

*It's very hard to live here. We came here to live in peace – we ran from our war to a war here. They promised us somewhere safe but where is the promise?*<sup>42</sup>

Even some long-term residents and citizens – people who had migrated to Australia decades ago – were contemplating leaving the country as they no longer felt welcome or at home.

*If someone has lived here for 30 years and has married his children off in Australia and even has grandchildren here, now after the September 11 incident where they have been stepping on Muslims, has anyone ever thought about leaving this country and going back to live in their own country? I know I have.*<sup>43</sup>

*I don't really feel like I belong. I don't want to live in a country where people automatically put you in the spotlight ... my country of origin shouldn't be something special ... When someone at work starts having this diatribe, criticism about the Middle East, or Arabs or Iraqis or Palestinians and linking it all together and making big generalisations ... it's not an exaggeration to say that at those moments I feel like 'what the hell am I doing in this country?'*<sup>44</sup>

Many refugees felt that Australian border control and immigration policies were the most serious form of discrimination. Consultation participants were asked about their experiences living in the Australian community, not specifically about their experiences in immigration detention. An investigation of the experiences of Arab and Muslim Australians in immigration detention was outside the scope of the IsmaU consultation process. However, some participants spoke about the impacts of immigration detention on their post-detention settlement experiences. Many also spoke about the difficulties posed by the temporary protection visa (TPV) system. The main issues they raised were uncertainty about whether individuals and families would be allowed to remain permanently in Australia and the lack of access to some services.

*I have made this my home and my children have made this their home too but it is difficult because we don't know when it will stop being our home; if we must find a new one.*<sup>45</sup>

*The difficult thing for us is that we are on TPVs for three years ... we all came by boat and there is no sense of stability or permanency. We were refugees who fled from Iraq to Iran and we never had a sense*

*of stability there. Now we come to Australia with our children – but it is useless for our children to learn here because of this, so they do other things and find work.<sup>46</sup>*

*Our children go to school and ask us all the time ‘What’s the point of going to school if we are going to leave here anyway?’<sup>47</sup>*

*Our biggest problem is the temporary protection visa. Yes we came here by boat which is against the regulations. But if Australia opened up its doors to us then we wouldn’t have come that way, especially with our children who are very young. Australia claims that it is a democratic country, but where is the democracy? What will solve a lot of our problems is getting rid of this visa . . . It abuses our rights as human beings and abuses our children’s rights also.<sup>48</sup>*

*The immigration policies are racist and that’s where it starts for us.<sup>49</sup>*

### 3.1.5 Impacts on communities

Discrimination and vilification have impacted on Arab and Muslim communities in two main ways. Some participants felt communities had turned inwards and become more insular in reaction to the real and perceived dangers ‘outside’. Others felt that divisions between communities, particularly between Christian and Muslim Arab Australians, had become more pronounced.

*I think actually that the Arab Christians these days want to separate themselves from the Arab Muslims. I think that there’s even racism within the Arab community. The Christians want to separate themselves from the Muslims and actually want to be known as Westerners and not as Arabs. They don’t want to be known as Arabs anymore.<sup>50</sup>*

*Before Iraq they [Arabic speakers and others from the Middle East, both Christian and Muslim] got on alright together. They were saying ‘We are all here. We all have the same reason that we left the country’. But especially now when there is no security in Iraq and some of them have a lot of problems from Iraq about their families, it’s started to get a little bit harder. They start talking about their religion now: Muslim and Christian.<sup>51</sup>*

## 3.2 Responses

Arab and Muslim Australians have responded to discrimination and vilification in a number of ways ranging from avoidance to making formal complaints.

### 3.2.1 Avoidance

Many consultation participants actively sought to avoid places or situations where they felt they might be targeted because of their race or religion.

*We're not taking holidays. We can't go anywhere. We feel out of place at the beach.*<sup>52</sup>

Many others have tried to shrug off and ignore abuse.

*I don't really pay attention to them because if you do they'll keep on doing it.*<sup>53</sup>

*I get called a 'dumb Lebanese' and I'm Egyptian, but I don't really get upset about it.*<sup>54</sup>

*If someone is game enough to see ten girls and start yelling abuse and carrying on, I was afraid that they might attack me, and rip my scarf off, or hurt someone, one of my other friends, and I didn't want it to escalate, so I just ignored them.*<sup>55</sup>

*I'm a little bit scared of pursuing my rights, like any other person. I don't want to pick fights in other words. If somebody does something wrong against me, I'd rather turn a blind eye and walk away ...*<sup>56</sup>

For some, abuse has become so commonplace that they have become desensitised. Many consultation participants reported that it was often too exhausting and time-consuming to respond to each and every incident and many cited the virtue of tolerance and restraint.

*Not everything we experience is big and there are many small things that happen that people don't take too seriously and the small things really don't matter sometimes.*<sup>57</sup>

*So much stuff has happened to us but now we are so used to it, so we might think we are being a bit paranoid and so that is why we might not want to speak out. ... We say to ourselves 'I'm not going to talk about this incident that happened on the train or when I was on my way to Uni or as I was walking'. We say ignore it and it will go away. For example, nobody knows what happens at schools. You tolerate your teachers and that is part of our practice. We respect and we tolerate even though they're in the wrong.*<sup>58</sup>

As a coping mechanism, some consultation participants literally 'switched off'.

*We used to sit down and watch TV and news 24/7. I don't even turn the TV on anymore. It's just sickening ...*<sup>59</sup>

*After September 11, Bali and the children overboard I stopped reading the [local newspaper]. It makes me feel as though the whole world is against me. I don't want to switch on the news ...*<sup>60</sup>

### 3.2.2 Speaking back

Not every consultation participant ignored or endured these experiences in silence. Some chose to confront the issue by answering back. Around 19 percent of survey respondents, for example, complained directly to the person or people responsible for racist abuse or discrimination.<sup>61</sup> One woman described how, after being mocked for wearing the hijab by a couple who said, 'A bit hot for that isn't it?' (referring to her hijab), she replied, 'Have you ever heard of slip, slop, slap?' The couple made no further comment to her. On another occasion, when asked by an old man in a shopping centre if she was a terrorist and carrying a bomb, the same woman responded with the equally ridiculous question, 'Are you a paedophile?'<sup>62</sup>

*The hijab makes me a target for sure, but I don't let people do things without me having my little response. If people have said stupid things to me [like] 'Go home terrorist!' I just say 'Are you talking to me? Is there something you'd like to say?' As soon as they realise I speak English and with an Australian accent, that's enough to shut them up ... I think a lot of people think Muslim women are really soft targets, that they can have their little power trip, say what they want to say, and the woman won't even understand what they're saying let alone respond. So when they're actually confronted back they find that quite intimidating.*<sup>63</sup>

Many young Muslim women have also challenged racism by 'speaking back'. A consultation participant in South Australia described how her young daughter fought a campaign to be accurately represented wearing her hijab in the annual school picture. The school had blacked out the young woman's hijab in the class photograph in an effort to make her blend in with the other non-Muslim girls. This attempt to literally erase her identity spurred both mother and daughter into action.

*I spoke to the photographer and he blamed the principal, and I spoke to the principal and he blamed the photographer. The principal in the end said 'Well, she stood out too much'. The uniform is brown and beige and what my daughter did, 'cos she's actually quite feisty, she went around and started a petition and this absolutely outraged the principal who called me at home and was so angry and said this was not going to continue. In the end I had to remove my daughter from the school.*<sup>64</sup>

### 3.2.3 Constructive engagement

Many individuals and community organisations have taken advantage of heightened interest in their culture and beliefs – both negative and positive – to create opportunities for providing information and fostering respect and understanding.

A Canberra mother described how becoming active at her son's school helped break down barriers with fellow parents and students. When her son first began school, other parents and children were not at all friendly. She felt that the fact she wore the hijab played a part in her and her son's social isolation. However, these relationships improved after she volunteered to run a craft class at the school during which she answered children's questions about her dress and religion.

*That one afternoon broke the ice – after that the kids would come up and start talking and the Mums would come up to me and say 'Hi how you going?'... So I think you need to start it young because they are just very accepting.<sup>65</sup>*

Another consultation participant turned what she could have perceived as workplace discrimination into a positive learning experience for her employer. As a new graduate in the legal profession, she was initially reluctant to wear the hijab to work. Once she had built up some professional experience and established trust with her employer, she felt more confident about wearing the hijab and gradually introduced the idea to her employer. To allay the firm's concerns, she took a photograph of herself in her hijab and gave it to one of the partners for consultation with the other partners. She was told, 'Look, I can't really say anything. You can go ahead and put it on if you like and see what happens'. She reported that the partners were initially uncertain about how clients would react and limited her direct contact with them. After a few months, however, they relaxed and she was given more client contact.

*Most people are just ignorant about it – they don't know how to react. The image that they have in their minds [of a woman in hijab] is just totally negative. When I prepared them for it I found it a really positive experience. They felt like they were part of the whole thing rather than just being forced to accept it.<sup>66</sup>*

### 3.2.4 Formal complaints

Despite reports from consultation participants and survey respondents that racist violence, abuse and discrimination escalated in the immediate aftermath of September 11, complaints to the Commission and to state and territory anti-discrimination agencies did not increase substantially. For example, in the two years prior to September 11 2001, the Commission received 31 complaints under the RDA from people who identified as being of Arab or of Middle Eastern background. This represented 6.5% of all complaints received during that period under the RDA.<sup>67</sup> In the two years after September 11, the number of complaints received dropped to 26, although this represented 8.7% of all complaints received during that period under the RDA.<sup>68</sup>

### Chapter 3: Impacts and responses

In relation to complaints alleging discrimination in employment on the basis of religion under the HREOC Act, for the two years prior to September 11 2001, the Commission received three complaints from people who identified themselves as Muslim. This represented 9.4% of all complaints of discrimination in employment on the basis of religion received during that period.<sup>69</sup> In the two years after September 11, the number of complaints received by people who identified themselves as Muslim increased to eight, which represented 30.8% of all complaints of discrimination in employment on the basis of religion received during that period.<sup>70</sup>

State and territory equal opportunity agencies also noted that, despite anecdotal reports from community organisations of a substantial increase in discrimination and vilification against Arab and Muslim Australians after September 11, few complaints or even telephone enquiries were received. Some agencies identified fear and mistrust as the main reasons why so few formal complaints were made.

*While we have heard media reports and stories external to the [South Australian] Equal Opportunity Commission about anti Arab and Muslim activities post September 11, this has not been reflected in our statistics ... Our contact with groups such as the Islamic Women's Association and the Islamic Students Association suggests that the failure of Arab people and Moslems to complain is due to a decision to remain inconspicuous and draw as little attention to themselves as possible.<sup>71</sup>*

*Frankly post September 11th this organisation [Anti-Discrimination Commission Queensland] knew a lot of vilification was going on. It went on and we heard about it, but people did not know us well enough or there was not enough trust there or the relationships were not strong enough for when they are feeling threatened to come and complain. It's my task to make sure that that doesn't happen in the future.<sup>72</sup>*

Available data from NSW police shows a sharp spike in reports of racially or religiously motivated incidents following September 11 and then a gradual tapering off in reporting. For example, in September 2001, the NSW Police recorded 196 incidents, including assault and malicious damage, where racial or ethnic prejudice was an associated factor.<sup>73</sup> This represented an almost 300% increase in the number of similar incidents reported in the August 2001 and was 20% higher than the number of incidents reported in October 2001.<sup>74</sup> This pattern of reporting was similar for incidents where religious prejudice was an associated factor. In September 2001, the NSW Police recorded 70 incidents where religious prejudice was an associated factor. This represented an almost 600% increase in the number of incidents recorded in August 2001 and was approximately 67% more than the number of incidents recorded in October 2001.<sup>75</sup>

Victoria Police reported that the number of racially or religiously motivated incidents pertinent to Arabs or Muslims were relatively few and continues to remain low.<sup>76</sup> No data on the number of racially or religiously motivated incidents following September 11 or the Bali bombings is available for Queensland, Tasmania, the Northern Territory or Western Australia.<sup>77</sup> The South Australia Police was made aware anecdotally of a range of hate mail and abusive telephone calls to mosques and individuals but none of these were formally reported.<sup>78</sup>

The Australian Federal Police (AFP) reported a number of incidents in the ACT such as property damage to the Canberra Islamic Centre and verbal abuse directed at attendees of the Canberra Mosque following September 11. Protective Security Intelligence (PSI) officers of the AFP also noted a number of incidents directed at Muslims around Australia. For example, in Melbourne, the Preston Mosque received anti-Islamic letters in October 2002, the Doncaster Mosque was firebombed on 17 October 2002 and a number of Muslims living in Melbourne's northern suburbs were verbally harassed. In Adelaide, PSI officers noted an arson attempt on the Windsor Gardens Mosque.<sup>79</sup>

Information gathered from IsmaU consultations, surveys and interviews indicated that Arab and Muslim Australians were more likely to report incidents of discrimination or vilification to their friends, family or local community organisations. These community organisations reported a sharp increase in calls for assistance particularly following September 11 and the Bali bombings. In the first week following September 11, the Sydney-based Australian Arabic Communities Council received 50 complaints of racist incidents on its 'Racism Register'. These complaints included concerns expressed by local Arab residents over a series of letters sent to them threatening violence unless they moved out of their neighbourhoods.<sup>80</sup> The Melbourne-based Australian Arabic Council recorded a 20-fold increase in reports of vilification made to their own Racism Register following September 11.<sup>81</sup> The Sydney-based United Muslim Women's Association was inundated with calls from women fearful of their own and their children's safety following September 11 and the Bali bombings. The organisation itself received abusive (and pornographic) phone calls, faxes, emails and mail.<sup>82</sup> The Adelaide-based Muslim Women's Association also experienced a dramatic increase in the number of calls for support as well as direct abuse.

*All the SA mosques, including our office and the people answering phones were bombarded with offensive language and even threats. Our social worker actually had people come to the office and verbally threaten her. She was quite frightened and we actually had to close the office for about two weeks because of that. It was directly after September 11, and we had another influx directly after Bali.<sup>83</sup>*

The information provided to the Commission by IsmaU survey respondents who participated in consultations and follow-up interviews helps to explain the

anomaly between the small number of formal complaints made to the Commission about racial and religious discrimination and the widespread anecdotal reports of discrimination and vilification from consultation participants, survey and interview respondents.<sup>84</sup> Arab and Muslim Australians have been disinclined to report incidents of racist violence, discrimination and vilification for a number of reasons including:

- fear of victimisation
- lack of trust in authority
- lack of knowledge about the law and complaint processes
- difficulty of complaint procedures
- unsatisfactory outcomes.

### 3.2.4.1 Fear of victimisation

Some consultation participants were afraid that complaining would expose them to even more discrimination and earn them the label of ‘troublemaker’.

*We don't say anything because we are scared that they [the teachers] will tell bad things about us if we complain.*<sup>85</sup>

*If you have a personal incident happen, the general tendency is that you want to put it behind you. Pursuing it can increase the discrimination.*<sup>86</sup>

*Once you complain you are victimised. You would never work again. Your name would be mud, especially in a small business community like Perth.*<sup>87</sup>

*We don't say anything to anyone about what happens to us because we are nervous about bringing attention to ourselves.*<sup>88</sup>

### 3.2.4.2 Lack of trust in authorities

Others expressed a lack of trust in equal opportunity agencies such as the Commission, and didn't necessarily differentiate between the Commission and government.

*We are reluctant to complain to the same people who make the laws that treat us in this way.*<sup>89</sup>

*There isn't much trust in the system that's saying 'Report to us.'*<sup>90</sup>

*Together with many Muslims in the community, we feel that the government has taken a backward stance [by joining the coalition forces in Iraq] ... we feel that it's very much a war against Islam. Therefore, a number of Muslims in the community are not coming forward ... what is the point?*<sup>91</sup>

Lack of trust in the responsiveness, reliability and independence of the police was often cited as a reason for not reporting incidents of discrimination or vilification. In some cases, people's mistrust stemmed from negative experiences with police in their countries of origin.

*The feedback is that the communities do not feel comfortable with police because of their experiences back home.<sup>92</sup>*

*I found many people are talking to me about their experiences and they say 'Please don't tell anyone'. Some people are afraid. They're frightened because of where they come from. In Iraq we do not have the right to complain.<sup>93</sup>*

Many were exasperated at the lack of action on complaints made to police and felt that their concerns had not been treated seriously.

*... none of them feel confident to go into the police to discuss it. No matter what I say, no-one will just go. They don't feel that they would get justice by talking to them.<sup>94</sup>*

*A Lebanese friend made a serious complaint about an incident to the police and he was humiliated left, right and centre. Nobody did anything.<sup>95</sup>*

Consultation participants reported that they were more likely to discuss their experiences informally with family, friends or people they trust in local community organisations.

*Since September 11 a lot of cases of discrimination and complaints have come to the group and not to police or other authorities as a result of fear ... Women complain to other women's organisations more than they complain to the Islamic Council of Victoria, but they were the ones that had the helpline. It won't work like that.<sup>96</sup>*

*Even when there are problems in the community, people tend to try and solve it in-house by going to the Imam or going elsewhere.<sup>97</sup>*

*[Following September 11] the Muslim Women's Association received a large increase in phone calls from anxious mothers and we advised them to call the [NSW Community Relations Commission] hotline. But everyone refused because of the fact that nothing is being done and they didn't want to cause more trouble.<sup>98</sup>*

### 3.2.4.3 Lack of awareness of laws and complaints processes

In many consultations, participants reported that they had little knowledge about Australian anti-discrimination laws or how to access complaint processes.<sup>99</sup> They reported a similar lack of awareness about internal complaints procedures for government service providers such as Centrelink, police and education authorities.

*A lot of first generation Muslims, their English isn't that great and they don't know the processes [to complain] or feel comfortable with them.<sup>100</sup>*

*We've got to look at what you can complain about and who to go to. It's not just the police. There are other people and that's what you've really got to make people aware of – especially people who don't really speak English. I don't think they really know where to go if they've been discriminated against.<sup>101</sup>*

However, several participants cautioned that increasing awareness about anti-discrimination laws would not automatically encourage more Arab and Muslim Australians to complain. For example, New South Wales Ethnic Community Liaison Officers had little success in encouraging Muslims to report incidents of vilification to police despite broadcasting public information advertisements on two local community radio stations.<sup>102</sup> The NSW Anti-Discrimination Board helped increase awareness of the state's anti-discrimination laws in a six month Arabic and Islamic community education initiative. While the overall response to the program from community members was positive, doubts remained amongst some community members about whether the agency would take their concerns seriously and be able to deal effectively with complaints.<sup>103</sup>

*I know who to complain to, but I know they won't do anything. I know they'll be complacent or they'll name a legislation that gives a loophole for a person to escape ... sometimes knowledge is what gives you the pain and makes you unproductive because you can't do anything with that knowledge – no one wants to listen ...<sup>104</sup>*

#### **3.2.4.4 Difficulty in making a complaint**

Even when equipped with knowledge of the various federal and state anti-discrimination laws and complaints processes, consultation participants felt that accessing these laws was daunting.

*People do not want to take it to court. They are worried about the time it is going to take, the fact that they are probably going to have a newspaper column written about them and that it might even make the news. Who would want to go through that? And why do that when you probably go through that every day, every week?<sup>105</sup>*

In several consultations, participants argued that federal and state anti-discrimination agencies including the Commission should be able to initiate complaints on behalf of victims of discrimination or vilification rather than wait for aggrieved individuals to bring forward complaints. The fear of victimisation and the drain on personal resources and time all discourage individuals from coming forward to complain.

*Organisations like HREOC have no power to initiate complaints on behalf of clients ... we are marginalising people more if you don't allow organisations to take up complaints on their behalf.*<sup>106</sup>

*Generally, HREOC and similar agencies respond to complaints. That's reactive rather than proactive. Part of HREOC's role is to identify incidents of discrimination. HREOC should not just wait for someone to raise a complaint. For example, it doesn't take much effort to monitor some of the rubbish that you hear on talkback radio.*<sup>107</sup>

### 3.2.4.5 Unsatisfactory outcomes

One-third of survey respondents reported that they had not made formal complaints about discrimination or vilification because they did not think anything useful would come of it.<sup>108</sup> Several consultation participants agreed with this sentiment. Following September 11, a young Muslim woman reported being teased incessantly by a group of male students at her high school. She complained about the abuse to her school Guidance Officer who offered to counsel and discipline the perpetrators and make an announcement discouraging bullying at an assembly. However, she stated that she did not want to take the matter any further for fear of retribution and lack of confidence in positive outcomes.

*I don't feel that I could go and complain about any of it because I just feel that no-one will take me seriously and what's going to be done is going to take a lot of time, a lot of headache and I just don't want to go out of my way just for a bad outcome.*<sup>109</sup>

Many other participants felt that little could be achieved through formal complaints processes.

*People generally do not want to report incidents as they happen so often and it is not worth it.*<sup>110</sup>

*There is not much you [i.e. HREOC] can do, that if someone gives me a dirty look or makes me feel intimidated or uncomfortable; but if I come to you, I don't think that you're going to say 'Look, we will be fixing that situation up and it is never going to happen again'. Nobody can give us this reassurance.*<sup>111</sup>

In the following chapter, we examine responses by government and community organisations to help address the problem of discrimination and vilification against Arab and Muslim Australians and allay some of the more serious and harmful impacts on members of these communities.

### Endnotes

- 1 UWS Survey: 41% of survey respondents were 'a lot more' worried or afraid of something bad happening to them since 11 September 2001; 38% were 'a bit more' worried or afraid; 12.7% felt the same level of worry or fear as before 11 September 2001 and 8% felt less worried or afraid.
- 2 UWS interview with 'Latifa', Sydney, 31 October 2003.
- 3 Tripoli and Mena Association Seniors' Group, Sydney, 15 October 2003. See also, for example: Arabic Workers' Network, Sydney, 29 April 2003; Canberra Islamic Centre, Canberra, 2 June 2003; Women only consultation hosted by the Office for Women's Policy WA Department for Community Development, Perth, 30 June 2003; Consultation with Arab community members, Melbourne, 15 November 2003.
- 4 Women only consultation hosted by the Office for Women's Policy, WA Department for Community Development, Perth, 30 June 2003.
- 5 UWS interview with 'Alya', Melbourne, 17 November 2003.
- 6 The UWS report *Living with Racism* is available at: [http://www.humanrights.gov.au/racial\\_discrimination/isma/research/index.html](http://www.humanrights.gov.au/racial_discrimination/isma/research/index.html)
- 7 Consultation with Muslim women in northern Sydney, 26 June 2003.
- 8 United Muslim Women's Association, Sydney, 23 June 2003.
- 9 Consultations with NSW secondary students at three government schools, Sydney, August 2003.
- 10 UWS interview with 'Latifa', Sydney, 31 October 2003. See also: Horn of Africa Senior Women's Program, Melbourne, 13 November 2003.
- 11 Women only consultation hosted by the SA Equal Opportunity Commission, Adelaide, 17 July 2003.
- 12 Women only consultation hosted by the SA Equal Opportunity Commission, Adelaide, 17 July 2003.
- 13 Consultations with NSW secondary students at three government schools, Sydney, August 2003.
- 14 Muslim Women's National Network of Australia, Sydney, 5 April 2003.
- 15 Consultation with Arab Muslim women hosted by the Islamic Women's Welfare Council of Victoria, 12 November 2003.
- 16 Consultation with Muslim women in northern Sydney, 26 June 2003.
- 17 Women only consultation hosted by the Office for Women's Policy, WA Department for Community Development, Perth, 30 June 2003.
- 18 The Muslim Council of NSW, Sydney, 21 June 2003.
- 19 The Muslim Council of NSW, Sydney, 21 June 2003.
- 20 Islamic Council of Victoria, Melbourne, 26 May 2003.
- 21 Forum on Australia's Islamic Relations, Sydney, 10 September 2003.
- 22 Consultation hosted by Illawarra Ethnic Communities Council, Wollongong, 9 August 2003.
- 23 United Muslim Women's Association young women's group, Sydney, 7 June 2003.
- 24 United Muslim Women's Association young women's group, Sydney, 7 June 2003.
- 25 Consultations with NSW secondary students at three government schools, Sydney, August 2003.
- 26 Consultations with Lebanese Muslim children and young people organised by the Lebanese Muslim Association, Sydney, 12 June 2003. See also: Consultations with NSW primary school students (Years 5 and 6) at three Sydney public schools, August 2003; Consultations with NSW secondary students at three government schools, Sydney, August 2003.
- 27 United Muslim Women's Association, Sydney, 23 June 2003.
- 28 Consultations with NSW Teachers, Anti-Racism Contact Officers (ARCOs) and Community Information Officers (CIOs), Sydney, August 2003.
- 29 Consultations with NSW secondary students at three government schools, Sydney, August 2003.
- 30 Consultations with NSW secondary students at three government schools, Sydney, August 2003.
- 31 Consultations with NSW secondary students at three government schools, Sydney, August 2003.
- 32 Consultations with NSW secondary students at three government schools, Sydney, August 2003.
- 33 UWS interview with 'Latifa', Sydney, 31 October 2003.
- 34 Consultations with NSW secondary students at three government schools, Sydney, August 2003.
- 35 Consultation with young Arab men, Brisbane, 18 June 2003.
- 36 Consultation with Arab Muslim women hosted by Islamic Women's Welfare Council of Victoria, Melbourne, 12 November 2003.
- 37 Australian Bureau of Statistics, *Census of Population and Housing, 2001*. Special data service.
- 38 *ibid.*

- 39 Department of Immigration and Multicultural and Indigenous Affairs, *Immigration Update*, November 2003.
- 40 Consultation with refugee women hosted by the Ecumenical Migration Centre, Melbourne, 26 May 2003.
- 41 UWS interview with 'Inaas', Sydney, 11 October 2003.
- 42 Women only consultation hosted by the Office for Women's Policy, WA Department for Community Development, Perth, 30 June 2003.
- 43 Tripoli and Mena Association Seniors' Group, Sydney, 15 October 2003.
- 44 UWS interview with 'Kefah', Melbourne, 14 November 2003.
- 45 Consultation with Afghan Elderly Men's Group hosted by Service for the Treatment and Rehabilitation of Torture and Trauma Survivors (STARTTS), Sydney, 1 July 2003.
- 46 Consultation with Iraqi refugee women hosted by the Shepparton Ethnic Communities Council at the Goulburn-Oven's TAFE, Shepparton, 30 May 2003.
- 47 Consultation with Iraqi refugee women hosted by the Shepparton Ethnic Communities Council at the Goulburn-Oven's TAFE, Shepparton, 30 May 2003.
- 48 Consultation with Iraqi refugee women hosted by the Shepparton Ethnic Communities Council at the Goulburn-Oven's TAFE, Shepparton, 30 May 2003.
- 49 Consultation with Iraqi refugees in rural Victoria, 30 May 2003.
- 50 Consultation with young Arab men, Brisbane, 18 June 2003. See also: Lebanese Community Council, Sydney, 4 September 2003.
- 51 Australian Arabic Council, Melbourne, 28 May 2003.
- 52 Islamic Council of NSW, Sydney, 10 June 2003.
- 53 Consultation with NSW primary school students (Years 5 and 6) at three Sydney public schools, August 2003.
- 54 Consultations with NSW secondary students at three government schools, Sydney, August 2003.
- 55 UWS interview with 'Latifa', Sydney, 31 October 2003.
- 56 UWS interview with 'Joseph', Melbourne, 13 November 2003.
- 57 Consultation with refugee women hosted by the Ecumenical Migration Centre, Melbourne, 26 May 2003.
- 58 United Muslim Women's Association young women's group, Sydney, 7 June 2003.
- 59 Consultation with young Arab Muslims and Christians and non-Arab Muslims, Adelaide, 17 July 2003.
- 60 Women only consultation hosted by the Office for Women's Policy, WA Department for Community Development, Perth, 30 June 2003.
- 61 UWS survey: 19.5% of respondents complained directly to the person or persons responsible for a racist incident.
- 62 UWS interview with 'Alya', Melbourne, 17 November 2003.
- 63 UWS interview with 'Alya', Melbourne, 17 November 2003.
- 64 Women only consultation hosted by the SA Equal Opportunity Commission, Adelaide, 17 July 2003.
- 65 Canberra Islamic Centre, Canberra, 2 June 2003.
- 66 Muslim lawyers group, Melbourne, 27 May 2003.
- 67 The Commission received 480 complaints under the RDA for this period.
- 68 The Commission received 296 complaints under the RDA for this period.
- 69 The Commission received 32 complaints under the ILO 111 provisions of the HREOC Act for this period.
- 70 The Commission received 26 complaints under the ILO 111 provisions of the HREOC Act for this period.
- 71 Letter from Linda Matthews, South Australian Equal Opportunity Commissioner, dated 12 September 2002, quoted with permission.
- 72 Queensland Anti-Discrimination Commissioner, Susan Booth, in opening remarks at Consultation hosted by Anti-Discrimination Commission Queensland (ADCQ) and Multicultural Affairs Queensland (MAQ), Brisbane, 16 June 2003.
- 73 Information provided by NSW Police, 24 February 2004.
- 74 Information provided by NSW Police, 24 February 2004.
- 75 Information provided by NSW Police, 24 February 2004.
- 76 Information provided by Victoria Police, 3 December 2003.

### Chapter 3: Impacts and responses

- 77 Information provided by Western Australian Police Service, 15 January 2004. Northern Territory Police, 17 November 2003. Tasmania Police, 10 November 2003. Queensland Police Service, 12 November 2003.
- 78 Information provided by South Australia Police, 15 January 2004.
- 79 Information provided by Australian Federal Police, 9 February 2004.
- 80 Information from Australian Arabic Communities Council, 5 February 2004.
- 81 Information from Australian Arabic Council, 17 November 2003.
- 82 Information provided by Muslim Women's Association, 2 February 2004.
- 83 Women only consultation hosted by SA Equal Opportunity Commission, Adelaide, 17 July 2003.
- 84 See: Consultation hosted by ACT Human Rights and ACT Office of Multicultural Affairs, Canberra, 3 June 2003; Consultation hosted by the SA Equal Opportunity Commission, Adelaide, 16 July 2003; Al Zahra Muslim Women's Association, Sydney, 23 April 2003; Consultation hosted by the Anti-Discrimination Commission of Queensland (ADCQ) and Multicultural Affairs Queensland (MAQ), Brisbane, 16 June 2003; Women only consultation hosted by the SA Equal Opportunity Commission, Adelaide, 17 July 2003; Islamic Council of Victoria, Melbourne, 26 May 2003; Australian Arabic Council, Melbourne, 28 May 2003; Consultation hosted by the WA Office of Multicultural Interests, Perth, 1 July 2003.
- 85 Consultations with NSW primary students (Years 5 and 6) at three Sydney public schools, August 2003. See also: St George Lebanese Joint Committee Women's Group, Sydney, 11 April 2003.
- 86 Muslim lawyers group, Melbourne, 27 May 2003.
- 87 Consultation hosted by the WA Office of Multicultural Interests, Perth, 1 July 2003.
- 88 United Muslim Women's Association, Sydney, 23 June 2003.
- 89 Consultation hosted by the WA Office of Multicultural Interests, 1 July 2003.
- 90 Lebanese Community Council, Sydney, 4 September 2003.
- 91 UWS interview with 'Ameera', Melbourne, 10 December 2003.
- 92 Consultation hosted by ACT Human Rights and ACT Office of Multicultural Affairs, 3 June 2003. See also: Women only consultation hosted by the Office for Women's Policy, WA Department for Community Development, Perth, 30 June 2003; Tripoli and Mena Association Seniors' Group, Sydney, 15 October 2003.
- 93 Australian Arabic Council, Melbourne, 28 May 2003.
- 94 Lebanese Community Council, Sydney, 4 September 2003.
- 95 Consultation hosted by the South Australian Equal Opportunity Commission, Adelaide, 16 July 2003.
- 96 Consultation with Islamic Girls/Women's Group Inc., hosted by the Victorian Department of Human Services, Melbourne, 28 May 2003.
- 97 Muslim lawyers group, Melbourne, 27 May 2003.
- 98 Islamic Council of NSW, Sydney, 10 June 2003.
- 99 Arabic Workers' Network, Sydney, 29 April 2003.
- 100 Muslim lawyers group, Melbourne, 27 May 2003.
- 101 Lebanese Community Council, Sydney, 4 September 2003.
- 102 NSW Police Ethnic Community Liaison Officers, Sydney, 9 April 2003.
- 103 NSW Anti-Discrimination Board, *Annual Report 2002-03*, page 30.
- 104 UWS interview with 'Zahra', Sydney, 18 October 2003.
- 105 Australian Arabic Council, Melbourne, 28 May 2003.
- 106 Arabic Workers' Network, Sydney, 29 April 2003.
- 107 Islamic Council of NSW, Sydney, 10 June 2003.
- 108 UWS Survey: 33% of survey respondents indicated that they did not report incidents of racism, abuse or violence because they did not think anything useful would come of it.
- 109 Consultation with young Muslim women, Brisbane, 17 June 2003.
- 110 Consultation hosted by Tasmanian Anti-Discrimination Commission, Hobart, 14 June 2003.
- 111 Consultation hosted by Illawarra Ethnic Communities Council, Wollongong, 9 August 2003.



## **Chapter 4. Current strategies**

The Commission investigated existing initiatives that address anti-Arab or anti-Muslim prejudice at a local, state and federal level across Australia. Information was requested about current initiatives from seven federal government agencies, 37 state and territory government agencies (including education and police authorities), 83 local governments (mostly in areas with substantial Arab or Muslim populations) and 14 non-government and community organisations. Additional information about current strategies was also obtained via the consultation process and from 53 separate meetings with government agencies, community organisations and select individuals.

This chapter provides an overview of recent initiatives to address the issues summarised in the preceding chapters. We describe examples of both short-term crisis responses and longer term strategies to eliminate discrimination and vilification of Arab and Muslim Australians. A more comprehensive review of the many projects undertaken by governments and community organisations across Australia is available on the Commission's website.<sup>1</sup>

### **4.1 Crisis responses**

As noted in previous chapters, from about the middle of 2000, Arab and Muslim Australians have been subjected to public attention and debate as a result of events both within Australia and internationally. As documented in Chapter 3, many people reported experiencing various forms of retaliation following these events. This was also foreseeable as a similar situation unfolded during the first Gulf War in 1991.<sup>2</sup> The need for a comprehensive and immediate crisis response to deflect the worst of the backlash and limit its duration was clear. This Commission identified six objectives for a comprehensive response to crises threatening the safety and security of Arab and Muslim Australians. Responses were needed to:

1. promote positive public awareness about Arab and Muslim Australians
2. show support and solidarity with communities under attack
3. protect the safety of Muslim and Arab communities
4. empower Muslim and Arab communities to tackle issues affecting them
5. ensure complaints about discrimination and vilification are treated seriously
6. challenge stereotyping, discrimination and vilification.

These objectives were broadly endorsed by state and territory anti-discrimination and equal opportunity commissioners at a meeting in Sydney in October 2002 and again by the IsmaU reference group at its first meeting in March 2003. This chapter documents a range of initiatives to meet some of these objectives which have been introduced by governments and community groups in recent years.

### 4.1.1 Federal government

#### 4.1.1.1 Public statements

Following the attacks of September 11, key federal government representatives called for 'tolerance' in an effort to quell any potential backlash against particular communities. Three days after the attacks in New York, the then Minister for Immigration and Multicultural and Indigenous Affairs, Philip Ruddock, explicitly condemned scapegoating of Arab and Muslim Australians.

*Regrettably, there have been reports to my office and my department that Australian Muslim and Arabic communities are being subjected to violence and vilification because of this ridiculous notion that they are somehow associated with the dreadful events in the USA ... I regret and condemn the incidents directed against Australian Muslims, including abusive language and threats of violence. Such incidents merely play into the hands of those, like terrorists, who do not share civilised democratic values.<sup>3</sup>*

In a radio interview on 22 September 2001, the Prime Minister also spoke out and asked Australians not to allow 'our natural anger at the extremes of Islam, which have been manifested in the attack on the World Trade Center... to spill over to Islamic people generally'.<sup>4</sup> Later the Prime Minister visited the Preston Mosque in Melbourne and reassured Muslims that they deserve the respect and tolerance owed to all Australians.<sup>5</sup>

Public statements made by members of the federal government following the Bali bombings in 2002 and during the war on Iraq in 2003 repeated many of the key themes first expressed after September 11: the war against terrorism is not a war against Islam;<sup>6</sup> moderate Muslims should not be vilified because of the actions of Islamic extremists;<sup>7</sup> diversity need not be promoted at the expense of unity and community harmony.<sup>8</sup>

According to consultation participants this strategy was not entirely successful. Many participants were critical of the lack of support they felt the community received from senior politicians. Many argued that Australia's domestic policies such as those on border protection, immigration detention and international activities such as the war on Iraq contradicted and therefore undermined those statements of support which were offered.<sup>9</sup>

#### 4.1.1.2 Community relations strategy

Public statements of support from senior federal politicians were part of a broader community relations strategy developed and coordinated by the Department of Immigration and Multicultural and Indigenous Affairs (DIMIA) in the wake of September 11. The strategy aims to address any potential threat to community harmony by:

- *Keeping the whole Australian community informed and reassured;*
- *Preventing the legitimisation of fundamentalist views that promote community disharmony;*
- *Giving affected communities their own voice; and*
- *Conveying to affected communities that the government will listen to community concerns and inform communities about the actions of Government.*<sup>10</sup>

The strategy includes engagement by the Minister for Citizenship and Multicultural Affairs and DIMIA with leaders of affected communities and their constituents.<sup>11</sup> It also involves consultation with the Council for Multicultural Australia and all Commonwealth agencies through an Interdepartmental Committee on Multicultural Affairs.<sup>12</sup>

One of the members of this Interdepartmental Committee is Centrelink, the main federal government agency responsible for payment of social security benefits. Like other members of the Interdepartmental Committee, Centrelink was expected to develop a crisis response for its Arab and Muslim staff and clients. Within days of September 11, Centrelink's Chief Executive Officer wrote to all 24,000 staff urging them to treat staff and customers sensitively. Centrelink's network of Multicultural Services Officers (MSOs) was asked to obtain local feedback about customer and staff experiences and offer support. A national network of MSOs and other key staff was established to monitor emerging issues and exchange information. This group reported low level incidents of abuse directed at Muslim and Arab staff and customers, most of which occurred away from Centrelink offices.<sup>13</sup> Centrelink also responded to reports that some female clients feared for their safety in public by arranging for them to use the service at alternative locations where they would feel more secure.<sup>14</sup> The strategy of engaging with local communities and ensuring the safety of customers and staff and continuity of service was reactivated following the Bali bombings and during the Iraq war.<sup>15</sup>

#### 4.1.2 State and territory governments

State and territory governments responded to the events of September 11, the Bali bombings and the war on Iraq by introducing measures to show support and solidarity with communities under threat, ensure complaints about discrimination and vilification would be treated seriously and protect Arab and

## Chapter 4: Current strategies

Muslim communities from any racist backlash.<sup>16</sup> Select examples of different strategies employed by various state and territory governments follows.

Premiers around the country rallied to support communities affected by racism by organising interfaith gatherings, meeting with leaders of Arab and Muslim communities and issuing statements calling for public calm.

### Public statements

For example, immediately after September 11, the Queensland Premier called for understanding and acceptance of cultural and religious diversity and condemned the firebombing of the Kuraby Mosque in Brisbane.<sup>17</sup> He also met with the leaders of Queensland's Muslim community to reassure them that the government would protect their safety and guarantee their right to practice their religion without fear of reprisal. To ensure these objectives were supported by the whole Queensland Government, the Premier wrote to all Ministers and the Director-General of the Department of Premier and Cabinet (who in turn wrote to all Queensland government departmental heads) urging them to promote positive community relations at every opportunity. The Queensland Government responded to the Bali bombings in October 2002 and the Iraq war in 2003 with the same kinds of messages and community engagement strategies it had used following September 11.<sup>18</sup>

Other states and territories with significant numbers of Arab and Muslim Australians responded with similar initiatives.

### Interfaith events

The NSW Government organised an interfaith assembly which brought together leaders of all major religions with government officials to condemn terrorism and publicly support Australia's cultural diversity.<sup>23</sup> The Victorian Premier also coordinated a multi-faith gathering to mourn those killed in the September 11 attacks and publicly promote tolerance and harmony. More than 15,000 Victorians attended this gathering held on 20 September 2001.<sup>24</sup>

### Working with media

In Victoria and Western Australia the respective state Premiers sought to engage the media to promote multicultural values, support for affected communities and challenge negative stereotyping. In Victoria, on 6 December 2001, Premier Bracks, launched a television advertisement campaign promoting racial harmony. The advertisements featured 'ordinary' Victorians from a wide range of cultures, religions and backgrounds espousing the need for tolerance and respect for diversity. The advertisements were part of a broader education campaign to introduce Victoria's *Racial and Religious Tolerance Act 2001*. They were screened for six months free to air as a community service announcement by all television networks in Melbourne and regional Victoria and were reprinted in the lead up to the Iraq war in March 2003.<sup>25</sup> In Western Australia, Premier Gallop arranged a

meeting between local television news editors and Muslim community leaders to encourage information exchange and build relationships that would encourage fair and accurate reporting about Islam and the Muslim community.<sup>26</sup>

### **Hotlines**

To enable community members to report incidents of abuse and discrimination, several state governments established telephone hotlines. The NSW Community Relations Commission for a Multicultural NSW set up a telephone hotline to assist Arabic and Punjabi speaking communities experiencing racial hatred. The hotline ran initially from 13 September to 5 October 2001 and received 400 calls in this period. It was discontinued after five weeks when calls tapered off significantly. It was re-established following the Bali bombings in October 2002 and again in response to the escalation of hostilities in Iraq.<sup>27</sup> The prompt establishment of the NSW hotline may explain, in part, why it received more calls than hotlines set up in Victoria and Queensland. The Queensland hotline, which was established in October 2001, received only 16 calls in three months of operation. None of the calls came from the Muslim community and none were related to September 11.<sup>28</sup> The Victorian 'Help Line', also established in October 2001, received approximately 30 calls in three months of operation, most of which related to disputes between neighbours and random abuse.<sup>29</sup>

### **Departmental directives**

State and territory education department heads and Police Commissioners played a pivotal role in reassuring communities about safety and security. For example in NSW, as in many other states and territories, the Director-General of Education issued memorandums to school principals about strategies and resources to help affected students and staff following September 11, the Bali bombings and the war in Iraq.<sup>30</sup> Following the start of the war on Iraq, the Victoria Police issued formal operating instructions to police on how to respond more effectively to racially or religiously motivated incidents. The Victoria Police, in cooperation with representatives of communities identified as vulnerable to vilification (including Arab and Muslim communities), also established a register to record racially or religiously motivated crimes.<sup>31</sup>

### **Community consultation**

Involving communities affected by racism in the development and implementation of strategies was also important for state and territory governments. Following September 11, the Victorian Multicultural Commission moved quickly to coordinate a working group of representatives from Arab and Muslim communities, together with representatives from state education, immigration, police, multicultural and anti-discrimination bodies to monitor ongoing developments and improve responses.<sup>32</sup> Following the Bali bombings, the New South Wales and Queensland governments both established committees to develop faster, more coordinated responses to community unrest in the wake of international events.<sup>33</sup>

## Chapter 4: Current strategies

From mid-October 2002 until August 2003, the NSW Community Relations Commission convened a Community Harmony Reference Group to foster communication between government and the parts of the community likely to be affected by this unrest. The group consisted of 45 leaders from Muslim, Jewish, Arab, Iraqi, Turkish, Indonesian and Sikh communities along with representatives from NSW government agencies, advisors to the Premier and senior representatives from the Anglican and Uniting Churches. A major outcome was the Community Relations Crisis Management Plan which details the protocols and procedures to be followed in the event of an incident locally or overseas which may impact on community relations.<sup>34</sup>

The Western Australian Government developed a similar plan in the wake of the war on Iraq and convened a 'Community Relations Council' in 2003 to implement the plan. This Council comprised representatives of key government, community and non-government organisations including Muslim and Sikh associations and Migrant Resource Centres. One of this Council's initiatives, the brochure 'Racial Abuse is Wrong' (in English, Arabic and Hindi), includes contact details of relevant government and community service agencies for people likely to be targets of intimidation and violence.<sup>35</sup>

### 4.1.3 Local governments

Some local governments have provided moral and practical support to local residents affected by international events during crisis periods. Local governments in areas with relatively high concentrations of Muslim or residents of Arabic speaking backgrounds, particularly in Victoria, have been most active. Some examples of initiatives undertaken by local Councils follow.

#### Moreland

Moreland in Victoria has over 9,000 Muslim and 8,000 Arabic-speaking residents. On 19 September 2001, Moreland City Council convened a meeting to discuss the impacts of the September 11 attacks on the local community. The meeting was attended by local Muslim leaders, service providers, neighbouring Councils and members of the Moreland Interfaith Gathering (which includes representatives of Muslim, Sikh, Buddhist, Catholic, Anglican, Greek Orthodox, Indian and Eastern Orthodox religions). The group released a joint statement condemning the attacks and calling on people to uphold values of respect, dignity and social justice. The Moreland Mayor also announced the development of an education and awareness strategy for schools and the wider community to address the potential impact of racism on the local community.<sup>36</sup>

#### Hume

Hume, also in Victoria, is home to over 15,000 Muslim and 6,000 Arabic-speaking residents. With over 2,000 Iraqi-born residents, Hume City Council was particularly

concerned about the impacts of the Iraq war on local residents. In April 2003, the Hume City Council convened a working group of local community representatives, community organisations, government agencies and religious leaders to address the local impact of the war. The working group met on several occasions to develop strategies to respond to current community concerns about how to contact family members in Iraq, and ensure access to information about available support services for individuals and families traumatised by events in Iraq.<sup>37</sup>

### **Greater Dandenong**

The City of Greater Dandenong (Victoria) has over 8,000 Muslim and 2,000 Arabic-speaking residents. In May 2003, the City Council, in partnership with the Ethnic Communities Council of the South East, organised a women's forum to discuss the possible negative repercussions of the Iraq war on the local Muslim community. A Victoria Police representative addressed the forum providing information about Victoria's *Racial and Religious Tolerance Act 2001* and a child psychologist discussed the issue of stress in children. The 240 women who attended the forum were also invited to express their concerns about community relations and the potential for racist backlash.<sup>38</sup>

#### **4.1.4 Community organisations**

Community organisations representing the interests of Arab and Muslim Australians have struggled to cope with the extra demands placed on them by communities and clients feeling the impacts of international events like September 11. These organisations have supported their clients and challenged negative stereotyping about their communities in often trying circumstances with meagre resources.

*We work on the smell of an oily rag ... It is really a crucial thing that the government gives out money to community organisations to set up projects in order to create that sense of community.*<sup>39</sup>

*The Muslim Women's Association (MWA) had to put all its programs and activities on hold and focus on the crisis needs of Australian Muslim women. We were dealing with issues such as fear of what neighbours might do to each other, how safe are children at school or work ... Our resources had to be channelled to deal with enquiries and concerns of service providers wanting to know how to deal with their Muslim women clients and Muslim women not knowing how to deal with the crisis surrounding them. We were used as a point for debriefing and we had to deal with a lot of telephone counselling as well as face to face counselling ... These events had a great impact on MWA and our ability to serve the everyday needs of our clients. Our resources were stretched to the limit ...*<sup>40</sup>

## Chapter 4: Current strategies

Despite operating in difficult environments, Arab and Muslim community organisations have sought to address discrimination, vilification and prejudice in various ways. Select examples of strategies undertaken by community organisations follow (a more comprehensive overview is available on the Commission's website at: [http://www.humanrights.gov.au/racial\\_discrimination/isma/strategies/index/html](http://www.humanrights.gov.au/racial_discrimination/isma/strategies/index/html)).

### **Australian Arabic Communities Council**

The Sydney-based Australian Arabic Communities Council (AACC) responded to major crises by monitoring incidents of racism and offering support to clients. Following September 11, the AACC set up a 'Racism Register' to document individual complaints of racist incidents in the community as well as negative media coverage which caused offence to members of the Arab community. In its first week of operation over 50 formal complaints were lodged. These complaints included concerns expressed by local Arab residents over a series of letters sent to them threatening violence unless they moved out of their neighbourhoods.<sup>41</sup>

*Throughout this period, the AACC experienced an exponential increase in demand for services, particularly in relation to vilification and harassment cases. Community members called to express fear and many were in need of support. For a time, the AACC's resources were almost exclusively directed towards meeting these needs.<sup>42</sup>*

During the war on Iraq, the AACC again moved to support the Arabic community by offering counselling and referral services to people affected. The Council also issued media statements calling for peace and organised a fundraising campaign in support of UNICEF's Australian Iraqi Children's Appeal.

### **Australian Arabic Council**

The Melbourne-based Australian Arabic Council (AAC) has also been active in defending Arab Australians from discrimination and vilification. The AAC was founded in 1991 following the first Gulf War to counter misrepresentations of Arab culture within Australia and to promote greater participation by the Arab community in Australian life. The AAC was able to monitor the rise in discrimination and racist attacks against Arab Australians following more recent international events through its 'Racism Register'. Established in 1996, the Racism Register was the only national database to record incidents of racism and vilification against Arab Australians both before and after September 11. After the attacks in the United States, the AAC recorded a 20-fold increase in reports of vilification made to the Racism Register.<sup>43</sup> The AAC was also active in challenging media misrepresentations of Arab culture and history during these crisis periods. The AAC was quick to condemn the September 11 attacks and urge the public not to scapegoat Arab or Muslim Australians.<sup>44</sup> In the ensuing months, the AAC issued a number of press releases documenting the rise in anti-Arab prejudice and discrimination, especially in schools.<sup>45</sup>

### Canberra Islamic Centre

Members of the Canberra Islamic Centre (CIC) found another way to address media misrepresentations. After September 11 and again following the Bali bombings, commemoration ceremonies were held at the Centre for the victims of the attacks. At these ceremonies, CIC members expressed their condolences for those killed in the attacks alongside the American Ambassador and a range of other invited guests. Rather than waiting for other organisations to spread the message that Islam does not condone terrorism, the CIC created a media event at which they could show *their* solidarity with other Australians in condemning the attacks. The ceremonies received media coverage in the *Canberra Times*.

*We created the media event. We created the photo opportunity. If you do that – the press will cover it. We set it up in such a way that would be convenient for them.*<sup>46</sup>

### Darwin Islamic Centre

In the aftermath of September 11, a similar event was held in the Northern Territory. The Darwin Islamic Centre hosted a multi-denominational gathering to publicly express abhorrence at the attacks and sympathy for the victims. It was attended by approximately 600 people including members of Darwin's Muslim community and representatives of government authorities such as the Northern Territory Police.<sup>47</sup>

## 4.2 Long-term strategies

While consultation participants agreed that events such as September 11 triggered a rise in anti-Arab and anti-Muslim sentiment, none believed that such events were the root cause of prejudice and discrimination. Most felt that present day crises were born of older, deeper and more complex problems. Therefore, sustained commitment to developing and implementing longer term strategies that tackle discrimination and vilification of Arab and Muslim Australians is vital. Governments at all levels and community organisations are already implementing some policies and strategies that address the root causes of anti-Arab and anti-Muslim prejudice.

### 4.2.1 Federal government

#### Multiculturalism – the policy framework

The Federal Government's policy, *Multicultural Australia: United in Diversity*, is the national framework for tackling prejudice and racism in Australia.<sup>48</sup> It upholds the rights of all Australians to express their own culture and beliefs and to have equality of treatment and opportunity regardless of their race, culture, language, religion, location, gender or place of birth.<sup>49</sup>

## Chapter 4: Current strategies

DIMIA is the federal government agency responsible for developing initiatives that promote community harmony in accordance with the principles of multiculturalism. DIMIA does this primarily through the 'Living in Harmony' program.<sup>50</sup> This program includes the celebration of Harmony Day on 21 March each year, a partnership program in which DIMIA collaborates with organisations to develop model projects and an annual round of grants for community projects that promote harmony between people from different cultural, racial, religious or social backgrounds.

Harmony Day itself had a mixed reception among consultation participants. School students and their parents tended to be enthusiastic.

*We have Harmony Day when we wear orange to represent that we are all one colour.<sup>51</sup>*

*In my children's school they have Harmony Day and that's good for the kids. It teaches them that Australia is composed of different people.<sup>52</sup>*

Community leaders tended to be less positive.

*Harmony Day is too tokenistic – it doesn't necessarily cancel out the bigger political picture.<sup>53</sup>*

In recent years, the number of 'Living in Harmony' partnership projects and community grants that specifically address anti-Arab or anti-Muslim prejudice or promote interfaith understanding more broadly have increased.<sup>56</sup> Many of these projects are described in the paper of strategies available on the Commission's website.<sup>57</sup> Select examples include:

- 'Towards a Better Understanding of Islam and the Muslim Community in Australia', a partnership project commencing in January 2002 with the Australian Federation of Islamic Councils (AFIC). One outcome of the project was publication of an information booklet, *Appreciating Islam* (2003), providing accessible information about Islam answering frequently asked questions about the Muslim faith.<sup>58</sup>
- 'Sharing the Spirit of Harmony', a community grant awarded to the Melkite Catholic Eparchy of Australia in 2002. The one year project aimed to promote racial and religious unity among young Melkite people of different ethnic backgrounds (including Lebanese, Sudanese and Egyptian) together with broader youth communities in the Bankstown and Canterbury local government areas. Outcomes included a series of Harmony Day activities, information seminars and delivery of a workshop on operating a small business.
- 'Neighbourhood Harmony', a community grant to the Islamic Council of Victoria in 2003. The one year project aims to counter racial intolerance

against Muslims by building relationships within Muslim communities and with groups in the wider community. Activities will include interfaith gatherings, mosque open days and publication of a directory of participating organisations where relevant information will be available.

- 'Kuraby – Ashes to Awareness', a community grant to the Kuraby Harmony and Awareness Group (Queensland) in 2003. The project aims to promote greater religious understanding and tolerance locally by hosting school students and adults from different religious denominations at the Kuraby Mosque. Activities will include open days, interfaith meetings and discussion groups.
- 'Anti Racism Action Band (ARAB)', a community grant awarded to Victorian Arabic Social Services in 2003. The project aims to address negative portrayals of Muslim youth by forming and empowering a group of Arab and non-Arab youth to present a performance they have developed to schools and community groups. The project seeks to intervene in issues of racial isolation and forestall the creation of youth gangs.
- 'Building an Inter-faith Community', a community grant awarded to Affinity Intercultural Foundation (NSW) in 2003. This project seeks to overcome fundamental misunderstandings about other faiths by bringing groups from both Christian and Muslim faiths (especially Turkish) together in the Ryde and Auburn areas of Sydney. Among other outcomes, the project will provide training to all participants in dialogue and listening skills.

## **4.2.2 State and territory governments**

### **4.2.2.1 Multicultural – the policy frameworks**

All states and territories have multicultural policies and agencies responsible for promoting them.<sup>59</sup> State and territory multicultural policies provide a framework for public education on anti-racism and underpin a guarantee of culturally appropriate and non-discriminatory government services for people from culturally and linguistically diverse backgrounds. States and territories also have anti-discrimination laws and agencies which administer these laws to protect people from discrimination and vilification because of their race and, in some of the states and territories, because of their religious beliefs.

### **4.2.2.2 Anti-discrimination and equal opportunity agencies**

Several state and territory anti-discrimination agencies have undertaken campaigns to inform Arab and Muslim communities about the laws and complaint processes which aim to protect them from discrimination and vilification. In November 2001, the Victorian Equal Opportunity Commission

appointed an Arabic-speaking community educator for a six month term to inform Muslim and Arabic-speaking groups of their rights and responsibilities under Victoria's *Racial and Religious Tolerance Act 2001*. The project also involved the establishment and training of a group of advocates from community organisations to continue the education process about rights and the complaint process in Arab and Muslim community groups.<sup>60</sup>

In February 2003, the New South Wales Anti-Discrimination Board launched a six month Arabic and Islamic Community Education Initiative. Two Arabic-speaking education officers worked with Arab and Muslim communities to promote understanding of their rights under the *Anti-Discrimination Act 1977*.<sup>61</sup> In March 2003, the Queensland Government distributed a 'Know Your Rights Card' to inform ethnic communities in Queensland about racial and religious vilification laws. The cards were prepared in languages spoken by Queensland's Muslim community and the distribution strategy targeted Islamic organisations. Other state and territory anti-discrimination agencies have also liaised with Arab and Muslim communities to gauge the issues affecting those communities and help increase awareness of anti-discrimination laws. For example, the Western Australian Equal Opportunity Commission has held meetings with Muslim community leaders and Muslim women to discuss strategies aimed at addressing discrimination in employment, discrimination against girls and women wearing religious dress and the inaccurate media portrayal of Islam.<sup>62</sup>

In March 2003, the newly formed Australian Council of Human Rights Agencies (ACHRA), which is comprised of Commissioners and Presidents from state and territory equal opportunity/anti-discrimination agencies, also called on state, territory and federal governments to initiate a national anti-racism and religious vilification campaign in the wake of the war in Iraq.<sup>63</sup> To date, such a national campaign has yet to eventuate.

### 4.2.2.3 Education departments and schools

State and territory governments also deliver education about diversity and anti-racism to the broader public, especially through schools. Education authorities in each state and territory have developed and implemented policies and programs that fight racism and promote respect for the cultural, linguistic and religious diversity of students.<sup>64</sup> The broad framework for these policies and programs is set out in the *Adelaide Declaration on National Goals for Schooling in the Twenty-First Century* (the Adelaide Declaration) endorsed by state, territory and federal Ministers of Education in 1999.<sup>65</sup> The Adelaide Declaration encourages schools and education authorities to ensure that

*... all students understand and acknowledge the value of cultural and linguistic diversity and possess the knowledge, skills and understanding to contribute to, and benefit from, such diversity in*

*the Australian community and internationally.*<sup>66</sup>

Establishing curriculum and developing resources to help meet these objectives has been a priority for many state and territory education authorities. One of the most important anti-racism resources is *Racism. No Way!*<sup>67</sup> The program consists of inter-related resources including a website with classroom activities that help teachers and students recognise and address racism.<sup>68</sup> It was launched in October 2000 and is managed by the NSW Department of Education on behalf of all Australian education systems. While the education kit aims to tackle racism broadly, there are some specific resources which promote understanding of Islam and Australia's cultural and religious diversity. For example, in April 2002, the fact sheet 'An Introduction to Islam in Australia' was included in the on-line resource kit as part of a series of fact sheets on different religions. A fact sheet on 'Terrorism' was also included in April 2003.<sup>69</sup>

State and territory education authorities also have policies and procedures to ensure that education is delivered in an environment free from racism.<sup>71</sup> For example, the blueprint for ensuring NSW schools are free from racism is set out in the 'Anti-Racism Policy Statement' and the guidelines 'Responding to Suggestions, Complaints and Allegations'.<sup>72</sup> Specialist personnel such as Anti-Racism Contact Officers who provide advice to students, staff and parents experiencing racism in schools help apply these policies and procedures.<sup>73</sup>

#### **4.2.2.4 Police**

Policing is another area where state and territory governments have established long-term strategies to address violence and harassment against particular communities, including Arab and Muslim Australians. Building trust between police and communities affected by racism is vital for the effective reporting and handling of incidents of racial abuse or violence. The Australian Federal Police and many state and territory police services have tried to build trust with Arab and Muslim communities through ongoing community liaison programs. Police-community liaison programs have existed in every police jurisdiction around Australia since the 1980s and 1990s.<sup>74</sup> Despite the diverse names and structures of these programs across states and territories, they share the common objective of establishing links between communities and local police with the aim of reducing and preventing crime, including racially and religiously motivated crimes.

The NSW Police Service has 37 civilian Ethnic Community Liaison Officers who help police engage with culturally and linguistically diverse communities at a grass roots level. Queensland has 125 Police Liaison Officers who engage with Indigenous and culturally diverse communities. Victoria has 10 Multicultural Liaison Officers (MLOs), who, unlike their NSW and Queensland counterparts, are sworn police officers. Victorian MLOs liaise with Victorian Arabic Social Services

(VASS), Australian Arabic Council, Islamic Council of Victoria (ICV) and Victorian Multicultural Commission on a regular basis. In partnership with VASS, Victoria Police offered Arabic Language and Culture Courses for police officers in October 2002 and July 2003. The course comprised presentations from community members on important Arabic family, religious and cultural values.<sup>75</sup> Victoria Police has also implemented 'partnership policing' with ethnic communities through the Police and Community Multicultural Advisory Committee.<sup>76</sup> This joint committee of ethnic communities and police advises the Chief Commissioner and government on how they can work harmoniously with ethnic communities.

### 4.2.2.5 Community capacity building

State and territory governments have actively engaged in strategies to help build the capacity of Arab and Muslim communities to promote the well-being and self-esteem of community members, improve access to services and challenge stereotyping and negative misconceptions. For example, in 2001, the New South Wales Premier's Department initiated a comprehensive capacity-building strategy for Arab Australian communities which targets youth. The three year 'Youth Partnership with Arabic Speaking Communities' project is a joint initiative between community representatives from Arabic-speaking communities, business leaders and a range of NSW state government departments including the Community Relations Commission for a Multicultural NSW, the Department of Education and Training, the Department of Sport and Recreation and the Department of Community Services. The partnership has three objectives:

1. to promote the well-being of young people from Arabic-speaking backgrounds
2. to increase parent support and education to help prevent risk-taking behaviour
3. to provide children and young people with better learning opportunities and recreational activities for long-term personal development.

The project targets a population of 110,000 people of Arabic-speaking background living in ten local government areas in Sydney's west and south-west. Seventeen initiatives have been funded under the auspices of the project. These include a variety of educational initiatives to assist young people with learning, strengthen school and community relations and reduce truancy and behavioural problems. Funding to date for the Youth Partnerships project has totalled \$3 million.<sup>78</sup>

### 4.2.3 Local governments

Local governments have also supported a range of capacity building projects

for local Arab and Muslim communities.

#### **4.2.3.1 Community safety**

In 2003, the City of Melbourne funded the Islamic Women's Welfare Council of Victoria to conduct research into the safety of Muslim and Arab women residing in Melbourne. The research has been commissioned to assess the nature and extent of attacks against women, to identify the range of responses undertaken by state and local government, community organisations and the Muslim community and to identify ways that the Muslim and Arab communities can be supported to deal with racial and religious violence and vilification. The project is expected to include a second implementation stage involving community education, planning sessions with relevant service providers and development of a series of safety strategies for women in high risk areas.<sup>79</sup>

#### **4.2.3.2 Interfaith networking**

Another positive long-term initiative supported by many local councils around Australia has been the establishment of interfaith networks. The oldest such network is the Interfaith Network of the City of Greater Dandenong in Victoria. The network was founded in 1989 to promote harmony among people from different faiths and cultures in the local community. It is comprised of religious leaders from various faiths including Islam and engages in a range of educational activities to address misconceptions about other religions that are so often the cause of prejudice. The Network has published the document *Many Faiths: One People* which summarises the tenets of major religious faiths including Islam.<sup>80</sup> Other activities have included tours of local places of worship, public presentations about different religions and a video depicting various religious practices. The Network was also instrumental in developing a multi-denominational 'Sacred Space' in the Dandenong Hospital where patients and families of all religious faiths can pray, meditate and grieve in a culturally appropriate space.<sup>81</sup>

### **4.2.4 Non-government and community organisations**

#### **4.2.4.1 Interfaith networking**

Many non-government organisations have shown their solidarity with Australian Muslims through participation in interfaith dialogues. The proliferation of interfaith groups over recent years has been dramatic. The Australian National Dialogue of Christians, Muslims and Jews founded in 2003 is the first formal cooperative organisation of peak Jewish, Islamic and Christian bodies in Australia. Its aim is to encourage Australians to respect the rights of religious communities and their places of worship and ensure that issues overseas do not intrude on the stability and tolerance of Australian society. Another peak interfaith body launched in 2003 is the Australian Partnership of Ethnic and Religious Organisations (APERRO). Members include representatives of the Muslim, Christian,

Jewish, Buddhist, Baha'i, Hindu and Sikh faiths as well as the World Conference on Religion and Peace, the Federation of Ethnic Community Councils of Australia and the Australian Multicultural Foundation.

In 2002, DIMIA funded a 'Living in Harmony' partnership project to gain a better understanding of activities of the various community interfaith groups. The project was conducted by the Australian Multicultural Foundation together with the World Conference on Religion and Peace and researchers at several Victorian universities. As part of the study, fourteen interfaith focus groups (which included Muslims) were held in states and territories across Australia. The purpose of these focus groups was to assess the feasibility of an Inter-Faith Council to act as an advisory body for government and non-government agencies. The report of the project, due for release in 2004, will outline the actions needed to achieve social cohesion in the area of religious and cultural diversity. Other outcomes include a booklet on Muslim Australians and a resource kit to provide community groups, educational institutions and government and non-government service providers with a better understanding of Islam and Muslims in Australia.<sup>82</sup>

#### 4.2.4.2 Tours and 'open days'

Mosque open days are another initiative undertaken by many community groups to foster understanding and acceptance of religious diversity. Since 11 September 2001, many mosques around Australia have held open days in an effort to demystify Islam and build trust between Muslim Australians and the broader public.<sup>83</sup> Organised tours of mosques for specific groups such as school children have also become increasingly popular. One of the major activities of the Affinity Intercultural Foundation (established in 2001) is to conduct tours of the Auburn Gallipoli Mosque in Sydney for school groups and other interested organisations and individuals.<sup>84</sup>

Consultation participants commented favourably about the positive impacts of mosque open days and tours.

*At Kuraby Mosque the other day, I was driving past and I saw a big Catholic school bus full of males and females and they were being shown the Kuraby Mosque. So things are already in process. I'm pretty sure that the view those kids had before they went into the Mosque was different and then they think, 'wait a minute, this is not a place that harbours terrorism, this is a peaceful place'. It breaks down the barriers.<sup>85</sup>*

#### 4.2.4.3 School activities

Community groups have also undertaken various other educational initiatives which foster interfaith understanding and compassion, particularly among school

children. The 'Goodness and Kindness Campaign' is one example. The campaign was initiated in 2002 by the Jewish education program 'Chabad House' in cooperation with the Forum on Australia's Islamic Relations (FAIR). The program involves joint primary school visits by representatives from Muslim, Jewish and Christian faiths who discuss shared values of kindness with students. Over 1,000 children participated in the program in its first year. In 2003, the campaign was awarded a DIMIA 'Living in Harmony' community grant to expand the schedule of school visits in Sydney, the Central Coast and Armidale.<sup>86</sup>

Exchange programs and inter-school visits between Muslim and non-Muslim or Christian schools have also fostered interfaith understanding and acceptance amongst young people. For example, shortly after 11 September 2001 the predominantly Muslim students of Wiley Park Girls' High in Lakemba began a cultural exchange program of seminars and inter-school visits with students from the Catholic St Joseph's College in Hunter's Hill. In 2003 St Joseph's College received a DIMIA 'Living in Harmony' community grant to expand the exchange visit project and promote interfaith understanding between high school students. The program is said to have 'increased understanding between these young people because "the conversation is two way"'.<sup>87</sup>

#### 4.2.4.4 Cultural awareness and information seminars

Provision of diversity training by Arab and Muslim community groups is another positive initiative that has flourished in recent years. Many of the community organisations which participated in IsmaU consultations frequently deliver cultural awareness seminars to government and non-government service providers. General interest in these seminars has risen significantly over the last two years as has demand for more specifically tailored cultural awareness seminars from government service providers such as Centrelink, TAFE and some local area police commands.<sup>88</sup> The Muslim Women's Association of South Australia conducted some 66 cross-cultural training sessions for schools and service providers between January 2002 and July 2003.<sup>89</sup> To keep up with demand, the Association employed an education officer to coordinate and deliver the training along with a group of volunteers.

*What we do is provide an information session on Islam and include things like: Who are Muslims? Where are they? Where are they from? As well as basic beliefs and talk about some of the misconceptions which have been thrown around by some of the media such as the complete misconception of women and also about the concept of Jihad. We always have question time at the end of it and we're always amazed. We have people saying 'Gosh, there are so many misconceptions and unfortunately we've been misled by the media'. The response has been great and really enlightening.<sup>90</sup>*

*It's good going out to schools and seeing kids be totally non-receptive*

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*and go 'Who's that person?' and then at the end of the session saying 'You know I didn't want to come here today, I really hated Muslims' and then say 'Now I feel a little more comfortable being with you'. It's good to hear that because you know that people always have the fear of the unknown and they just need that opportunity to come to know us and learn that they can relate to us.'*<sup>91</sup>

An innovative education project launched in 2003 by the Muslim Women's National Network of Australia offers diversity training to future journalists and broadcasters. Funded by a 'Living in Harmony' community grant, the project aims to challenge media stereotyping about Muslim Australians by building networks between journalism students and Muslims. The project involves delivery of a series of seminars for students of media at several NSW universities to increase their knowledge about Islam.<sup>92</sup>

Another community initiated project which aims to address negative portrayals of ethnic communities in Sydney's south-west in the mainstream media is the 'Media Spaces and Places' project. The project involved writing workshops, interviews and discussion with a range of refugee and migrant communities (including a group of Afghan women and a Bosnian women's choir) to 'dissect and deconstruct' representations of racialised communities.<sup>93</sup> The project outcomes included a series of visual images and text addressing issues of crime and ethnicity and representations of Muslim women who wear religious dress which were displayed on bus shelters.

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## Endnotes

- 1 [http://www.humanrights.gov.au/racial\\_discrimination/isma/strategies/index.html](http://www.humanrights.gov.au/racial_discrimination/isma/strategies/index.html)
- 2 See, for example: Human Rights and Equal Opportunity Commission, *Report of the National Inquiry into Racist Violence in Australia*, Chapter 6, 1991.
- 3 The Hon. Philip Ruddock, Minister for Immigration and Multicultural and Indigenous Affairs, Media Release, 'Australians Urged Not to Scapegoat Innocents', 14 September 2001.
- 4 Prime Minister Howard, interview with ABC Radio, 22 September 2001.
- 5 Prime Minister Howard, transcript of speech to Australian Defence Association Melbourne, 25 October 2001. Similar statements were also made in respect and tolerance during his visit to Preston Mosque, Melbourne, on 17 October 2001.
- 6 Address by Prime Minister Howard to Federal Parliament, House of Representatives, *Hansard*, 14 October 2002, page 7500, and Media Release, 24 October 2002. See also: The Hon. Gary Hardgrave MP, 'Religious Discrimination: Kuraby Mosque Fire', House of Representatives, *Hansard*, 24 September 2001, page 31241.
- 7 Prime Minister John Howard, interview with Radio 2GB, 22 November 2002.
- 8 Prime Minister Howard's speech to Australian Federation of Islamic Councils Dinner, 12 April 2003.
- 9 Consultation hosted by Multicultural Community Services of Central Australia, Alice Springs, 5 June 2003. See also: Islamic Council of NSW, Sydney, 10 June 2003; Canberra Islamic Centre, Canberra, 2 June 2003; Consultation hosted by the WA Office of Multicultural Interests, Perth, 1 July 2003; Consultation hosted by the SA Equal Opportunity Commission, Adelaide, 16 July 2003.
- 10 Information from Minister for Citizenship and Multicultural Affairs, 8 December 2003.
- 11 Minister Ruddock visited Lakemba Mosque in November 2002. See: Media Releases by Minister for Citizenship and Multicultural Affairs, The Hon. Gary Hardgrave, dated 16 October 2002, 18 October 2002, 6 November 2002, 15 November 2002, 6 December 2002, 18 March 2003, 21 March 2003, 28 May 2003, 2 August 2003, 11 September 2003, 12 October 2003, 29 October 2003.
- 12 This committee was established in May 2000 and consists of around 45 representatives from various Commonwealth agencies. Its main aim is to ensure that federal government policies and programs are sensitive to multiculturalism.
- 13 Some of these incidents were directed towards people whom the perpetrators believed were Muslim or Arabic and who were actually people born in other parts of the world far removed from the Middle East
- 14 Information from Centrelink, 18 November 2003.
- 15 Information from Centrelink, 18 November 2003.
- 16 Information from Centrelink, 18 November 2003. See also: Muslim lawyers group, Melbourne, 27 May 2003; Consultation with Islamic Girls/Women's Group Inc., hosted by the Victorian Department of Human Services, Melbourne, 28 May 2003; Consultation hosted by the Anti-Discrimination Commission Queensland (ADCQ) and Multicultural Affairs Queensland (MAQ), Brisbane, 16 June 2003; Women only consultation hosted by the Office for Women's Policy, WA Department for Community Development, Perth, 30 June 2003; Consultations with NSW secondary students at three government schools, Sydney, August 2003; Lebanese Community Council, Sydney, 4 September 2003.
- 17 The Queensland Government donated \$5,000 to the Kuraby Mosque to replace children's school books and desks destroyed in the arson attack.
- 18 Address by Premier Peter Beattie to Queensland Parliament, 22 October 2003.
- 19 See: NSW Premier, Media Release, 12 September 2001; Channel 7 News, 13 September 2001; Channel 9 News, 13 September 2001; Reported on ABC Radio, The Daily Telegraph and the Australian Financial Review, 14 September 2001.
- 20 Information provided to HREOC by Community Relations Commission for a Multicultural NSW, 30 June 2003.
- 21 Information provided to HREOC by Victorian Premier's Department, 22 January 2004.
- 22 Information provided to HREOC by the Premier of Western Australia, 9 December 2003.
- 23 Information from NSW Community Relations Commission, 30 June 2003.
- 24 Information from Premier of Victoria, 22 January 2004.
- 25 Information from Premier of Victoria, 22 January 2004.
- 26 Information from Premier of Western Australia, 9 December 2003.

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- 27 Information from NSW Community Relations Commission, 12 January 2004. Note, in 2004 researchers from the University of Technology, Sydney, are conducting an analysis of data from the CRC hotline.
- 28 Consultation hosted by the Anti-Discrimination Commission Queensland (ADCQ) and Multicultural Affairs Queensland (MAQ), Brisbane, 16 June 2003.
- 29 Information from Premier of Victoria, 22 January 2004. Note, the Western Australian Government set up a 24-hour Police Hotline to assist and support community members most vulnerable to vilification during the war in Iraq.
- 30 Information from NSW Department of Education and Training, 24 November 2003.
- 31 Information from Victoria Police, 3 December 2003.
- 32 Information from Premier of Victoria, 22 January 2004.
- 33 Consultation with Queensland Anti-Racism Community Reference Group, Brisbane, 18 June 2003.
- 34 Information from NSW Community Relations Commission, 12 January 2004.
- 35 Information from Premier of Western Australia, 9 December 2003.
- 36 Australian Arabic Council, Melbourne, 28 May 2003.
- 37 Information from Hume City Council website: [www.hume.vic.gov.au](http://www.hume.vic.gov.au)
- 38 Information from City of Greater Dandenong, 30 October 2003.
- 39 Canberra Islamic Centre, Canberra, 2 June 2003.
- 40 Information from Muslim Women's Association, Sydney, 3 February 2003.
- 41 Information from Australian Arabic Communities Council, 5 February 2004.
- 42 Information from Australian Arabic Communities Council, 5 February 2004.
- 43 Information from Australian Arabic Council, 17 November 2003.
- 44 Australian Arabic Council Media Release, 12 September 2001.
- 45 Australian Arabic Council Media Release, 29 August 2002.
- 46 Canberra Islamic Centre, Canberra, 2 June 2003.
- 47 Consultation hosted by Multicultural Community Services of Central Australia, Alice Springs, 5 June 2003.
- 48 See: <http://www.immi.gov.au/multicultural/australian/policy.htm>
- 49 DIMIA, *Multicultural Australia: United in Diversity*, 2003, p 6.
- 50 Information from Minister for Citizenship and Multicultural Affairs, 8 December 2003.
- 51 Consultations with NSW primary school students (Years 5 and 6) at three Sydney public schools, August 2003.
- 52 Consultation with members of the Indonesian Muslim Community of Victoria, Monash University, 28 May 2003.
- 53 Arabic Workers' Network, Sydney, 29 April 2003.
- 54 Arabic Workers' Network, Sydney, 29 April 2003.
- 55 Youth Reference Group to the NSW Premier's Youth Partnership with Arabic Speaking Communities, Sydney, 7 April 2003.
- 56 In the 2002 Living in Harmony community grants program, two of the 42 grants awarded had an interfaith focus which included the Islamic community and five projects worked with Arabic groups to promote community harmony. In 2003, DIMIA funded 44 community grants, ten of which addressed anti-Muslim prejudice or had an interfaith focus which included the Islamic community. Another ten projects addressed anti-Muslim or anti-Arab prejudice more generally. Funding for all 20 community grants to address anti-Muslim or anti-Arab prejudice totalled \$683,000 and accounted for about 46% of the total funding awarded in 2003: information from Minister for Citizenship and Multicultural Affairs, 8 December 2003.
- 57 See: [http://www.humanrights.gov.au/racial\\_discrimination/isma/strategies/index.html](http://www.humanrights.gov.au/racial_discrimination/isma/strategies/index.html)
- 58 Australian Federation of Islamic Councils, *Appreciating Islam*, 2003. A summary of the document is available on the AFIC website at: <http://www.afic.com.au/apislam.htm>
- 59 These include: Office of Multicultural Interests (Western Australia); Community Relations Commission for a Multicultural NSW; Victorian Office of Multicultural Affairs; Victorian Multicultural Commission; SA Office of Multicultural Affairs; Multicultural Tasmania; Multicultural Affairs Queensland.
- 60 Preliminary consultation to launch Isma in Victoria hosted by Victorian Equal Opportunity Commission, Melbourne, 30 April 2003. Information from Victorian Equal Opportunity Commission, 13 November 2003.
- 61 NSW Anti-Discrimination Board, *Annual Report 2002-03*, page 30.
- 62 Information provided by WA Equal Opportunity Commission, 12 March 2003.
- 63 <http://www.eoc.vic.gov.au/materials/media/urgentgovernmentactionneededinwakeofwariniraq.html>

- 64 For example, the Victorian Department of Education and Training has Guidelines for Managing Cultural and Linguistic Diversity which affirm the Department's commitment to anti-racism education and describe specific responsibilities for countering racism.
- 65 Department of Education, Science and Training, *The Adelaide Declaration on National Goals for Schooling in the Twenty-First Century*. Goal 3.1 reads, 'Schooling should be socially just so that student's outcomes are free from the effects of negative forms of discrimination based on sex, language, culture, ethnicity, religion or disability; and of differences arising from students' socio-economic background or geographic location.'
- 66 *ibid.*
- 67 [http://www.racismnoway.com.au/racial\\_discrimination/isma/strategies/index.html](http://www.racismnoway.com.au/racial_discrimination/isma/strategies/index.html)
- 68 Information from NSW Department of Education and Training, 24 November 2003.
- 69 For further information see: <http://www.racismnoway.com.au>. Note: a new project targeting a young audience of students (Years K-3) entitled *Prejudice. No Way!* was launched in 2002. It aims to develop foundation knowledge and skills for anti-racism education programs like *Racism. No Way!* Draft teaching and learning materials were trialled in ten NSW schools in Semester 1, 2003.
- 70 Consultations with NSW Teachers, Anti-Racism Contact Officers (ARCOs) and Community Information Officers (CIOs), Sydney, August 2003.
- 71 For example, the South Australian Department of Education and Children's Services is currently updating its Anti-racism policy (1990) which outlines a commitment to providing schooling environments that counter racism and foster respect for cultural, linguistic and religious diversity.
- 72 Information from NSW Department of Education and Training, 24 November 2003.
- 73 *ibid.*
- 74 The term adopted by the New South Wales Police for its police-community liaison officers is 'Ethnic Community Liaison Officers' while other jurisdictions adopted the terms 'Multicultural Liaison Officers' and 'Community Liaison Officers' (Victoria Police and Queensland Police Service respectively).
- 75 Information from Premier of Victoria, 22 January 2004. See also: Consultation with Victoria Police Multicultural Liaison Officers (MLOs), Melbourne, 26 & 27 May 2003.
- 76 Information from Victoria Police, 3 December 2003.
- 77 Islamic Council of Victoria, Melbourne, 26 May 2003. See also: Consultation with Victoria Police Multicultural Liaison Officers (MLOs), Melbourne, 26 & 27 May 2003.
- 78 Information from NSW Premier's Department, 5 June 2003 and 8 January 2004.
- 79 Information from City of Melbourne, 10 November 2003.
- 80 <http://www.greaterdandenong.com/infopage.cfm?InfoPageID=1135>
- 81 Information from City of Greater Dandenong, 30 October 2003. See also: Consultation with Interfaith Network of the City of Greater Dandenong, Dandenong, 14 November 2003.
- 82 Information from the Australian Multicultural Foundation, 12 January 2004.
- 83 For example, in September 2002, Lakemba Mosque in Sydney held an Open Day. The Dee Why Mosque in Sydney also held an open day in April 2003 which attracted over 700 visitors. In January 2003, the Western Australian Islamic Network held an open day at a central mosque in Perth for people interested in knowing more about Islam.
- 84 Information from the Affinity Intercultural Foundation, 10 November 2003.
- 85 Consultation with young Arab men, Brisbane, 18 June 2003.
- 86 Forum on Australia's Islamic Relations, Sydney, 10 September 2003.
- 87 Consultations with NSW Teachers, Anti-Racism Contact Officers (ARCOs) and Community Information Officers (CIOs), Sydney, August 2003.
- 88 Australian Arabic Communities Council, Sydney, 10 June 2003.
- 89 Women only consultation hosted by the SA Equal Opportunity Commission, Adelaide, 17 July 2003.
- 90 Women only consultation hosted by the SA Equal Opportunity Commission, Adelaide, 17 July 2003.
- 91 Women only consultation hosted by the SA Equal Opportunity Commission, Adelaide, 17 July 2003.
- 92 Information from Muslim Women's National Network of Australia, Sydney, 15 November 2003.
- 93 T. Dreher, 'Speaking up and talking back: news media interventions in Sydney's 'othered' communities' in L. Jacka and L. Green (eds), *The New Others: Media and Society Post-September 11*, Media International Australia, No. 109, November 2003, pages 131-133.





## Chapter 5. Future strategies

A major goal of the IsmaU project was to engage members of Arab and Muslim communities, government and non-government organisations in constructive discussion about future strategies to eliminate anti-Arab and anti-Muslim prejudice and discrimination. In each consultation, participants were asked about their understanding of what *is* being done and what more *could* be done to help address prejudice and discrimination against Arab and Muslim Australians.

As set out in Chapter 4 and on the Commission's website,<sup>1</sup> the Commission found a wide range of existing initiatives aimed at dispelling anti-Arab and anti-Muslim prejudice and discrimination. However, in the light of the information provided by participants in the IsmaU project about the nature and extent of problems of discrimination and vilification faced by Arab and Muslim Australians, greater effort is needed to fight anti-Arab and anti-Muslim prejudice and discrimination more effectively.

The following discussion and recommendations may assist government and community organisations to map future directions for eliminating prejudice and discrimination against Arab and Muslim Australians. These recommendations were drafted by the Commission in consultation with the IsmaU project reference group (described in Chapter 1). The reference group assisted the Commission by refining the recommendations ensuring they were practical and feasible, directed to the appropriate agencies and reflective of the broad priorities identified by consultation participants. It is important to note, however, that while the IsmaU reference group provided valuable guidance, the recommendations are those of the Commission alone.

This chapter includes the Commission's recommendations and suggestions for future action in six key areas: improving legal protections; promoting positive public awareness through education; addressing stereotypes and misinformation in public debate; ensuring community safety through law enforcement; encouraging effective community action and fostering public support and solidarity with Arab and Muslim Australians.

## 5.1 Improving legal protection

### 5.1.1 Federal legislative reform

#### 5.1.1.1 Overview of current laws that deal with religious discrimination and vilification

The proscription of discrimination and vilification on the basis of religion and belief in Australia is not a new concept. Laws exist in a number of states and territories and, in a limited way at the federal level, to deal with these issues. However, coverage across the states and territories is inconsistent and between those state and territory laws that do provide coverage there is a lack of uniformity. An overview of the current status of the laws across Australia that deal with discrimination and vilification on the basis of religion is as follows (a more detailed discussion can be found in Chapter 1):

- It is unlawful to discriminate against someone because of their religion in the ACT, Western Australia, Queensland, the Northern Territory, Tasmania and Victoria.<sup>2</sup> Therefore, a person who believes they have been discriminated against solely because of their religion has no legally enforceable rights if the alleged discrimination happened in NSW or South Australia.
- It is unlawful to vilify a person because of their religion in Queensland, Tasmania and Victoria.<sup>3</sup> Therefore, a person who believes they have been vilified solely because of their religion has no legally enforceable rights if the alleged vilification happened in the ACT, NSW, South Australia, Western Australia or the Northern Territory.
- In the ACT and Western Australia, the ground used is 'religious conviction'. In Queensland, the Northern Territory, Tasmania and Victoria, the grounds used are 'religious belief or activity' (the Tasmanian legislation also includes religious affiliation). Furthermore, in Queensland<sup>4</sup> and Victoria,<sup>5</sup> these grounds are defined as including the absence of religious belief as well as any refusal to participate in religious activity. None of these grounds are defined in the legislation.
- It is not unlawful under federal law to discriminate against someone, or vilify them, on the basis of their religion. However, under the *Human Rights and Equal Opportunity Commission Act 1986* (Cth) (HREOC Act) the Commission has the power to inquire into and attempt to conciliate complaints alleging religious discrimination in employment and occupation, as well as complaints that allege that the Commonwealth has breached a person's human rights in relation to religious belief. However, the HREOC Act does not provide enforceable legal remedies in relation to these types of complaints. If a complaint cannot be resolved

through conciliation and the Commission finds that discrimination or a breach of human rights in relation to religion or belief has occurred within the terms of the Act, the only course open to the Commission is to provide a report to the federal Attorney-General for tabling in the federal Parliament. The findings of the Commission are not legally enforceable and the respondent can ignore them.

### 5.1.1.2 Issues arising from IsmaU consultations

The lack of consistency in federal, state and territory laws concerning discrimination and vilification on the basis of religion was identified as an important issue in the consultations and survey results carried out during the course of the IsmaU project.

Many consultation participants were critical of the fact that Muslims are not clearly protected from religious discrimination and vilification under federal law. The most vocal critics were from states and territories where discrimination and vilification based on religion are not unlawful.

*When we all migrated to Australia they accepted us by colour, by race, and by religion as well. So how come we can complain about race or colour but not religion? How come this is not connected? ... At the moment I think the best thing that could happen is if someone calls you a 'dirty something' they better call you a 'dirty Arab' than a 'dirty Muslim.'*<sup>6</sup>

*The issue of religion remains one of the most neglected areas in terms of ensuring that people are actually recognised as having rights in terms of the core religion that they have.*<sup>7</sup>

*People will discriminate against religion no matter what the law says, but it should still exist ... I believe that it is helpful to have a law as a basis. One example is that women would not be where they are if it wasn't for the law. The bottom line is if the law is there we can use it but if it's not there we can't.*<sup>8</sup>

Many participants called for federal and state laws to be changed or introduced to provide clear protection for people discriminated against or vilified because of their religion.

*The Racial Discrimination Act should be amended to make it unlawful to discriminate on the ground of religious belief and practice.*<sup>9</sup>

*Federal and state laws need to be amended to include religious vilification of Muslims in order for complaints and the issue to be taken seriously by the Arabic, Islamic and wider community.*<sup>10</sup>

*Although most cases of vilification against Muslims is based on their cultural and racial traits, I still believe that the Racial Discrimination Act must cover Islam as a specific cultural group which receives a lot of discrimination based on their religious obligations, duties and practices.<sup>11</sup>*

However, some participants cautioned that reform introduced solely to benefit Muslims may promote further backlash. Rather, as religious freedom is a universal value, the failure to protect Muslims should serve as one example of the inadequacy of federal law.

*If people think that changes to the law are being brought about purely for the benefit of Muslims then they'll see it as another change caused by outsiders coming in ... it might actually get hard for the Muslim community ... If you make it a group effort on behalf of all religious groups then surely it will be ok. We have to show how it's affecting a large part of the community – not just Muslims.<sup>12</sup>*

Not all participants were convinced that extending federal anti-discrimination law will eliminate discrimination and prejudice against Muslim Australians.

*In regards to the law, I don't think that having religion in the law is going to really have an effect, because people will go against the law regardless.<sup>13</sup>*

However, even those expressing some scepticism were of the view that the symbolic value of legal protection serves an important function in addressing racism. The Islamic Council of NSW has recommended that the law should be amended to cover religious discrimination in NSW and federal law. The Muslim Lawyers Group in Melbourne, Muslim Women's National Network of Australia and the Indonesian Muslim Community of Victoria also agreed that changing the law would send an important symbolic message.<sup>14</sup>

*It doesn't mean that you're going to get a lot of complaints. But people will know that if they behave in such a manner people can take them to court and say, 'Look, what you did was wrong.'<sup>15</sup>*

*Once you have the legislation, you know that it's enforceable by law ... People will think twice about racist and derogatory remarks about Muslims ... Changing legislation is important, but it's not about changing it to silence people ... it's about controlling how far we go in demeaning and offending a group of people based on ignorance and misunderstanding.<sup>16</sup>*

*Government can only put out a law and it's all they can do. Then if something cropped up, [it's up to you to] take it on and it will be an example. But at least, in the back of your mind, you know that the*

*government is not really with the wrong, it's with the right. It's symbolic.*<sup>17</sup>

To benefit fully from the symbolic value of legal protection, participants felt any change to the law should be accompanied by a comprehensive launch and public information strategy.

*I think naturally people are afraid of being punished so the law does have an impact. It does give some security. But it has to be launched properly and also reinforced because there is no point to it if it is not reinforced.*<sup>18</sup>

### **5.1.1.3 Previous proposals for a federal law making religious discrimination and vilification unlawful**

The Commission has previously considered the lack of enforceable remedies at a federal level in relation to discrimination and vilification on the basis of religion. In 1997 the Commission launched a national inquiry into religious freedom in Australia. This began with the distribution of a discussion paper, *Free to Believe?: the right to freedom of religion and belief in Australia* which reviewed the relevant international human rights law and the legislative and constitutional framework for freedom of religion in Australia. The paper was widely distributed and 255 submissions were received in response. Of those submissions, 147 were from individuals and the remainder from both religious and non-religious organisations including representations from the Anglican, Presbyterian, Methodist, Islamic, Jewish, Coptic, Buddhist and Lutheran faiths. A workshop on religion and human rights was subsequently held by the Commission in early 1998 to obtain advice on a number of core issues including the meaning of 'belief' as distinct from religion, exemptions from the proposed proscription of religious discrimination, and an appropriate model for federal religious vilification legislation. Some 75 religious and non-religious organisations were invited to send a representative and approximately 40 people attended.

In July 1998, as a result of the inquiry, the Commission produced its report *Article 18: Freedom of religion and belief*<sup>9</sup> (Article 18 report).

A number of particularly contentious issues were highlighted by the organisations and individuals consulted with and were discussed in the Article 18 report, including

- Defining religion and belief
- Freedom of speech arguments

These issues remain relevant for consideration in the current report.

#### *a) Defining religion and belief*

The Australian legal system purports to treat Australia's many different religious communities equally. There is no established or state sponsored religion or church and religious laws are not imposed by civil authority. Under the Commonwealth Constitution, section 116 provides that

*[T]he Commonwealth shall not make any law for establishing any religion, or for imposing any religious observance, or for prohibiting the free exercise of any religion, and no religious test shall be required as a qualification for any office or public trust under the Commonwealth.*

However, the Constitution does not provide a definition of what will constitute a 'religion'. In addition, none of the state and territory anti-discrimination laws that currently make religious discrimination and vilification unlawful provide a definition of religion.

The meaning of religion was considered in a case decided by the High Court.<sup>20</sup> In that case, two members of the Court suggested that the following two elements were necessary:

- belief in a supernatural Being, Thing or Principle
- the acceptance of canons of conduct to give effect to that belief<sup>21</sup>

Other members of the Court held that no single characteristic could define a religion and referred to the following as guiding principles:

- a particular collection of ideas and/or practices involving belief in the supernatural
- ideas that relate to the nature and place of humanity in the universe and the relation of humanity to things supernatural
- ideas accepted by adherents requiring or encouraging the observation of particular standards or codes of conduct or participation in specific practices having supernatural significance
- adherents constituting an identifiable group or groups, regardless how loosely knit and varying in beliefs and practices these adherents may be
- adherents themselves seeing the collection of ideas and/or practices as constituting a religion.<sup>22</sup>

Under international law, both article 18 of the *International Covenant on Civil and Political Rights* (ICCPR) and article 1(1) of the *Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief* (Religion Declaration) use the expression 'freedom of thought, conscience and religion'

as well as 'belief'. The United Nations Human Rights Committee has adopted a broad interpretation of 'freedom of religion or belief' covering freedom of theistic, non-theistic and atheistic beliefs as well as freedom not to subscribe to any of these beliefs.<sup>23</sup> The Committee has also made it clear that minority and non-mainstream religions are no less entitled to the protection of article 18 than traditional religions.<sup>24</sup>

If federal legislation were to be enacted that made discrimination and vilification on the basis of religion unlawful, the Parliament may wish to take these matters into account in deciding whether or not a definition of religion should be included in the legislation.

*b) Freedom of speech issues*

In the consultations leading up to the preparation of the Commission's Article 18 report, numerous submissions were made opposing the introduction of federal religious vilification legislation. The reasons given were numerous, including that such legislation was unnecessary as Australians are already free to believe in the religion of their choice, that the courts may be inundated with petty grievances arising from statements which could turn into lengthy legal battles, and that legislation would hinder the rights of individuals to speak out on moral issues without fear of reprisal.<sup>25</sup> Overwhelmingly, however, the submissions that were opposed to the introduction of federal religious vilification legislation expressed a fear that such legislation would constitute an unnecessary incursion into freedom of speech.<sup>26</sup>

Submissions were also received that supported the introduction of such legislation. These argued that religious vilification, like any vilification, discourages participation in a free and democratic society on an equal basis and that because vilification intimidates its targets and thereby undermines their freedom of speech, it is inappropriate to consider only the right to freedom of speech of the vilifier, but not the vilified.<sup>27</sup>

Under international human rights law, freedom of expression is a fundamental right which lies at the core of civil and political rights and is recognised in article 19 of the ICCPR.<sup>28</sup> However, while international law requires that freedom of opinion be guaranteed without qualification (article 19(1) of the ICCPR), freedom of expression is not an absolute and unqualified right. Article 5 of the ICCPR limits the exercise of all of the rights and freedoms set out in the ICCPR by reference to the rights and freedoms of others.<sup>29</sup> In addition, article 19(3) states that the exercise of freedom of expression carries with it 'special duties and responsibilities' and that the state may limit the freedom where necessary to respect the rights and reputations of others and to protect national security, public order, public health and/or public morals. Importantly, another article of the ICCPR, article 20, requires the prohibition by law of certain particularly

harmful expression. Article 20 provides:

1. Any propaganda for war shall be prohibited by law.
2. Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law.

The United Nations Human Rights Committee has commented upon the relationship between articles 19 and 20 by emphasising that the limitations required by article 20 are fully compatible with the right of freedom of expression as contained in article 19, the exercise of which carries with it special duties and responsibilities.<sup>30</sup> Australia has expressed its agreement with this interpretation but declined to introduce further legislation to implement article 20. Australia's reservation or statement of interpretation and intention with respect to article 20 states:

*Australia interprets the rights provided for by Articles 19, 21 and 22 as consistent with Article 20; accordingly the Commonwealth and the constituent States, having legislated with respect to the subject matter of the Article in matters of practical concern in the interests of public order (ordre public), the right is reserved not to introduce any further legislative provisions on these matters.*

In Australian domestic law, the High Court has recognised certain implied rights and freedoms in the Commonwealth Constitution. In particular, the Court has held that, based on the constitutional provisions setting up a system of representative government,<sup>31</sup> there is to be implied a freedom of communication as to matters of government and politics.<sup>32</sup> While these cases did not enunciate a right to free speech per se, they did find that the representative nature of the Australian democracy was reflected in the Commonwealth Constitution and that the protection of political speech and communication was an inherent requirement of that democratic structure.<sup>33</sup> Later High Court decisions clarified that the protected freedom is the freedom to communicate about political or government matters so as to enable people to exercise a free and informed choice as electors. The sections from which that freedom is implied preclude the curtailment of the freedom by legislative or executive power, but they do not confer a personal right to the individual of freedom of speech.<sup>34</sup>

Australian domestic law also recognises the need to impose limits on freedom of expression (for example, laws relating to defamation, offensive language, contempt of court and film censorship are among those which traditionally and currently limit freedom of expression in Australia). As noted in Chapter 1 of this report (and under paragraph 5.1.1 above), anti-discrimination laws already exist in Australia (including under the RDA) that limit freedom of expression by making it unlawful to vilify a person on the basis of their race, nationality and ethnic origin and already, in some of the states and territories, on the basis of religion.

In relation to the concerns that a federal religious vilification law would prevent opinions critical of religious beliefs being aired in public or prevent debates about particular belief systems being conducted, it is important to note that vilification of the individual (or, adopting the language of article 20 of the ICCPR, advocacy of religious hatred that constitutes incitement of discrimination, hostility or violence against a person because of his or her beliefs) is the proper focus of the proposed legislation rather than critiques of the religion or belief itself. Criticism of the religion itself is borne by the institution which, as a public institution, should be open to questioning of its methods, beliefs and motives. This point was made in a speech by Sir Ronald Wilson, former President of the Commission, in which he stated:

*Criticism or even ridicule of a religion is itself I think a conceptually different case from vilification of its adherents or promotion of intolerance against them, although the two may coincide. However genuine the offence which may be caused, I find it difficult to see a violation of human rights in the criticism of religion itself.<sup>35</sup>*

As a result of considering the issues raised during the Article 18 inquiry, the Commission recommended, among other things:

- The enactment of federal legislation containing provisions that make discrimination on the ground of religion and belief unlawful in all areas of public life,<sup>36</sup> subject to exemptions for discrimination based on the inherent requirement of a job and in certain circumstances in connection with employment at an institution which is conducted in accordance with the doctrines, tenets or teachings of a particular religion or creed<sup>37</sup> and
- The enactment of federal legislation containing provisions that make incitement to hatred (commonly referred to as vilification) on the basis of religion and belief unlawful.<sup>38</sup> The report suggested that the proposed provisions should be based on the racial hatred provisions contained in the RDA and recognised that the proposed legislation should make allowances for fair speech and fair reporting to ensure a balance between the competing rights of freedom of expression and the right to be free from vilification on the basis of religion or belief.<sup>39</sup> It was therefore suggested that, similar to the exemptions contained in the racial hatred provisions of the RDA, exemptions should be included for acts done reasonably and in good faith in areas including the performance of an artistic work, scientific or academic debate or making a fair and accurate report of a matter in the public interest.<sup>40</sup>

The Article 18 report was tabled in the federal Parliament on 11 November 1998. On 9 February 1999, in response to a question on notice in the House of

Representatives, the then Attorney-General stated that the Government did not intend to implement the recommendation for a Religious Freedom Act.<sup>41</sup>

In April 1999, the Minister for Foreign Affairs asked the Joint Standing Committee on Foreign Affairs, Defence and Trade to inquire into Australia's efforts to promote and protect freedom of religion and belief, in particular the extent of violations of religious freedom around the world and the probable causes of those violations; implications for other human rights arising from a lack of religious freedom and religious differences; and the most effective means by which the Australian government and non government organisations can promote freedom of religion in the region and around the world. The report, *Conviction with Compassion: A Report on Freedom of Religion and Belief* was published in November 2000. While the Committee was of the view that federal legislation giving effect to the right of freedom of religion and belief was not necessary (as it was of the view that Australia is a tolerant country and the freedom to believe or not believe is not merely tolerated but accepted as a fact and a right),<sup>42</sup> it did recommend that the Australian Government table a response to the other recommendations made in the Commission's Article 18 report, including those recommending legislation making discrimination and incitement to hatred on the basis of religion or belief unlawful.<sup>43</sup> It also recommended that the Australian Government coordinate a review of Commonwealth, State and Territory legislation to ensure the maximum degree of domestic protection of freedom of religion, with a view to the introduction of a greater degree of uniformity of human rights law and practice in Australia.<sup>44</sup> A recommendation was also made that the Australian Government continue to encourage and support the Commission's work and ensure that the resources with which it is provided allow it to carry out its work in relation to freedom of religion in timely, efficient, effective and appropriate ways.<sup>45</sup>

The Commission's recommendations in its *Article 18* report have yet to be implemented by the federal Government and nor has a response been tabled in accordance with the recommendation of the Joint Standing Committee on Foreign Affairs, Defence and Trade.

### 5.1.1.4 Conclusion

Current legal protections against discrimination and vilification on the ground of religion or belief, at federal, state and territory level, lack consistency and uniformity with the result that whether someone can seek redress under anti-discrimination laws for religious discrimination or vilification depends on where the conduct complained of occurred in Australia. A person who believes they have been discriminated against because of their religion has no legally enforceable rights if the alleged vilification happened in NSW or South Australia. A person who believes they have been vilified because of their religion has no

legally enforceable rights if the alleged discrimination happened in the ACT, NSW, South Australia, Western Australia or the Northern Territory.

As the majority of Australian Muslims live in NSW, the current lack of enforceable legal protection for acts of discrimination or vilification based solely on religion is particularly problematic in light of the information provided by consultation participants, survey respondents and interviewees who took part in the IsmaU project.

It remains the case that at the federal level, while the Commission has the power to inquire into and attempt to conciliate complaints that a person has been discriminated against on the basis of their religion in their employment or occupation, or if that their human rights in relation to religious belief have been breached by the Commonwealth, these complaints do not give rise to any enforceable right or remedy. Australia therefore currently falls short of the internationally recognised human rights standards in the ICCPR and the Religion Declaration (set out in Chapter 1).<sup>46</sup>

The Commission is of the view that the enactment of federal legislation that makes unlawful discrimination and vilification on the basis of religion would provide greater consistency and uniformity in this area and would assist in Australia satisfying its international obligations in this regard.

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## **Recommendation:**

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### **That a federal law be introduced making unlawful:**

- **discrimination on the ground of religion or belief**  
Appropriate exemptions, such as those set out in the Article 18 report relating to the inherent requirements of the job and employment by religious institutions, should be considered and
  - **vilification on the ground of religion or belief**  
It is acknowledged that the proposed legislation must make allowances for fair speech and fair reporting to ensure a balance between the competing rights of freedom of expression and the right to be free from vilification on the basis of religion or belief. Appropriate exemptions, such as those set out in the Article 18 report, should be considered.
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### **5.1.2 Improving access to legal protection**

Another significant concern raised by consultation participants concerned the burden on the individual of initiating and pursuing a complaint. It may be argued that when an entire community is affected, such as by alleged vilification in the media, it is unfair and unreasonable to expect an individual community member to initiate and pursue a complaint.

*They have these laws but for the average person in the street it's trying to access something that is not accessible. Me being confident and being in the organisation I am in, it took me a lot of people who I knew to go to, to get to a point where somebody was prepared to say we will take it on from here. For me not knowing the legal system was quite a frightening thing ... So what can we do to simplify these things so the average person gets a chance to lodge a complaint and see something get done about it? Otherwise people will just give up. It's frightening for those who know the legal system, so how is it for those who don't?<sup>47</sup>*

*As practicing lawyers, we hate to make complaints because we know what it involves – it's alienating to me ... We advise our clients of the nature and complex process of complaints and they get put off – it's too difficult.<sup>48</sup>*

The issue of the ability or 'standing' of organisations, such as community organisations, to make complaints is dealt with in a number of different ways under the anti-discrimination laws around Australia.

### **5.1.2.1 State and territory laws**

In Queensland, the *Anti-Discrimination Act 1991* (Qld) was recently amended<sup>49</sup> to allow complaints of racial or religious vilification<sup>50</sup> to be made by 'a body corporate or an unincorporated body, a primary purpose of which is the promotion of the interests or welfare of persons of a particular race, religion, sexuality or gender identity'.<sup>51</sup> If an organisation is able to satisfy certain requirements (such as, that the complaint is made in good faith, the conduct complained of has affected or is likely to affect 'relevant persons' for the body corporate or unincorporated body, and it is in the interests of justice to accept the complaint),<sup>52</sup> then it will be able to lodge a complaint of racial or religious vilification in its own right.

In NSW, under the *Anti-Discrimination Act 1977* (NSW), complaints of discrimination and vilification on all of the grounds included in the Act can be made by a 'representative body' on behalf of a named person or group of people. A representative body is defined as a body (whether incorporated or unincorporated) which purports to represent a group of people within NSW, whether or not the body is authorised to do so by the group concerned, and has as its primary object the promotion of the interests and welfare of that group.<sup>53</sup>

Before a complaint can be accepted from a representative body, each person on whose behalf the complaint is lodged must consent to the complaint being lodged and the body must have a sufficient interest in the complaint.<sup>54</sup> A representative body will have a sufficient interest if the conduct complained of is a matter of genuine concern to it because of the way that conduct could, or does, adversely affect the interests of the body or the interests or welfare of the group of people it represents.<sup>55</sup>

Similar provisions were recently introduced in Victoria by the *Racial and Religious Tolerance Act 2001* (Vic).<sup>56</sup> One important distinction, however, is that unlike the NSW legislation, the ability of a representative body to make a complaint on behalf of a named person or group of people under the Victorian legislation is limited to complaints alleging racial or religious vilification.<sup>57</sup>

In Tasmania, the *Anti-Discrimination Act 1998* (Tas) provides a broad range of standing provisions, allowing a complaint to be made by a person on behalf of the alleged victim of discrimination or prohibited conduct,<sup>58</sup> agents<sup>59</sup> and by 'an organisation'<sup>60</sup> against which the alleged discrimination or prohibited conduct was directed if the Commissioner is satisfied that a majority of members of that organisation are likely to consent.<sup>61</sup>

In the ACT, an 'agent' can make a complaint on behalf of one or more people aggrieved by an alleged act of discrimination.<sup>62</sup> In Western Australia, representative complaints can be made,<sup>63</sup> although the only 'organisation' referred to in that context is a trade union.<sup>64</sup>

In South Australia, a complaint can be made by an aggrieved person or by an aggrieved person on behalf of him or herself and any other person aggrieved by the alleged act of discrimination.<sup>65</sup> In the Northern Territory, only a person aggrieved by prohibited conduct under the Act, or a person authorised by the Commissioner on behalf of the person aggrieved, can make a complaint under the Act.<sup>66</sup>

#### **5.1.2.2 Federal law**

Under the federal HREOC Act, trade unions are the only organisation given specific standing to make a complaint on behalf of one or more other aggrieved persons.<sup>67</sup> The HREOC Act also provides that a complaint can be made by 'a person ... on behalf of one or more other persons aggrieved by the alleged unlawful discrimination'.<sup>68</sup> As the definition of 'person' under the *Acts Interpretation Act 1901* (Cth) includes 'a body politic or corporate', it is arguable that an organisation that meets this definition could make a representative complaint on behalf of others who are aggrieved by an alleged act of unlawful discrimination or a breach of the racial hatred provisions of the RDA.<sup>69</sup> The complaint would need to comply with all of the specific requirements governing representative complaints.<sup>70</sup> It is also worth noting that a person on whose behalf a representative complaint

has been made is not entitled to lodge a separate complaint about the same issue.<sup>71</sup>

However, even if such a complaint were to be made to the Commission and was terminated by the President,<sup>72</sup> only an 'affected person'<sup>73</sup> can proceed with the matter in the Federal Court or Federal Magistrates Service (FMS). An 'affected person' means a person on whose behalf the complaint was lodged.<sup>74</sup> Therefore, unless an organisation also made a complaint on its own behalf, it would not be able to commence proceedings in the Federal Court or FMS (which is the only way to lead to an enforceable decision). Only a person who was personally aggrieved would be able to do so.<sup>75</sup>

In addition to this, the Federal Court and FMS have different standing (and arguably narrower) provisions for representative complaints which must be complied with.<sup>76</sup>

In light of the differences in the way in which this issue is dealt with under the federal HREOC Act compared with some of the state and territory laws outlined above (in particular, in Qld, NSW and Victoria), consideration should be given to whether legislative amendment at the federal level is appropriate.

## 5.2 Education

### 5.2.1 Public Education

Consultation participants believed that education about the religious and cultural diversity of Australians is the most important long term strategy for eliminating anti-Arab and anti-Muslim prejudice. Participants stressed the need for more broad-based public education and for more targeted education campaigns aimed at specific groups such as young people, employers and service providers to help dispel myths and negative stereotypes about Arab and Muslim Australians.

*You are not going to solve anything with punitive measures. You will only solve it with education ...*<sup>77</sup>

*A person who is ignorant of difference and has no idea about others will discriminate ... But an educated person is more likely to show respect for others.*<sup>78</sup>

Participants felt any education campaign to address negative stereotypes about Islam and Arab and Muslim Australians should include the following key messages:

- Australian Muslims are an extremely diverse group and Muslims contribute in positive ways in all sectors of Australian society;

*When you talk about Islam we are not talking about one group of people from a particular religion. I mean, just look around the room here: we are all from different backgrounds, ethnic backgrounds, yet we share the same faith. I think it's just easy for them to put us in a box ... It's so misinterpreted and there are so many stereotypes.<sup>79</sup>*

- Arab Australians also come from diverse ethnic and religious backgrounds and that Arabs have made many positive contributions to Australian society;

*We want the diversity of our background to be expressed. This diversity will make them realise that you can't discriminate against an Arabic person in Australia for the actions of an extremist in the Middle East. You can't punish the entire group of people for the actions of one.<sup>80</sup>*

- Islam is a religion of peace;

*Islam is peace. Islam has nothing to do with terrorism and never will ...<sup>81</sup>*

- racial and religious discrimination and vilification is harmful and can be against the law.

*I think generally that the general public is not aware that to discriminate actively, verbally, and harass and vilify is against the law and is punishable as a crime ...<sup>82</sup>*

Participants believed that public education about Arab history and culture or about Islamic beliefs and customs was best conducted within a framework of multiculturalism. Many felt that singling out Arab and Muslim Australians in anti-racism education initiatives would only exacerbate prejudice, not promote understanding. Instead, consultation participants felt that the commonalities which Arab and Muslim Australians share with all Australians should be highlighted.

*Education and campaigns, no matter how small or large, should focus on similarities not differences between community groups. One message should be that Islam, like all religions, is about tolerance, acceptance and freedom of speech and expression of that religion.<sup>83</sup>*

*The concern that I have is that I don't think we should be isolating the Muslims as such and saying 'Look how different they are'. We're getting all this attention and the media is going berserk.<sup>84</sup>*

Promotion of multicultural principles such as respect for diversity was seen as an essential foundation of any education program to address anti-Arab and anti-Muslim prejudice. Participants felt there should be greater emphasis on the right of all Australians, Arabs and Muslims included, to express their own culture and

beliefs and to have equality of treatment and opportunity regardless of their race, culture, language, religion, location, gender or place of birth.<sup>85</sup>

*The strategy has to be about Australian multiculturalism and the notion of rights within multiculturalism because this is a reference which can be historically known and transferred to many different groups ...*<sup>86</sup>

*We need to try to broaden the curriculum to make kids understand what multiculturalism's all about - that there's not just one variety of 'proper' Australian. Then you've got to get to the broader population.*<sup>87</sup>

*It's very important [for people to learn more about what Islam is] because we do live in a society of multiculturalism. What we don't know about other people's culture and their religion is going to cause problems.*<sup>88</sup>

As detailed in the previous chapter, the 'Living in Harmony' program is the federal government's main initiative to promote multiculturalism. It includes celebration of 'Harmony Day' on 21 March each year and a grants program for community projects that promote harmony between people from different cultural, racial, religious or social backgrounds. In recent years, some of these grants have facilitated the development of educational resources which help promote positive public awareness of Islam and the Muslim community in Australia or of Arabic culture. For example, in 2002 the Australian Federation of Islamic Councils received a grant to foster a better understanding of Islam and the Muslim community in Australia. As noted previously, one of the outcomes of the project was publication of the information booklet *Appreciating Islam* which provided accessible information about the Muslim faith.<sup>89</sup> The Australian Arabic Council has received Living in Harmony community grants to produce the documentaries, *'Zero to Zenith: Arabic contributions to Australia'* and *'Tale of Two Peoples: Arabic and Indigenous youth in Australia'*.<sup>90</sup>

Consultation participants, particularly those with direct involvement in 'Living in Harmony' projects were, on the whole, positive about the program and saw its benefits in promoting multiculturalism. However, not all consultation participants were enthusiastic about 'Harmony Day'. Some felt that a focus on food, dancing and cultural exchange was superficial and detracted from the more serious underlying message of anti-racism. Many felt that a one day celebration is not opportunity enough to address the problems of prejudice and intolerance that occur during the other 364 days of the year. Others also felt that the grants distributed under the Living in Harmony program were ad-hoc and too short-term to bring about significant and lasting changes in attitudes towards multiculturalism or racism.<sup>91</sup> Given that in many instances projects are small scale and locally based, most consultation participants were simply unaware of the range of initiatives funded through the 'Living in Harmony' program.

Many consultation participants argued the need for a more dynamic and eye-catching, national public education campaign to promote multiculturalism to a wider audience. To reach this mass audience, some suggested using well known spokespersons (such as sporting or media celebrities) to deliver key messages and to employ more visual forms of communication such as television or billboard posters.<sup>92</sup> For example, participants suggested erecting billboards outside shopping centres informing people that discrimination is illegal and showing images of Muslim women alongside women from other ethnic or religious backgrounds.<sup>93</sup> Others also suggested that bus shelters were an ideal location for posters showing positive images of people from various cultures and ethnic backgrounds. Given that bus stops were a common setting for racist conduct, participants felt it was important to provide some immediate redress in such places.<sup>94</sup> Many stressed the importance of television as a medium for public education.

*What I think we need sometimes is like the advertising campaign about road deaths – strong ads that tell people ‘No’. Instead, what we get is images of food and dance. We don’t get images of multicultural communities contributing.<sup>95</sup>*

*What is lacking is an effective media and education campaign for the community in general ...<sup>96</sup>*

The use of visual formats to communicate key messages is particularly important given that people of ‘white Anglo-Celtic’ background are not the only ones to discriminate against and vilify Arab and Muslim Australians. Information provided during the course of the IsmaU consultations and the UWS survey and interviews suggest that long-established migrants and refugees from non-English speaking backgrounds also do so. People from culturally and linguistically diverse backgrounds for whom English is not a first language or who have low literacy skills may be reached more effectively through visual means such as ethnic radio, television, videos or posters rather than English-language written material.

Other participants argued that encouraging personal contacts is much more effective in overcoming prejudice than expensive advertising campaigns to promote multiculturalism.<sup>97</sup>

*We need to show our humanity and take time to sit around a table with people, and then you will get a lot more people on side and saying that they are caring about me as a human being. They understand me as a person and therefore I will listen to what they have to say.<sup>98</sup>*

*People are educated through their interaction with Muslim people and basically getting a better understanding of who they are and how they live.<sup>99</sup>*

Such personal links are being forged around Australia through initiatives such as interfaith dialogues and networks, mosque open days, and inter-school visits involving students from schools with a high proportion of Arab and Muslim students.<sup>100</sup> In Chapter 4 we discuss a range of current initiatives which aim to foster understanding between individuals from different ethnic or religious backgrounds. The proliferation of interfaith networks around Australia in recent years provides a positive example of how many local and community organisations have worked to help eliminate prejudice against Arab and Muslim Australians. Exchange programs and inter-school visits between Muslim and non-Muslim or Christian schools have also fostered interfaith understanding and acceptance amongst young people.

### 5.2.2 Educating young people

Consultation participants suggested a variety of more detailed strategies to educate specific target groups such as young people, employers and service providers about multiculturalism and Arab culture and the Islamic faith. Educating young people was seen as a particular priority.

*Let's also target the children to educate them properly about how to see the similarities in other kids.<sup>101</sup>*

*I think people when they are young should be educated about other people and that people believe in different things and they should just appreciate the different cultures and respect them as human beings.<sup>102</sup>*

Improving education about racism and multiculturalism in schools is an effective way to reach young people. Schools play a vital role in preparing children and young people for effective participation and responsible citizenship in Australian society. Consultation participants recognised the importance of schools in promoting the values of equality, respect for diversity and in helping tackle racism.

*Giving education to the adults is fine. But looking at the long term, within the next 20-25 years, the children will grow up to copy the adults.<sup>103</sup>*

Consultation participants identified three main priority areas for improvement in schools: clear and consistent anti-racism policies and programs, ongoing cultural diversity training for teachers and professional staff and review and further development of curriculum that promotes awareness and acceptance of cultural difference.

### 5.2.2.1 Anti-racism strategies

The goal of creating a 'socially just' schooling environment free of racism is explicitly set out in the *Adelaide Declaration on National Goals for Schooling in the Twenty-First Century* (the Adelaide Declaration) endorsed by state, territory and Commonwealth Ministers of Education in 1999.<sup>104</sup> The Adelaide Declaration, which provides broad directives to guide schools and education authorities to achieve high quality schooling, also encourages schools and education authorities to ensure that 'all students understand and acknowledge the value of cultural and linguistic diversity and possess the knowledge, skills and understanding to contribute to, and benefit from, such diversity in the Australian community and internationally'.<sup>105</sup>

Each state and territory education department develops and implements specific anti-racism policies and programs in accordance with these broad national guidelines. All state and territory education departments also have guidelines on grievance procedures for handling complaints about racism in schools.

While anti-racism policies and programs are the responsibility of state and territory education departments, their implementation at a local level is a matter for individual schools. As a result, there is a lack of uniformity in how racism is tackled in different schools. This was noted by several consultation participants.

*It's so inconsistent. You see one school doing some really fantastic work. In the next suburb, with the same amount of NESB (non-English speaking background) kids, another school will be doing nothing and they get away with it. Opportunities for those kids are lessened; those families suffer; everyone's behind the eight ball.*<sup>106</sup>

*In schools with good anti-harassment and anti-racism statements, we don't get problems of racism against NESB students. Some schools are problematic even though they only have a 2% NESB population.*<sup>107</sup>

Consultation participants felt that anti-racism policies were most effective in schools where the principal and senior staff exercised strong leadership in endorsing and enforcing them.

*There is a very strong anti-racism policy at our high school that came from the principal right down, so when teachers and students see her setting an example they don't take it lightly, rather, they take the issue seriously.*<sup>108</sup>

*At my school it's been very good. I have no complaint about discrimination. The teachers have been wonderful ... our school is made up of like 90% NESB and mainly from Arabic background and the principal has been very supportive. He always tells the teachers during the meetings that we have on a weekly basis to be sensitive to Arab students' needs.*<sup>109</sup>

To encourage strong, consistent leadership against racism by principals and senior staff in schools, federal, state and territory education authorities could play a greater role in promoting the goals of 'socially just' schooling as set out in the Adelaide Declaration. Specifically, there is scope for federal, state and territory governments to work together to promote the Adelaide Declaration goals of ensuring that school environments are free from discrimination based on factors such as culture, ethnicity and religion (goal 3.1) and that students understand and acknowledge the value of cultural and linguistic diversity (goal 3.5).<sup>110</sup>

Collaboration between federal and state/territory education authorities to promote more consistent implementation of anti-racism policies could be fostered through the federal Ministerial Council on Education, Employment, Training and Youth Affairs (MCEETYA).<sup>111</sup> MCEETYA is comprised of State, Territory, Australian Government and New Zealand Ministers with responsibility for the portfolios of education, employment, training and youth affairs. The functions of the Council include coordination of strategic policy at the national level, negotiation and development of national agreements on shared objectives and interests (including principles for Australian Government/State relations) in the Council's areas of responsibility, negotiations on the scope and format of national reporting on areas of responsibility, sharing of information and collaborative use of resources towards agreed objectives and priorities, and coordination of communication with, and collaboration between, related national structures.<sup>112</sup> MCEETYA is supported by a number of taskforces convened as needed to meet particular goals such as improving Indigenous education employment and training. Information provided by the MCEETYA Secretariat indicated that issues relating to anti-racism and cultural diversity in schools could be addressed by existing MCEETYA taskforces such as the Student Learning and Support Services Taskforce or the Teacher Quality and Educational Leadership Taskforce (or whatever the new configuration of these taskforces may be after a review currently being undertaken by MCEETYA).

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### **Recommendation:**

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**That MCEETYA consider referring these issues to the relevant taskforce for advice on best practice in implementing anti-racist education policies in schools with a view to ensuring schooling is free from discrimination based on culture, ethnicity, religion or race, and for an action plan to implement that best practice.**

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### 5.2.2.2 Training teachers

Most children, young people and parents who participated in consultations felt they had received adequate support from their teachers against prejudice and discrimination. However, some believed that individual teachers were ill-equipped to deal effectively with racism in the classroom and playground. In the few instances where teachers were reported by consultation participants to have acted in a discriminatory way, schools had responded swiftly to discipline the individual teacher. The more common complaint from students and parents was of subtle bias manifested in alleged favouritism of non-Muslim or non-Arab students and in offensive or insensitive language or behaviour used by teachers and lecturers leading class discussions about terrorism, for example, or women in Islam.

*With the kids, they get verbal abuse, they spit on them, and sometimes they get physical abuse as well. The kids find it difficult to voice it out because they think nothing is going to happen anyway so why should I say it. They are reported to the teachers but nothing happens.<sup>113</sup>*

*It is necessary to have mandatory training on culture and religious diversity as a teacher because it is the teachers who also do the discrimination, even union members. It's just that these people are in a position of power and these people are imparting their views on to the children, therefore I really think we need mandatory training in different cultures.<sup>114</sup>*

To ensure that teaching professionals are well prepared to administer anti-racism policies and programs and help promote respect for cultural and linguistic diversity, teachers should receive diversity training as part of their ongoing professional development. Currently, many public schools around Australia offer ad-hoc cultural diversity training for teachers. In areas with high concentrations of students from culturally and linguistically diverse backgrounds or in schools with specialist programs for newly arrived migrants and refugees, teacher training in anti-racism and diversity awareness appears to be more commonplace. While in some states and territories, induction programs for new teachers includes diversity awareness and anti-racism training, there appears to be no compulsory on-going training for established teachers.<sup>115</sup> The MCEETYA taskforce on Teacher Quality and Educational Leadership (or its new configuration) could develop standards for anti-racism and diversity training aimed at improving the quality of teaching and learning in schools.

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## Recommendation:

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**That MCEETYA consider referring the issue of diversity training of teachers to the relevant taskforce for advice on an action plan for implementation, as part of its commitment to enhancing teacher quality.**

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### 5.2.2.3 Curriculum

Teachers and educators who participated in the consultations described a variety of multicultural and anti-racism programs currently taught in schools that promote broad public acceptance of cultural difference.<sup>116</sup> Programs such as *Racism No Way!*<sup>117</sup> offer teachers and students online access to information about racism and racial discrimination. State and territory education authorities have also developed resources that help teachers include multicultural perspectives in teaching subjects ranging from technology courses to studies of society and the environment. The Commission has also developed a range of educational resources that explore the causes and consequences of racial discrimination. These online resources are directly linked to the educational curricula of each Australian state and territory, providing education departments and individual teachers with a clear guide as to how they can be used in the classroom.<sup>118</sup> Despite these existing initiatives, many participants felt that anti-racism and multicultural education in schools does not go far enough.<sup>119</sup>

Participants suggested two main improvements to curriculum: that existing curriculum be assessed with a view to correcting misinformation about Islam and Arab history and culture and that the curriculum in primary and secondary schools be expanded to provide unbiased information about all major world religions, including Islam, and major civilisations, including Arabs.<sup>120</sup> Some young students were in favour of introducing compulsory study of religion as part of the primary school curriculum.

*It is important to learn about other religions so that people understand each others' religions and treat them nicely.*<sup>121</sup>

*I would like to learn about other religions. I want to learn more than about their differences, like I want to learn about all their beliefs and everything and I will respect their beliefs too. And I want them to learn more about Islam so they can respect my beliefs also.*<sup>122</sup>

While some teachers welcomed the idea of compulsory cross-cultural religious studies, others cautioned against further inflating an already crowded curriculum or warned about the dangers of teaching religion in public schools.<sup>123</sup>

*We would like people to know more about every religion. On the other hand we fear if there is too much teaching of one religion it becomes indoctrination. So you have to find a balance between, on one hand, where people label it as indoctrination and, on the other, the knowledge of what it is all about and of course as educators we have to be a leveller in between.*<sup>124</sup>

Some participants stressed that education about diversity must be embedded in existing curriculum rather than being hastily 'tacked on' as an optional extra. There is considerable scope for integrating education about cultural and linguistic diversity into existing education frameworks and for more active promotion of such programs by federal, state and territory education authorities. For example, there is scope to integrate a fuller discussion of human rights relating to freedom of religious belief and freedom from racial discrimination, in the 'law and rights' component of the *Discovering Democracy* program developed by the federal government.<sup>125</sup> This program aims to help young people become responsible citizens by educating students to understand the workings of Australia's political and legal system and the history of Australian democracy. There is also opportunity to further highlight issues like racism and promote respect for cultural and religious diversity in the context of 'Values Education'.<sup>126</sup> 'Values Education' includes any school based activity to promote student understanding and action based on values such as acceptance of other people's difference, inclusion and trust, respect for others and a commitment to social justice principles. The Commission suggests that federal and state education authorities consider prioritising anti-racism in the future development of values education programs and in civics and citizenship curriculum.

### **5.2.3 Educating service providers**

Many consultation participants reported discrimination in the provision of government services such as policing, public transport, housing, medical care and social security.<sup>127</sup> To address this, participants recommended diversity training for all government service providers.<sup>128</sup>

*If Australia is to run a migration program, then the institutions of the state have to be prepared to accept, accommodate and service them.*<sup>129</sup>

*As service providers we must be culturally confident. There must be some criteria that say, if you want to be a sergeant, teacher or a police officer, what do you know about cultural issues and how do you demonstrate that confidence...?*<sup>130</sup>

Consultation participants identified diversity training for government employees, particularly police, as vitally important.

*They need to know the people they are policing. There is no point in having an organisation leader or lecturer come and speak because they aren't going to run into him on the street – it's the actual kids that they are going to be working with they need to speak with.*<sup>131</sup>

*Education has to start before they get into the force at the academy level – so they can challenge their prejudices earlier.*<sup>132</sup>

*Make sure that all cops at all levels attend the cultural training.*<sup>133</sup>

Police in all states and territories receive cultural diversity training as part of basic recruitment.<sup>134</sup> In 1997, the National Police Ethnic Advisory Bureau (precursor to the Australasian Police Multicultural Advisory Bureau) released a national training standard policy for cultural diversity training of police across states and territories. This integrated approach to cross-cultural awareness training replaced an ad-hoc approach based on stand-alone courses that were usually tacked on to the end of training courses. Police across Australia also have access to the resource *A Practical Reference to Religious Diversity for Operational Police* (2nd edition) which covers information about a range of religions and how the police and emergency services can deliver culturally appropriate services that accommodate different beliefs.<sup>135</sup>

In relation to government services more generally, there is a national policy framework for ensuring that the diverse needs of Australians are met by culturally responsive federal government services. This policy is set out in *The Charter of Public Service in a Culturally Diverse Society* (the Charter).<sup>136</sup> The Charter was launched in 1998 by the Department of Immigration and Multicultural and Indigenous Affairs (DIMIA) and endorsed by Commonwealth, State and Territory Governments and by the Australian Local Government Associations. It aims to remove barriers to accessing government services for clients from culturally and linguistically diverse backgrounds and recommends provision of cross-cultural awareness training for staff.<sup>137</sup> DIMIA reports annually on the progress that Commonwealth agencies have made in implementing the Charter, most recently in its 2003 *Access and Equity Annual Report*.<sup>138</sup>

States and territories also have access and equity policies and reporting mechanisms to measure implementation of access and equity standards. For example, public sector agencies in New South Wales are required to have an Ethnic Affairs Priorities Statement (EAPS) which shows how they will deliver appropriate services to a culturally diverse client group, consult effectively and inclusively, provide training for staff on cultural diversity issues and provide language services and information in ways that will reach all clients. Each year the Community Relations Commission for a Multicultural NSW assesses and monitors the performance of public sector agencies, and reports on this performance in an annual *Community Relations Report*.<sup>139</sup>

Many of the community organisations who participated in IsmaU consultations have delivered cross-cultural awareness seminars to service providers from local, state and federal government agencies to assist these agencies in better understanding and serving the needs of culturally and linguistically diverse clients from Arab and Muslim communities. General interest in these seminars has risen significantly over the last two years as has demand for more specifically tailored cross-cultural awareness seminars from government service providers such as Centrelink, TAFE and some local area police commands.<sup>140</sup> Consultation participants stressed the importance of ongoing provision of such training to government service providers.

### 5.2.4 Employer obligations

Consultation participants and survey respondents, including those who participated in interviews, all identified discrimination in the workplace as a major issue (see Chapter 2). Religious dress, an Arabic or Islamic name or evidence of Arabic language skills were factors which participants felt impacted on their opportunities to find a job, or on their capacity for promotion or job satisfaction once they were already in employment. To address these problems, many consultation participants felt that more could be done to inform employers of their legal responsibility to ensure that workplaces were free from racial or religious discrimination.

*[I want] just to know that he [the employer] knows that by law he's got no right to discriminate against anyone regardless of their physical features or whatever ... If people are aware that there is a law against this and it is enforced, then I believe it would make a difference.*<sup>141</sup>

Participants felt that small and medium sized employers should be the particular focus of any campaign to increase understanding and implementation of anti-discrimination laws and workplace diversity policies.<sup>142</sup> Consultation participants felt that larger employers were often more aware of anti-discrimination laws and their legal obligations as employers to foster work environments free from discrimination than smaller employers. Some consultation participants also argued that employers should be better informed about how to properly accommodate the religious needs of Muslim workers, particularly regarding prayer at work.<sup>143</sup>

The Commission along with state and territory anti-discrimination agencies have developed a range of educational and training resources that address discrimination issues in employment. For example, the Commission's Complaint Handling Section provides information sessions on the law and training in investigation and resolution of discrimination issues for Commonwealth govern-

ment departments and national employer groups throughout Australia, where appropriate. These presentations and training sessions include provision of information on race discrimination and racial hatred and discussion of relevant case law to assist employers clarify their responsibilities under federal human rights and anti-discrimination law.<sup>144</sup> The development and implementation of educational programs that promote an understanding of anti-discrimination laws is one of the Commission's core functions and it will continue to carry out further educational programs in this area.

## 5.3 Public language

### 5.3.1 Public language – media

Throughout the IsmaU project, concerns were consistently raised by the participants about the reporting of issues relating to Arabs and Muslims locally, nationally and internationally. This issue has also been the subject of vigorous public debate and analysis.<sup>145</sup> Consultation participants felt that biased and inaccurate reporting of issues relating to Arabs and Muslims is commonplace among some sections of the media and is extremely damaging. Survey respondents and interviewees also felt that increases in anti-Arab and anti-Muslim prejudice, discrimination and violence were linked to negative media portrayals of Arab and Muslims, especially on commercial television, talkback radio and in the tabloid press.

*The Arabic community are either the victims or the villains. There is no room in the middle ... to show that they are just like everyone else in the community. They are either fighting or they are victim of vilification. The only way we can get into the media is to push the vilification side and that is ridiculous as there are so many good people in the community who are all working together and trying to actively encourage the community to participate.*<sup>146</sup>

*If it's not blood and guts and shootings and disaster, they won't show you. They just want to show the very bad disasters about Muslims and if it's not about Muslims they will associate it with Muslims ... They should be more balanced in the way they report things. I am not a Muslim and I get very upset by the media.*<sup>147</sup>

*As a citizen, I feel intellectually and emotionally persecuted by a media that refuses to take responsibility for the emotional damage it has inflicted on Australia's Arabic and Muslim communities and bluntly ignores the fact it is causing damage to Australia's social cohesion ...*<sup>148</sup>

Many participants felt that there is stereotyping in the media of Arabs and Muslims and that this has immediate and direct negative impacts on individuals or communities, exacerbating tensions and fostering a climate conducive to fear, discrimination and abuse.

*All of our kids watch TV all of the time. Muslims, Christians, Hindus, Jews, whatever – they watch TV. There is a news update and straight away they mention 'Muslim terrorists'. So straight away it is stuck in the minds that Muslims are terrorists. So when they go back to school they will be discriminated against because they are 'Bloody Muslims'... I think the media is the main cause because kids are picking on Muslims at school and these kids get it from their parents and their parents get it from the media.<sup>149</sup>*

*I came as a refugee from Bosnia ... I feel inside that at any moment someone will abuse me or say something to me because every day, every time on TV, it's 'Muslim fundamentalist', or 'Muslim terrorists'. Why are they looking at us as fundamentalists and terrorists?<sup>150</sup>*

Specific concerns raised by consultation participants and interviewees about some sections of the media included the following:

- That media reports the ethnicity and religion of Arab and Muslim criminal suspects and offenders but not uniformly for others. Further, that an offender's ethnicity and/or their religion is presented as if it caused the offending behaviour.<sup>151</sup>
- That media does not provide balance in coverage of Arab and Muslim communities and fails to promote positive stories about Arab and Muslim Australians.<sup>152</sup>
- That media fail to provide a fair right of reply, for example, by failing to publish letters to the editor critical of an anti-Muslim article.<sup>153</sup>
- That talkback radio permits racial and religious vilification against Arabs or Muslims to go to air as entertainment.<sup>154</sup>
- That journalists often get their facts wrong about Islam, Muslims and Arabs.<sup>155</sup>
- That journalists tap too narrow and unrepresentative a range of spokespersons from Arab and Muslim communities.<sup>156</sup>
- That Muslims are not visible or heard on 'mainstream' issues but only within the narrow confines of Muslim specific issues.<sup>157</sup>
- That use of inappropriate or stereotypical images can be used to mislead or reinforce negative stereotypes against Arab and Muslim Australians.<sup>158</sup>

Many consultation participants were especially upset about media commentary on the sentencing of several young men of Lebanese background charged in a series of eight group sexual assaults which took place in the Bankstown area of south-west Sydney in 2000. Both consultation participants and representatives of Arab and Muslim communities shared the outrage felt in the broader

community about these crimes. The Australian Arabic Council publicly denounced the crimes and stated that the perpetrators 'deserve to be dealt with by the full strength of the law'.<sup>159</sup> Equally, the Australian Federation of Islamic Councils condemned the perpetrators of the sexual assaults and stated that '[t]here is no doubt that these individuals acted independently of their religious or cultural background'.<sup>160</sup> They offered to the victims their 'condolences and warm words of support for the great courage that they have shown in standing against these sadistic and misguided youth'.<sup>161</sup>

However, participants also felt that media coverage of the trial in 2001 and conviction and sentencing of the offenders in 2002 led to a perception that all Muslims and all members of the Lebanese community were responsible for the actions of the perpetrators.

*A couple of weeks ago there was a home rape in Newington but they [the media] didn't mention their religion and ethnicity but only bring it up when they were Lebanese or Muslim. In this case the race card wasn't used.*<sup>162</sup>

*The main problem is the media, like the way they portrayed the gang rapes and the calling for the 55 year jail sentence. Why did they have to make it a religious issue, and not encourage the same jail sentence for the priest who raped those children?*<sup>163</sup>

Consultation participants were not alone in expressing concerns about the impact of media coverage of this issue. In March 2004, the New South Wales Court of Criminal Appeal<sup>164</sup> overturned the conviction of one of the offenders (who was tried separately from the other four co-accused), and ordered a retrial on the basis that there had been a miscarriage of justice despite a strong Crown case against the defendant.<sup>165</sup> A majority of the Court found that '[t]he feelings of anger, revulsion and general hostility to young Lebanese men that emanated from the media coverage of the trial would have lingered heavily in the atmosphere of [the accused's] trial. Its fairness and the appearance of its fairness were undermined to an unacceptable degree due to the unnecessary decision to direct back-to-back trials'.<sup>166</sup>

Participants also felt that media coverage of refugee and asylum seeker issues contributed to an increase in prejudice against people of Muslim or 'Middle Eastern' background.

*It makes me feel as though the whole world is against me. I don't want to switch on the news ...*<sup>167</sup>

*I rang the radio the other day and complained about the language used about boat people. I said they are not 'allegedly' asylum seekers. They are asylum seekers ... The language that is used is used to confuse and to keep the public in the dark.*<sup>168</sup>

Concerns were also expressed by consultation participants that media coverage of terrorism and the 'war on terror' had also reinforced negative stereotypes that Muslims are all 'terrorists' or potential terrorists.

*Media are responsible for the worst stereotypes, like Muslims are terrorists, when Islam means peace ... People think that only Muslims can be terrorists. They single out 'terrorist' as equalling to Islam.*<sup>169</sup>

This issue was recently acknowledged by the Australian Press Council (APC) in a press release issued in April 2004. The APC urged newspapers and magazines 'to be careful about using in their headlines terms for religious or ethnic groups that could imply that the group as a whole was responsible for the actions of a minority of that group'.<sup>170</sup> Whilst acknowledging difficulties that the use of overly general terms has caused for groups such as Indigenous people and the Australian Jewish community, the focus of the press release was on the Australian Muslim community. It acknowledged that while, in some cases, the linking of words with religious connotations (such as 'Islam', 'Islamic' and 'Muslim') to terrorist groups may be, in the strictest sense, accurate, it is often unfair as 'terrorists may be Muslims, but Muslims are not necessarily terrorists, as some headlines have implied'.<sup>171</sup>

Some consultation participants also expressed disappointment about what they perceived as inaccurate and biased coverage of conflict in the Middle East. This coverage also has its impacts by creating damaging stereotypes in Australia.

*Just with all the media attention on the Middle East and the buzz around the Middle East, when kids found out I was Palestinian background, my nickname soon became 'terrorist'.*<sup>172</sup>

A Muslim organisation provided details of a complaint submitted to a local television network about bias in reporting of the Israeli-Palestinian conflict.

*For example ... when reporting the confrontation between say a Palestinian and an Israeli, the Palestinian is described as an Islamic terrorist and the Israeli is simply called Israeli or sometimes referred to as a 'settler'.*<sup>173</sup>

The development and implementation of strategies to challenge stereotyping in the media was seen as essential by consultation participants to achieving the broader goal of eliminating prejudice and discrimination against Arab and Muslim Australians. Suggestions for addressing these concerns included:

- media analysis to increase media accountability<sup>174</sup>
- greater awareness of minimum legal standards in media codes of practice<sup>175</sup>
- development and promotion of positive stories about Arabs and Muslims<sup>176</sup>

- more effective engagement between media and community representatives<sup>177</sup>
- diversity training for journalists<sup>178</sup>
- provision of media training to community spokespeople.<sup>179</sup>

### 5.3.1.1 Media analysis

Allegations of factual inaccuracies and the absence of balance in reporting and commentary are issues of serious concern. The first step towards addressing these issues could be achieved by verifying these allegations through close monitoring of media content. Media analysis could help document whether there are patterns of bias in reporting of issues relating to Arab and Muslim Australians and identify potential breaches in reporting standards and anti-vilification laws.<sup>180</sup> It could also assist in the recognition and encouragement of media that do present Arabic or Islamic issues in a fair and balanced manner.<sup>181</sup>

Until recently, there was little in the way of such analysis.<sup>182</sup> *The New 'Others': Media and Society Post-September 11*, the November 2003 edition of Griffith University's *Media International Australia* journal contains a thorough and wide-ranging analysis of media representation of people of 'Muslim and Middle Eastern' background in Australia post-September 11.<sup>183</sup> Several of the articles in the collection use rigorous content analysis of specific newspapers to explore media representations of asylum seekers<sup>184</sup> and Arabs and Muslims in Australia.<sup>185</sup> In *Dog Whistle Politics and Journalism: reporting Arabic and Muslim people in Sydney newspapers*, Peter Manning, (Professor of Journalism at the University of Technology, Sydney, and the former Head of ABC TV News and Current Affairs and Head of Current Affairs at Network 7), analysed representations of Arabs and Muslims in two of Sydney's major daily newspapers in twelve months before and after 11 September 2001. He found that the media portrayal of Arabs and Muslims in these newspapers relied heavily on stereotypical orientalist notions of Arabs and Muslims as 'irrational' and 'violent' and that the newspapers presented the view that Australia is under threat from such people.<sup>186</sup>

While scholarly research is an important first step in investigating the nature of media representations and assessing their impacts, community organisations have yet to fully utilise this research as a tool for education or advocacy. Several researchers, including Peter Manning, stressed the need for more assistance to allow greater involvement by community organisations in the process of media monitoring.

*Arab and Muslim organizations (separately) should have media monitoring groups that can react quickly to stereotypes and prejudice and seek redress, correction or, at least, balance. The groups would need to be media-wise, have professional-level spokespeople and research resources to back their side of the story.*<sup>187</sup>

*You can empower groups and assist them in those battles. This is just in terms of the media ... It is much better to assist communities to represent their own interests in these media ... I think on the basis of that a group should be funded to actively monitor the way they have been portrayed.*<sup>188</sup>

To date, there has been no systematic, ongoing monitoring of media representations of Arab and Muslim Australians by relevant community organisations.<sup>189</sup> The Australian Arabic Council (AAC) conducts media monitoring on an ad-hoc basis distributing information about media bias in specific television or print reports which stereotype or vilify Arabs. The AAC does this through an 'Action Alert' email list-serve to members and associates to encourage mass action to redress particular articles or news stories.<sup>190</sup> The Islamic Council of Victoria and the Forum on Australia's Islamic Relations (FAIR) also conduct ad-hoc media monitoring.<sup>191</sup> These and other community organisations who participated in consultations recognised the need for comprehensive and systematic analysis of print and broadcast media. However, community organisations felt they were not adequately resourced to conduct thorough and ongoing monitoring and analysis of media representation of Arabs and Muslims in the Australian media.

### **5.3.1.2 Targeted information campaigns on media standards and complaint processes**

Many consultation participants felt that there were few, if any, constraints or checks on the media in relation to reporting of issues relating to race and religion.<sup>192</sup> However, the media are bound by the racial hatred provisions of the RDA and by racial and religious vilification laws in states and territories discussed previously. These laws must be activated by a complaint from or on behalf of people aggrieved by the reporting or commentary aired or published.

In addition to this, each of the media sectors has its own form of self-regulation which allows members of the public to make complaints about certain issues to the relevant industry body.

For example, the federal *Broadcasting Services Act 1992* (Cth) (*Broadcasting Services Act*) provides for the development of codes of practice by radio and television industry groups in consultation with the Australian Broadcasting Authority (ABA). In developing these codes of practice, s 123 of the *Broadcasting Services Act* requires that community attitudes are to be taken into account regarding:

*... the portrayal in programs of matter that is likely to incite or perpetuate hatred against, or vilifies, any person or group on the basis of ethnicity, nationality, race ...*<sup>193</sup>

Once an industry code of practice has been developed, the ABA must be satisfied of certain matters before registering the code.<sup>194</sup> The ABA has registered codes

of practice for all broadcasting sectors (with the exception of the ABC and SBS which are notified to the ABA) which are publicly available.<sup>195</sup> The April 1999 Commercial Television Industry Code of Practice stipulates, for example:

*1.8 A licensee may not broadcast a program, program promotion, station identification or community service announcement which is likely, in all the circumstances, to:*

*1.8.5 seriously offend the cultural sensitivities of Aboriginal and Torres Strait Islander people or of ethnic groups or racial groups in the Australian community*

*1.8.6 provoke or perpetuate intense dislike, serious contempt or severe ridicule against a person or group of persons on the grounds of age, colour, gender, national or ethnic origin, disability, race, religion or sexual preference.*

*1.9 Except for Clause 1.8.3, none of the matters in Clause 1.8 will be contrary to this Section if:*

*1.9.1 said or done reasonably and in good faith in broad-casting an artistic work (including comedy or satire); or*

*1.9.2 said or done reasonably and in good faith in the course of any broadcast of a statement, discussion or debate made or held for an academic, artistic or scientific purpose or any other identifiable public interest purpose; or*

*1.9.3 said or done in broadcasting a fair report of, or a fair comment on, any event or matter of identifiable public interest.<sup>196</sup>*

A list of the relevant industry groups and their codes of practice are available at: <http://www.aba.gov.au/radio/complaints/industry.htm>

Under the provisions of the *Broadcasting Services Act*, a person who wishes to make a complaint about a program broadcast by a radio or television station that is covered by a code of practice must first make a complaint to that broadcaster.<sup>197</sup> If the person is dissatisfied with the station's response or if the station does not answer the complaint within 60 days, then a complaint may be made to the ABA.<sup>198</sup>

These mechanisms are valuable in that they allow members of the public to raise concerns, as a first step, directly with the broadcaster concerned. However, it is noted that as the standards contained in s 123 of the *Broadcasting Services Act* and the racial hatred provisions of the RDA (discussed in Chapter 1) are not the same, a broadcaster that has a complaint made against it under the RDA, and who otherwise complies with the *Broadcasting Services Act* and the relevant code of practice, would also have to meet the standards contained in the RDA.

The Australian Press Council is the self-regulatory body of the print media.<sup>199</sup> It was established in 1976 with two main aims: to help preserve the traditional freedom of the press within Australia and ensure that the free press acts responsibly and ethically. To carry out its latter function, it serves as a forum to which complaints can be made about news reports, articles, editorials, letters and images (including cartoons) in newspapers and magazines and complaints arising out of their publication (including publication on a web site).<sup>200</sup> Complaints to the Press Council are treated as being against the publication, not an individual.

The Press Council sets out in its Statement of Principles<sup>201</sup> those matters which it will have regard to in considering complaints, with the proviso that the Council 'will give first and dominant consideration to what it perceives to be in the public interest'.<sup>202</sup> Included in the Principles is the following statement:

*Publications should not place any gratuitous emphasis on the race, religion, nationality, colour, country of origin ... of an individual or group. Nevertheless, where it is relevant and in the public interest, publications may report and express opinions in these areas.*<sup>203</sup>

The Press Council also issues reporting guidelines which it describes as amplifications on particular issues arising from the Statement of Principles.<sup>204</sup> In 2001, the Press Council issued a revised Guideline on the reporting of 'race'.<sup>205</sup> The Guideline stipulates:

*The Australian Press Council often receives complaints about the reporting of the race, colour, ethnicity and nationality of individuals or groups, and these raise important questions about the responsibility of the press in our multicultural society.*

*In the broadest terms, the Council has found that the tone and context of such reporting are usually the crucial elements in deciding whether its principles have been breached ...*

*The Council is principally concerned about references to race, colour, ethnicity or nationality which promote negative stereotypes in the community. It acknowledges that the question of stereotypes is not cut and dried, and much depends on the context.*

*The Council in principle condemns gratuitous use of offensive slang terms for minority groups. However, if someone controversially used such expressions, a publication may well be justified in reporting them in direct quotes. The Council also generally believes that the use of such terms is permissible in opinion articles, when it is to make a serious point, and sometimes in humorous articles and satire. But here again the boundaries are usually determined by tone and context.*

*The Council also accepts that some international situations are extremely difficult to report or comment on without causing offence to different groups in the community. For example, referring to the "Former Yugoslav Republic of Macedonia" might offend some readers. But referring to it simply as "Macedonia" might offend others. The Israeli-Palestinian and Northern Ireland conflicts are other obvious examples where deep-rooted passions among readers from various backgrounds are easily inflamed, even by impartial reporting.*

*In the Council's view, in general, the press needs to show more sensitivity in reporting issues when minority groups are perceived in the community to be more "different" or when they are the subject of particular public debate.*

For reasons similar to those discussed in relation to the *Broadcasting Services Act*, an organisation that has complied with the Statement of Principles and Guidelines issued by the Press Council, could still have a complaint made against it under the RDA.<sup>206</sup>

In relation to individual journalists, the Australian Journalists' Association Code of Ethics<sup>207</sup> forms the basis of a self-regulatory system which binds members of the Australian Journalists' Association of the Media Entertainment and Arts Alliance (Alliance).<sup>208</sup> The Code of Ethics includes the following:

*Do not place unnecessary emphasis on personal characteristics, including race, ethnicity, nationality, gender, age, sexual orientation, family relationships, religious belief, or physical or intellectual disability.*<sup>209</sup>

A complaints process adopted by the Alliance allows complaints to be made by members of the public if they believe that a journalist has acted contrary to the Code of Ethics.<sup>210</sup>

Few consultation participants were aware of these bodies or avenues of complaint. In a written submission to the Commission, Peter Manning suggested that the Commission and state and territory anti-discrimination agencies should assist community organisations and individuals by clarifying existing anti-vilification laws and mechanisms for complaining about alleged vilification by the media.

*Every Arab and Muslim community organization should have a fact sheet that outlines the laws and regulations affecting prejudice/discrimination and what can be done (along with names, addresses and phone numbers). It should also contain bodies that handle complaints (e.g. the Australian Broadcasting Tribunal) and the various ways of submitting complaints. In addition, the fact sheets should contain the names and addresses of legal organizations which provide fast and cheap legal services.*<sup>211</sup>

In this regard, it is relevant to note that shortly after the RDA was amended to prohibit offensive behaviour based on racial hatred, the Commission published a guide on the *Racial Hatred Act* for people working in the Australian media.<sup>212</sup> While these guidelines contain useful information about racial vilification (including case studies) for community groups, its target audience was the media.

Providing communities with better information about the relevant regulatory standards and avenues of complaint may be more appropriately handled by organisations responsible for administering these standards, such as the relevant industry group in relation to television and radio, the Australian Broadcasting Authority and Australian Press Council.

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### **Recommendation:**

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**That the relevant industry groups, the Australian Broadcasting Authority and the Australian Press Council consider undertaking information campaigns in relevant community languages and in a variety of formats to inform Arab and Muslim organisations and community members about their standards and complaint processes.**

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#### **5.3.1.3 Constructive engagement**

Forging good relations between media and Arab and Muslim communities and encouraging media was seen as an important long term strategy.

Participants expressed a strong desire to see more varied and positive images of Arab and Muslim Australians in the Australian media. Despite some scepticism that the media 'can't represent us positively because nobody wants to read good stuff', many participants felt communities themselves should be more pro-active about providing media with positive stories and photo opportunities which show Arab and Muslim Australians contributing in positive ways to Australia.<sup>213</sup>

*The media portrays a particular image of the Lebanese community. We need to create a more positive image. Why don't we talk about all the positive things we've done and achieved? That's where we should start.*<sup>214</sup>

*I think they also should be showing Muslim Australians and Arab Australians doing what every Australian does and I think they need to be showing people leading ordinary lives, contributing to Australian society like the average Joe Blow.*<sup>215</sup>

In a written submission to the Commission, Peter Manning suggested several strategies to encourage more positive representations of Arabs and Muslims in the Australian media. Manning urged members of Arab and Muslim communities

to move away from the view that the media was a 'problem' and learn to use it as a tool to gain positive outcomes by:

- *Engaging public relations professionals to ensure that media outlets find the many positive stories that exist within the Arab and Muslim communities. 'The media' is not the enemy. A public relations firm would know how to direct such positive stories to the right journalists and producers.*
- *Pitching ideas for new drama or comedy shows that satirise and challenge negative stereotypes to mainstream television networks.*
- *Using alternative media such as on-line documentaries to challenge 'old media' stereotypes.<sup>216</sup>*

Manning also suggested that conferences or seminars could help build better relations between media and community organisations affected by negative or stereotyped media portrayals.

*Stereotyping is so pervasive in the media it needs a major community consultation with the editorial managers, editors and personalities that run the various arms of media. The conference would need papers outlining clear discrimination (in journalistic, rather than academic, terms), seminar groups on various topics and a chance for senior media figures to hear the complaints and respond. It would need to go beyond defensiveness on one side and special interest pleading on the other.<sup>217</sup>*

Recently, the Muslim Women's National Network of Australia hosted an event which brought together members of Sydney's Muslim community and journalists and editors from the Sydney newspaper, The Daily Telegraph. The aim of the event was to help forge links between media and community members in a friendly, non-hostile environment conducive to mutual exchange.<sup>218</sup> The event was part of the project *Building Networks & Understanding Between Journalism Students & Muslims* which is funded and supported by DIMIA through the 'Living in Harmony' community grant program.

Consultation participants suggested regular roundtable discussions between media and community members would allow the community to engage the media and explain the impacts of media reporting and commentary.<sup>219</sup> Other Arab and Muslim community organisations have also tried to create opportunities for liaison between their group and media representatives. For example, the Australian Arabic Communities Council (AACC) sought media participation in a series of monthly dinners they hosted for different members of the press who were invited to come and speak with members of Sydney's Arabic communities.<sup>220</sup> The AACC were ultimately unsuccessful in obtaining media participation and suggested that support from an external third party in opening and securing the lines of communication may have helped in such a process.<sup>221</sup>

In Chapter 4, we presented an example where external support helped ensure communication between media and community organisations. Following September 11, the Western Australian Premier, Geoff Gallop, initiated a meeting between representatives of the Office of Multicultural Interests (OMI), local television news editors and Muslim community leaders in attempt to dispel myths about Islam. At the meeting there was a positive dialogue focussed on bridging gaps in information and communication. All news directors present were receptive to developing direct relationships with community leaders in an effort to present the news in an unbiased manner. OMI also offered to facilitate opportunities for Muslim community leaders to attend editorial meetings at the West Australian newspaper.<sup>222</sup> Such initiatives are to be commended.

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## **Recommendation:**

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**That government agencies responsible for promoting multiculturalism consider facilitating consultation between media organisations and ethnic and religious community organisations, including Arab and Muslim groups, to improve mutual understanding.**

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### **5.3.1.4 Media training**

Identifying and training community spokespeople was seen by many consultation participants as vital to challenging media stereotyping.<sup>223</sup> Participants stressed that it is important for community representatives to learn to speak up and participate more effectively in public debate – not just in specific discussions about religion or world politics, but in matters of general public interest like health care and education.<sup>224</sup>

*Community leaders who are untrained in the media fall over or try and express themselves in a way that's open to spin and interpretation and it causes more conflict. It whips up media frenzy and puts the whole community under further threat and creates bigger divisions.<sup>225</sup>*

*As soon as the media approaches anybody in the community they need to have training about how the media will edit, in particular, and take what they say on board. A lot of people need to be prepared that if they are going to call up for talkback they are probably going to get somebody pretty rude to talk back to them on the phone and they have got to learn how to handle that. So I think media training for spokespeople is really important.<sup>226</sup>*

*We want to have the capacity to resource some skills to speak for ourselves. Help us through that and when we have the opportunity*

*to speak for ourselves that's the most potent form of getting through to people.*<sup>227</sup>

Some Muslim community leaders have received media training. For example, in 2002, DIMIA launched a partnership project with the Australian Federation of Islamic Councils (AFIC) entitled, *Towards a Better Understanding of Islam and the Muslim Community in Australia* (see Chapter 4 for more information about this project). The partnership focussed on developing a better understanding of Islam and Muslims in Australia and activities included media training for Muslim community leaders. Approximately forty people received media training through the project initiative. As a result, AFIC believes, 'Muslim community leaders have also developed a better grasp of the situation facing their community and how best to deal with different kinds of media and the general community to address those situations'.<sup>228</sup>

While the initiative benefited some community members, consultation participants felt there was an urgent need to offer media training to a wider variety of potential spokespeople to reflect the diversity of Arab and Muslim communities in Australia. The need for women as spokespersons was particularly acute. Some participants argued that the absence or rarity of female spokespersons for Arab and Muslim communities helps reinforce stereotypes about women's oppression, subordination and lack of education.

*There needs to be more Muslim women spokespeople in the media, especially veiled ones, because we're the ones walking around with this great big sign on our heads saying 'I'm a Muslim' ... we need to express ourselves in a positive way because we are perceived as being the symbol of Islam ...*<sup>229</sup>

*What happens is that the females just get omitted anyway from the equation, like we're all invisible or something. So there needs to be more outspoken women.*<sup>230</sup>

In addition to training community spokespersons to utilise the media more effectively, participants also suggested that media themselves be educated to understand cultural and inter-racial issues as well as reporting standards established by anti-discrimination laws. Some participants suggested that anti-racism induction programs and ongoing staff training be made compulsory in all media organisations and in university journalism and media courses.<sup>231</sup> Providing better education about racism and its impacts on specific communities to future journalists is possible and is indeed already happening. As noted in Chapter 4, in 2003 the Muslim Women's National Network of Australia received a Living in Harmony community grant from the federal government to deliver such training to journalism students in NSW universities. The project, *Building Networks & Understanding Between Journalism Students & Muslim*, aims to increase

knowledge about Islam among mainstream media personnel and to aid in the development of professional networks between future journalists and the broader Muslim community. This project is to be commended and the Commission urges continued support from governments and educational institutions for similar initiatives.

### 5.3.2 Public language – police

Many consultation participants felt that a significant cause of heightened prejudice occurred as a result of the description of criminal suspects and offenders by reference to their presumed ethnicity, 'ethnic appearance' or even religion. Many believed that the media only referred to a suspect or offender's ethnicity if they were Arab, Muslim or of Middle Eastern background.<sup>232</sup>

All state and territory police services, with the exception of NSW Police, use the following four categories to describe alleged criminals, offenders, suspects, victims and missing persons by reference to their race: 'Aboriginal appearance', 'Caucasian appearance', 'Asian appearance' and 'Other appearance (to be specified)':

These four categories were recommended for use among all Australian police services in 1997 by the former National Police Ethnic Advisory Bureau (the Bureau) (now called the Australasian Police Multicultural Advisory Bureau (APMAB)). The Bureau felt that the uniform use of the four categories would replace an ad-hoc approach to ethnic labelling which it considered 'unhelpful, misleading, offensive and counter-productive to sound community relations in Australia.'<sup>233</sup> The Bureau stressed that these four ethnic descriptors should only be used when relevant, necessary and accurate. Other descriptions such as height, hair colour, distinguishing marks and clothing might be sufficient in most cases.

The NSW Police did not adopt the recommended four descriptors, choosing instead to review their entire policy on descriptions of persons issued by police to the media in consultation with internal and external stakeholders. The review resulted in a revised policy, which includes use of only the following ethnicity-based descriptors: 'Asian appearance', 'Aboriginal appearance', 'Black/African appearance', 'White/European appearance', 'Indian/Pakistani appearance', 'Pacific Islander appearance', 'South American appearance' and 'Middle Eastern/Mediterranean appearance'. In developing these descriptors, the NSW Police consulted with representatives from the then Ethnic Affairs Commission, the Ethnic Communities Council of NSW and various community groups in 1999. They also established policy guidelines to regulate the use of ethnicity based descriptors. These guidelines reflect some of the concerns outlined by the Bureau in 1997 and include the following advice:

- officers are required to consult with the Police Media Unit first before forwarding comments for broadcast or publication as

'some descriptions may be quite inflammatory and/or discriminatory'

- ethnicity-based descriptors can be unreliable because they may reflect an emotive response from a witness or victim as well as their prejudices, and research has shown that people of one ethnic background often have difficulty identifying the characteristics of people of another ethnic background
- care should be taken in issuing descriptions where there is some doubt. Inappropriate use may lead to some community members being unjustly targeted as suspects of crime
- physical characteristics should be emphasised first and then information provided on the relevant ethnic appearance category if it is necessary and has been positively identified
- if a person is of white/European appearance this should be stated in the same way that a person of another background would be described
- once a case has progressed beyond identification, then any media statement should not include information on ethnic appearance as it is unnecessary and may promote racial tensions
- nationality refers to a person's country or nation of origin and is only of relevance where e.g. a foreign national travelling in Australia requires police services or is listed as a missing person
- only the [8] descriptors set out in the guidelines should be used; other descriptors may be offensive.<sup>234</sup>

Some consultation participants, particularly those in New South Wales, raised concerns about whether the NSW Police were following these guidelines. Several participants alleged that the police were using ethnic descriptors to describe people they already apprehended not just to identify suspects. The most frequently cited example of this were comments made by NSW Police to media following the arrests of 14 young people for intimidating police, breaching the peace and obstructing traffic at an anti-war protest rally in Sydney in March 2003. Interviewed after the rally, Assistant Commissioner Dick Adams told ABC radio, 'a large group of Middle Eastern males as the television footage will quite clearly show ... were aggressive towards police ... When most of the people had left peaceably, yet again a group of young Middle Eastern males ran amok ...'<sup>235</sup>

The second more common concern expressed by consultation participants was not strictly-speaking about use of the descriptor 'Middle Eastern' by NSW Police, but how media and politicians used the label to describe criminals already apprehended, tried and sentenced.

*When you have ethnic descriptors and irresponsible media and then ... people of power who are suggesting that terms like Middle Eastern appearance are ok, that criminal activity is somehow inherent in particular ethnicity, they feed each other. Those three areas of police, the media and the government, if they are legitimising what each other is doing, then it builds up.<sup>236</sup>*

While the issue of ethnic descriptors was of most concern to consultation participants in New South Wales, participants in other states and territories also commented on the perceived negative impacts of using a descriptor like 'Middle-Eastern' in reports and debates about crime by the police, media and politicians. Many felt that the public debates about crime and ethnicity in New South Wales implied that all people of 'Middle Eastern' background are prone to criminality and is leading to greater prejudice, discrimination and vilification against Arabs and Muslims in other states and territories.<sup>237</sup> The peak Arabic organisation in Melbourne, the Australian Arabic Council, has repeatedly expressed serious reservations about the NSW Police use of the descriptor 'Middle Eastern'.

*It is fundamental to positive partnerships that ethnic descriptors are eliminated all together, Australia-wide. Terms such as 'Middle Eastern appearance', or 'Middle Eastern looking' suspect, or 'Arab looking' suspect, are not only misleading and inaccurate, but often inadvertently lead to the victimisation of individuals and entire communities ... The description is fundamentally racist. The image of a 'Middle Eastern' person doesn't exist in reality, but rather comes from Hollywood stereotypes of the 'enemy', the 'Arab' villain ... there is no need for subjective ethnic descriptors; as photo-fits and detailed description should be sufficient objective information.<sup>238</sup>*

The main objection to the use of ethnic descriptors raised by consultation participants was that they were seen as inflaming prejudice against whole communities making them accountable for the actions of individuals. In most examples cited by participants, it was the use of descriptors like 'Middle Eastern' by media and political commentators which aroused most concerns. Police cannot control how the media or politicians use ethnic labels to report and comment on crime. However, some participants have argued that by legitimising the public use of ethnic descriptors like 'Middle Eastern' for one purpose (catching alleged criminals), these terms become more acceptable in broader public debates about ethnicity and crime. These broader debates can inflame prejudice by suggesting there is a link between criminal behaviour and the ethnicity of offenders. This point of view has been argued most forcefully and consistently by the Australian Arabic Council, who worked with the Bureau in reviewing their policy on ethnic descriptors in 1997.

*When ethnic descriptors are used to describe offenders to the media, a witch-hunt often develops. The community is portrayed as synonymous with criminal activity. Whilst this is mainly due to the sensationalism of our popular media, it is given legitimacy by the initial identification of the suspect as 'Middle Eastern'.<sup>239</sup>*

Participants also indicated that ethnic labelling undermines the confidence of affected communities in the objectivity of the criminal justice system and their trust in the police. The NSW Police guidelines themselves note that the use of ethnicity based descriptors is 'often the subject of significant community concern, and when they are seen to be used inappropriately they may have adverse effects on community support for police investigations.'<sup>240</sup> While the NSW Police consulted with communities, including Arab and Muslim organisations, prior to the introduction of their descriptor policy, the Commission understands there has been no on-going consultation with communities to monitor concerns about the use of descriptors.

At a national level, the APMAB has monitored the use of the four ethnic descriptors it recommends police use nationally. In October 2002, following concerns from sections of the Indigenous community, APMAB convened an ethnic descriptors working party to re-examine the issue of release of ethnic-descriptors by police to the media. In 2003, APMAB also conducted a scoping exercise to understand more about current practice in the use of descriptors in all police jurisdictions, to compare and contrast this practice with international practice and to make recommendations which will further support police work.<sup>241</sup> Thirty one questionnaires were distributed to police across Australia (and New Zealand). The research, based on 14 responses to the survey, found that many police were experiencing difficulties in ensuring the accurate use of descriptors and in managing the media's use of descriptors. As one respondent noted, 'it is often the media themselves who take the information and present it in a manner that may be offensive.'<sup>242</sup> Police also reported that the use of descriptors often elicits significant community concern and that, 'when used inappropriately, ethnic terms can offend members of the public adversely and affect the relationship between police and the community.'<sup>243</sup> The report recommended development of a national and Austral-asian set of standards in training police to use descriptors in a consistent and culturally informed manner.<sup>244</sup>

The Commission supports this recommendation and encourages the undertaking of further research on the issue of descriptors in order to provide a better understanding and a firm basis for the development of a national set of standards. Given the concerns raised by consultation participants in New South Wales about the specific use of the descriptor 'Middle Eastern', it may be appropriate to include in this research a specific review of the NSW policy of eight ethnicity based descriptors.

This research could be conducted either by NSW Police, APMAB, or an independent body. Importantly, it should involve representatives from affected communities, including Arab and Muslim communities, to provide a balanced analysis of the efficacy of descriptors to police, in terms of apprehension and conviction rates, alongside the perspectives of affected communities.

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## Recommendation:

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**That in any development of national standards concerning the use of descriptors by police, consideration be given to a review of the use of the ethnic descriptor 'Middle Eastern' which takes into account perspectives of affected communities.**

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## 5.4 Law enforcement

Much of the behaviour reported during the consultations and empirical research went beyond discrimination and vilification. Participants also described potentially criminal behaviour, including stalking, assaults, property damage and threats of violence. In some instances, these were reported to state or territory police services and found to be criminal offences.

However, many consultation participants reported a general reluctance to seek police assistance. Participants gave a number of reasons for this reluctance. The first reason was the difficulty of identifying the perpetrator so that he or she can be charged with the offence. In many instances, participants felt it was not worth reporting an incident to police because they could not properly describe or name the perpetrator.

*If you go and complain, you have to have evidence. You need to have the names, or the plate number, or the colour of the car. I didn't care about all of that and I didn't look at the plate number because I was so scared, so nervous. I just wanted to go home.<sup>245</sup>*

Secondly, consultation participants were unwilling to seek assistance from police because of fear of retribution and a mistrust of government authorities.

*People will not complain because there is a fear of victimisation, and unless that is addressed then there will continue to be a fear.<sup>246</sup>*

*There isn't much trust in the system that's saying 'report to us'. So therefore there's an immediate reluctance to report on those incidents.<sup>247</sup>*

*The simple fact is we don't even recommend most of our clients put in complaints because they then become marked by the cops ... We have all these mechanisms to complain – but what do we do to protect our clients from being further harassed and marked, especially when it comes to the police? Who polices the police?<sup>248</sup>*

Fear of complaining to police was identified as a particular concern for Muslim women. At several consultations, participants explained that Muslim women are reluctant to bring their problems to police attention because of 'cultural differences'. Instead, women turn to their own community organisations, religious leaders or family and friends for assistance.<sup>249</sup>

*Some Muslim women do not feel free to go the police for help because of their past experiences in their home countries.<sup>250</sup>*

*None of [my clients] feel confident to go into the police to discuss it. No matter what I say, no-one will just go. They don't feel that they would get justice by talking to them. And they don't feel safe to actually come out.<sup>251</sup>*

In an effort to allay these fears and build trust and confidence between police and ethnic communities, state and territory police services have tried to forge closer ties through police-community liaison officer programs. These programs, outlined in Chapter 4, have been in existence in every state and territory police jurisdiction of Australia since the 1980s and 1990s.<sup>252</sup> Despite the diverse names and structure of these programs across Australia, they share the common objective of establishing links between communities and local police with the aim of reducing and preventing crime.

The work of police-community liaison officers was mentioned by participants in several consultations. At a consultation in North Sydney, the Muslim women who participated expressed their general reluctance to raise issues of discrimination and vilification with local police. However, the women were familiar with the local Ethnic Community Liaison Officer who encouraged them to meet as a group and discuss with her any problems.<sup>253</sup> At a consultation in Melbourne, participants described how Multicultural Liaison Officers from the Victoria Police cultivated good relations with the Islamic Council of Victoria (ICV) by making themselves available to attend functions, respond to queries and give talks about safety and discrimination issues to community members.<sup>254</sup> At another consultation in Melbourne, a group of Muslim university students still felt reluctant to complain despite police efforts to build trust.

*Once, the Australian Federal Police [AFP] came to the University and the Muslim students were gathered and were told that if they face any discrimination to call the AFP. This was right after the Bali*

*bombing and they were afraid of any arson retaliation attacks. I don't think we would complain though. Probably because we don't have good experiences with the police – we don't feel welcome.*<sup>255</sup>

However, consultation participants were generally more positive that ongoing liaison between police and community members would eventually engender trust in police and encourage people to report incidents of racist violence.

*There is a whole body of the police and a whole body in the community who don't know much about each other and probably don't trust each other yet. Hopefully we can build those bridges – it will take time.*<sup>256</sup>

A third factor in not seeking police assistance was scepticism about obtaining a useful outcome. In some instances, this scepticism derived from direct experience with local police who did not take reported race hate offences seriously, even when identifying information was provided, such as a car number plate. Consultation participants who reported incidents to police were generally dissatisfied with the police response.

*My front yard was on fire, petrol was thrown purposely and it was on fire ... We called the fire brigade, and the police, and they go 'Oh we can't do anything because we've got no witnesses or proof'. I'm like 'Oh my God', they didn't deal with anything. We had a brick thrown through our window, all they did was write a statement and that was about it.*<sup>257</sup>

*Police and security are not taking discrimination complaints seriously. Rather they are putting a lot of effort into making them disappear. It's obvious enough but they don't want others to believe it's happening.*<sup>258</sup>

To ensure that criminal behaviour with a racial or religious motivation are treated seriously and appropriately, the motivation for the offence and its significance to the victim and his or her community needs to be acknowledged.<sup>259</sup> While most states and territories<sup>260</sup> have criminal sanctions against racial vilification (and against religious vilification in Victoria and Queensland) the collection of statistical data on race hate crimes or of incidents which have an element of racial or religious prejudice is limited and varies considerably in police jurisdictions across Australia. Currently, there is limited data collection about race hate crimes by police in South Australia and Western Australia and none in Tasmania or the Northern Territory where there are no legislative provisions under criminal law for racial or religious vilification.<sup>261</sup> Queensland, Victoria and New South Wales have developed more comprehensive data collection systems.

The Queensland Police Service introduced a racial or religious vilification indicator into its crime recording system early in 2003. In Queensland, police must record

a race or religious hate motive where it exists in offences against the person but have discretion whether or not to do so in the case of property offences.<sup>262</sup> Victoria Police established a register to record incidents motivated by race or religion after 11 September 2001. The Register is ongoing and records all race or religious motivated incidents reported to police through internal police data and community information. Following the commencement of the war in Iraq, groups and communities identified as more vulnerable to vilification were invited to provide direct input into the Register. All race or religious motivated incidents recorded on the register were investigated and regional Multicultural Liaison Officers were instructed to ensure that appropriate assistance, advice and support was offered to victims of such incidents.<sup>263</sup>

NSW Police had been trialling methods of recording prejudice related crimes since 1995. In October 1999, they introduced a state-wide system to collect data on hate/prejudice motivated crimes.<sup>264</sup> Under this system, NSW police officers can record a motivation – due to sexual preference, religion, race/ethnicity, politics or others as stated by the officer and/or the victim – when recording a crime report. Whether any such prejudice is an associated factor in an incident is determined by the individual officers.<sup>265</sup> Under this system, data is collected about all incidents where racial, religious or ethnic prejudice is an associated factor. The data collected is not just about specific criminal offences for inciting race hatred or inciting others to threaten such harm against an individual or group.

In its 1991 *Racist Violence* report, the Commission stated:

*The Inquiry believes that 'uniform national procedures' for the collection of statistics on racist violence, intimidation and harassment need to be developed. Those statistics should be analysed and published annually to provide uniform information on the incidence of racially based crime in Australia.*<sup>266</sup>

The Commission remains of the view that records of race and religious hate-based incidents, and the motivation for that incident, should be kept by all police services across Australia and that training be provided to officers in relation to recognising such motivations. Ultimately race hate data across Australia could then be made comparable between jurisdictions so that further action can be usefully taken to address this issue.

Sharing information about hate crimes across the state and territories has been identified as a priority by the Australasian Police Minister's Council (APMC). In December 2003, the APMC tasked APMAB to report on the development of mechanisms 'to improve police-police and police-community information sharing on the issue of racist violence'.<sup>267</sup> The Commission suggests that establishing greater consistency in the collection of information about racially or religiously motivated incidents by police services across Australia is vital to improving information sharing between police and communities about racist violence.

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### **Recommendation:**

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**That APMAB, together with all state and territory police services, consider reviewing current systems for recording incidents motivated by racial or religious prejudice with a view to ensuring greater consistency in the collection of data across Australia.**

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Consultation participants whose complaints to police were dismissed because they did not meet the threshold for investigation under criminal law often felt unsupported and unsure of where else to turn for assistance. Better communication between police, community organisations and anti-discrimination agencies who may be able to assist when an incident of discrimination or vilification is not a criminal offence may be a solution. Providing more effective information sharing between these organisations could help support Arab and Muslim Australians who have experienced discrimination or vilification and increase the chances that a satisfactory outcome will result from reporting an incident. The Commission also recommends consistency in treatment of the persons who report such crimes to ensure appropriate assistance, advice and support are offered.

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### **Recommendation:**

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**That officers of all police services have the necessary information to enable appropriate referral of victims of racial or religious discrimination or vilification to appropriate community or anti-discrimination agencies in the event their complaints do not meet the threshold for investigation under criminal law.**

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## **5.5 Community action**

Consultation participants expressed strong views about the need for more effective community action to tackle anti-Arab and anti-Muslim prejudice and discrimination. Participants called for stronger community leadership, improved networking between community groups and better education within communities as well as to the broader public about issues affecting Arab and Muslim Australians. Providing greater support for individuals who were seen to be particularly at risk of discrimination or vilification, (such as women, young people and newly arrived migrants and refugees) was also identified as a priority.

### 5.5.1 Leadership

Strong community leadership was seen as vital to helping overcome prejudice and discrimination. Many consultation participants felt that, despite no shortage of secular or religious leaders eager to speak on behalf of Arab or Muslim Australians, effective leadership was lacking. Participants wanted community leaders to take more responsibility for problems within their communities and be more proactive, assertive and consistent in advocating for their rights and interests.<sup>268</sup> They also wanted community leaders to show greater unity on key issues to help counter prejudice.<sup>269</sup>

Some thought such unity would only be possible with fewer leaders representing the interests of Arab and Muslim Australians in the media and in the political arena.<sup>270</sup> As is outlined in Chapter 1, there is no single spokesperson or organisation unanimously accepted as representing the interests of all Australian Muslims. Nor is there one organisation which can authoritatively claim to speak for all Arab Australians. The rich and complex organisational structure of Arab and Muslim communities in Australia reflects the tremendous ethnic, religious and regional diversity of Arab and Muslim Australians themselves. Some consultation participants saw this organisational complexity as a weakness and suggested that forming new Arab and Muslim lobby groups or strengthening existing peak-body associations would help 'fix' this weakness. However, most participants simply called for better communication and co-operation between the various existing community leaders.<sup>271</sup>

*There are so many different groups and organisations now but there is no communication between them. If clubs and societies and organisations learn to work together it's one step further. The Jewish lobby groups collectively now have a very strong voice but for the Arab community this is not a reality, mainly because there are a lot of divisions within the community. It's important to work with the strength of the community's diversity not use this as a way to create problems.<sup>272</sup>*

*If we want to make our lives easier in this country as Muslims there are three things I believe we need to do. We need to become more vocal. We need to form a lobby regardless of whatever national background we have. And thirdly we have to interact more with the non-Muslim community.<sup>273</sup>*

In addition to improving communication internally, participants urged community leaders to foster better relations with organisations in the wider community such as police, anti-discrimination agencies or other religious and ethnic groups.<sup>274</sup> As outlined in Chapter 4, this process of engagement is already well underway with many Arab and Muslim community groups initiating or participating in a range of projects, from interfaith networks to inter-school visits,

which aim to build closer links with the wider community. These initiatives are commendable and should receive ongoing support from government and non-government partner organisations.

### 5.5.2 Education

Participants felt community organisations need to play a more active role in educating members of their own communities, young people in particular, about their culture, history and religion. This education would give community members the knowledge and confidence to respond appropriately when questioned or attacked about their ethnicity or religion.<sup>275</sup>

*We need to provide education seminars for Arabic Australians about what are the positive things about Arabic culture? They do not learn that at school. If kids were taught at school that Arabs came up with the first writing system and that they invented this and that and look at this history, then when someone comes and says to them 'You are a terrorist', they have got a smart comment to come back with. They can say, 'Well actually did you know that the Arabs invented this? So there you go'. Again empower them to speak up for themselves.<sup>276</sup>*

Educating young people in the wider community about Arabic language and culture or Islamic values and history was also identified as a priority. As is outlined in Chapter 4, some community groups are already actively doing this in schools around Australia. For example, the Muslim Women's Association of South Australia, with funding assistance from DIMIA, developed a resource package on Islam for use in schools. From 2002, the kit has been used in over sixty training sessions conducted by the Muslim Women's Association in Adelaide schools.<sup>277</sup> Victorian Arabic Social Services is also coordinating and developing an educational resource kit for schools which includes support material for the teaching of the Arabic language, culture and history.<sup>278</sup>

Aside from providing education about Arabic culture and history or the Islamic faith, participants urged community organisations to inform members about their rights and responsibilities as Australians living in a multicultural society. Some participants felt it was especially important to 'educate youth to fight for their rights calmly and be more accepting of other cultures and religions.'<sup>279</sup> Informing communities about existing state or federal anti-discrimination laws and complaints processes was also identified as vital. As we highlighted earlier in this chapter, federal and state anti-discrimination agencies like the Commission should seek to ensure that information about the law and complaints processes is appropriate and accessible to culturally and linguistically diverse communities. Community organisations can greatly assist anti-discrimination agencies like the Commission by helping develop and deliver information that is appropriate and accessible to their communities.

### 5.5.3 Support

Information provided during the consultations, surveys and interviews suggested that women, young people and newly arrived migrants and refugees were those most at risk of discrimination or racial abuse in Arab and Muslim communities. Consultation participants highlighted the need for community organisations to provide extra care for these particular groups.<sup>280</sup> Many community organisations were already running support groups for women, particularly for Muslim women, to empower women who felt particularly isolated because of their fears of experiences of abuse and discrimination.<sup>281</sup> Some were also running projects that aimed to help young people by building their leadership skills, helping them with schoolwork and providing guidance in their transition from school to the workforce.<sup>282</sup>

The need for extra assistance for Arabic speaking and Muslim migrants and refugees was an area of particular concern. Many participants discussed the impacts of the shift away from targeted provision of services to migrants and refugees through specialist agencies such as Migrant Resource Centres to more mainstream organisations. Participants argued that 'mainstreaming' of settlement services was having a negative impact on Arabic speaking migrants and refugees who were missing out on the specialist support they needed from community workers with appropriate cultural and linguistic skills to help them settle effectively in Australia.

*Arabic refugees will have more difficulty getting help from someone who speaks their language. By cutting the number of bi-lingual community workers, Arabic speaking refugees and migrants will turn to community organisations who can help in their own languages but who may not necessarily have the resources to cope with additional clients.*<sup>283</sup>

*The strategy of mainstreaming has short-changed us. People disappear in the bureaucracy. There are no longer any identified positions. Mainstream services are still not catering for people's needs. There's still a lot of work to be done in sensitising services to deal with us and make sure we're getting what's due to us.*<sup>284</sup>

Language was seen as a huge barrier to accessing information and services for migrants and refugees from culturally and linguistically diverse backgrounds. To help overcome this barrier, some consultation participants suggested that English-language classes were an appropriate place for migrants and refugees to receive practical information about how to access services and what to do if they experience discrimination.<sup>285</sup> Conveying information through ethnic media was also seen as important.<sup>286</sup> In Hobart, consultation participants suggested development of a mentoring program to inform newly arrived migrants or refugees about accessing services like hospitals or the police.<sup>287</sup> Participants at

another consultation in Victoria, mostly Arabic-speaking female refugees, described how they were being given extra assistance in finding employment through a mentoring program (*'Given the Chance'*) run by the Ecumenical Migration Centre of Melbourne. The program matches refugee women seeking work with mentors from the corporate and public sector and provides them with training and work experiences to help improve their opportunities in the job market.<sup>288</sup>

Aside from providing additional support for groups at risk of discrimination, consultation participants also discussed the need for governments to provide more support to community organisations themselves. As outlined in Chapter 4 and in the strategies paper available on the Commission's website,<sup>289</sup> there have been various initiatives by federal, state and local governments to help Muslim and Arab community organisations support and advocate for their clients more effectively. Many of these initiatives are developed and implemented by community organisations awarded government funding through competitive grants processes. The 'Living in Harmony' community grants program, administered by DIMIA, is perhaps the best known funding source for projects relating to community harmony and anti-racism. Some Arab or Muslim community organisations who took part in consultations were unaware of the range of funding sources available.<sup>290</sup> Others knew where to go for funding but felt they had insufficient time or resources to put together a competitive application.<sup>291</sup> A common criticism of the provision of government support to community organisations was that there was too much emphasis on funding discreet projects rather than providing ongoing, long-term support.

*The Government is dishing out money to individual organisations when ongoing projects are more important.*<sup>292</sup>

There was also criticism about the distribution of funding. Some participants felt that too much energy is being directed toward projects involving Muslims and that other non-Muslim Arabic speaking communities also experiencing discrimination are being forgotten.<sup>293</sup> Others argued the exact opposite: that Muslim organisations are disadvantaged compared with ethnic specific organisations in obtaining funding in competitive grants processes like the federally funded 'Living in Harmony' community grants program.<sup>294</sup> Some participants felt that the competition for government grants was exacerbating existing divisions within communities. Rather than competing for grants, participants at one consultation suggested that organisations collaborate more with each other in seeking government support.

*Why don't the Islamic organisations join together instead of being so separate and fighting for the funding separately?*<sup>295</sup>

Initiatives to eliminate prejudice and discrimination against Arab and Muslim Australians cannot be effective without community involvement in the development and implementation of such strategies. Governments should ensure that community organisations are properly consulted and adequately resourced to enable their participation in development and implementation of strategies to tackle anti-Arab and anti-Muslim prejudice. The issue of adequate resources is especially vital. Currently, many community organisations are struggling to meet their core social welfare or religious functions while helping members of their communities cope with the extra burden of discrimination and vilification.

For their part, community organisations can act to address issues of discrimination and vilification by strengthening community leadership, improve networking between community groups and prioritise education within communities as well as to the broader public about Arab and Muslim Australians. Providing greater support for individuals who were seen to be particularly at risk of discrimination or vilification, such as women, young people and newly arrived migrants and refugees is also important.

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### **Recommendation:**

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**That Muslim and Arab community leaders continue to promote harmony within their communities, build closer links to other religious and ethnic communities in Australia to foster mutual respect and tackle racism and work in partnership with government agencies and other non-government organisations to educate members of their communities about laws and complaint processes which provide access to services and protect against racial or religious discrimination.**

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## **5.6 Public support**

As outlined in Chapter 3 and in the UWS research report *Living with Racism*, one of the most serious impacts of prejudice and discrimination against Arab and Muslim Australians is a growing sense of isolation and marginalisation. Many Arab and Muslim Australians no longer feel they 'belong' in Australian society. This is a serious concern for a society that prides itself on being multicultural and has built its national identity on multicultural principles such as respect and fairness for all, regardless of race, culture or religion.

*After September 11, it felt like our home, which Australia has been our home ... was somehow not our home anymore ... ever since then I've started feeling more like a foreigner ... this is the only place*

*that I feel comfortable. To have people look at me as if I'm some kind of a threat to their security and a real alien is a really difficult thing, because I don't feel that way ...*<sup>296</sup>

*It's like the Australian Government or the people are saying 'You don't belong here,' 'You're terrorists', and that's the feeling that we get ...*<sup>297</sup>

*I don't feel like I belong in Australia ... because of incidents like that, I feel like most people think the same way, that you're not accepted, they want you to go back home, to leave them alone.*<sup>298</sup>

In Chapter 4, we highlighted some of the public statements made by federal and state political leaders following major incidents such as the attacks of 11 September 2001, the Bali bombings of October 2002 and the invasion of Iraq in March 2003. In response to these events, key federal, state and territory politicians publicly expressed support for Muslim Australians in particular by visiting mosques and calling for tolerance and community harmony.<sup>299</sup> Many leaders of religious and community organisations have also shown their solidarity with Australian Muslims through participation in interfaith dialogues which operate at national, state and local levels.

Some participants recognised government efforts to provide support to Muslims and encourage the public not to blame Australian Muslims for the actions of international terrorists.

*What happened in Bali, the situation that happened in Bali, again involved Islam, and John Howard stood and said it's not against Muslims. It's the people [i.e. the individuals] who we hold responsible. He never put it as against Islam ... The country here [Australia] is trying to tell people that this doesn't mean the religion. They are trying to say that.*<sup>300</sup>

However, the majority of consultation participants felt that political leaders had failed to recognise and condemn anti-Arab and anti-Muslim prejudice and discrimination. Participants felt that when leaders did speak out in support of Arab and Muslim communities, their messages were either muted, ill-timed or inconsistent with other policies or statements.

*The government projects fear and there is a lack of understanding. It is not projecting an image of acceptance and inclusiveness.*<sup>301</sup>

*It's not just the media, it's the leaders, especially the politicians which is like really really sad because you've got the highest people with the most power who are still discriminating and racist and that is just shameful.*<sup>302</sup>

*It only takes one politician to make an issue out of it and 30 years of education has gone out of the window ...*<sup>303</sup>

*If the head of the family beats a drum, the whole family will dance. The head of this country has been beating the wrong drum ...*<sup>304</sup>

Consultation participants urged senior politicians to communicate and liaise more with Arab and Muslim communities and issue more public statements in solidarity with those affected by prejudice and discrimination.

*The principles and ideals of multiculturalism should be our guiding light in times of national and international unrest and crises and the government of the day should provide the leadership in allaying the fears of the people, condemning attacks and discrimination of any groups in the community by people, the media, the authorities ...*<sup>305</sup>

*Local, state and federal government should have a more prominent and visual presence like attending religious festivals and speaking out against acts of discrimination on a consistent basis.*<sup>306</sup>

Providing more public support for Muslim Australians was identified as a particular priority.

*Politicians should be seen with Muslims more and talk more about Islam. The media always follows the lead of politicians. Leadership of this kind is very important. Our top leaders need to protect the Muslims of Australia.*<sup>307</sup>

*We need to encourage the Prime Minister to make more positive public statements about Muslims ... the community needs his physical presence to say 'I understand your problem. I'm with you and I hear your concerns'. Failure to participate sends a message of marginalisation.*<sup>308</sup>

Aside from increasing the level of public support, participants stressed the importance of the timing and consistency of key messages. Timing was seen as especially important. Failure to offer immediate, unequivocal public support for ethnic or religious communities under attack was seen by some participants as a serious problem. Consultation participants felt that messages of support and inclusiveness should be delivered regularly, particularly during critical times such as election periods.<sup>309</sup>

Underlying much of the criticism about political messaging was fundamental disagreement with many government policies and practices. Participants argued that words of support are meaningless unless they are consistent with government policies and programs. Many felt that the federal government's treatment of refugees and asylum seekers in particular undermined attempts by political leaders to build trust with Arab and Muslim Australians.

The federal government's anti-terrorism laws introduced in June 2002 were another source of distrust in government.

*They [the government] say to us that if we are not doing anything against the law, then we have nothing to fear. They say that if it's in their interest, they will round us up because we are Arab or Muslim – and they want to show us they're civilised?*<sup>310</sup>

While strong, consistent words and actions of support from politicians were seen as important, participants also felt that generating support from a broad cross-section of Australians was just as vital to overcoming anti-Arab and anti-Muslim prejudice. Gaining the support of opinion leaders and celebrities in the fields of sport and entertainment was seen as one effective way to encourage the general public to show solidarity with Arab and Muslim Australians.

*The other side of that is encouraging a wider network of prominent Australians to write letters and issue press releases condemning it. It is all very fine for HREOC to do it and the Equal Opportunity Commission [of Victoria]. Unless we have got celebrities or footballers doing it then it is not going to make a difference at all because you are preaching to the converted.*<sup>311</sup>

Encouraging direct and immediate support from everyday Australians against acts of racism was also regarded as a simple yet effective way to tackle prejudice and discrimination. Consultation participants and interviewees often reported that bystanders looked on while attacks against them took place. Some participants felt that the lack of assistance or intervention from bystanders was more hurtful than the abuse or violence itself.

*About 8 months ago, my mother was crossing the road at the bus stop in Footscray and a girl about 25 years old kept staring at her, maybe because my mother wears the full hijab. The girl came from behind her and tried to steal her bag and my mother struggled with her. There was a long scuffle and everyone in the street and bus stop was watching. During the struggle, the girl sprayed pepper spray in my mother's eyes and she fainted. No-one picked her up and the bus driver kept going ... My mother went to the doctor and she still can't see properly and is too scared to catch a bus. She was more upset with the inaction of others rather than what happened.*<sup>312</sup>

While intervention by members of the public in dangerous situations is not generally advisable, some participants described circumstances where support from bystanders helped them avoid potentially violent situations and restored their faith in the decency of most Australians. The action of a Melbourne tram driver is one such example. A young Muslim man described how a tram driver came to his defence after he was told by a fellow passenger on the tram to, 'Go back to your country you stupid Muslim – go back to your country black c..t...' <sup>313</sup>

*There was a tram driver, and she overhead 'cause he was yelling it out. She was an Aborigine. She came out of the driver's seat, walked to the back chair, she sat down near me and she goes, 'What did he say about you?' I'm like, 'He's being racist'. Then she sat there for half an hour not moving the tram ... The racist man changed his attitude once the tram driver came and sat down near him.<sup>314</sup>*

A Muslim woman in Perth described how a passing motorist stopped to help her after a man set his three dogs on her while she was walking in a suburban street. 'Luckily I had an umbrella to defend myself. The man just watched then a driver stopped and screamed so the man called the dogs back.'<sup>315</sup> Another consultation participant felt that more Australians could be encouraged to provide such support through a broad community education campaign that conveyed the message, 'if you see racism happening, it is important to support the victim.'<sup>316</sup> The education campaign could offer practical examples of how to assist victims of racism and give information about where to turn for help in reporting incidents and in seeking counselling.<sup>317</sup>

To help overcome the sense of alienation and isolation identified by so many participants, it was felt that strong, clear and regular messages of support and solidarity from a range of national, state and local political and community leaders were crucial. Such messages were considered especially important in times of crisis to protect Arab and Muslim Australians from any potential backlash. Participants felt that such messages should not single out Arab or Muslim Australians for 'special' treatment, but rather, should emphasise the importance and values of multiculturalism to Australian society.

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### **Recommendation:**

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**That political and community leaders at a federal, state and territory and local level, encourage Australians to uphold the principles of multiculturalism including respect for the right of all Australians to express their own culture and beliefs and responsibility to support the basic structures and principles of Australian society that guarantee freedom and equality for all.**

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## Endnotes

- 1 See: [http://www.humanrights.gov.au/racial\\_discrimination/isma/strategies/index.html](http://www.humanrights.gov.au/racial_discrimination/isma/strategies/index.html)
- 2 *Anti-Discrimination Act 1991* (ACT) s 7(1)(h); *Equal Opportunity Act 1984* (WA) s 53; *Anti-Discrimination Act (1991)* (QLD) s 7(i); *Anti-Discrimination Act 1992* (NT) s 19(1)(m); *Anti-Discrimination Act 1998* (Tas) ss 16(o) and 16(p); *Equal Opportunity Act 1995* (Vic) s 6(j).
- 3 *Anti-Discrimination Act 1991* (Qld) ss 124A, 131A; *Anti-Discrimination Act 1998* (Tas) s 19; *Racial and Religious Tolerance Act 2001* (Vic) ss 8, 25.
- 4 *Anti-Discrimination Act (1991)* (QLD), Schedule.
- 5 *Equal Opportunity Act 1995* (Vic) s 4.
- 6 The Muslim Council of NSW, Sydney, 21 June 2003.
- 7 Islamic Council of NSW, Sydney, 10 June 2003. See also Muslim Women's National Network of Australia, Sydney, 5 April 2003.
- 8 Consultation hosted by the SA Equal Opportunity Commission, Adelaide, 16 July 2003.
- 9 Islamic Council of NSW, Sydney, 10 June 2003.
- 10 Muslim Women's National Network of Australia, Sydney, 5 April 2003.
- 11 Submission to HREOC from Forum on Australia's Islamic Relations (FAIR), 10 September 2003.
- 12 Muslim lawyers group, Melbourne, 27 May 2003.
- 13 Consultation with members of the Indonesian Muslim Community of Victoria, Monash University, 28 May 2003.
- 14 Muslim Women's National Network of Australia, Sydney, 5 April 2003; Muslim lawyers group, Melbourne, 27 May 2003; Consultation with members of the Indonesian Muslim Community of Victoria, Monash University, 28 May 2003.
- 15 Islamic Council of NSW, Sydney, 10 June 2003.
- 16 Forum on Australia's Islamic Relations, Sydney, 10 September 2003.
- 17 Antiochian Community Support Association, Melbourne, 13 November 2003.
- 18 Consultation with members of the Indonesian Muslim Community of Victoria, Monash University, 28 May 2003.
- 19 [http://www.humanrights.gov.au/human\\_rights/religion/index.html#Article](http://www.humanrights.gov.au/human_rights/religion/index.html#Article)
- 20 *Church of the New Faith v Commissioner for Pay-Roll Tax (Vic)* (1983) 154 CLR 120.
- 21 *Church of the New Faith v Commissioner for Pay-Roll Tax (Vic)* (1983) 154 CLR 120, 136 (Acting Chief Justice Mason and Brennan J).
- 22 *Church of the New Faith v Commissioner for Pay-Roll Tax (Vic)* (1983) 154 CLR 120, 174 (Wilson and Deane JJ).
- 23 General Comment No.22 paragraph 2.
- 24 General Comment No.22 paragraph 2.
- 25 Article 18 report, p 130-131.
- 26 Article 18 report, p 130-131.
- 27 Article 18 report, p 130-131.
- 28 Article 19 of the ICCPR states:
  1. Everyone shall have the right to hold opinions without interference.
  2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.
  3. The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:
    - (a) For respect of the rights or reputations of others;
    - (b) For the protection of national security or of public order (ordre public), or of public health or morals.
- 29 Article 5 of the ICCPR states:
  1. Nothing in the present Covenant may be interpreted as implying for any State, group or person any right to engage in any activity or perform any act aimed at the destruction of any of the rights and freedoms recognized herein or at their limitation to a greater extent than is provided for in the present Covenant.
  2. There shall be no restriction upon or derogation from any of the fundamental human rights recognized or existing in any State Party to the present Covenant pursuant to law, conventions,

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- regulations or custom on the pretext that the present Covenant does not recognize such rights or that it recognizes them to a lesser extent.
- 30 Human Rights Committee, General Comment No. 11 (1983), paragraph 2.
- 31 Notably sections 7 and 24 of the Commonwealth Constitution.
- 32 *Australian Capital Television Pty Ltd v Commonwealth* (1992) 177 CLR 106; *Nationwide News Pty Ltd v Wills* (1992) 177 CLR 1; *Theophanous v Herald & Weekly Times* (1994) 182 CLR 104; *Cunliffe v Commonwealth* (1994) 182 CLR 272.
- 33 *Theophanous v Herald & Weekly Times* (1994) 182 CLR 104 at 121 per Mason CJ, Toohey and Gaudron JJ.
- 34 *Levy v State of Victoria* (1997) 189 CLR 579 at 622 per McHugh J; *Lange v Australian Broadcasting Corporation* (1997) 189 CLR 520 at 560.
- 35 Sir Ronald Wilson, 'Human Rights from a Religious Viewpoint', World Conference on Religion and Peace, 2 February 1991, Monash University.
- 36 Article 18 report, p 113.
- 37 At pp 113, 114.
- 38 At p 141.
- 39 At p 139.
- 40 At p 141.
- 41 The Hon. Darryl Williams QC, Hansard House of Representatives Tues 9 February 1999 Response to a Question on Notice no 293 pp 2273.
- 42 At p 150.
- 43 At pp 150-151.
- 44 At p 151.
- 45 At p 149.
- 46 See, for example: article 79 of the Report of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance (Durban 31 August - 8 September 2001) which called upon States to promote and protect the exercise of rights sets out in the Religion Declaration in order to obviate religious discrimination which, when combined with certain other forms of discrimination, constitutes a form of multiple discrimination; the Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance on the Situation of Muslim and Arab people in various parts of the world in the aftermath of the events of 11 September 2001 (3 January 2003) and the recommendation that all States, especially those concerned by the situation of Muslims and Arabs, to take preventative measures to guarantee the full and unfettered exercise of their religious and cultural rights and the protection of their cultural sites and places of worship; and the UN Human Rights Commission resolution (adopted by 29 votes in favour, 16 against and seven abstentions) on defamation of religions in which it expressed deep concern at negative stereotyping of religions and the frequent and wrong association of Islam with terrorism and urged all states to combat such discrimination.
- 47 Consultation hosted by the Anti-Discrimination Commission Queensland (ADCQ) and Multicultural Affairs Queensland (MAQ), Brisbane, 16 June 2003.
- 48 Muslim lawyers group, Melbourne, 27 May 2003.
- 49 By the *Discrimination Law Amendment Bill 2002* (Qld)
- 50 Section 124 of the *Anti-Discrimination Act 1991* (Qld) makes vilification unlawful on a number of grounds.
- 51 *Anti-Discrimination Act 1991* (Qld) s 134(3).
- 52 *Anti-Discrimination Act 1991* (Qld) s 134(4).
- 53 *Anti-Discrimination Act 1977* (NSW) s 87.
- 54 *Anti-Discrimination Act 1977* (NSW) s 88(1A).
- 55 *Anti-Discrimination Act 1977* (NSW) s 88(1B).
- 56 *Racial and Religious Tolerance Act 2001* (Vic) s 19(3) and (4).
- 57 *Racial and Religious Tolerance Act 2001* (Vic) s 19(3)(a)(i).
- 58 *Anti-Discrimination Act 1998* (Tas) s 60(1)(f).
- 59 *Anti-Discrimination Act 1998* (Tas) s 60(1)(e).
- 60 In s 3 of the *Anti-Discrimination Act 1998* (Tas) s 60, "organisation" is defined as including " a council, a Government department within the meaning of the State Service Act 2000 or a State authority".
- 61 *Anti-Discrimination Act 1998* (Tas) s 60(1)(d).

- 62 *Discrimination Act 1991* (ACT) s 72.
- 63 *Equal Opportunity Act 1984* (WA) s 83(1) and (3).
- 64 *Equal Opportunity Act 1984* (WA) s 83(1)(c).
- 65 *Equal Opportunity Act 1984* (SA) s 93(1).
- 66 *Anti-Discrimination Act 1992* (NT) s 60.
- 67 HREOC Act s 46P(2)(c).
- 68 HREOC Act s 46P(2)(c).
- 69 Theoretically, an organisation (as long as it is a body politic or corporate) could also lodge a complaint on its own behalf if it could establish that it was aggrieved: HREOC Act s 46(2)(a) and (b).
- 70 HREOC Act ss 46P(3), 46PB, 46PC and 46PG.
- 71 HREOC Act s 46P(3).
- 72 On the grounds set out under s 46PH(1) of the HREOC Act.
- 73 HREOC Act s 46PO(1).
- 74 HREOC Act s 3(1).
- 75 This result was specifically noted in the Explanatory Memorandum to the *Human Rights Legislation Amendment Act (No.1) 1999* (Cth) (HRLAA) which introduced these provisions. This provides that the effect of s 46PH(1) is that “a complainant who was not himself or herself an affected person (ie one who brought a complaint only on behalf of persons aggrieved, without any personal interest in the subject matter) will not be entitled to commence Federal Court proceedings in respect of a terminated complaint – only affected persons may do so” (para 196).
- 76 See, for example: Part IVA of the *Federal Court of Australia Act 1976* (Cth). Note also the Explanatory Memorandum for HRLAA specifies that “it should be noted that the conditions for lodging with HREOC a representative complaint differ from those applying to representative proceedings under Part IVA of the Federal Court of Australia Act 1976. Complainants will have to comply with the latter conditions if they wish to continue representative proceedings in the Federal Court after their complaint has been terminated by HREOC” (para 132).
- 77 Australian Arabic Council, Melbourne, 28 May 2003.
- 78 Consultation with refugee women hosted by the Ecumenical Migration Centre, Melbourne, 26 May 2003. See also: Consultation with Queensland Anti-Racism Community Reference Group, Brisbane, 18 June 2003; Consultation with young Arab Muslims and Christians and non-Arab Muslims, Adelaide, 17 July 2003; The Muslim Council of NSW, Sydney, 21 June 2003; Forum on Australia’s Islamic Relations, Sydney, 10 September 2003; Antiochian Community Support Association, Melbourne, 13 November 2003; Interfaith Network of the City of Greater Dandenong, Dandenong, 14 November 2003.
- 79 Consultation with Muslim women hosted by Auburn Gallipoli Mosque and Affinity Intercultural Foundation, Sule College, Sydney, 21 October 2003.. See also Consultation with Sydney University students, 9 October 2003; Consultation with Arab young people hosted by Australian Lebanese Welfare Inc., Melbourne, 17 November 2003; Muslim lawyers group, Melbourne, 27 May 2003; Consultation with young Muslim women, Brisbane, 17 June 2003.
- 80 Consultation with Arab young people hosted by Australian Lebanese Welfare Inc., Melbourne, 17 November 2003. See also: Consultation hosted by Illawarra Ethnic Communities Council, Wollongong, 9 August 2003. Antiochian Community Support Association, Melbourne, 13 November 2003.
- 81 Consultation with Iraqi refugees in rural Victoria, 30 May 2003. See also: Consultations with NSW secondary students at three government schools, Sydney, August 2003.
- 82 Consultations with NSW Teachers, Anti-Racism Contact Officers (ARCOs) and Community Information Officers (CIOs), Sydney, August 2003. See also: St. George Lebanese Joint Committee Women’s Group, Sydney, 11 April 2003.
- 83 Al Zahra Muslim Women’s Association, Sydney, 23 April 2003.
- 84 Lebanese Community Council, Sydney, 4 September 2003.
- 85 Commonwealth of Australia, *Multicultural Australia: United in Diversity*, 2003, p 6.
- 86 Consultation with NSW Academics hosted by HREOC, Sydney, 24 November 2003.
- 87 Lebanese Community Council, Sydney, 4 September 2003.
- 88 Consultation with Lebanese Muslim children and young people organised by the Lebanese Muslim Association, Sydney, 12 June 2003.
- 89 Australian Federation of Islamic Councils, *Appreciating Islam*, 2003. A summary of the document is available on the AFIC website at: <http://www.afic.com.au/apislam.htm>

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- 90 Information provided by Australian Arabic Council, 11 November 2003. These are available through the AAC: [aac@aac.org.au](mailto:aac@aac.org.au)
- 91 See: Arabic Workers' Network, Sydney, 29 April 2003; Consultations with NSW secondary students at three government schools, Sydney, August 2003; Canberra Islamic Centre, Canberra, 2 June 2003.; Consultation with staff of the Northern Migrant Resource Centre Inc. (NMRC), Melbourne, 13 November 2003.
- 92 For discussion of posters see St George Lebanese Joint Committee Women's Group, 11 April 2003. For discussion of video and film, see Muslim Women's National Network of Australia.
- 93 St George Lebanese Joint Committee Women's Group, Sydney, 11 April 2003.
- 94 Consultation hosted by Tasmanian Anti-Discrimination Commission, Hobart, 14 June 2003.
- 95 Australian Arabic Council, Melbourne, 28 May 2003. See also St George Lebanese Joint Committee Women's Group, Sydney, 11 April 2003, arguing for an information campaign on the prohibition of race discrimination; Consultation with Iraqi refugees in rural Victoria, 30 May 2003.
- 96 Preliminary consultation to launch Isma in Victoria hosted by Victorian Equal Opportunity Commission, Melbourne, 30 April 2003.
- 97 Youth Reference Group to the NSW Premier's Youth Partnership with Arabic Speaking Communities, Sydney, 7 April 2003; Consultation hosted by Tasmanian Anti-Discrimination Commission, Hobart, 14 June 2003; The Muslim Council of NSW, Sydney, 21 June 2003; Consultations with NSW secondary students at three government schools, Sydney, August 2003.
- 98 Consultation hosted by the Anti-Discrimination Commission Queensland (ADCQ) and Multicultural Affairs Queensland (MAQ), Brisbane, 16 June 2003. See also Lebanese Community Council, Sydney, 4 September 2003.
- 99 Consultation with young Arab men, Brisbane, 18 June 2003. See also Consultation with refugee women hosted by the Ecumenical Migration Centre, Melbourne, 26 May 2003; Women only consultation hosted by the SA Equal Opportunity Commission, Adelaide, 17 July 2003.
- 100 See Consultation with members of the Indonesian Muslim Community of Victoria, Monash University, 28 May 2003; Consultation hosted by SA Equal Opportunity Commission, Adelaide, 16 July 2003.
- 101 Consultation with Migrant Resource Centre staff hosted by Canterbury-Bankstown MRC, Sydney, 27 August 2003. See also Muslim Women's National Network of Australia, Sydney, 5 April 2003; Consultation hosted by Multicultural Community Services of Central Australia, Alice Springs, 5 June 2003; Consultation hosted by Tasmanian Anti-Discrimination Commission, Hobart, 14 June 2003; Consultation with young Muslim women, Brisbane, 17 June 2003.
- 102 Consultation with Lebanese Muslim children and young people organised by the Lebanese Muslim Association, Sydney, 12 June 2003.
- 103 Consultation with Migrant Resource Centre staff hosted by Canterbury-Bankstown MRC, Sydney, 27 August 2003. See also: Muslim Women's National Network of Australia, Sydney, 5 April 2003; Consultation with young Muslim women, Brisbane, 17 June 2003; Consultation with members of the Indonesian Muslim Community of Victoria, Monash University, 28 May 2003.
- 104 The Adelaide Declaration on National Goals for Schooling in the Twenty-First Century, 1999. See: <http://www.mceetya.edu.au/nationalgoals/>  
Goal 3.1 reads, "Schooling should be socially just so that student's outcomes are free from the effects of negative forms of discrimination based on sex, language, culture, ethnicity, religion or disability; and of differences arising from students' socio-economic background or geographic location.
- 105 *ibid.*
- 106 Consultation with Migrant Resource Centre staff hosted by Canterbury-Bankstown MRC, Sydney, 27 August 2003.
- 107 Consultation with NSW Teachers, Anti-Racism Contact Officers (ARCOs) and Community Information Officers (CIOs), Sydney, August 2003.
- 108 Consultation with NSW Teachers, Anti-Racism Contact Officers (ARCOs) and Community Information Officers (CIOs), Sydney, August 2003.
- 109 Consultation with NSW Teachers, Anti-Racism Contact Officers (ARCOs) and Community Information Officers (CIOs), Sydney, August 2003.
- 110 The *Adelaide Declaration on National Goals for Schooling in the Twenty-First Century*, 1999.
- 111 <http://www.mceetya.edu.au/index.htm>
- 112 <http://www.mceetya.edu.au/aboutmc.htm>
- 113 Consultations with Migrant Resource Centre staff hosted by Canterbury-Bankstown MRC, 27 August 2003.

- 114 Consultation hosted by the Multicultural Education Committee and the SA Equal Opportunity Commission, Adelaide, 17 July 2003.
- 115 Information provided by: NSW Department of Education and Training, Education QLD, SA Multicultural Education Committee, Victoria Department of Education and Training, 23 April 2004.
- 116 Consultations with NSW Teachers, Anti-Racism Contact Officers (ARCOs) and Community Information Officers (CIOs), Sydney, August 2003.
- 117 See: <http://www.racismnoway.com.au>
- 118 See: [http://www.humanrights.gov.au/info\\_for\\_teachers/index.html](http://www.humanrights.gov.au/info_for_teachers/index.html)
- 119 Lebanese Community Council, Sydney, 4 September 2003. See also Consultation hosted by Tasmanian Anti-Discrimination Commission, Hobart, 14 June 2003; Consultations with NSW Teachers, Anti-Racism Contact Officers (ARCOs) and Community Information Officers (CIOs), Sydney, August 2003.
- 120 See, for example: Consultation with members of the Indonesian Muslim Community of Victoria, Monash University, 28 May 2003.
- 121 Consultations with NSW primary school students (Years 5 and 6) at three Sydney public schools, August 2003.
- 122 Consultation with Lebanese Muslim children and young people organised by the Lebanese Muslim Association, Sydney, 12 June 2003.
- 123 Consultations with NSW Teachers, Anti-Racism Contact Officers (ARCOs) and Community Information Officers (CIOs), Sydney, August 2003.
- 124 Consultation hosted by the Multicultural Education Committee and the SA Equal Opportunity Commission, Adelaide, 17 July 2003.
- 125 See Discovering Democracy, Civics and Citizenship Education, <http://www.curriculum.edu.au/democracy/ddunits/index.htm>
- 126 Department of Education, Science and Training, Values Education Study, August 2003. <http://www.curriculum.edu.au/values/index.htm>
- 127 For complaints about hospitals and health services see United Muslim Women's Association young women's group, Sydney, 7 June 2003; United Muslim Women's Association, Sydney, 23 June 2003; Women only consultation hosted by the Office of Women's Policy, WA Department for Community Development, Perth, 30 June 2003. For complaints about police see, for example, St George Lebanese Joint Committee Women's Group, Sydney, 11 April 2003; Preliminary consultation to launch Isma in Victoria hosted by Victorian Equal Opportunity Commission, Melbourne, 30 April 2003; Muslim lawyers group, Melbourne, 27 May 2003; Islamic Council of NSW, Sydney, 10 June 2003; Consultation hosted by the Anti-Discrimination Commission Queensland of Queensland (ADCQ) and Multicultural Affairs Queensland (MAQ), Brisbane, 16 June 2003; Consultation with young Arab men, Brisbane, 18 June 2003; United Muslim Women's Association, Sydney, 23 June 2003; Consultation hosted by the SA Equal Opportunity Commission, Adelaide, 16 July 2003; Consultation with young Arab Muslims and Christians and non-Arab Muslims, Adelaide, 17 July 2003; Consultations with NSW secondary students at three government schools, Sydney, August 2003; Consultation with Arab community members, Melbourne, 15 November 2003; Consultation with Sydney University students, 9 October 2003; Tripoli and Mena Association Seniors' Group, Sydney, 15 October 2003. For complaints about Centrelink see Consultation with Afghan Elderly Men's Group hosted by Service for the Treatment and Rehabilitation of Torture and Trauma Survivors (STARTTS), Sydney, 1 July 2003; Consultation with students from Goulburn-Ovens TAFE at Shepparton (Victoria) hosted by Shepparton Ethnic Communities Council, 29 May 2003; Women only consultation hosted by the Office for Women's Policy, WA Department for Community Development, Perth, 30 June 2003; Consultation with young Arab Muslims and Christians and non-Arab Muslims, Adelaide, 17 July 2003; Tripoli and Mena Association Seniors' Group, Sydney, 15 October 2003.
- 128 See, for example, Muslim Women's National Network of Australia, Sydney, 5 April 2003; Consultation hosted by the Anti-Discrimination Commission of Queensland (ADCQ) and Multicultural Affairs Queensland (MAQ), Brisbane, 16 June 2003; Consultation with Muslim women in northern Sydney, 26 June 2003; The Muslim Council of NSW, Sydney, 21 June 2003.
- 129 Consultation with Sikh community members, Perth, 30 June 2003.
- 130 Consultation hosted by the Anti-Discrimination Commission of Queensland (ADCQ) and Multicultural Affairs Queensland (MAQ), Brisbane, 16 June 2003.
- 131 Muslim lawyers group, Melbourne, 27 May 2003. See also NSW Police Ethnic Community Liaison Officers, Sydney, 9 April 2003.

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- 132 Islamic Council of Victoria, Melbourne, 26 May 2003.
- 133 Consultations with NSW secondary students at three government schools, Sydney, August 2003.
- 134 Information provided by Australian Federal Police, 9 February 2004.
- 135 Australasian Police Multicultural Advisory Bureau and Australian Multicultural Foundation, *A Practical Reference to Religious Diversity for Operational Police*, 2001 (2nd edition).
- 136 See: [http://www.immi.gov.au/multicultural/\\_inc/publications/charter/charter.htm](http://www.immi.gov.au/multicultural/_inc/publications/charter/charter.htm)
- 137 Department of Immigration and Multicultural Affairs, Good Practice Guide for Culturally Responsive Government Services, 1998. See: [http://www.immi.gov.au/multicultural/\\_inc/publications/charter/charter.htm](http://www.immi.gov.au/multicultural/_inc/publications/charter/charter.htm)
- 138 See: [http://www.immi.gov.au/annual\\_report/index.htm](http://www.immi.gov.au/annual_report/index.htm)
- 139 See: Community Relations Commission for a Multicultural NSW website: [http://www.crc.nsw.gov.au/eaps/what\\_eaps.htm](http://www.crc.nsw.gov.au/eaps/what_eaps.htm)
- 140 Australian Arabic Communities Council, Sydney, 10 June 2003.
- 141 Interview with 'Mounira', Sydney, 27 October 2003.
- 142 Islamic Council of Victoria, Melbourne, 26 May 2003.
- 143 Consultation hosted by Tasmanian Anti-Discrimination Commission, Hobart, 14 June 2003.
- 144 The Commission has also produced other resources. For example, the Race for Business Guidelines advise employers on how to prevent racial discrimination in the workplace. The Commission has also produced and distributed a video ('Accents are Everywhere') aimed at helping employers recognise and promote productive diversity in the workplace.
- 145 Peter Manning, *Dog Whistle Politics and Journalism: reporting Arabic and Muslim people in Sydney newspapers*, Australian Centre for Independent Journalism, UTS, 2004. See also: *The New 'Others': Media & Society Post-September 11*, Liz Jacka & Lelia Green (eds.) Media International Australia: culture and police, n 109, Griffith University, 2003. Iain Lygo, *News Overboard: The Tabloid Media, Race Politics and Islam*, Southerly Change Media, 2004. Australian Press Council, General Press Release No. 261 'Religious Terms in Headlines', April 2004 [<http://www.presscouncil.org.au/pcsite/activities/guides/gpr261.html>] Piers Akerman, 'Dressing hate in Mufti doesn't make it right', *The Daily Telegraph*, Sydney, 8 April 2004.
- 146 Australian Arabic Council, Melbourne, 28 May 2003. See also: Consultation hosted by Illawarra Ethnic Communities Council, Wollongong, 9 August 2003.
- 147 Consultation hosted by Multicultural Community Services of Central Australia, Alice Springs, 5 June 2003. See also: Consultations with NSW secondary students at three government schools, Sydney, August 2003. See also: Islamic Council of Victoria, Melbourne, 26 May 2003.
- 148 Written submission from Dalal Oubani, 26 April 2003.
- 149 The Muslim Council of NSW, Sydney, 21 June 2003.
- 150 Islamic Women's Association of Queensland Senior Women's Respite Group, Brisbane, 17 June 2003.
- 151 Consultation with Iraqi refugees in rural Victoria, 30 May 2003; Islamic Women's Association of Queensland Senior Women's Respite Group, Brisbane, 17 June 2003; Consultation with young Muslim women, Brisbane, 17 June 2003; Consultation with young Arab men, Brisbane, 18 June 2003; Consultation with NSW secondary students at three government schools, Sydney, August 2003; Lebanese Community Council, Sydney, 4 September 2003; Consultation with Sydney University students, 9 October 2003; Antiochian Community Support Association, Melbourne, 13 November 2003; Consultation with Arab young people hosted by Australian Lebanese Welfare Inc., Melbourne, 17 November 2003.
- 152 Islamic Council of Victoria, Melbourne, 26 May 2003; Australian Arabic Council, Melbourne, 28 May 2003; Maronite Youth Organisation at Our Lady of Lebanon Church, Sydney, 4 June 2003; Consultation hosted by Multicultural Community Services of Central Australia, Alice Springs, 5 June 2003; Australian Arabic Communities Council, Sydney, 10 June 2003; Consultation hosted by WA Office of Multicultural Interests, Perth, 1 July 2003.
- 153 Australian Arabic Council, Melbourne, 28 May 2003; Australian Arabic Communities Council, Sydney, 10 June 2003; United Muslim Women's Association, Sydney, 23 June 2003; Consultation hosted by the WA Office of Multicultural Interests, Perth, 1 July 2003; Consultation with Sydney University students, 9 October 2003.
- 154 Consultation with young Muslim women, Brisbane, 17 June 2003; Women only consultation hosted by the SA Equal Opportunity Commission, Adelaide, 17 July 2003; Consultations with NSW secondary students at three government schools, Sydney, August 2003.

- 155 Consultation hosted by Tasmanian Anti-Discrimination Commission, Hobart, 14 June 2003; Forum on Australia's Islamic Relations, Sydney, 10 September 2003.
- 156 Consultation with young Muslim women, Brisbane, 17 June 2003; Consultation with Lebanese Muslim children and young people organised by the Lebanese Muslim Association, Sydney, 12 June 2003.
- 157 Islamic Council of Victoria, Melbourne, 26 May 2003; Consultation hosted by Tasmanian Anti-Discrimination Commission, Hobart, 14 June 2003.
- 158 Arabic Workers' Network, Sydney, 29 April 2003.
- 159 Press release issued by Australian Arabic Council "AAC condemns youth violence, no link between crime and ethnicity", 19 July 2002.
- 160 Public statement made by Australian Federation of Islamic Councils, 17 July 2002. Reported at: <http://www.afic.com.au/Amn03.htm>.
- 161 *ibid.*
- 162 Consultations with NSW secondary students at three government schools, Sydney, August 2003.
- 163 Consultation with Sydney University students, 9 October 2003.
- 164 Regina v Sheikh [2004] NSWCCA 38(4 March 2004).
- 165 *ibid.*, [4] (Mason P and Wood CJ at CL).
- 166 *ibid.*, [40] (Mason P and Wood CJ at CL).
- 167 Women only consultation hosted by the Office for Women's Policy, WA Department for Community Development, Perth, 30 June 2003.
- 168 Interfaith Network of the City of Greater Dandenong, Dandenong, 14 November 2003.
- 169 Consultation with members of the Indonesian Muslim Community of Victoria, Monash University, 28 May 2003.
- 170 See: Australian Press Council website: <http://www.presscouncil.org.au/pcsite/activities/guides/gpr261.html>
- 171 *ibid.*
- 172 Consultations with Arab young people by Australian Lebanese Welfare Inc., Melbourne, 17 November 2003.
- 173 Submission from Forum on Australia's Islamic Relations, 10 September 2003.
- 174 Preliminary consultation to launch Isma in Victoria hosted by Victorian Equal Opportunity Commission, Melbourne, 30 April 2003.
- 175 Consultation with Iraqi refugees in rural Victoria, 30 May 2003; Australian Arabic Communities Council, Sydney, 10 June 2003; Consultation hosted by WA Office of Multicultural Interests, Perth, 1 July 2003.
- 176 Muslim Women's National Network of Australia, Sydney, 5 April 2003; Canberra Islamic Centre, Canberra, 2 June 2003.; Women only consultation hosted by the Office for Women's Policy, WA Department for Community Development, Perth, 30 June 2003; NSW Police Ethnic Community Liaison Officers, Sydney, 9 April 2003.
- 177 Preliminary consultation to launch Isma in Victoria hosted by Victorian Equal Opportunity Commission, Melbourne, 30 April 2003; Islamic Council of Victoria, Melbourne, 26 May 2003.
- 178 Al Zahra Muslim Women's Association, Sydney, 23 April 2003; Women only consultation hosted by the Office for Women's Policy, WA Department for Community Development, Perth, 30 June 2003.
- 179 Canberra Islamic Centre, Canberra, 2 June 2003.; Australian Arabic Council, Melbourne, 28 May 2003; Consultation with young Muslim women, Brisbane, 17 June 2003; Consultation hosted by the SA Equal Opportunity Commission, Adelaide, 16 July 2003.
- 180 Preliminary consultation to launch Isma in Victoria hosted by Victorian Equal Opportunity Commission, Melbourne, 30 April 2003.
- 181 See: Australian Arabic Council website: [www.aac.org.au](http://www.aac.org.au)  
The Australian Arabic Council encourages positive media reporting of Arabic issues by hosting an annual media award that rewards the article that most clearly breaks down entrenched stereotypes of Arabic culture. Mike Steketee of The Australian won the 2002 award for his article of 14 September 2001: 'Muslim bashing compounds the terror'
- 182 Liz Jacka & Lelia Green (eds.) *The New 'Others': Media and Society Post-September 11*, Media International Australia, Griffith University, no. 109 November 2003.
- 183 In addition, in March 2003, the NSW Anti-Discrimination Board released its report *Race for the Headlines: racism and media discourse*. The report examined how race was understood and

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- reported in the Australian media following 11 September 2001. It argued that debates about asylum seekers, terrorism and local crime became linked in media representations which led to an environment conducive to anti-Arab and anti-Muslim prejudice and discrimination.
- 184 See: Natasche Klocker and Kevin M.Dunn, "Who's Driving the Asylum Debate? Newspaper and Government Representations of Asylum Seekers, pp 71-91 in Jacka & Green (eds.) *The New 'Others': Media and Society Post-September 11*, No. 109, Media International Australia, 2003.
- 185 Peter Manning, 'Arabic and Muslim people in Sydney's Daily Newspapers, Before and After September 11, pp 50-70 in Jacka & Green (eds.) *The New 'Others': Media and Society Post-September 11*, No. 109, Media International Australia, 2003.
- 186 Peter Manning, *Dog Whistle Politics and Journalism: reporting Arabic and Muslim people in Sydney Newspapers*, Australian Centre for Independent Journalism, University of Technology Sydney, January 2004.
- 187 Written submission by Peter Manning, Professor of Journalism, University of Technology, Sydney, December 2003.
- 188 Consultation with NSW Academics hosted by HREOC, Sydney, 24 November 2003.
- 189 Note: There are however, instructive examples of how Arab or Muslims community organisations could effectively carry out media analysis and monitoring. The Canadian Islamic Congress offers one such example. Their annual media report on anti-Islam in the Canadian media is available at: [http://www.canadianislamiccongress.com/rr/rr\\_index.php](http://www.canadianislamiccongress.com/rr/rr_index.php)
- 190 Information from Australian Arabic Council, 17 November 2003.
- 191 Written submission by Forum of Australia's Islamic Relations (FAIR), 21 October 2003. See also: Islamic Council of Victoria, Melbourne, 26 May 2003.
- 192 Consultation hosted by the WA Office of Multicultural Interests, Perth, 1 July 2003.
- 193 *Broadcasting Services Act 1992* (Cth) s 123(3)(e).
- 194 The ABA must be satisfied that the code of practice provides appropriate community safeguards for the matters covered by the code; the code is endorsed by a majority of the providers of broadcasting services in that section of the industry; and that members of the public have been given an opportunity to comment on the code: *Broadcasting Services Act 1992* (Cth) s 123(4)(b).
- 195 *Broadcasting Services Act 1992* (Cth) s 124(2). All registered codes of practice are available on the ABA website: <http://www.aba.gov.au/tv/content/codes/index.htm>.
- 196 Extracts from paragraphs 1.8 and 1.9 at <http://www.aba.gov.au/tv/content/codes/commercial/index.htm>
- 197 *Broadcasting Services Act 1992* (Cth) s 148.
- 198 *Broadcasting Services Act 1992* (Cth) s 148.
- 199 <http://www.presscouncil.org.au/>
- 200 <http://www.presscouncil.org.au/pcsite/complaints/process.html#lodging>
- 201 <http://www.presscouncil.org.au/pcsite/complaints/sop.html>
- 202 <http://www.presscouncil.org.au/pcsite/complaints/sop.html>
- 203 Principle 7: <http://www.presscouncil.org.au/pcsite/complaints/sop.html>
- 204 <http://www.presscouncil.org.au/pcsite/activities/gprguide.html>
- 205 See: GPR 248 at <http://www.presscouncil.org.au/pcsite/guides/gpr248.html>
- 206 It is relevant to note that in its complaint handling procedures, the Press Council states that where it appears that the matters raised in a complaint could be the basis for legal action against the publication, then the Council requires the person making a complaint to sign a document waiving their legal rights before the Council will proceed further. A waiver is sought on the basis that the Council sees itself as an alternative, not a complement, to the courts; in processing the complaint or publishing an adjudication the Council may deal with matters that are sub judice; and because parties cannot be expected to provide information and co-operation if this might prejudice their position in legal proceedings: <http://www.presscouncil.org.au/pcsite/complaints/process.html#dealing>
- 207 <http://www.alliance.org.au/hot/ethicscode>
- 208 <http://www.alliance.org.au>
- 209 Paragraph 2.
- 210 <http://www.alliance.org.au/hot/complain.htm>
- 211 Written submission by Peter Manning, Professor of Journalism, University of Technology, Sydney, December 2003.
- 212 [http://www.humanrights.gov.au/racial\\_discrimination/media\\_guide/index.html](http://www.humanrights.gov.au/racial_discrimination/media_guide/index.html)
- 213 See: Islamic Council of Victoria, Melbourne, 26 May 2003; Women only consultation hosted by

- the Office for Women's Policy, WA Department for Community Development, Perth, 30 June 2003.
- 214 Lebanese Community Council, Sydney, 4 September 2003.
- 215 Consultation hosted by Multicultural Community Services of Central Australia, Alice Springs, 5 June 2003.
- 216 Written submission by Peter Manning, Professor of Journalism, University of Technology, Sydney, December 2003.
- 217 Written submission by Peter Manning, Professor of Journalism, University of Technology, Sydney, December 2003.
- 218 See: <http://www.mwnna.org.au/>
- 219 Consultation hosted by the WA Office of Multicultural Interests, Perth, 1 July 2003.
- 220 Arabic Workers' Network, Sydney, 29 April 2003.
- 221 Arabic Workers' Network, Sydney, 29 April 2003.
- 222 Information provided to HREOC by the Premier of Western Australia, 9 December 2003.
- 223 Consultation with young Muslim women, Brisbane, 17 June 2003.
- 224 Islamic Council of Victoria, Melbourne, 26 May 2003. See also: Australian Arabic Communities Council, Sydney, 10 June 2003.
- 225 Islamic Council of Victoria, Melbourne, 26 May 2003.
- 226 Australian Arabic Council, Melbourne, 28 May 2003.
- 227 Consultation hosted by ACT Human Rights Office and ACT Office of Multicultural Affairs, Canberra, 3 June 2003.
- 228 Information provided by AFIC, 13 January 2004.
- 229 Islamic Council of Victoria, Melbourne, 26 May 2003.
- 230 Consultation with young Muslim women, Brisbane, 17 June 2003.
- 231 Al Zahra Muslim Women's Association, Sydney, 23 April 2003.
- 232 These perceptions were reiterated in numerous research papers such as: Peter Manning, *Dog Whistle Politics and Journalism: reporting Arabic and Muslim people in Sydney newspapers*, Australian Centre for Independent Journalism, UTS, 2004. See also: *The New 'Others': Media & Society Post-September 11*, Liz Jacka & Lelia Green, eds.) Media International Australia: culture and policy, n 109, Griffith University, 2003.
- 233 National Guidelines, January 1997, prepared by I. G. Kolarik, Executive Director, and Superintendent D. Cairns, Chairperson, National Police Ethnic Advisory Bureau.
- 234 NSW Police Service, Ethnic Affairs Unit, Descriptors policy guidelines, published in the Police Media Handbook. NSW Police rejected the use of 'Caucasian', however, replacing it with 'White/European appearance'.
- 235 Reported in *The Age*, Melbourne, March 26 2003. See also: ABC Online: <http://www.abc.net.au/cgi-bin/common/printfriendly.pl?http://www.abc.net.au/pm/content/2003/s817255.htm>
- 236 Australian Arabic Council, Melbourne, 28 May 2003.
- 237 Consultation with young Muslim women, Brisbane, 17 June 2003. See also: Consultation with young Arab Muslims and Christians and non-Arab Muslims, Adelaide, 17 July 2003.
- 238 Roland Jabbour, Chairperson, Australian Arabic Council, at the Australian Institute of Criminology conference 'Policing Partnerships in a Multicultural Australia: Achievements and Challenges', Brisbane, 26 October 2001. See also: Australian Arabic Council, 'Ethnicity and Crime in NSW: Politics, Rhetoric and Ethnic Descriptors', January, page 3.
- 239 Roland Jabbour, Chairperson, Australian Arabic Council, at the Australian Institute of Criminology conference 'Policing Partnerships in a Multicultural Australia: Achievements and Challenges', Brisbane, 26 October 2001. See: <http://www.aac.org.au/media.php?ArtID=6>
- 240 NSW Police Service, Ethnic Affairs Unit, Descriptors policy guidelines, published in the Police Media Handbook. NSW Police rejected the use of 'Caucasian', however, replacing it with 'White/European appearance'.
- 241 *Police Media Descriptors, A national research project to collect data to inform the development of a set of national standards*, Report to the Australasian Police Multicultural Advisory Bureau, September 2003, prepared by Margaret Helman and Associates.
- 242 *ibid.*, p 18.
- 243 *ibid.*, p 16.
- 244 *ibid.*, pp 19-20.
- 245 Interview with 'Rema', Melbourne, 18 November 2003.
- 246 St George Lebanese Joint Committee Women's Group, Sydney, 11 April 2003

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- 247 Lebanese Community Council, Sydney, 4 September 2003.
- 248 Muslim lawyers group, Melbourne, 27 May 2003
- 249 Muslim lawyers group, Melbourne, 27 May 2003. Horn of Africa Senior Women's Program, Melbourne, 13 November 2003. Consultation with Arab community members, Melbourne, 15 November 2003.
- 250 Women only consultation hosted by the Office for Women's Policy, WA Department for Community Development, Perth, 30 June 2003.
- 251 Lebanese Communities Council, Sydney, 4 September 2003.
- 252 Although all of the programs adopted pursue the same aim, they vary, often significantly, in administrative structure and even in their names. For example, the term adopted by the New South Wales Police Service for its liaison officers is "Ethnic Community Liaison Officers" whilst other jurisdictions adopted the terms "Multicultural Liaison Officers" and "Community Liaison Officers" such as Victoria Police and Queensland Police Service respectively.
- 253 Consultation with Muslim women in northern Sydney, 26 June 2003.
- 254 Islamic Council of Victoria, Melbourne, 26 May 2003.
- 255 Consultation with members of the Indonesian Muslim Community of Victoria, Monash University, 28 May 2003.
- 256 Islamic Council of Victoria, Melbourne, 26 May 2003.
- 257 Interview with 'Amal', Melbourne, 16 November 2003. See also: Consultation with Islamic Girls/Women's Group Inc., hosted by the Victorian Department of Human Services, Melbourne, 28 May 2003.
- 258 Islamic Council of NSW, Sydney, 10 June 2003.
- 259 At the time of the Commission's Racist Violence Inquiry (1989-1991), no Australian police service collected hate crime statistics. The inquiry concluded that 'this has caused significant problems in estimating the extent of racist violence and responding to it' (Racist Violence, HREOC, 1991, page 313).
- 260 Note: the exceptions are Tasmania and the Northern Territory
- 261 Information provided by: South Australia Police, 15 January 2004; Western Australia Police Service, 15 January 2004; Northern Territory Police, 17 November 2003; Tasmania Police, 10 November 2003.
- 262 Information provided by Queensland Police Service, 12 November 2003.
- 263 Information provided by Victoria Police, 3 December 2003.
- 264 NSW Police Ethnic Community Liaison Officers, Sydney, 9 April 2003.
- 265 Information provided by NSW Police, 24 February 2004 & 6 March 2004.
- 266 Racist Violence, HREOC, 1991, page 314.
- 267 Information provided by APMAB, 4 April 2004.
- 268 See: Preliminary consultation to launch Isma in Victoria hosted by Victorian Equal Opportunity Commission, Melbourne, 30 April 2003; Canberra Islamic Centre, Canberra, 2 June 2003.; Consultation with Arab women's group, hosted by the Women's Centre, Sydney, 8 August 2003; Islamic Women's Association of Queensland Senior Women's Respite Group, Brisbane, 17 June 2003.
- 269 See: Consultation with young Muslim women, Brisbane, 17 June 2003. Islamic Council of Victoria, Melbourne, 26 May 2003. Preliminary consultation to launch Isma in Victoria hosted by Victorian Equal Opportunity Commission, Melbourne, 30 April 2003. Australian Arabic Communities Council, Sydney, 10 June 2003.
- 270 See: Tripoli and Mena Association Seniors' Group, Sydney, 15 October 2003. Australian Arabic Communities Council, Sydney, 10 June 2003.
- 271 See: Consultation with young Muslim women, Brisbane, 17 June 2003. Consultation hosted by Multicultural Community Services of Central Australia, Alice Springs, 5 June 2003. Antiochian Community Support Association, Melbourne, 13 November 2003. Tripoli and Mena Association Seniors' Group, Sydney, 15 October 2003.
- 272 Consultation with Sydney University students, 9 October 2003. See also: Tripoli and Mena Association Seniors; Group, Sydney, 15 October 2003.
- 273 Islamic Council of NSW, Sydney, 10 June 2003.
- 274 See: Consultation hosted by Tasmanian Anti-Discrimination Commission, Hobart, 14 June 2003. Consultations with NSW primary school students (Years 5 and 6) at three Sydney public schools, August 2003. Maronite Youth Organisation at Our Lady of Lebanon Church, Sydney, 4 June 2003. Antiochian Community Support Association, Melbourne, 13 November 2003. Muslim lawyers group, Melbourne, 27 May 2003.

- 275 See: Consultation with Arab young people hosted by Australian Lebanese Welfare Inc., Melbourne, 17 November 2003. Consultation with young Arab men, Brisbane, 18 June 2003.
- 276 Australian Arabic Council, Melbourne, 28 May 2003. See also: Consultation with Arab young people hosted by Australian Lebanese Welfare Inc., Melbourne, 17 November 2003.
- 277 Women only consultation hosted by the SA Equal Opportunity Commission, Adelaide, 17 July 2003.
- 278 Information provided by Victorian Arabic Social Services, Melbourne, 12 November 2003.
- 279 Youth Reference Group to the NSW Premier's Youth Partnership with Arabic Speaking Communities, Sydney, 7 April 2003. See also: Consultation hosted by Tasmanian Anti-Discrimination Commission, Hobart, 14 June 2003; Tripoli and Mena Association Seniors' Group, Sydney, 15 October 2003.
- 280 Arabic Workers' Network, Sydney, 29 April 2003; Consultation hosted by Tasmanian Anti-Discrimination Commission, Hobart, 14 June 2003.
- 281 See: Australian Arabic Council, Melbourne, 28 May 2003. United Muslim Women's Association, Sydney, 23 June 2003. Consultation with young Muslim women, Brisbane, 17 June 2003. Women only consultation hosted by the Office for Women's Policy, WA Department for Community Development, Perth, 30 June 2003.
- 282 See: Australian Arabic Council, Melbourne, 28 May 2003. Maronite Youth Organisation at Our Lady of Lebanon Church, Sydney, 4 June 2003. Information provided by Victorian Arabic Social Services, Melbourne, 12 November 2003.
- 283 Arabic Workers' Network, Sydney, 29 April 2003.
- 284 Consultation with Migrant Resource Centre staff hosted by Canterbury-Bankstown MRC, Sydney, 27 August 2003.
- 285 St George Lebanese Joint Committee Women's Group, Sydney, 11 April 2003
- 286 Interfaith Network of the City of Greater Dandenong, Dandenong, 14 November 2003. Consultation with students from the Goulburn-Ovens TAFE at Shepparton (Victoria) hosted by Shepparton Ethnic Communities Council, Shepparton, 29 May 2003. Meeting with Radio 4EB, Brisbane, 18 June 2003.
- 287 Consultation hosted by Tasmanian Anti-Discrimination Commission, Hobart, 14 June 2003.
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- 291 See: Islamic Council of Victoria, Melbourne, 26 May 2003; Muslim lawyers group, Melbourne, 27 May 2003; Women only consultation hosted by the SA Equal Opportunity Commission, Adelaide, 17 July 2003; Consultation hosted by Multicultural Community Services of Central Australia, Alice Springs, 5 June 2003; Canberra Islamic Centre, Canberra, 2 June 2003.
- 292 See: Arabic Workers' Network, Sydney, 29 April 2003; Consultation hosted by the SA Equal Opportunity Commission, Adelaide, 16 July 2003; Canberra Islamic Centre, Canberra, 2 June 2003.
- 293 Youth Reference Group to the NSW Premier's Youth Partnership with Arabic Speaking Communities, Sydney, 7 April 2003.
- 294 See: Muslim lawyers group, Melbourne, 27 May 2003. Canberra Islamic Centre, Canberra, 2 June 2003. Islamic Council of Victoria, Melbourne, 26 May 2003. Islamic Council of NSW, Sydney, 10 June 2003.
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## Chapter 5: Future strategies

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- 302 Consultation with Lebanese Muslim children and young people organised by the Lebanese Muslim Association, Sydney, 12 June 2003.
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- 308 Islamic Council of NSW, Sydney, 10 June 2003.
- 309 See: Islamic Council of NSW, Sydney, 10 June 2003; Islamic Women's Association of Queensland Senior Women's Respite Group, Brisbane, 17 June 2003.
- 310 Meeting with Leila Alloush, Victorian Arabic Social Services, Melbourne, 14 November 2003.
- 311 Australian Arabic Council, Melbourne, 28 May 2003.
- 312 Consultation with Islamic Girls/Women's Group Inc., hosted by the Victorian Department of Human Services, Melbourne, 28 May 2003.
- 313 Interview with 'Mustapha', Melbourne, 18 November 2003.

- 314 Interview with 'Mustapha', Melbourne, 18 November 2003.
- 315 Women only consultation hosted by the Office for Women's Policy, WA Department for Community Development, Perth, 30 June 2003.
- 316 Preliminary consultation to launch Isma in Victoria hosted by Victorian Equal Opportunity Commission, Melbourne, 30 April 2003.
- 317 Preliminary consultation to launch Isma in Victoria hosted by Victorian Equal Opportunity Commission, Melbourne, 30 April 2003.





# **Appendices**



# **Appendix 1:**

## Consultations by State and Territory

## Appendix 1: Consultations by State and Territory

State and location by area	Date	Consultation name (as noted in endnotes)	Host	Participants
<b>ACT</b>				
Canberra	2 June 2003	Canberra Islamic Centre, Canberra	Canberra Islamic Centre (CIC)	13 Muslim men and women CIC members of various ages from diverse ethnic backgrounds including Turkish, Bosnian, Lebanese, Swiss, Pakistani, Indian, Iraqi and Indonesian.
Canberra	3 June 2003	Consultation hosted by ACT Human Rights and ACT Office of Multicultural Affairs, Canberra	ACT Office of Multicultural Affairs & ACT Human Rights Office	8 community and government representatives from the Australian Federal Police (ACT Policing), DIMIA, Commonwealth Attorney-General's and one youth and one ethnic organisation.
Totals for ACT			Consultations = 2	Number of participants = 21
<b>New South Wales</b>				
Auburn	5 April 2003	Muslim Women's National Network of Australia, Sydney	Muslim Women's National Network of Australia	15 Muslim women members of various ages from all over Sydney and of diverse ethnic backgrounds including Turkish, Pakistani, Anglo-Celtic, Egyptian, Afghan, Bangladeshi and Lebanese.
Bankstown	7 April 2003	Youth Reference Group to the NSW Premier's Youth Partnership with Arabic Speaking Communities, Sydney	NSW Premier's Departments' Youth Partnership with Arabic Speaking Communities Project	11 male and female Youth Reference Group members of Arabic speaking background and of diverse religious backgrounds from various areas of Sydney.

State and location by area	Date	Consultation name (as noted in endnotes)	Host	Participants
Manly	9 April 2003	NSW Police Ethnic Community Liaison Officers, Sydney	NSW Police	20 NSW Police staff, including Ethnic Community Liaison Officers from across NSW and the NSW Ethnic Community Liaison Officer Coordinator.
Rockdale	11 April 2003	St. George Lebanese Joint Committee Women's Group, Sydney	St. George Migrant Resource Centre, St George Lebanese Joint Committee	18 members of the St George Lebanese Joint Committee Women's group (attended also by the Community Development Worker of Rockdale City Council). <i>Arabic interpreter: Ms Nada Khoder</i>
Arncliffe	23 April 2003	Al Zahra Muslim Women's Association, Sydney	Al Zahra Islamic Council	250 Muslim women members of the Al Zahra Muslim Women's Association of various ages and mostly of either Lebanese or Iraqi background.
Bankstown	29 April 2003	Arabic Workers' Network, Sydney	Australian Arabic Communities Council	12 Arabic Workers' Network members from a range of community and government departments covering areas including health, disability, refugees and newly arrived migrants, children and young people.
Harris Park	4 June 2003	Maronite Youth Organisation at Our Lady of Lebanon Church, Sydney	Our Lady of Lebanon Church	12 young men and women members of the Maronite Youth Organisation including 2 religious leaders from Our Lady of Lebanon Church.
Lakemba	7 June 2003	United Muslim Women's Association young women's group, Sydney	United Muslim Women's Association	16 young Muslim women of mostly Arabic background.

## Appendix 1: Consultations by State and Territory

State and location by area	Date	Consultation name (as noted in endnotes)	Host	Participants
Bankstown	10 June 2003	Australian Arabic Communities Council, Sydney	Australian Arabic Communities Council (AACC)	31 members and non-members of the AACC including community and religious leaders, Arab community members, ethnic media representatives and service providers in both government and non-government organisations, including education.
Lakemba	10 June 2003	Islamic Council of NSW, Sydney	Islamic Council of NSW	17 men and women of various member organisations including representatives from the Board of Imams, Muslim women and youth groups and Islamic media. Muslims of diverse backgrounds were represented including Arabic, Bosnian, Turkish, Malay, Indonesian and South African.
Condell Park	12 June 2003	Consultation with Lebanese Muslim children and young people organised by the Lebanese Muslim Association, Sydney	Lebanese Muslim Association	9 participants, including 8 Lebanese Muslim children and young people aged 9-15 and one adult.
Auburn	21 June 2003	The Muslim Council of NSW, Sydney	The Muslim Council of NSW (TMC)	20 mostly Muslim men and women, including members and non-members of TMC, of different ethnic backgrounds including Palestinian, Pakistani and Lebanese. The Federal Member of Parliament for Auburn also attended.
Lakemba	23 June 2003	United Muslim Women's Association, Sydney	United Muslim Women's Association	41 Muslim women from diverse ethnic backgrounds including Pakistani, Afghan, Arab, Anglo-Celtic and Turkish.

## Appendix 1: Consultations by State and Territory

State and location by area	Date	Consultation name (as noted in endnotes)	Host	Participants
Northern Sydney	26 June 2003	Consultation with Muslim Women in northern Sydney	Non-government organisation	9 Muslim women of Indonesian and Egyptian background living in Northern Sydney.
Auburn	1 July 2003	Consultation with Afghan Elderly Men's Group at Auburn Service for the Treatment and Rehabilitation of Torture and Trauma Survivors (STARTTS), hosted by STARTTS NSW, Sydney	Service for the Treatment and Rehabilitation of Torture and Trauma Survivors	11 members of the Afghan Elderly Men's Refugee Group. <i>Dari and Pasitu interpreter: Ms Nooria Mehraby (also the STARTTS Bilingual Counsellor, group convenor and chair)</i>
Erskineville	1 Aug 2003	Consultations with NSW Teachers, Anti-Racism Contact Officers and Community Information Officers, Sydney	NSW Department of Education and Training	17 Community Information Officers from various regional and metropolitan areas of NSW.
Cringila	9 Aug 2003	Consultation hosted by Illawarra Ethnic Communities Council, Wollongong	Illawarra Ethnic Communities Council	15 Arab and Muslim men and women community members as well as academics and representatives from community and government organisations, working in areas which include legal, the arts, health, youth and women.
Sydney (South West)	12 Aug 2003	Consultations with NSW primary school students (Years 5 and 6) at three Sydney public schools, Sydney	NSW Department of Education and Training	11 Assyrian and Muslim Year 5 male and female primary school students of diverse ethnic backgrounds including Iraqi, Pakistani, Lebanese and Iranian.

## Appendix 1: Consultations by State and Territory

State and location by area	Date	Consultation name (as noted in endnotes)	Host	Participants
Sydney (West)	13 Aug 2003	Consultations with NSW secondary students at three government schools, Sydney	NSW Department of Education and Training	11 male Arab and Muslim Year 11 secondary students of diverse ethnic backgrounds including Lebanese, Pakistani, Turkish and Fijian.
Riverwood	14 Aug 2003	Consultations with NSW Teachers, Anti-Racism Contact Officers and Community Information Officers, Sydney	NSW Department of Education and Training (DET)	9 participants including 7 public school teachers from primary and secondary schools across Sydney, including teachers of the Arabic language and culture, and 2 representatives of the Multicultural Programs Unit of DET.
Sydney (East)	15 Aug 2003	Consultations with NSW primary school students (Years 5 and 6) at three Sydney public schools, Sydney	NSW Department of Education and Training	9 Muslim Year 6 male and female primary school students of diverse ethnic backgrounds including Turkish, Iraqi, Iranian, Pakistani, Lebanese, Egyptian, Bangladeshi and Malaysian.
Sydney (East)	18 Aug 2003	Consultations with NSW secondary school students at three government schools, Sydney	NSW Department of Education and Training	14 female Assyrian and Muslim Year 8-11 secondary students of diverse ethnic backgrounds including Lebanese, Iraqi, Afghan, Bangladeshi, Egyptian, Pakistani, Turkish and Asian.
Riverwood	19 Aug 2003	Consultations with NSW Teachers, Anti-Racism Contact Officers and Community Information Officers, Sydney	NSW Department of Education and Training	13 Anti-Racism Contact Officers and teachers from various primary and secondary schools across Sydney.

## Appendix 1: Consultations by State and Territory

State and location by area	Date	Consultation name (as noted in endnotes)	Host	Participants
Sydney (West)	20 Aug 2003	Consultations with NSW secondary school students at three government schools, Sydney	NSW Department of Education and Training	16 mostly Arab and Muslim Year 7-11 male and female secondary students of diverse religious backgrounds including Muslim, Baha'i and Coptic and diverse ethnic backgrounds including Lebanese, Anglo-Celtic, Indian, Turkish, Afghan, Jordanian Palestinian, Cyprian, Bosnian, Iranian, Egyptian and Bangladeshi.
Sydney (Inner West)	21 Aug 2003	Consultations with NSW primary school students (Years 5 and 6) at three Sydney public schools, Sydney	NSW Department of Education and Training	11 Muslim Year 5 and 6 male and female primary school students of diverse ethnic backgrounds including Turkish, Lebanese and Indonesian.
Campsie	27 Aug 2003	Consultation with Migrant Resource Centre staff hosted by Canterbury-Bankstown MRC, Sydney	Canterbury-Bankstown Migrant Resource Centre (MRC)	11 members and staff of several Sydney Migrant Resource Centres.
Bankstown	4 Sept 2003	Lebanese Community Council, Sydney	Lebanese Community Council (LCC)	5 members and staff of the LCC of diverse religious backgrounds.
Lakemba	10 Sept 2003	Forum on Australia's Islamic Relations, Sydney	Forum on Australia's Islamic Relations (FAIR)	3 Muslim board members of diverse ethnic backgrounds.
Campsie	8 Aug 2003	Consultation with Arab women's group hosted by The Women's Centre, Sydney	The Women's Centre	8 Arab Muslim and Christian women.

## Appendix 1: Consultations by State and Territory

State and location by area	Date	Consultation name (as noted in endnotes)	Host	Participants
Sydney University	9 Oct 2003	Consultation with Sydney University Students	Sydney University Arab Students Association	12 student members of Sydney University Arab Students Association and Sydney University Muslim Students Association of diverse ethnic backgrounds including Lebanese, Palestinian, Turkish and Italian.
Lakemba	15 Oct 2003	Tripoli and Mena Association Seniors' Group, Sydney	Tripoli and Mena Association (TMA)	82 men and women members of TMA Seniors' Group from various areas of Lebanon.
Prestons	21 Oct 2003	Consultation with Muslim women hosted by Auburn Gallipoli Mosque and Affinity Intercultural Foundation, Sule College, Sydney	Auburn Gallipoli Mosque and Affinity Intercultural Foundation	16 Muslim women most of whom are teachers at Sule College. The women were from diverse ethnic backgrounds, including Turkish, Pakistani, Lebanese and Anglo-Celtic.
Sydney	24 Nov 2003	Consultation with NSW Academics hosted by HREOC, Sydney	HREOC	5 academics from the University of NSW, University of Western Sydney and Sydney University.
Totals for NSW			Consultations = 33	Number of participants = 760

## Appendix 1: Consultations by State and Territory

State and location by area	Date	Consultation name (as noted in the endnotes)	Host	Participants
<b>Northern Territory</b>				
Alice Springs	5 June 2003	Consultation hosted by Multicultural Community Services of Central Australia, Alice Springs	Multicultural Community Services of Central Australia	28 participants including Arab and Muslim community members as young as 9 from diverse religious and ethnic backgrounds including Afghan, Anglo-Celtic, Ghanaian, Egyptian and Iraqi, and representatives from various community, religious and government organisations.
Totals for NTT				
			Consultations = 1	Number of participants = 28
<b>Queensland</b>				
Milton	16 June 2003	Consultation hosted by the Anti-Discrimination Commission of Queensland (ADCQ) and Multicultural Affairs Queensland (MAQ), Brisbane	Anti-Discrimination Commission Queensland and Multicultural Affairs Queensland, Department of Premier and Cabinet	16 participants including Arab and Muslim community members of diverse religious and ethnic backgrounds including Arab, Afghan, Egyptian, Palestinian and Pakistani; representatives from various community, religious and government organisations such as leaders of Muslim and Christian faiths, Queensland Police representatives, ADCQ, Department of Premier and Cabinet and service providers for youth, women, children and refugees.
Eight Mile Plains	17 June 2003	Islamic Women's Association of Queensland Senior Women's Respite Group, Brisbane	Islamic Women's Association of Qld (IWAQ)	83 Muslim women members of IWAQ's Senior Women's Respite Group. <i>Bosnian interpreter: Ms Hasnija Junuzovic</i>

## Appendix 1: Consultations by State and Territory

State and location by area	Date	Consultation name (as noted in the endnotes)	Host	Participants
Sunnybank Hills	17 June 2003	Consultation with young Muslim women, Brisbane	Young Muslim community member	6 young Muslim women aged 18-30 of diverse ethnic backgrounds including Anglo-Celtic, Pakistani, Indian, Palestinian and Lebanese.
Brisbane	18 June 2003	Consultation with Queensland Anti-Racism Community Reference Group, Brisbane	Multicultural Affairs Queensland (MAQ), Department of Premier and Cabinet	13 Members of the Qld Anti-Racism Community Reference Group to the Department of Premier and Cabinet. The group consists of representatives of various community, religious and government organisations, including Brisbane City Council, Queensland Police Service, Ethnic Communities Council of Qld, Education QLD, Local Government Association of Qld, MAQ and ADCQ.
Brisbane	18 June 2003	Consultation with young Arab men, Brisbane	Young Arab community member	8 young Arab men aged 16-26 of diverse religious backgrounds.
Totals for Queensland				
			Consultations = 5	Number of participants = 126
<b>South Australia</b>				
Adelaide	16 July 2003	Consultation hosted by the SA Equal Opportunity Commission, Adelaide	SA Equal Opportunity Commission (EOC of SA)	22 mostly Arab and Muslim community members from diverse religious and ethnic backgrounds including Persian, Iraqi, Arabic, Bosnia and Herzegovina as well as representatives of various government and non-government organisations including SA Police (SAPOL), STTARS, EOC of SA, DIMIA, and local MRCS.

## Appendix 1: Consultations by State and Territory

State and location by area	Date	Consultation name (as noted in the endnotes)	Host	Participants
Adelaide	17 July 2003	Women only consultation hosted by the SA Equal Opportunity Commission, Adelaide	SA Equal Opportunity Commission	22 women community members of diverse religious backgrounds including Muslim, Christian and Jewish faiths, and of diverse ethnic backgrounds including Iranian, Pakistani, Lebanese, Afghan, Anglo-Celtic, Turkish, Egyptian and German. Participants also included representatives of the Muslim Women's Association of SA., university and high school students, academics, DIMIA, Multicultural SA, and EOC of SA.
Hindmarsh	17 July 2003	Consultation hosted by the Multicultural Education Committee and the SA Equal Opportunity Commission, Adelaide (EOC of SA)	SA Multicultural Education Committee (MEC) and EOC of SA	38 members of MEC as well as teachers, students, principals, administration officers and directors of various child care services and centres, primary and secondary public schools, private and religious schools and university representatives from diverse ethnic and religious backgrounds, including Muslim, Christian and Jewish from regional and metropolitan areas of South Australia.
Adelaide	17 July 2003	Consultation with young Arab Muslims and Christians and non-Arab Muslims, Adelaide	Mr Houssam Abiad – Young Arab community member	8 young Arab Muslims and Christians and non-Arab Muslim men and women aged 20-29 of diverse ethnic backgrounds including Lebanese, Anglo-Celtic and Fijian Indian.
Totals for South Australia			Consultations = 4	Number of participants = 90

## Appendix 1: Consultations by State and Territory

State and location by area	Date	Consultation name (as noted in the endnotes)	Host	Participants
<b>Tasmania</b>				
Hobart	14 June 2003	Consultation hosted by Tasmanian Anti-Discrimination Commission, Hobart	Tasmanian Anti-Discrimination Commission (ADC Tasmania)	28 participants including Arab and Muslim community members from diverse ethnic and religious backgrounds such as Lebanese, Palestinian, Africa and Egypt, including students as young as 12. Also attending were representatives of community, religious and government and non-government organisations including ADC Tasmania, DIMIA, Multicultural Tasmania, refugee groups and the local MRC.
Totals for Tasmania				
			Consultation = 1	Number of participants = 28
<b>Victoria</b>				
Melbourne	30 April 2003	Preliminary consultation to launch Isma in Victoria hosted by Victorian Equal Opportunity Commission, Melbourne	Equal Opportunity Commission of Victoria (EOCV)	24 participants including Arab and Muslim community members of diverse religious and ethnic backgrounds and representatives from various community, religious, government and non-government organisations including EOCV, Victoria Police, DIMIA, MRC, Victorian Multicultural Commission (VMC), Victorian Office of Multicultural Affairs (VOMA) and service providers for children, youth, women and refugee groups.

State and location by area	Date	Consultation name (as noted in the endnotes)	Host	Participants
West Melbourne	26 May 2003	Islamic Council of Victoria, Melbourne	Islamic Council of Victoria (ICV)	9 Muslim men and women members of the ICV of diverse ethnic backgrounds, including community members, a teacher, Imam and prison chaplain.
Fitzroy	26 May 2003	Consultation with refugee women hosted by the Ecumenical Migration Centre, Melbourne	Ecumenical Migration Centre (EMC), Brotherhood of St. Laurence	10 women including refugees from the Horn of Africa, i.e. Somalia, Sudan and Eritrea and one woman from East Timor. All were members of the 'Given the Chance' Program. 2 EMC staff members also attended.
Mill Park	26 May 2003	Consultation with Victoria Police Multicultural Liaison Officers, Melbourne	Victoria Police	7 Victoria Police staff including Multicultural Liaison Officers from Region 3 and the Divisional Superintendent.
Melbourne	27 May 2003	Consultation with Victoria Police Multicultural Liaison Officers, Melbourne	Victoria Police	11 Victoria Police staff including Multicultural Liaison Officers from Regions 1, 3, 4 and 5 as well as the Multicultural Affairs Advisor.
Melbourne	27 May 2003	Muslim lawyers group, Melbourne	Muslim lawyers' group	7 men and women members of the group of diverse ethnic backgrounds including Pakistani, Lebanese, and Egyptian, all Muslim lawyers practising in Melbourne.
Brunswick	28 May 2003	Australian Arabic Council, Melbourne	Australian Arabic Council (AAC)	4 members of the AAC of diverse ethnic and religious backgrounds including Assyrian, Lebanese and Anglo-Celtic.

## Appendix 1: Consultations by State and Territory

State and location by area	Date	Consultation name (as noted in the endnotes)	Host	Participants
Footscray	28 May 2003	Consultation with Islamic Girls/Women's Group Inc., hosted by the Victorian Department of Human Services, Melbourne	Victorian Department of Human Services	7 members of the Islamic Girls and Women's Group from diverse ethnic backgrounds including Somali, Sudanese, Egyptian, Lebanese and Pakistani.
Monash University	28 May 2003	Consultation with members of the Indonesian Muslim Community of Victoria, Monash University	Indonesian Muslim Community of Victoria (IMCV)	8 Indonesian Muslim men and women members of IMCV including international and local students and one member of Perwira Indonesian Society of Victoria.
Shepparton	29 May 2003	Consultation with students from Goulburn-Ovens TAFE at Shepparton (Victoria) hosted by Shepparton Ethnic Communities Council, Shepparton	Shepparton Ethnic Communities Council & Goulburn-Ovens TAFE	84 participants including students of various ages mostly comprising male Iraqi refugees and male and female Albanian Muslims. Also attending were Turkish, Ghanaian and Italian students and TAFE teachers. <i>Albanian interpreter: Ms Bianca Bido</i>
Shepparton	30 May 2003	Consultation with Iraqi refugee women hosted by the Shepparton Ethnic Communities Council at the Goulburn-Ovens' TAFE, Shepparton	Shepparton Ethnic Communities Council & Goulburn-Ovens TAFE	23 Muslim Iraqi refugee women students of various ages. Teachers also attended.
Rural Victoria	30 May 2003	Consultation with Iraqi Refugees in rural Victoria	Local Iraqi community member	12 Muslim Iraqi refugee men.

State and location by area	Date	Consultation name (as noted in the endnotes)	Host	Participants
Coburg	12 Nov 2003	Horn of Africa Senior Women's Program, Melbourne	Islamic Women's Welfare Council of Victoria (IWWCV) and Australian Lebanese Welfare (ALW)	13 Arab Muslim women of various ages from the Moreland City Council area.
Preston	13 Nov 2003	Consultation with staff of the Northern Migrant Resource Centre Inc. (NMRC), Melbourne	Northern Migrant Resource Centre (formerly known as the North East MRC)	3 staff members of the MRC.
Kensington	13 Nov 2003	Consultation with Arab Muslim Women facilitated by Islamic Women's Welfare Council of Victoria and Australian Lebanese Welfare Inc., Melbourne	IWWCV and Horn of Africa Senior Women's Program Inc.	11 members of the Program all of who were Eritrean Muslim refugee women over the age of 60. <i>Interpreter: Ms Amna Malkin</i>
Endeavour Hills	13 Nov 2003	Antiochian Community Support Association, Melbourne	Antiochian Community Support Association organised by Ms Amal El-Khoury	9 Arab men and women members of the Association all of the Antiochian Orthodox faith.
Burwood Campus	14 Nov 2003	Consultation with Victorian Academics, Melbourne		2 academics from Deakin University.

## Appendix 1: Consultations by State and Territory

State and location by area	Date	Consultation name (as noted in the endnotes)	Host	Participants
Dandenong	14 Nov 2003	Interfaith Network of the City of Greater Dandenong, Dandenong	Interfaith Network of the City of Greater Dandenong organised by Ms Margaret Mooney	6 participants, 4 of whom are members of the Interfaith Network, one representative of the Muslim Women's Association and one member of the Ethnic Communities Council of the South East. Faith communities represented were Islamic, Sikh, Uniting Church and Hindu.
Melbourne	15 Nov 2003	Consultation with Arab community members, Melbourne	Arab community member	3 Arab community members.
Thornbury	17 Nov 2003	Consultation with Arab young people hosted by Australian Lebanese Welfare Inc., Melbourne	Australian Lebanese Welfare Inc.	9 young Arab community members of Christian background aged 20-26 from various areas of Melbourne.
Totals for Victoria			Consultations = 20	Number of participants = 262

## Appendix 1: Consultations by State and Territory

State and location by area	Date	Consultation name (as noted in the endnotes)	Host	Participants
<b>Western Australia</b>				
North Perth	30 June 2003	Women only consultation hosted by the Office for Women's Policy, WA Department for Community Development, Perth	WA Office for Women's Policy, Department for Community Development, in collaboration with WA of Multicultural Interests, ECC Women's Sub-Committee, Al-Hidayah Islamic School, Somali Community, Dar Al Shifah, Muslim Women's Support Centre and Australian Islamic College	81 Muslim women of all ages and of diverse ethnic backgrounds including Iranian, Arab, Pakistani and Somali. <i>Arabic and Farsi interpreters</i> from the Translating and Interpreting Service assisted.
South Perth	30 June 2003	Consultation with Sikh community members, Perth	Sikh community consultation organised by Mr Jasmit Singh, Sikh community member	9 male and female Sikh community members.
South Perth	1 July 2003	Consultation hosted by the WA Office of Multicultural Interests, Perth	WA Office of Multicultural Interests	21 participants including Arab and Muslim community members of diverse religious and ethnic backgrounds and representatives from various communities, religious, government and non-government organisations.
Totals for WA			Consultations = 3	Number of participants = 111
<b>Australia</b>			<b>Consultations = 69</b>	<b>Number of participants = 1,426</b>



## **Appendix 2: Facts on Arab Australians<sup>1</sup>**

We have interpreted the term 'Arab Australian' broadly to include people bound by a common language (Arabic) and a common cultural heritage which can be traced back to the Arabic-speaking countries of the Middle East and North Africa. To sketch a demographic outline of this group we will use a combination of statistics relating to country of birth, ancestry and language.

### **Numbers**

According to the 2001 Census:

- 209,372 Australians speak Arabic
- 162,283 Australians were born in the 22 Arab League nations (0.8% of Australia's population)
- 120,000 Australians have a parent born in an Arab country
- There were 248,807 responses indicating 'Arab' ancestry.<sup>2</sup>

### **Current residence**

Arabic speaking Australians have settled predominantly in New South Wales and Victoria with smaller populations in Western Australia, Queensland and South Australia. A very small proportion lives in the Northern Territory, Tasmania or the ACT.

### **Countries of birth**

- The most common origin is Lebanese followed by Egyptian, Iraqi and Syrian.
- There are 71,349 Lebanese born Australians; a further 89,021 had a Lebanese born parent.
- There are 33,432 Egyptian born Australians; a further 10,296 had an Egyptian born parent.
- There are 24,832 Iraqi-born and 6,710 Syrian-born Australians.

### **Religion**

Despite the widespread misconception that all Arabs in Australia are Muslim, a large proportion of Australia's Arabic community are Christian. For example, 55% of Lebanese-born Australians and 84% of Egyptian-born Australians are Christian.

**Table 1: Proportion of select ethnic communities in Australia who are Muslim, 2001**

Country of birth	Proportion who are Muslim in Australia	Proportion who are Muslim in country of origin
Lebanon	41%	70%
Egypt	9%	94%
Iraq	31%	97%
Syria	34%	90%
Sudan	12%	70%
Somalia	97%	100%*
Jordan	40%	94%

Source: ABS, 2001 Census, unpublished data and CIA World Fact Book, 2002.

Note: There are no precise figures on the proportion of Muslims in Somalia although most sources report that almost all Somalis are Muslim with a tiny Christian minority.

## Settlement history

Lebanese, Egyptian and Syrian communities are more established than groups such as the Iraqis and other Middle Eastern and North African groups such as the Sudanese and Somalis whose migration gathered pace during the 1990s.

**Table 2: Year of arrival in Australia for select birthplace groups, 2001**

Country of Birth	Pre-1986	1986-1995	1996-2000	2001
Lebanon	61%	24%	8%	1%
Egypt	69%	20%	6%	1%
Iraq	15%	33%	43%	3%
Syria	46%	34%	13%	2%
Other Middle East	30%	35%	25%	5%
Other North Africa	35%	23%	31%	6%

Source: ABS, 2001 Census, unpublished data.

Note: Numbers do not add to 100% because year of arrival was not stated in some cases. 'Other Middle East' includes Bahrain, Jordan, Kuwait, Oman, Palestine, Qatar, Saudi Arabia, United Arab Emirates and Yemen. 'Other North Africa' includes Algeria, Libya, Morocco, Sudan, Tunisia, Mauritania, Djibouti and Western Sahara.

## Citizenship

It is important to recognise that the majority (85%) of Australians born in Arab countries have become Australian citizens. The citizenship take-up rate for overseas-born Arab Australians varies according to birthplace and is highest for longer established groups.

**Table 3: Australian citizenship rates for select birthplace groups, 2001**

Country of birth	% of ethnic group who are Australian citizens
Egypt	91.6 %
Lebanon	91.3 %
Syria	86.2%
Somalia	70.1%
Iraq	68.1%
Other Middle East	75.9%
Other N Africa	70.2%
All Overseas-born people	74.0%

Source: ABS, 2001 Census, Unpublished data and ABS, Year Book Australia, 2003.

Note: Non-citizens include those who are not eligible for citizenship because they have not yet met the two year residency requirement.

## Age and Sex

- Overseas-born Arab Australians are more likely to be of working age (25-64 years of age) than other Australians.
- Overseas-born Arab Australians are more likely to be male (53%) compared to the general Australian population (which is 49% male).
- Australians with a parent born in an Arab country are a youthful group: over 75% were 24 years or under with a further 14% aged 25-34 years.

### Education

Australians born in Arab nations have very similar levels of education compared to all Australians.

- Around the same proportion (13%) have a bachelor degree or higher qualification.
- Fewer Arab Australians (15%) have a diploma or certificate compared with all Australians (22%).
- A higher proportion of Arab Australians (8%) did not go to school compared with all Australians (1%).

### Occupation

Overseas-born Arab Australians work in the same kinds of occupations as other Australians. They are only slightly less likely than other Australians to be employed as managers, administrators or professionals and slightly more likely to be employed as tradespeople, production and transport workers and labourers.

### Employment status

Labour force participation of Australians born in Arab countries varies according to their country of birth. Unemployment among some birthplace groups is very high, particularly among those with high proportions of refugees. For example, 4 times as many Iraqi-born Australians are unemployed compared with Egyptian-born Australians.

### Income

- 31% of Arab Australians make less than \$200 per week income compared with 27% of all Australians.
- 7% of Arab Australians have an income of more than \$1,000 per week compared with 11% of all Australians.

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### Endnotes

- 1 The information in this appendix is based on unpublished data from the 2001 Census of Australia provided through the Australian Bureau of Statistics consultancy service.
- 2 248,807 responses do not correspond to the number of people who claim Arab ancestry as people can indicate more than one ancestry in the census. The Australian Bureau of Statistics definition of 'Arab' includes people whose ancestry is: Algerian, Egyptian, Iraqi, Jordanian, Kuwaiti, Lebanese, Libyan, Moroccan, Palestinian, Saudi Arabian, Syrian, Tunisian, Baggara, Bedouin or Yemeni.

## **Appendix 3: Facts on Australian Muslims<sup>1</sup>**

### **Numbers**

According to the 2001 Census, there were 281,578 Australian Muslims representing around 1.5% of the total Australian population.<sup>2</sup>

### **Population growth**

- Since 1996 census, the Australian Muslim population has grown by around 80,000: 40% of this growth has come from natural births and 60% of the growth has come from migration.
- There has been a significant increase in the number of Australian Muslims over the last decade – the population almost doubled between 1991 and 2001 and has grown 157% since 1986.

### **Current Residence**

- The majority of Australian Muslims live in either New South Wales (50%) or Victoria (33%) with smaller populations in Western Australia (7%), Queensland (5%), South Australia (3%) and the ACT (1%).
- Australian Muslims are concentrated in capital cities. Sydney and Melbourne are the two major cities of residence: 48% live in Sydney, 31% live in Melbourne. A further 6% live in Perth, 4% in Brisbane and 2% in Adelaide.

### **Countries of birth**

Over one-third of Australian Muslims (36%) were born in Australia. A further 28% were born in the Middle East or North Africa, 16% were born in Asia, 9% were born in Europe, 4% were born in Africa (excluding North Africa) and 3% were born in Oceania (excluding Australia).

### **Ancestry**

- Of the 102,566 Australian-born Muslims:
  - Around 30% claim Lebanese ancestry
  - Around 18% claim Turkish ancestry
  - Around 3% claim broadly defined 'Arab' ancestry

### Languages

Most Australian Muslims (87%) speak English in addition to another language such as Arabic, Turkish, Persian (Farsi), Bosnian, Indonesian, Bengali, Malay, Dari, Albanian, Hindi, Kurdish, and Pashto. 11% of Australian Muslims speak only English.

### Age and Sex

- Australian Muslims are a relatively young population: almost 50% are aged 24 and under (compared to 35% of non-Muslim Australians).
- There are also slightly more Muslim men than women. 53% of Australian Muslims are male and 47% are female (compared with 49% male and 51% female for the Australian population as a whole).

### Education

- Given that Australian Muslims are a youthful population, there are proportionately more Muslims aged 15 years and over who are still at school compared with non-Muslims.
- Overseas-born Muslims are more likely to have higher educational qualifications than Australian-born Muslims: 13% of overseas-born Muslim women and 18% of overseas-born Muslim men hold a bachelor degree or higher.
- Australian Muslims aged over 15 years who are employed are very well educated: almost 22% of Australian Muslims who are employed hold a bachelor degree or higher.

### Occupation

- Australian Muslims are less likely than all Australians to be employed as managers, administrators or professionals. According to the 2001 Census, 20% of employed Muslim Australians were managers, administrators or professionals compared with 27% of all Australians.
- Muslim men are more likely to be employed as production and transport workers (19%) or labourers (14%) compared with other Australian men (13% of whom are production or transport workers and 10% are labourers).

- Muslim women are more likely to be employed as elementary clerical sales and service workers (18%) or labourers (12%) than other Australian women (14% of whom are elementary clerical sales and service workers and 7% are labourers).

## Employment status

Labour force participation of Australian-born Muslims varies according to their birthplace. Australian-born Muslims are more likely than their overseas born counterparts to be in the labour force and less likely to be unemployed.

## Income

- Australian Muslims are financially disadvantaged compared to the Australian average.
- According to the 2001 Census, 43% of Australian Muslims make less than \$200 per week income compared with 27% of all Australians. 5% of Australian Muslims have income of more than \$1,000 per week compared with 11% of all Australians.

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## Endnotes

- 1 The information in this appendix is based on unpublished data from the 2001 Census of Australia provided through the Australian Bureau of Statistics consultancy service.
- 2 The number of Muslims is believed to be an under-estimate as 15% of Australians did not report their religion in the 2001 census, some of whom are presumed, statistically, to be Muslims.