



Australian  
Human Rights  
Commission

# Australian Human Rights Commission

ANNUAL REPORT 2014 • 2015



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**Australian  
Human Rights  
Commission**

**President**

Professor Gillian Triggs

12 October 2015

Senator the Hon. George Brandis QC  
Attorney-General  
Parliament House  
CANBERRA ACT 2600

Dear Attorney,

I have pleasure in presenting the Annual Report of the Australian Human Rights Commission for the period ending 30 June 2015. The report has been prepared pursuant to section 45 of the *Australian Human Rights Commission Act 1986* and in accordance with the requirements of section 70 of the *Public Service Act 1999*.

As the Accountable Authority of the Australian Human Rights Commission I am responsible for the preparation and contents of the Annual Report of Operations. I approved the Annual Report 2014–15 on 12 October 2015 by signing a memo.

Yours sincerely,

A handwritten signature in black ink, reading "Gillian Triggs".

Gillian Triggs  
**President**

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# About the Commission

## Our purpose

The Australian Human Rights Commission (the Commission) is Australia's national human rights institution.

We operate under the *Australian Human Rights Commission Act 1986* (Cth) as well as federal laws that seek to ensure freedom from discrimination on the basis of age, disability, race, sex, sexual orientation, intersex status and gender identity. The Commission also has specific responsibilities under the *Native Title Act 1993* (Cth) and the *Fair Work Act 2009* (Cth).

We operate as a Corporate Commonwealth Entity under the *Public Governance, Performance and Accountability Act 2013* (Cth). Our operations are determined independently of the government through our President and Commissioners.

Our job is to work towards an Australia in which human rights are respected, protected and promoted, finding practical solutions to issues of concern, advocating for systemic change and raising awareness across the community.

We provide direct services to the Australian community, in particular by assisting people to resolve disputes about discrimination and breaches of human rights. Much of our work is also at the policy level—encouraging government, industry and community groups alike to see fundamental rights and freedoms realised. It involves building the case for change on issues ranging from age discrimination in employment to constitutional recognition of Aboriginal and Torres Strait Islander peoples. It involves providing a human rights analysis to the courts and parliamentary inquiries, conducting research and contributing to partnerships.

Our work also involves exchanging ideas with equivalent bodies around the world, while closer to home, we monitor and report on the experiences of those particularly vulnerable to disadvantage.

From addressing complaints of discrimination, to engaging with government on policy issues, the Commission's task is both to apply those rights that are currently recognised in our laws; and to aspire for greater recognition and protection of those that are not.

Our vision is for an Australia where human rights are enjoyed by **everyone, everywhere, everyday**.

## Our vision, mission and principles

In delivering our work we are guided by the common purpose and values held within our vision, mission and principles statement.

### Vision

Human rights: everyone, everywhere, everyday

### Mission

To lead the promotion and protection of human rights and freedoms in Australia by:

- Making human rights part of everyday life and language
- Empowering all people to understand and exercise their rights and responsibilities
- Providing an efficient and effective national investigation and dispute resolution service
- Holding government accountable to international human rights obligations and domestic legal standards
- Fostering collaborations that inspire action on human rights.

## Principles

The Commission seeks to apply a human rights based approach to its own work. This involves respect for five principles:

- Participation—everyone has the right to participate in decisions which affect them
- Accountability—effective monitoring of compliance with human rights standards, as well as effective remedies for human rights breaches
- Non-discrimination and equality—people are treated without discrimination and in pursuit of equality before the law
- Empowerment—all members of the community understand their rights and responsibilities, and this contributes to their ability to make choices about how they participate in the community
- Legality—the law recognises, and is consistent with, rights and freedoms.

## Strategic goals, objectives and priorities

There is no simple way to solve complex human rights issues. From the challenges that face a person with a disability seeking to live independently, to ensuring that Australia’s immigration detention policies meet our human rights obligations and treat people with dignity, the promotion of human rights must address issues for individuals as well as the need for broader, systemic change.

Our Corporate Plan is the road map that guides the Commission’s work for the 2015–19 period.

The goals reflect our aspirations as an organisation. They are ambitious and require sustained action over time. They are set for the next four year period.

The objectives provide a framework that enables us to plan our work and to monitor progress in our mandate to achieve improved respect and protection of human rights in Australia.

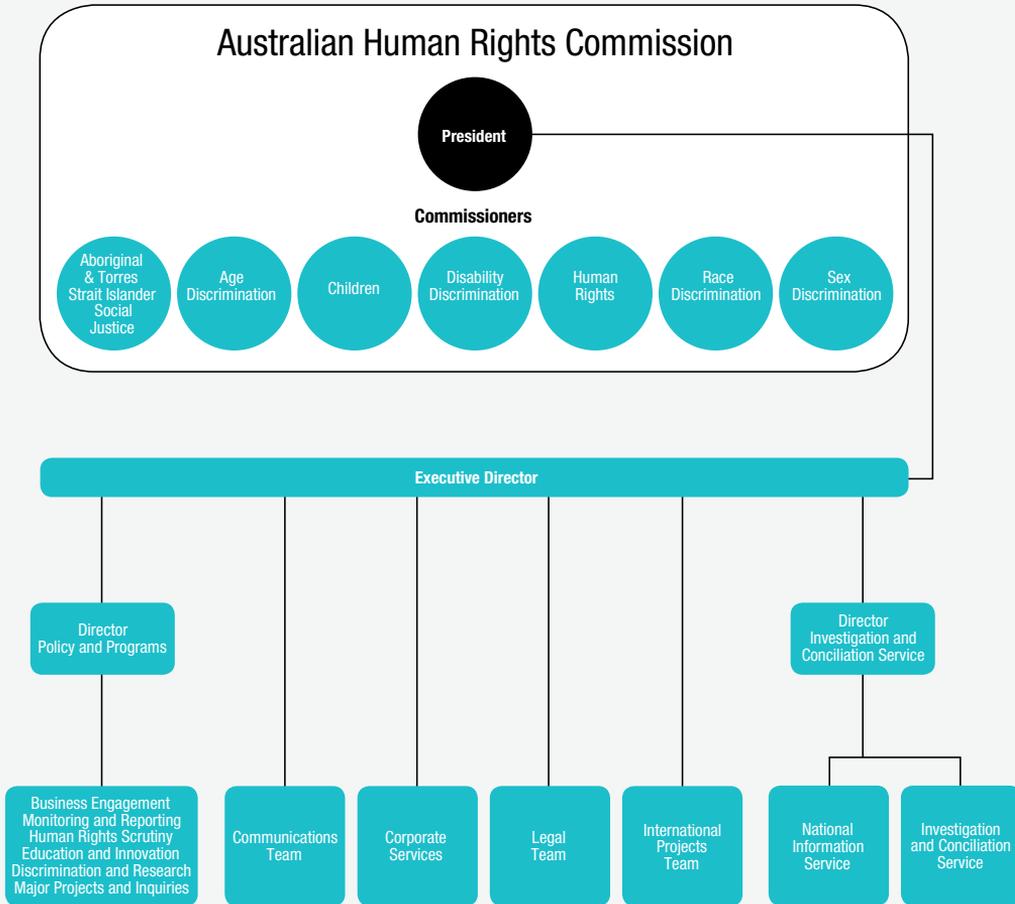
The three priorities provide a thematic focus that cuts across all areas of our work—from the advocacy of our commissioners, to our policy and research program, to the work of our Investigation and Conciliation Service.



**Priorities:** Human rights education and promotion – Engaging with business on human rights – Freedom from violence, harassment and bullying

# Organisational structure

The Commission is a national independent statutory body established under the *Australian Human Rights Commission Act 1986* (Cth).



## Our President

The President is the Accountable Authority of the Commission under the *Public Governance, Performance and Accountability Act 2013*.

The current President is Emeritus Professor Gillian Triggs, LL.B (Melb 1968), LL.M (1972), PhD (Melb. 1982).

Professor Triggs was Dean and Challis Professor of International Law at the Faculty of Law, University of Sydney from 2007–2012; Director of the British Institute of International and Comparative Law from 2005–2007; and Professor of Law, Faculty of Law, University of Melbourne from 1996–2005. She is a former Barrister with Seven Wentworth Chambers and was a consultant on International Law to Mallesons Stephen Jaques.

Professor Triggs has also held memberships of Boards and Professional Associations, including Board Member of the Public Interest Law Clearing House (PILCH), the Australian representative on the Council of Jurists for the Asia Pacific Forum for National Human Rights Institutions, Chair of the Board of the Australian International Health Institute, a member of the Attorney General's International Legal Service Advisory Council and Chair of the Council of Australian Law Deans.

# Our functions

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## Legislation

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The Commission exercises functions under the following Acts.

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## Australian Human Rights Commission Act

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Establishes the Commission and outlines its powers and functions.

It defines human rights by reference to the following international instruments:

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

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## Racial Discrimination Act

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Gives effect to Australia's obligations under the *International Convention on the Elimination of All Forms of Racial Discrimination*.

Its main aims are to:

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

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## Sex Discrimination Act

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Gives effect to Australia's obligations under the *Convention on the Elimination of All Forms of Discrimination Against Women* and to other relevant international instruments including the *International Covenant on Civil and Political Rights*.

Its main aims are to:

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

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## Disability Discrimination Act

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Its objectives are to:

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

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## Age Discrimination Act

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Its objectives are to:

- promote equality before the law for all persons regardless of their age
- eliminate discrimination against persons on the ground of age in many areas of public life, such as employment, education and the provision of services or facilities
- change negative stereotypes about older people.

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### The Commission

We exercise our functions under this federal legislation by:

- investigating and conciliating complaints of discrimination or breaches of human rights
- developing an extensive and accessible website containing research, publications, resources and education programs for young people, teachers, community groups, business, media and the community at large
- working with the media to raise and promote public awareness about important human rights issues
- working with organisations and leaders in the community, government and business sectors to provide education on relevant human rights issues and to support them in their efforts to better protect and promote human rights
- holding public inquiries and consultations to resolve systemic human rights issues of national importance that we have identified
- working closely with the federal government to provide independent advice regarding the development of laws, programs and policies that will better protect and promote human rights
- publishing annual reports on Aboriginal and Torres Strait Islander social justice and native title and children's rights
- making submissions to parliamentary and other inquiries in order to identify human rights issues which may arise in proposed or existing laws and policies
- working in the legal system by appearing as an intervener or as *amicus curiae* in cases that involve human rights
- working with other national human rights institutions, particularly through the Asia Pacific Forum of National Human Rights Institutions.

The President, the Aboriginal and Torres Strait Islander Social Justice Commissioner, the National Children's Commissioner and the Sex Discrimination Commissioner have additional responsibilities.

### **President**

The President is the Accountable Authority of the Commission, responsible for its financial and administrative affairs. The President is also responsible for the complaint handling function of the Commission.

### **Aboriginal and Torres Strait Islander Social Justice Commissioner**

Under the Australian Human Rights Commission Act, the Aboriginal and Torres Strait Islander Social Justice Commissioner prepares an annual report on the exercise and enjoyment of human rights of Indigenous peoples and undertakes social justice education and promotional activities.

This Commissioner also performs reporting functions under the *Native Title Act 1993* (Cth). These functions include preparing an annual report on the operation of the Act and its effect on the exercise and enjoyment of human rights of Indigenous peoples. In addition, the Commissioner reports, when requested by the Minister, on any other matter relating to the rights of Indigenous peoples under this Act.

### **Sex Discrimination Commissioner**

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

### **National Children's Commissioner**

Under the Australian Human Rights Commission Act, the National Children's Commissioner prepares an annual report on the enjoyment and exercise of human rights by children in Australia.

## **Relationship with the Minister**

The Attorney-General is the Minister in Parliament responsible for the Commission. The Attorney-General has a number of powers under the Australian Human Rights Commission Act.

The most significant is:

- to declare, after consultation with the states, an international instrument to be one relating to human rights and freedoms for the purposes of the Act.

# Highlights of the year

## Key achievements

### Information Service and Investigation and Conciliation Service

**In 2014–15**, the Commission assisted over 20,000 people and organisations by providing information about the law, assisting with problem solving and facilitating referrals to other services. We received 2,388 complaints of alleged discrimination and breaches of human rights—up 7% from the previous year—and finalised 2,251 complaints. We facilitated 1,531 conciliation processes, of which 1,101 complaints (72%) were successfully resolved. This represents successful dispute resolution for more than 2,200 people and organisations. 92% of those who responded to our Service Satisfaction Survey said they were satisfied with the service provided and 73% rated the service as ‘very good’ or ‘excellent’.

### Willing to Work Inquiry

**In April 2015**, the Commission launched *Willing to Work: National Inquiry into Employment Discrimination Against Older Australians and Australians with Disability*. The national inquiry is examining practices, attitudes and Commonwealth laws that deny or diminish equal participation in employment of older workers and people with disability. The inquiry is consulting with relevant stakeholders and the community before making recommendations on whether laws should be amended and what actions should be taken to address employment discrimination against older Australians and people with disability. The Commission will report on its findings by July 2016.

### Engaging with business on human rights

**In July 2014**, the Commission and Global Compact Network Australia co-convened Australia’s first national multi-sector dialogue on business and human rights. More than 100 representatives from business, government, NGOs and academia participated in the event and committed to ongoing dialogue. In 2015, the Commission also launched a new online portal to help businesses support diversity and prevent discrimination in the workplace. The *Good practice, good business* resources provide practical information on a range of issues including recruitment and retention of older workers, gender equality, sexual harassment, race discrimination, employment of Aboriginal and Torres Strait Islander peoples, family and domestic violence, managing mental illness and supporting carers in the workplace.

### Cultural Reform in the Australian Defence Force

**In 2014–15**, the Commission was engaged by the Australian Defence Force (ADF) to embed cultural reform across the Navy, Army and Air Force. The Cultural Reform in the ADF program addresses issues relating to gender as well as issues impacting on members who are Aboriginal or Torres Strait Islander, from a culturally and linguistically diverse background or lesbian, gay, bisexual, trans or intersex. The ADF is making significant progress in cultural change and there is strong commitment from the senior leaders to ensure change is sustainable. The Cultural Reform in the ADF program has been recognised internationally as best practice.

### Indigenous Leaders Roundtable on economic development and property rights

**In May 2015**, the Commission convened a high level meeting with Aboriginal and Torres Strait Islander leaders to explore barriers to economic development and property rights after native title claims have been determined. The Roundtable was attended by more than 50 people, representing communities from across Australia. The Roundtable issued a communiqué calling for a renewed dialogue with government on five key areas relevant to economic development and property rights. Participants determined that the Commission should lead and facilitate ongoing dialogue on these issues.

## Children's Rights Report 2014

**In November 2014**, the *Children's Rights Report 2014* was tabled in Parliament. It included ground-breaking data on child-self harm with or without suicidal intent, and highlighted the need for further research in this area. 140 submissions were received from a range of organisations and individuals and 154 people participated in expert roundtables across Australia. The report identified a number of areas where empirical evidence is lacking, including how and why children engage in intentional self-harm, the psychological mechanisms underlying suicide clusters and the impact of current interventions and support programs. A child-friendly version of the report was also launched in December 2014.

## National Anti-Racism Strategy

**In 2014–15**, the Commission continued to lead the National Anti-Racism Strategy to promote a clear understanding of what racism is and how it can be prevented. The Commission launched a number of strategic projects including the Workplace Cultural Diversity Tool and the Building Social Cohesion in our Communities resource for local government. The *Racism. It Stops With Me* campaign continued to generate greater public awareness, engaging more than 360 supporters. An evaluation report of the National Anti-Racism Strategy was released in June 2015.

## Bringing human rights into classrooms

**In 2014–15**, the Commission expanded its range of resources for schools, producing nine new teaching resources mapped to the Australian Curriculum. To celebrate the 800th anniversary of the Magna Carta, the Commission released an animated video, interactive infographic and teaching resources. The resources will help students understand and appreciate the history of the Magna Carta and its enduring legacy in shaping modern human rights and freedoms. The Commission also partnered with ABC Splash to develop interactive statistical graphs and infographics on a range of human rights issues. The ABC Splash resources are bringing contemporary human rights issues into maths classrooms.

## National Inquiry into Children in Immigration Detention

**In 2014**, the Commission completed the national inquiry into the impact of immigration detention on the health, well-being and development of children. The inquiry team took evidence from 41 witnesses at five public hearings and visited 11 immigration detention centres. A total of 1,233 interviews were conducted with asylum seeker children and their parents, including those in detention centres and those living in the community. *The Forgotten Children: National Inquiry into Children in Immigration Detention 2014* was tabled in Parliament on 11 February 2015. It included 16 recommendations including that all children and their families in immigration detention in Australia and Nauru be released into the Australian community.

## Working internationally to advance human rights

**In 2014–15**, the Commission continued its technical cooperation programs with China and Vietnam, providing support for programs in these countries and conducting monitoring visits. As a member of the Asia Pacific Forum (APF) of National Human Rights Institutions, the Commission continued to share knowledge and expertise with other regional counterparts. The Commission held a workshop on gender equality in Nepal and delivered a course on Indigenous rights in Bangladesh. The Commission attended a range of events and meetings in the Asia-Pacific region and further afield, and welcomed a number of international delegations to the Commission. The Commission also participated in a range of meetings and reviews conducted by United Nations bodies.

.....  
**Professor Gillian Triggs**

.....  
*President*  
.....



# President's statement

The past year has been a fruitful and challenging one for the Commission and staff. We have initiated new projects to build awareness of our human rights and freedoms and to develop a culture of respect. We have agreed upon three core priorities for our work: human rights education; freedom from violence, harassment and bullying; and business and human rights.

## Human rights education

Through our education program we launched a series of initiatives in 2014–15.

The *RightsEd* resources have been designed to help students gain a critical understanding of human rights and responsibilities, and to develop the attitudes, behaviors and skills to apply human rights in everyday life. To celebrate the 800th anniversary of Magna Carta, the Commission created a series of online educational resources which explore the evolution of human rights since 1215 and the impact that Magna Carta has had on our human rights and freedoms in Australia. The digital resources have also been mapped to the Australian Curriculum. Our *RightsTalk* series continues to grow. In 2014–15 we had free public events on the issues of casual racism, HIV and human rights, violence against women, asylum seekers issues and rights in the classroom to name a few.

## Business and Human Rights

The Commission aims to assist businesses to meet their legal obligations under anti-discrimination laws, and to encourage proactive approaches to human rights promotion and protection.

In March 2015, we published the *Good practice, good business* resources to assist employers to promote diversity and prevent discrimination in the workplace. The resources are available on the

Commission's new employers' hub—a 'one-stop-shop' for Australian businesses. We also launched our Business and Human Rights Network, a voluntary informal forum for information exchange and discussion on human rights and business.

In July 2014, the Australian Human Rights Commission and Global Compact Network Australia co-convened Australia's first national, multi-sector dialogue on business and human rights. The 2014 Dialogue achieved significant engagement by all groups including business, government and civil society. A second national dialogue will take place in August 2015.

In 2015 the Commission launched a formal Inquiry into employment discrimination against older Australians and Australians with disability.

The Commission has developed practical toolkits, resources and guidelines including the Workplace Cultural Diversity Tool and online resources for employers and employees on their rights and obligations in respect of pregnancy, parental leave and return to work.

The Commission continues to provide access to our information and dispute resolution service. In 2014–15, the Commission assisted over 20,000 people and organisations who contacted our National Information Service by providing information about the law. The Commission received 2,388 formal complaints of alleged discrimination and breaches of human rights, an increase of 7% above those received 2013–14.

## Freedom from violence, harassment and bullying

The Commission has pursued several initiatives to promote freedom from violence, harassment and bullying.

Through the *Racism. It Stops With Me* campaign, the Commission aims to ensure that all Australians recognise that racism is unacceptable in our community. Over the last year the campaign reached more than 360 supporters.

The Commission also conducted an examination into how children and young people under 18 years of age can be better protected from intentional self-harm, with or without suicidal intent and is currently looking into how children are affected by family and domestic violence.

The Commission continues to work constructively with the Australian Defence Force (ADF) to provide advice and support on the progress of cultural reform; a program that has been recognised internationally as best practice.

#### **The Forgotten Children Report 2014**

Throughout 2014, the Commission conducted a National Inquiry into the health impacts of mandatory and lengthy detention of asylum seeker children.

The Inquiry considered the impact of immigration detention on the health, well-being and development of children. It reviewed changes in law, policy and practice in the treatment of children in immigration detention over the ten years since the Commission's 2004 report, *A Last Resort?*

On 12 February 2015, I launched *The Forgotten Children, the Report of the National Inquiry into Children in Immigration Detention 2014*. The Report provides compelling first-hand evidence of the impact that prolonged immigration detention has on the mental and physical health of children. The overarching finding of the Inquiry is that the prolonged, mandatory detention of asylum seeker children causes them significant mental and physical illness and developmental delays, in breach of Australia's international obligations.

The Commission is pleased to see that, since the Inquiry began in February 2014, many of the 1,138 refugee children, detained when the Inquiry began, are now in the community or in community detention. It remains a matter of concern that, as at 30 May 2015, 138 children remain in immigration detention facilities in mainland Australia, and 81 children on Nauru.

#### **Aboriginal and Torres Strait Islander peoples**

In 2014–15, the Commission made efforts to ensure that rights and freedoms of Aboriginal and Torres Strait Islander peoples are protected in Australian law, policy and practice. For example, the Commission has been working with Indigenous

leaders, government and the community to advance constitutional recognition of Aboriginal and Torres Strait Islander peoples.

The Commission also facilitated a meeting of many of Australia's Indigenous leaders in Broome in June 2015 to discuss how native titles can be used to ensure Aboriginal and Torres Strait Islander peoples have an opportunity to engage in commercial business enterprises and wealth creation.

#### **International Programme**

Over the last year the Commission has continued to work with its partners in the Asia Pacific region for the promotion and protection of human rights. We have collaborated with China and Vietnam to provide technical assistance for human rights, and worked with colleagues in the region on human rights through the Asia Pacific Forum of National Human Rights Institutions. The Commission was also elected as a member of the Bureau of the International Coordinating Committee of National Human Rights Institutions, the global coordinating agency for human rights commissions.

For the future, there are many challenges and opportunities. In November 2015 Australia's human rights compliance will be assessed by its peers through the United Nations Universal Periodic Review (UPR) process. The UPR provides a valuable opportunity to take stock of how well Australia is protecting and promoting human rights.

Australia also seeks a seat on the United Nations Human Rights Council for 2018. I support this initiative and believe that Australia can make a significant contribution to developing a global and regional consensus on implementation of fundamental human rights.

May I conclude by recognising the outstanding work of Elizabeth Broderick, the Sex Discrimination Commissioner over the last eight years. Elizabeth has been a wonderful colleague and we all wish her every success in the next phase of her work on gender equality and women's rights.

I hope you can take some time to read this Report and to support the Commission in our aims of securing an Australian society where human rights are enjoyed by everyone, everywhere, everyday.



**Professor Gillian Triggs**  
President



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# Commissioners' statements

**Mick Gooda**

*Aboriginal and Torres Strait  
Islander Social Justice Commissioner*



My term as Aboriginal and Torres Strait Islander Social Justice Commissioner was extended for an additional two years by the Government at the end of last year. My tenure in this position will end in early 2017.

The issues facing Aboriginal and Torres Strait Islander people are varied and complex. In 2015, the uncertainty, stress and anxiety associated with the Federal Budget and machinery of government changes continues to be felt by our communities.

Rather than making things easier, I am afraid that the processes implementing the Indigenous Advancement Strategy (IAS) has actually compounded the social disadvantaged already experienced by Aboriginal and Torres Strait Islander people.

Unfortunately the high hopes with which the transition to the IAS was met has not materialised and has not translated into tangible outcomes for our communities. Instead, the changes have meant deep cuts, uncertainty, stress and anxiety for Aboriginal and Torres Strait Islander peoples.

The full scale of those organisations who have been defunded and the corresponding costs to the community is still unclear. However, I am concerned that resulting gaps in services could lead to an increase in social disadvantage experienced by Aboriginal and Torres Strait Islander peoples if many of our services have to shut their doors.

The Government has lamented the apparent minimal achievements to Indigenous Affairs through efforts such as Close the Gap, but it does not appreciate that our communities have been subjected to years of circular policy and administration and borne the brunt of these failures.

Aboriginal and Torres Strait Islander peoples have had to endure the many different faces of government administration and the resulting changes to policy, funding and programming. These have all meant great challenges to our services and communities. I think that changes in the social disadvantage experienced by Aboriginal and Torres Strait Islander peoples are difficult to come by when

the policy framework we are presented with is so chaotic and inconsistent.

Our relationship with government is still characterised by a conspicuous lack of engagement and trust in the matters that affect us. But I believe that real change can simply start with better engagement with Aboriginal and Torres Strait Islander peoples.

Despite the concerns with the IAS, there have been a number of positive moments to reflect on this year.

Funding to the National Aboriginal and Torres Strait Islander Legal Service was restored this May, following plenty of hard work and lobbying by the sector and the community for this important service. This was a hard-fought and hard won victory for a service that is indispensable to our communities particularly at a time when our people continue to be incarcerated at an overwhelming rate.

This was followed by a historic meeting of Aboriginal and Torres Strait Islander leaders in Broome around the same time who convened on the issue of Indigenous property rights. Participants identified that there was a real need to have a new conversation with Government around our rights to land and how this might translate into sustainable economic development for our communities.

We have continued to see progress on the issue of constitutional recognition, with Aboriginal and Torres Strait Islander leaders meeting with the Prime Minister and Federal Opposition Leader in July this year. The need for substantive change and the involvement of Aboriginal and Torres Strait Islander people was strongly conveyed and I am confident that both the PM and Opposition heard this message loud and clear and will ensure that the voices of our people are heard in this process.

I look forward to the series of conventions which will take place on this topic in the year ahead.

A handwritten signature in black ink that reads "Mick Gooda". The signature is fluid and cursive, with the first letters of "M" and "G" being prominent.

**Mick Gooda**  
Aboriginal and Torres Strait Islander  
Social Justice Commissioner

**Elizabeth Broderick**

*Sex Discrimination Commissioner*



As I step down as Sex Discrimination Commissioner I have been reflecting on the remarkable journey and privilege it has been to serve in this role for the past 8 years. Early on in my term I launched my gender equality blueprint developed following an extensive listening tour across Australia. The blueprint has guided my work over my term. Over the past year I have continued to focus on the issues relating to pregnancy discrimination, domestic violence, women's leadership and cultural change in Australia's Defence Force.

Following the launch of the *Supporting Working Parents: Pregnancy and Return to Work National Review* in 2014, the Commission received funding support from Prime Minister and Cabinet to consult with business, unions and other stakeholders, and develop clear and concise online resources and a website for employers and employees. The National Review found that discrimination in the workplace related to pregnancy, parental leave and return to work is pervasive with one in two mothers and one in four fathers or partners reporting experiencing discrimination.

With unprecedented attention to family and domestic violence in this nation, it is essential that organisations understand their role in preventing and responding to this important issue. In November 2014, I asked Rosie Batty and Kristy McKellar to speak to the Male Champions of Change about their experience of trying to work while living in a relationship characterised by violence. This was the catalyst for the Male Champions of Change to step up their work to support employees experiencing violence and to develop strategies addressing perpetrators in the workplace. They will launch an 'all-in' strategy on family and domestic violence later in 2015.

During 2014–15 I have been advising NATO on a project focussing on increasing the representation of women in their member militaries. The project has involved extensive analysis of NATO member states' reports on how they are meeting their obligations under United Nations Resolution 1325 on Women, Peace and Security.

Significantly, the ADF has been identified as the best practice military in relation to gender inclusiveness and diversity. The release of the interim report of

the project in June 2015 at NATO Headquarters in Brussels, showcased the important and innovative work the ADF is undertaking to advance gender equality across its three services and as a result, to enhance its capability. Much of this work has been as a result of the implementation of the recommendations arising from my Review into the Treatment of Women in the ADF as well as the individual strategies being implemented by the Navy, Army and Air Force.

The first year of the collaborative engagement between the ADF and the Commission has been very successful. In 2014–15, the Commission team visited 10 bases and prepared observation reports identifying best practice initiatives and areas where efforts on cultural reform could be strengthened. The feedback from the military about these reports and the suggestions for further reform have been extremely positive. Thematic projects are also being undertaken for the military including identifying how women can become fast jet pilots, ensuring the cultural reform process is progressing during the army's deployment cycle and examining domestic violence in the context of military families.

As Sex Discrimination Commissioner I have had a wide ranging responsibility—to speak when I see human rights breaches, to disrupt the status quo, to remove gender stereotypes, to create opportunities for women, to raise my son and daughter to believe that equality is the only path.

Strong partnerships have been key to making progress so I wish to thank civil society, business, unions, government, academia, the military and the Australian community for supporting me during my term. A huge thank you to my fellow Commissioners, our CEO and management teams and to my own team, the women and men who have stood beside me all the way. I step down in the full knowledge that the Commission will continue to take strong action to shape a more gender equal future for all.

A handwritten signature in black ink that reads "E. Broderick". The signature is written in a cursive, flowing style.

**Elizabeth Broderick**  
Sex Discrimination Commissioner

Susan Ryan

Age Discrimination Commissioner



This year, I have continued my work to achieve greater employment opportunities for older individuals. This work was strengthened with the release of the *National prevalence survey of age discrimination in the workplace*. The first national study of its kind, it examines the prevalence, nature and impact of workplace age discrimination in Australia. The results showed, among other things, that over 27% of Australians aged 50 years and over had experienced some form of age discrimination in the workplace over the last two years.

These findings have informed my approach to the Commission's *National Inquiry into Employment Discrimination Against Older Australians and Australians with Disability*, announced by the Attorney-General in late 2014 and which I lead. I will hold consultations around Australia and accept submissions from members of the public over the next six months, and will report by July 2016. I will examine the barriers to employment for people with disability and older people and make recommendations about how those barriers can be dismantled and replaced by job opportunities.

At the National Press Club in 2014 I announced an initiative called Skills Checkpoint, a program to assist people in their early 50's to obtain career and training advice. The federal government has decided to conduct a pilot of this proposal. In June 2015 I was also appointed the Australian Government's Ambassador for Mature Age Employment.

In June 2015 I was also appointed the Australian Government's Ambassador for Mature Age Employment.

Soon after commencing my role as Disability Discrimination Commissioner in 2014, I held a National Disability Forum, bringing together a range of stakeholders from the disability sector to discuss the key issues facing people with disability in Australia. Run in conjunction with the forum our online National Disability Survey attracted over 500 respondents, who identified inclusion and participation in society and access to employment as the most important human rights issues facing people with disability.

In 2014–2015, I had a series of meetings with State and Federal government ministers and department heads to discuss shortcomings in the procurement of accessible Information and Communications and Technology, especially in the Australian Public Service. Accessible ICT is a major facilitator for people with disability in terms of securing employment or advancing their career. Reflecting the discussions, a paper recommending improved purchase and use of accessible IT across the APS was prepared and distributed.

The Commission's submission to the Senate Standing Committee on Community Affairs' *Inquiry into the adequacy of existing residential care arrangements available for young people with severe physical, mental or intellectual disabilities in Australia* focused on the significant human rights issues related to the care of young people with disability.

Last year I convened a series of meetings with representatives from the insurance and financial planning sectors and older Australians to discuss the need for products that better support the insurance needs of older Australians. This work resulted in the *Age Discrimination and Insurance report*, dealing with the gaps for older people seeking income protection and travel insurance. As the availability of income protection insurance can have a significant impact on people's capacity to continue to work after the age of 65 this paper has been distributed for further consideration to the relevant Federal Minister and the industry.

Over the next year, I will continue to advocate in all available forums for the elimination of discrimination against people with disability and older people in employment and other areas of life. I hope that my work on the National Inquiry will be a significant step towards achieving greater equality for all Australians.

A handwritten signature in cursive script that reads "Susan Ryan". The ink is dark and the signature is fluid and legible.

Susan Ryan  
Age Discrimination Commissioner

**Dr Tim Soutphommasane**

*Race Discrimination Commissioner*



The past year was a testing one for race relations and community harmony, amid concerns about the threat of terrorism and continued debate about the limits of free speech. It remains paramount that we respond with calm, civility and national unity.

I welcomed the Federal Government's decision in August 2014 not to proceed with proposed changes to the *Racial Discrimination Act*. Multicultural and Indigenous communities were united in their concern about a weakening of protections against racial vilification. An overwhelming majority of the general population also opposed the changes. As I made clear in my various public statements, the Act in its current state embodies our society's commitment to civility and tolerance.

The Act has done this since it came into force in 1975. Throughout the first half of 2015, I conducted a number of activities to mark the legislation's fortieth anniversary.

In February the Commission hosted a conference, which was addressed by Governor-General Sir Peter Cosgrove and leading scholars of human rights, public law and multiculturalism. The conference drew more than 100 attendees on each of the two days. Sessions explored issues including the Act's history, its impact, philosophical questions about its role and the new challenges emerging in combating racial discrimination.

During February–April, I held consultations across the country to hear from different communities about their experiences with racial discrimination and with using the Act. Consultations were held in Sydney (3 February), Canberra (12 February), Melbourne (10 March, 23 April), Adelaide (13 March), Brisbane (26 March) and Darwin (26 April).

On 11 June 2015 we marked the fortieth anniversary of the legislation receiving royal assent with a commemorative event in Sydney. It was fitting to have parliamentary representatives from all the main political parties reflect on the contribution the Act has made to human rights. Former Liberal federal minister Fred Chaney AO also launched *I'm Not Racist But ... 40 Years of the Racial Discrimination Act*, a book I wrote about the Act. The book was published by NewSouth Publishing in association with the Commission.

The National Anti-Racism Strategy went from strength to strength, with the 'Racism. It Stops with Me' campaign reaching more than 360 supporters by June 2015. We are proud to enjoy the continued support of Adam Goodes as our campaign ambassador. As part of the Strategy, we launched a number of initiatives in 2014–15, including a Workplace Cultural Diversity Tool, anti-racism education curriculum materials and an online social cohesion resource for local governments.

Looking ahead, maintaining our community harmony will continue to be a significant challenge. We should remember, however, that the vast majority of our society firmly support Australian multiculturalism. I look forward to the second phase of the National Anti-Racism Strategy, and thank all those who support our work concerning racial discrimination.

A handwritten signature in black ink that reads "T. Soutphommasane". The signature is written in a cursive, flowing style.

**Dr Tim Soutphommasane**  
Race Discrimination Commissioner

**Megan Mitchell**

*Children's Commissioner*



In the twenty fifth year since Australia's ratification of the Convention on the Rights of the Child, we are experiencing a remarkable, long overdue, national conversation about family violence.

In Australia, thousands of children are affected by family violence every year. Children can be direct victims of emotional, physical or sexual abuse by family members, they can be exposed to violence in the home, and they can experience the dislocating life impacts of attempts to escape family violence. Many end up being removed from their families and are taken into care. Needless to say, experiences of family violence has a profound impact on the developing child, and many studies demonstrate devastating impacts in terms of poor educational achievement, physical and mental health, and capacity to form healthy relationships.

As Children's Commissioner, this national conversation has provided me with the opportunity to raise the importance of a child's right to live free from violence of all forms and put a spotlight on the unique experiences of children affected by family violence. The outcome of this work, which involves secondary research, data analysis, and a series of expert forums, will form the basis of my 2015 report to Parliament about children's rights.

This follows on from my 2014 investigation into self-directed violence among children, which suggested that for some children exposure to domestic violence was related to self-harming behaviours. New data generated from this work also showed that, sadly, suicide is now the leading cause of death for children between 5 and 17 years of age, and that on average one child dies by suicide and a further 50–60 are admitted to hospital as a result of self injury every week. I recommended that, to bring down the rate of suicide and self-harm among children, one of the most pressing needs was for in depth research into risk and protective factors, in order to develop a well-coordinated suite of evidence based interventions for children vulnerable to self-harming thoughts or behaviours. Throughout this year I have continued my advocacy in this area.

Finding ways for children to seek help and be heard is critical to addressing issues of self-harm and family violence, and is a fundamental safeguarding mechanism for children. Having a voice is not only a right in itself, it is also a vehicle for building the capacity and agency of children and a gateway to realising all their other rights.

Millions of children and young people in Australia are the clients and consumers of services and systems operated by adults. But just how many of these adults think about children's rights and the obligation our country has to uphold these rights? How many engage children in their design, development and review?

The joint initiative taken by the Federal Department of Social Services, myself and the Centre for Children and Young People at Southern Cross University in engaging with children as part of ongoing planning for the National Framework for Protecting Australia's Children in 2015 marked a particularly important step in making child participation a reality in the context of government activity. By consulting children, who are critical service users, agencies can do their part in upholding child rights, while at the same time achieving better outcomes.

The private sector, too, has a role to play in recognising children's rights, and this year I have also begun to explore children's experiences and understanding of their rights as consumers.

Over the coming years, I will continue to look for ways to raise the profile of children as rights holders and broaden the participation of children in decisions and processes that impact on them, particularly in the work of government agencies and in the activities of business.

A handwritten signature in black ink, appearing to read 'Megan Mitchell'. The signature is fluid and cursive.

**Megan Mitchell**  
Children's Commissioner

**Tim Wilson**

*Human Rights Commissioner*



It has been an honour and privilege to serve as Australia's Human Rights Commissioner.

Throughout the second-half of 2014 two parallel consultations were held; one on human rights, and the other on sexual orientation, gender identity and intersex (SOGII) status issues. These consultations were held in parallel to ensure the efficient use of time and Commission resources.

*Rights and Responsibilities* sought to identify the human rights issues facing Australians in 21st Century Australia, and particularly focused on free speech, freedom of association, religious freedom and property rights.

The consultations were wide-ranging and included public meetings and targeted events in all states and territories. There was a specific focus on holding meetings outside capital cities, as well as a submission process and an online survey.

The report from these consultations, *Rights and Responsibilities 2015*, was released in March 2015. The report's priority areas included Indigenous property rights, religious freedom and human rights education.

These priorities have now been turned into policy action.

Working with the Aboriginal and Torres Strait Islander Social Justice Commissioner, Mick Gooda, a historic meeting was held in Broome in May on Indigenous property rights. The meeting produced a Communiqué which outlined principles to promote economic development through the exercise of Indigenous property rights. Commissioner Gooda and I are now working to convert the principles in the Communiqué into a further program of action.

In the first-half of 2015 numerous strategic meetings have been held with religious leaders in preparation for the formation of a religious freedom roundtable in late 2015. The purpose of the roundtable will be to engage religious communities and thinkers about

how to advance religious freedom in 21st Century Australia with a pluralist society and a secular state.

The first activity to improve human rights education was the development of a video and infographic resource for Australian schools on the importance of Magna Carta. The resource was released to celebrate the 800th anniversary of Magna Carta and seeks to improve the understanding of Magna Carta, and its connection to the development of liberal human rights and freedoms and the *Universal Declaration of Human Rights*. Further resources are now being developed for Australian schools on the importance of individual human rights.

The parallel SOGII consultation replicated the same process as *Rights and Responsibilities*. The report from the consultations, *Resilient Individuals*, was released in June. The recommendations from this report do not recommend new 'group rights' or special legal privileges. The recommendations simply seek law reform to ensure all Australians are treated equally before the law and government.

Implementing the recommendations will include auditing whether tertiary education facilities are appropriately educating SOGII-relevant content in health and education courses, an audit of the data sets on the rates of violence against transgender Australians, and continuing the Commission's work on ensuring sports are inclusive for all.

It has been an inspiring year of advancing human rights and the forthcoming year promises many more exciting opportunities.

A handwritten signature in black ink that reads "Tim Wilson". The signature is written in a cursive, flowing style.

**Tim Wilson**  
Human Rights Commissioner



**LEFT TO RIGHT**

**Tim Wilson**

*Human Rights Commissioner*

**Padma Raman**

*Executive Director*

**Mick Gooda**

*Aboriginal and Torres Strait Islander  
Social Justice Commissioner*

**Susan Ryan**

*Age and Disability Discrimination  
Commissioner*

**Professor Gillian Triggs**

*President*

**Elizabeth Broderick**

*Sex Discrimination Commissioner*

**Megan Mitchell**

*Children's Commissioner*

**Dr Tim Soutphommasane**

*Race Discrimination Commissioner*

# The year in review

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# Human rights education and promotion



A priority of the Australian Human Rights Commission is to build awareness of rights and freedoms across the community and to encourage a culture of respect and responsibility.

As part of our work, we develop and implement a range of campaigns and programs to engage with a broad cross-section of the community.

We also use media and communication activities, including social media, to build awareness of rights and freedoms in Australia.

Our objective is to increase human rights knowledge and skills within schools, workplaces and the community.

## Working with the education sector

In 2014–2015 we produced nine new resources to help teachers integrate human rights into their teaching. All of our resources have been mapped to the Australian Curriculum.

## Magna Carta: the story of our freedom

The Commission developed new interactive educational resources to explain the importance of the Magna Carta on its 800th anniversary.

The resources include an animated video, an interactive infographic and teacher resources.

All resources have been mapped to the Australian Curriculum for History and Civics and Citizenship for primary students in Years 5 and 6, and secondary students in Years 9 and 10.

The Commission engaged award-winning design company The Explainers to produce the animation and infographic.

The resources will help students understand and appreciate the history of the Magna Carta and its enduring legacy in shaping modern human rights and freedoms.

The resources are available online at <https://www.humanrights.gov.au/magnacarta/>

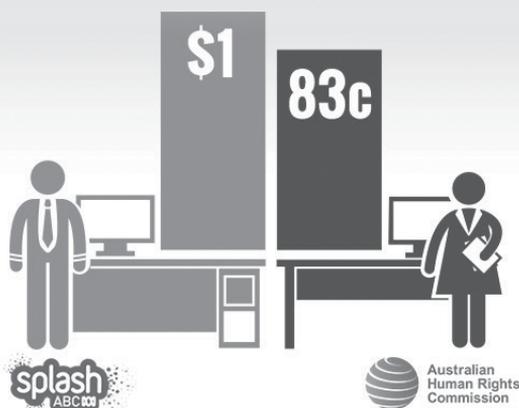
*RightsEd* teaching resources have been developed on a range of topics, linked to the Australian Curriculum



## RightsEd

The Commission also launched seven *RightsEd* teaching resources in December 2014. These resources focus on a range of topics including Australian identity, race, multiculturalism, disability, accessibility, and bullying. The *RightsEd* resources are linked to History, Geography and Health and Physical Education.

**In Australia, women earn 83 cents for every \$1 earned by a man.**



## Choose Your Own Statistics

The Commission worked with ABC Splash—an education initiative of the national broadcaster—to develop a teaching resource on a range of human rights related issues. The resources use interactive statistical graphs and infographics focusing on issues such as life expectancy, homelessness, respectful relationships and young people in the workforce.

The ABC Splash resources are bringing contemporary human rights issues into maths classrooms and helping students to understand how data can be used to inform evidence-based decisions.

ABC Splash resources are bringing human rights into maths classrooms



National Children's Commissioner Megan Mitchell meeting with young children at the Amy Hurd Early Learning Centre in Koorringal, NSW in August 2014  
Credit: The Daily Advertiser, Wagga Wagga

## Early childhood education

In 2014, the Children's Commissioner collaborated with Early Childhood Australia to identify key areas for action to protect and advance children's rights in early childhood care.

A Statement of Intent on Children's Rights in Early Childhood Education and Care was developed and launched in March 2015.

The Statement of Intent is a practical tool to help childhood educators to consider, implement and advocate for children's rights in their day-to-day practice.

## Working with the public sector

In 2014–15 the Commission worked with NSW Family and Community Services – Ageing Disability and Home Care to develop a pilot training program for NSW government employees on disability rights.

The Commission developed and delivered a full day training program, designed to increase capacity to utilise disability rights analysis and skills in the development of legislation, policy, programs and administrative decision making. We also provided advice on the department's e-learning module.

In 2014–15, the Commission continued to support the human rights capabilities of the Commonwealth public service through the Australian Public Service Human Rights Network. We hosted two public network events on children's rights, race and multiculturalism.

## Diversity training for police

As part of the National Anti-Racism Strategy, the Commission partnered with NSW Police to host a two-day forum on diversity training in October 2014.

The objectives of the forum were to identify and map diversity training in police jurisdictions, develop a common understanding of policing capabilities related to cultural diversity training and progress a national framework for applied diversity training.

It was the first time a forum like this had been held, bringing together policing jurisdictions from across Australia, along with academics and practitioners.

The Commission will continue to collaborate with NSW Police to progress this initiative.

## Your Rights at Retirement

The Your Rights at Retirement resource was in high demand in 2014–15. It provides older Australians with comprehensive information about their rights as they enter retirement. The resource was reprinted by the Department of Human Services and distributed to the community, including through Centrelink and Medicare offices.

The resource was translated into a number of community languages, including Greek, Italian and Chinese. Funding for the translations was provided by the Department of Social Services and non-profit organisation Co.As.It.



The Power of Oldness online video campaign

## The Power of Oldness

The Commission launched a new online video campaign to highlight the value of older workers over the age of 50.

The *Power of Oldness* exposes the barriers these skilled and valuable workers face in seeking employment.

Research undertaken by the Commission found that 1 in 10 employers won't recruit people over the age of 50.

Through the campaign, we are raising awareness of the power of 'oldness' and encouraging the community to fight age discrimination.

In late 2014, a shorter version of the video was distributed to a number of radio and TV stations and broadcast as a community service announcement.

[www.powerofoldness.com](http://www.powerofoldness.com)

## Human Rights Awards 2014

The annual Human Rights Awards celebrate the outstanding contribution made by individuals and groups across Australia in building understanding and respect for human rights.

In 2014, we received a record number of nominations for the awards. The awards ceremony, held on 10 December to mark International Human Rights Day, was attended by more than 400 people.

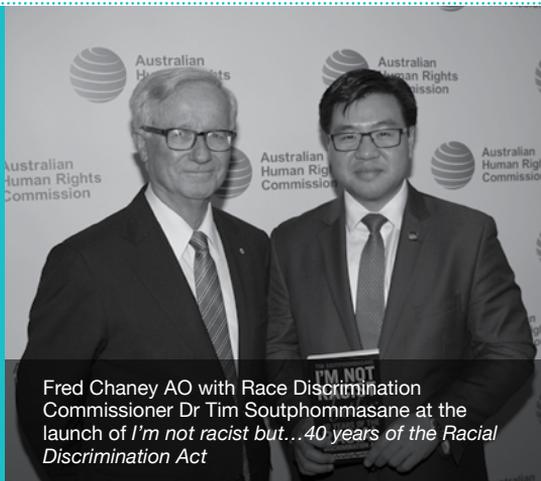
The 2014 Human Rights Medal was awarded to Holroyd High School principal, Dorothy Hoddinott AO, in recognition of her lifelong passion for and commitment to education, particularly for disadvantaged and refugee students.

The Young People's Human Rights Medal went to Daniel Haile-Michael and Maki Issa, who were the lead applicants in a historic Federal Court case that successfully challenged racism and racial profiling within the Victorian Police Force.

Awards were also presented in eight other categories covering law, business, community, media and literature. For more information about all award recipients, commendations and sponsors visit <https://hrawards.humanrights.gov.au>



Holroyd High School Principal Dorothy Hoddinott AO was awarded the 2014 Human Rights Medal



Fred Chaney AO with Race Discrimination Commissioner Dr Tim Soutphommasane at the launch of *I'm not racist but... 40 years of the Racial Discrimination Act*

## 40th anniversary of the Racial Discrimination Act

2015 marks the 40th anniversary of the Racial Discrimination Act, Australia's first federal human rights and anti-discrimination legislation.

To generate greater awareness of the significance of the Act, the Commission held a series of events and activities including national consultations and a two-day conference in Sydney. The RDA@40 Conference was held from 19–20 February at the Australian Human Rights Commission, bringing together leaders and experts on human rights, public law and multiculturalism.

The Commission also held a special celebration on 11 June, the day marking the 40th anniversary of the royal assent of the legislation. As part of the event, Fred Chaney AO officially launched a new book by the Race Discrimination Commissioner Dr Tim Soutphommasane, *I'm not racist but... 40 years of the Racial Discrimination Act*.

## Media activity

In 2014–15, the President and Commissioners received 1,882 media enquiries and interview requests from print, radio, television and online media. This was an increase of 7% on the requests received in 2013–14.

The media team continues to promote the work of the Commission through media releases and news stories, published online and shared on social media.

The team also coordinates press conferences to highlight and promote major projects and announcements.



Human Rights Commissioner Tim Wilson at the National Press Club, 18 February 2015



Age and Disability Discrimination Commissioner Susan Ryan at a press conference in Canberra for the launch of the Australian Government's Restart program, June 2015

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## Website and social media

The Commission's online presence has grown considerably over the past year.

In 2014–15, the Commission's website received 8,410,352 page views. This is an increase of 8.6% from the previous year and highlights our growing reach online.

A summary of website statistics is provided at Appendix 2.

During the reporting period, along with maintaining our agency website, we developed the Workplace Cultural Diversity Tool, an improved version of the Declaration of the Rights of Indigenous Peoples community website and a website to support the Power of Oldness video campaign.

We also developed a sub-site to support *Sogi's Story*, an international resource to raise awareness of SOGI rights.

The Commission continues to engage with the community through social media. This includes Twitter, Facebook and YouTube.

The Commission's Twitter account has 32,351 followers as at 30 June 2015. Combined with the Twitter accounts of individual Commissioners and campaigns, this brings our combined following to 110,400 as at 30 June 2015, up 57% from 47,013 followers a year ago.

In 2014–15, our Facebook pages received 62,422 likes, up 56% from 27,259 likes a year ago.

Over the past year, our YouTube channel, which features interviews and highlights of key events and projects, attracted 107,860 views. We continue to use a live streaming service to make our events more accessible to a wider audience.

In 2014–15, we had 17,284 unique subscribers to our electronic mailing list. We continue to distribute an electronic newsletter each fortnight to provide our subscribers with relevant updates on key events, issues and projects.

## Publications

Each year the Commission produces a broad range of materials, from brochures and community guides to major reports and submissions. These resources are all available in accessible formats on our website. Most are also published in hard copy format.

In 2014–15, we distributed 13,978 publications and resources from our warehouse, in response to 1,697 orders.

Additional publications and resources were distributed by Commissioners and staff at community consultations and public events.

## Presentations

The President and Commissioners addressed a range of conferences, seminars and public events over the past year, including international speaking engagements. A selection of speeches are available on our website.

Commission staff also participated in conferences and events across Australia and overseas, presenting information about current projects at the Commission and sharing knowledge and experience in human rights and discrimination law.



*RightsTalk* on casual racism, October 2014, featuring Hakan Harman, CEO of Multicultural NSW, Mariam Veiszadeh, founder of the Islamophobia Register, and His Excellency Noel White, Ambassador of Ireland

## RightsTalk

The *RightsTalk* series provides an opportunity for the public to engage in a range of topical human right issues.

From July 2014 to June 2015, we held 14 presentations on a range of inspiring and challenging issues, from human rights education in a crowded classroom to combatting casual racism in Australia. Registration rates for the *RightsTalk* series doubled in 2014–15, with a total of 2,340 registrations.

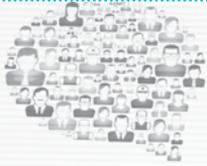
Guest speakers included Rashida Manjoo, UN Special Rapporteur on Violence Against Women on the issue of eliminating violence against women; Catherine McGregor, Group Captain in the Australian Air Force, on her transgender journey; Counsel George Newhouse on violations of international law in immigration policies; and Bryan Samuels, former advisor on children to US President Barack Obama, on redefining success for vulnerable children through public systems.

Other presentations in the *RightsTalk* series covered sanctioned violence in our society; human rights and ageing; the digital rights movement in Australia; investing in education for Aboriginal and Torres Strait Islander children; HIV and disease prevention as a human right; and the contested ideas of ‘rights, liberty and civilisation’.



Group Captain Catherine McGregor, speechwriter and strategic adviser to the Chief of the Air Force, spoke about her transgender journey at a *RightsTalk* in November 2014

# Engaging with business on human rights



**Good practice, good business**  
[humanrights.gov.au/employers](http://humanrights.gov.au/employers)



Launch of *Good practice, good business* at Telstra, Sydney,  
4 March 2015

The Commission has been working with the business sector to foster more inclusive and productive workplaces. We are encouraging innovation in how businesses respect, protect and promote human rights and freedoms.

The Commission also provides comprehensive and effective support to prevent workplace discrimination and assist in the resolution of disputes.

In 2014–15, we continued to support the capacity of small to medium sized enterprises to prevent discrimination through targeted resources and networking opportunities.

The Commission also continues to engage with our counterparts internationally through the International Coordinating Committee Working Group on Business and Human Rights. In 2014–15, the focus was human rights and transnational corporations.

## Good practice, good business

The Commission launched a new online portal in 2015 to help businesses support diversity and prevent discrimination in the workplace.

The *Good practice, good business* resources provide practical information on a range of issues including recruitment and retention of older workers, gender equality, sexual harassment, race discrimination, employment of Aboriginal and Torres Strait Islander peoples, domestic and family violence, managing mental illness and supporting carers in the workplace.

The Commission has particularly focused on promoting the *Good practice, good business* resources to small and medium sized enterprises to assist them to support diversity and create workplaces free from discrimination. The Commission's engagement with the small business sector is an ongoing priority.

The resources are available on the Commission's new employers' hub—a 'one-stop-shop' for Australian businesses: <https://www.humanrights.gov.au/our-work/employers>

The *Good practice, good business* resources were welcomed by the sector as a practical and relevant tool for businesses to assist in managing risk but also creating an environment that promotes inclusion and values diversity.



Australian Dialogue on Business and Human Rights, 30 July 2014

## Australian Dialogue on Business and Human Rights

In July 2014, the Australian Human Rights Commission and Global Compact Network Australia co-convened Australia's first national, multi-sector dialogue on business and human rights.

More than 100 representatives from business, government, NGOs and academia participated in the event. The Dialogue heard from 27 experts across seven key topics, including corporate responsibility to respect human rights, the role of government, access to remedy and grievance mechanisms, Aboriginal and Torres Strait Islander engagement and human rights in the supply chain.

The Dialogue resulted in a commitment from participants to continue the conversation and to strive to ensure Australian companies are seen as international leaders on business and human rights.

The Dialogue was sponsored by Rio Tinto, KPMG and La Trobe Business School.

The second dialogue was held in August 2015.

## Business and Human Rights Network

The Commission launched the Business and Human Rights Network in early 2015 to support the promotion of human rights in the business sector.

The network is a voluntary, informal forum for the exchange of ideas and information on human rights. Members are supported and encouraged to promote diversity and prevent discrimination in the workplace.

At the time of producing this report, the Business and Human Rights Network had around 105 members.





Launch of the Workplace Cultural Diversity Tool at PricewaterhouseCoopers in Sydney, 17 September 2014

## Workplace Cultural Diversity Tool

Developed under the National Anti-Racism Strategy, the Workplace Cultural Diversity Tool is a free online resource offering employers practical support to build and manage culturally diverse workplaces.

The Workplace Cultural Diversity Tool provides support to employers who are seeking to develop a more culturally diverse workplace and assists those who are already committed to diversity to move towards best practice.

The tool allows businesses and organisations to assess their achievements against seven best practice measures of workplace cultural diversity, based on international research. Once they have completed all 30 items of the toolkit, users receive a confidential report tailored to their organisation.

The resource was launched in September 2014 in partnership with Diversity Council Australia and the Victorian Health Promotion Foundation (VicHealth). It is currently being evaluated by the Commission.

## Older Australians at Work

The Commission partnered with the Australian Human Resources Institute in February 2014 to host the Older Australians at Work Summit.

Keynote speakers included Grattan Institute CEO, John Daley; KPMG partner and demographer, Bernard Salt; and the Age Discrimination Commissioner Susan Ryan.

The summit explored the barriers and opportunities for older employees in the workplace and the role of government, employers and individuals in attracting and retaining older workers.

The summit was supported by National Australia Bank, KPMG and the Business Council of Australia.

## Complaint of age discrimination in recruitment

The complainant contacted the respondent recruitment company about an advertised entry level mining position. He claimed the company asked for his age and when he disclosed that he was 56 years old, he was told applications from people over 55 would not be considered and the call was terminated.

The company confirmed it asked applicants their age, but denied that this was done to exclude applicants over the age of 55. The company said it wished to let applicants know they would be required to undertake a medical assessment as part of the recruitment process and wanted to ensure applicants made an informed decision about whether they wished to proceed with the application.

The complaint was resolved, with the company assuring the complainant that his age would not be a barrier to recruitment and agreeing to stop asking applicants their age.

## Accessibility in government procurement

We are working with the Australian Public Service (APS) to advocate for the inclusion of accessibility guidelines in government procurement.

The Commission prepared a detailed policy paper outlining the current situation within the APS and recommendations for reform. The proposed measures could help the APS remove discrimination against employees with disability.

The aim is to ensure that all APS offices use communications technology that is accessible to people with disabilities and enable greater workforce participation. The Disability Discrimination Commissioner is continuing to engage with relevant stakeholders to achieve this outcome.



Sex Discrimination Commissioner Elizabeth Broderick addresses the Male Champions of Change meeting, August 2014

## Male Champions of Change

Through the Male Champions of Change strategy, the Commission continues to work with male CEOs and Chairpersons to elevate the issue of women's representation in leadership on the national agenda.

The Male Champions of Change progress report was launched in February 2015.

In 2014–15, the Male Champions of Change began to look at family and domestic violence as an important workplace issue. A meeting in November 2014 focused on men's violence against women, with two invited guests sharing their personal stories. It provided insight on family and domestic violence and the impact of this societal issue.

Since then, the Sex Discrimination Commissioner has been working with KPMG to identify best practice in addressing domestic violence as a workplace issue and developing practical actions for employers.

The Male Champions of Change guide and website was launched at the Women's Empowerment Principles Annual Event in New York on 11 March 2015.

## Support for working parents

The Commission has developed a new website and a suite of online resources for employers and employees on obligations and entitlements in relation to pregnancy, parental leave and return to work.

The project was funded by the Department of Prime Minister and Cabinet and has been drafted in close collaboration with all relevant government departments and agencies and following extensive consultation with business, unions and other stakeholders.

The resources were developed in response to findings from the Commission's *Supporting Working Parents: Pregnancy and Return to Work National Review*, launched on 25 July 2014. The Review found that pregnancy and return to work discrimination is pervasive, with one in two mothers (49%) reporting their experiences of discrimination in the workplace. Fathers and partners were also impacted, with 27% of those surveyed reporting that they experienced discrimination related to parental leave and return to work despite taking very short periods of leave.

The new website and resources were launched in July 2015. The resources will automatically be made available to all new parents through the Department of Human Services.

## Complaint of pregnancy discrimination in employment

The complainant said that when the respondent university was informed about her pregnancy, her casual employment as a tutor/lecturer was finalised. She claimed her supervisor said she had "found that right person who is not pregnant".

On being advised of the complaint, the university indicated a willingness to try to resolve the matter by conciliation. The complaint was resolved with an agreement that included the university pay the complainant \$7,500 less applicable tax and write to her expressing sincere regret for any hurt, distress or anger she experienced. The university also agreed to direct the complainant's former supervisor to attend anti-discrimination training.

## Women's Empowerment Principles

The Sex Discrimination Commissioner, Elizabeth Broderick, is the Global Co-Chair of the Women's Empowerment Principles (WEPs), a joint initiative of UN Global Compact and UN Women. The WEPs are premised on the fact that women's full participation in economic life is essential to build strong economies and establish more stable and just societies. The Principles call on businesses to:

- establish high-level corporate leadership for gender equality
- treat all women and men fairly at work – respect and support human rights and non-discrimination
- ensure the health, safety and well-being of all women and men
- promote education, training and professional development for women

- implement enterprise development, supply chain and marketing practices that empower women
- promote equality through community initiatives and advocacy
- measure and publicly report on progress to achieve gender equality.

From 10–11 March 2015, at the United Nations in New York, the Sex Discrimination Commissioner co-chaired the WEPs Annual Event, bringing together leaders from government, civil society and the business sector to discuss how business can be a force for change in advancing gender equality across the globe.

For more information visit [www.wepprinciples.org](http://www.wepprinciples.org)



Women's Empowerment Principles Annual Event, New York, 10 March 2015. From left to right: Elizabeth Broderick, Co-Chair Women's Empowerment Principles Leadership Group; Georg Kell, Executive Director, UN Global Compact; Phumzile Mlambo-Ngcuka, Under-Secretary-General and Executive Director, UN Women; H.E. Manuela Schwesig, Federal Minister of Family Affairs, Senior Citizens, Women and Youth, Germany; H.E. Mr Ban Ki-moon, United Nations Secretary-General; H.E. Zorana Mihajlović, Deputy Prime Minister, and Minister of Construction, Transport & Infrastructure, Republic of Serbia; Hilary Rodham Clinton, Senator, and U.S. Secretary of State; H.E. Mary Robinson, United Nations Special Envoy for Climate Change; Joseph Keefe, President & Chief Executive Officer, Pax World Management and Co-Chair Women's Empowerment Principles Leadership Group.

# Freedom from violence, harassment and bullying

Preventing violence, harassment and bullying is at the core of our work.

Violence, harassment and bullying has a profound effect on many Australians, particularly on their health, confidence and capacity to participate in the community.

The Commission continues to prioritise work that promotes safety from violence, harassment and bullying by ensuring that human rights protections are in place and there are appropriate mechanisms for resolving disputes. We also encourage bystander action against damaging and harmful behaviours.

In 2014–15, the Commission continued to increase awareness of the human rights impact of violence, harassment and bullying and contributed to preventative measures to improve safety.

## Addressing bullying and harassment through discrimination laws

The Commission provides support and information for people across Australia on a range of discrimination and human rights matters through the National Information Service. Many people who contact the National Information Service raise questions about harassment and bullying.

In 2014–15, the Commission assisted over 20,000 people and organisations by providing information about the law, assisting with problem solving and providing referrals to other services.

The Commission investigates and resolves complaints alleging unlawful discrimination under federal human rights laws, including complaints about sexual harassment, racial hatred, disability harassment and other acts which may be identified as bullying and harassment.



## National Anti-Racism Strategy

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

The objectives of the Strategy are to create awareness of racism and its effects on individuals and the broader community; identify, promote and build on good practice initiatives to prevent and reduce racism; and empower communities and individuals to take action to prevent and reduce racism and to seek redress when it occurs.

The strategy is delivered in partnership with the Attorney-General's Department, the Department of Prime Minister and Cabinet, the Department of Social Services, the Federation of Ethnic Communities' Councils of Australia, the National Congress of Australia's First Peoples and the Australian Multicultural Council.

Activities undertaken in 2014–15 included the *Racism. It Stops With Me* public awareness campaign and a number of strategic projects. These included a Workplace Cultural Diversity Tool for employers, and the Building Social Cohesion in our Communities resource for local government.

The Commission conducted an evaluation of the National Anti-Racism Strategy. A report outlining the evaluation findings and next stage of the Strategy was released in June 2015.

## Complaint of racial discrimination and racial hatred in employment

The complainant's son is Aboriginal and worked as an apprentice in the respondent's shop. The complainant's son claimed that in referring to Aboriginal people, his boss said "just shoot'em, just shoot the f\*\*ing c\*\*\*s". The complainant's son left his apprenticeship.

On being advised of the complaint, the business agreed to participate in conciliation. The complaint was resolved with an agreement that the business would pay the complainant's son \$5,000 in compensation for hurt and distress. The respondent also agreed to introduce an anti-discrimination policy and undergo Aboriginal cultural awareness training.

## Racism. It Stops With Me

The *Racism. It Stops With Me* public awareness campaign continues to generate greater awareness of racism and how it can be prevented.

In 2014–15, the campaign engaged more than 360 supporters, with organisations pledging support to prevent racism in their schools, sporting teams, workplaces and communities.

In early 2015, the Race Discrimination Commissioner Dr Tim Soutphommasane hosted events in a number of states to acknowledge and showcase the contribution of campaign supporters.

Through the campaign, we are ensuring that more Australians recognise that racism is unacceptable in our society. We continue to empower individuals and organisations to prevent and respond to racism, providing tools and resources to help them take practical action.

An evaluation report of the first four years of the *Racism. It Stops With Me* campaign was released in June 2015.



Race Discrimination Commissioner Dr Tim Soutphommasane with AFL club captains and star players.  
Credit: AFL Photos

*"It's been good to be a supporter of such a nationally recognised campaign. That shows we are committed to raising awareness of race-based discrimination as well as providing education, support and advocacy."*

**Feedback from a *Racism. It Stops With Me* campaign supporter**

*"Being a part of this campaign sends a strong message to our community that we support its cultural diversity and we, as a community, will bear no tolerance for racism. Our cultural diversity is our strength and the shire will continue to employ methods to ensure that racism does not have a place in our community."*

**Feedback from a *Racism. It Stops With Me* campaign supporter**

## Building Social Cohesion

In 2014–15 the Commission engaged the Australian Centre of Excellence for Local Government (ACELG) to develop an online resource to prevent and respond to racism and build social cohesion in diverse communities.

*Building Social Cohesion in our Communities* was launched by the Race Discrimination Commissioner in June 2015, at the Australian Local Government Association conference in Canberra.

Drawing on international best practice, the resource will help local government understand communities and measure their strengths and weaknesses; engage communities and build partnerships between key stakeholders; prevent and respond to incidents of racism or conflict between groups; strategically plan for the evolving needs of their communities; and monitor, evaluate and share outcomes.

The resource is available via the ACELG website at <http://www.acelg.org.au/socialcohesion>

## Promoting freedom from violence for women and children

Violence against women and their children remains a significant societal and human rights issue in Australia.

In recent years, family and domestic violence has received unprecedented attention from media, government and the community. The Commission continues to advocate for an end to family and domestic violence and provides a range of resources and information for victims, employers and the community.

Over the past year, the Sex Discrimination Commissioner Elizabeth Broderick has raised awareness of family and domestic violence as a workplace issue and has encouraged organisations to develop strategies in response.



Sex Discrimination Commissioner Elizabeth Broderick with family and domestic violence survivors and advocates Kristy McKellar (left) and Rosie Batty (right)

In November 2014, family and domestic violence survivors and advocates Rosie Batty and Kristy McKellar were invited to speak to the Male Champions of Change about their experiences of managing work while living in a relationship characterised by violence. The Male Champions of Change are developing a strategy for responding to family and domestic violence as a workplace issue, due to be completed in late 2015.

Commissioner Broderick is an Ambassador for the Foundation to Prevent Violence Against Women and their Children ('Our Watch') and featured in the Our Watch video for International Women's Day. The Commissioner also launched the Full Stop Foundation in February 2015—a campaign to end rape and domestic violence.

The impact of family and domestic violence on children is a particular area of focus for the Commission in 2015. Many children are affected by family and domestic violence each year, as either direct victims of emotional, physical or sexual abuse, or through exposure to violence against others in the home.

National Children's Commissioner Megan Mitchell is currently examining how children under 18 years are affected by family and domestic violence. Roundtables were held in Melbourne, Sydney, Brisbane and Canberra, with further consultations planned. The findings will be presented in the Children's Rights Report 2015.

The Commission also continues to engage with African communities in Australia on women's leadership and female genital mutilation.

## Protecting Australia's children

In December 2014, the National Children's Commissioner Megan Mitchell became a standing member of the National Forum for Protecting Australia's Children. The Forum comprises representatives from Commonwealth, state and territory governments and non-government organisations. A key objective of the Forum is to progress the implementation and delivery of the National Framework for Protecting Australia's Children 2009–2020.

The Commission has been involved in consultations to inform the Third Action Plan under the National Framework, and has been instrumental in ensuring there is a focus on Aboriginal and Torres Strait Islander consultation.

In May 2015, Commissioner Mitchell and the Aboriginal and Torres Strait Islander Social Justice Commissioner Mick Gooda were invited by the Department of Social Services to co-host an Indigenous Consultation on the National Framework.

The National Children's Commissioner is also a member of the Aboriginal and Torres Strait Islander Suicide Prevention Evaluation Project National Advisory Committee, and has participated in youth roundtables to discuss suicide prevention in Aboriginal and Torres Strait Islander communities.

Commissioner Mitchell participated in the annual National Children Protection week in September 2014, attending a range of events and ceremonies to promote child protection.



National Children's Commissioner Megan Mitchell meeting with students at Marrickville West Primary School



Human Rights Commissioner Tim Wilson released the *Resilient Individuals* report on 10 June 2015

## National report on SOGI rights

Human Rights Commissioner Tim Wilson completed a 'state of the nation' style report on SOGI rights in Australia.

*Resilient Individuals: Sexual Orientation, Gender Identity and Intersex Rights National Consultation Report* was launched by Attorney-General Senator the Hon George Brandis on 10 June 2015.

The report followed extensive consultations across Australia in late 2014 and early 2015, and an online survey of more than 1,500 people.

The report found that LGBTI people in Australia continue to face unjust state-sanctioned discrimination, unacceptable levels of violence, harassment and bullying and a lack of visibility on the issues that directly affect them and in accessing essential services.

Almost 75% of survey respondents reported experiencing some type of bullying, harassment or violence on the basis of their gender identity or sexual orientation. Almost 90% reported knowing someone who had experienced bullying, harassment or violence.

*Resilient Individuals* recommended urgent law reform at all levels of government, including addressing the inconsistency in State-based anti-discrimination laws.

At a federal level, it recommended amendment of the *Marriage Act 1961* (Cth) to equally recognise the partnership of two adult persons regardless of gender or intersex status.



A screenshot of the *SOGI's Story* comic book

## SOGI's Story

In September 2014, the Commission launched the *SOGI's Story* resource to raise awareness of SOGII rights in African nations.

Commissioned by the Commonwealth Forum of National Human Rights Institutions in response to human rights challenges related to SOGII across the Commonwealth, the film and comic book dispels harmful myths and stigmas, corrects misinformation and provides possible options for resolution and remedy. It serves as a symbol of solidarity for LGBTI people in Africa and throughout the world.

Of the 53 Commonwealth countries, 41 have criminalised homosexuality. For the most part, these laws were introduced during the colonial era, and have remained a part of criminal codes post-independence. Enforcement of these punitive laws varies between countries, as does the wording of the statutes.

Research reveals that LGBTI people in Africa are frequently subjected to extreme violence and discrimination, based purely on their sexual orientation and identity

*SOGI's Story* was created by award winning design company The Explainers, commissioned by the Commonwealth Forum of National Human Rights Institutions, with funding from the Australian Department of Foreign Affairs and Trade (DFAT).

The resource is based on research undertaken by the Australian Human Rights Centre at UNSW Australia's Faculty of Law.

[www.sogistory.com](http://www.sogistory.com)

## Partnerships to tackle bullying and homophobia

The Commission is working with the Australian Sports Commission and The Bingham Cup to tackle homophobia and discrimination in sport.

Australian not-for-profit employer support program, Pride in Diversity, has been commissioned to develop the Pride in Sport Index, to help Australian sports measure themselves on LGBTI inclusiveness.

In May 2015, the Australian Rugby Union, Australian Football League, National Rugby League, Football Federation Australia and Cricket Australia expressed their support for a benchmarking index. They also expressed a willingness to join an advisory panel in partnership with the Australian Sports Commission and Australian Human Rights Commission to support the development of the Pride in Sport Index.

The Commission is also working with the education sector to develop programs to tackle LGBTI bullying in schools.

In July 2014, Human Rights Commissioner Tim Wilson launched the national Safe Schools Coalition, which is dedicated to helping schools be safer for LGBTI students, staff and families.

The Commission continues to support the Foundation for Young Australians to develop and distribute resources and training within the Safe Schools Coalition.

# Leadership in human rights

As Australia's national human rights institution, we are responsible for placing human rights issues on the national agenda.

We do this through research, providing advice, reviewing laws, engaging in public inquiry processes and working with the community to contribute to practical change.

## Cultural Reform in the ADF

In July 2014, the Commission was engaged by the ADF for four years to help embed cultural reform across the Navy, Army and Air Force.

The Cultural Reform in the ADF program addresses issues relating to gender as well as issues impacting on members who are Aboriginal or Torres Strait Islander, from a culturally and linguistically diverse background or LGBTI. The program is also examining the impact of social media and alcohol on culture. A number of specific projects have been provided to the Cultural Reform in the ADF team by each of the services that seek to enhance diversity and inclusion, prevent unacceptable behaviour and ensure the sustainability of the reform process.

Key to the program are base visits conducted by the Cultural Reform in the ADF team. Those visits include briefings, focus groups and interviews with ADF members of differing ranks, who work across a range of corps and categories.

The Cultural Reform in the ADF team completed a number of projects in 2014–15. Observation papers were provided to the ADF after each base visit, where focus groups and interviews with personnel of differing ranks were held. The papers reported on a range of issues relevant to cultural reform including identifying areas of best practice and important initiatives being implemented that enhanced diversity and inclusion and prevented unacceptable behaviour.



Credit: Australian Defence Force

The ADF is making significant progress in cultural change and there is a strong commitment from the senior leaders to ensure that this change is sustainable. Efforts are now focussing on ensuring the benefits to the ADF's capability of cultural change are properly understood by other members across the organisation.

The Cultural Reform program and the partnership between the Commission and the ADF, has been recognised internationally as best practice.

## Providing expert advice to NATO

The Sex Discrimination Commissioner Elizabeth Broderick has been invited by NATO to be an expert advisor on a project examining the representation of women in the military and the implementation of the United Nations Security Council Resolution 1325 on Women, Peace and Security.

The project is focused on increasing the representation of women in NATO member militaries. Research for the project is being undertaken by Rey Juan Carlos University in Madrid, Spain.

In June 2015, Commissioner Broderick presented two keynote sessions at the NATO Gender Perspectives Conference in Brussels, including moderating a high level session with Generals from a range of NATO member militaries. The Commissioner highlighted the achievements of the Commission's Cultural Reform in the ADF program, which is considered best practice by NATO members and partner militaries. The Commissioner demonstrated that a gender diverse military is a more capable and operationally effective military.

The conference sessions were attended by a range of senior military and NATO personnel, Ambassadors, members of the European Union and academics.

Commissioner Broderick and the Commission's Director of Cultural Reform in the ADF also presented on these issues at the Geneva Centre for Security Policy on 4 June 2015.

In February 2015, the Commission and the ADF coordinated a study tour in Australia that included international project representatives as well as the Chief of the International Military Staff Office of the Gender Advisor, NATO.



Sex Discrimination Commissioner Elizabeth Broderick at the NATO Gender Perspectives Conference in Brussels, June 2015

## Advising Defence on abuse response

In November 2014, the Sex Discrimination Commissioner was engaged by the Department of Defence to provide advice on issues raised in the Defence Abuse Response Taskforce (DART) report on abuse at the Australian Defence Force Academy (ADFA). The Minister for Defence has requested that the Commissioner consider the appropriate response to the report, including its recommendation that the Government establish a Royal Commission to investigate ADFA.

The Commission has conducted consultations with relevant stakeholders and has analysed complaints and related research. The Sex Discrimination Commissioner reported to the Minister for Defence in July 2015.



Age and Disability Discrimination Commissioner Susan Ryan and Attorney-General Senator the Hon George Brandis QC launched the Willing to Work inquiry on 15 April 2015

## Willing to Work Inquiry

On 15 April 2015, the Commission launched *Willing to Work: National Inquiry into Employment Discrimination Against Older Australians and Australians with Disability*.

The national inquiry is examining practices, attitudes and Commonwealth laws that deny or diminish equal participation in employment of older Australians and people with disability.

The inquiry will make recommendations as to whether laws should be amended and what action should be taken to address employment discrimination against older Australians and people with disability.

Conducted at the request of the Attorney-General, Senator the Hon George Brandis, the inquiry is led by Age and Disability Commissioner Susan Ryan.

The inquiry team is consulting widely with older Australians, people with disability, carers and families, business, employer and employee organisations, advocacy groups and other relevant stakeholders to identify strategies to overcome barriers to employment discrimination.

Submissions to the inquiry opened in June 2015 and will close in December 2015. Consultations and roundtables are also scheduled for the second half of 2015.

The Commission will report on its findings and recommendations by July 2016.

## Indigenous Leaders Roundtable on economic development and property rights

The Commission convened a high level meeting with Indigenous leaders in May 2015 to explore barriers to economic development and property rights after native title claims have been determined.

The Indigenous Leaders Roundtable on economic development and property rights was hosted by the Aboriginal and Torres Strait Islander Social Justice Commissioner, Mick Gooda, and Human Rights Commissioner, Tim Wilson, on the land of the Yawuru people in Broome.

More than 50 people representing communities from across Australia attended the Roundtable.

Participants expressed concern at the limited outcomes from current processes for recognising and protecting Aboriginal and Torres Strait Islander peoples' rights to land and resources. Concern was also expressed about the lack of genuine engagement by governments with Aboriginal and Torres Strait Islander peoples on issues that affect them.

The Roundtable issued a communiqué calling for a renewed dialogue with government on five key areas: fungibility and native title; business development support and succession planning; financing economic development within the Indigenous estate; compensation; and promoting Indigenous peoples right to development.

Participants determined that the Australian Human Rights Commission should lead and facilitate ongoing dialogue on these issues.



Indigenous Leaders Roundtable on economic development and property rights, Broome, 19 May 2015

## Close the Gap Campaign

The Commission continues to lead advocacy for the national Close the Gap Campaign, Australia's largest public movement for health equality.

Commissioner Gooda is Co-Chair of the Close the Gap Steering Committee (CTGSC). The Commission also hosts the Secretariat of the CTGSC.

The Campaign seeks to achieve equal health outcomes and life expectancy between Aboriginal and Torres Strait Islander peoples and the broader Australian public by 2030. Almost 200,000 Australians have signed a pledge to support the Campaign's goal.

The Campaign released its *Close the Gap Progress and Priorities Report 2015* at an event at Parliament House on 11 February 2015. The event coincided with the Prime Minister's annual report to Parliament on Closing the Gap. The Prime Minister, Leader of the Opposition and Leader of the Australian Greens addressed the Report launch, pledging support for the Campaign and its goal of health equality by 2030. More than 200 people attended the event, including 60 Members of Parliament and Senators, Steering Committee members and other Aboriginal and Torres Strait Islander leaders.

More than 150,000 people across Australia took part in National Close the Gap Day on 19 March 2015.

A record number of schools, community groups, health services, businesses and government offices hosted more than 1,596 events across the country. Commissioner Gooda participated in a number of events in Sydney on the day.

The Campaign also partnered with the National Rugby League for the annual Close the Gap round from 15–18 August 2014.

In May 2015, the Close the Gap Campaign released a position paper ahead of the Federal Budget 2015–16. The Campaign called for no further Budget cuts to Indigenous health initiatives, citing concerns with the rationalisation of Indigenous Affairs programs, grants and activities in the 2014–15 Budget.

The National Health Leadership Forum (NHLF) comprises the national Aboriginal and Torres Strait Islander health-related bodies who are members of the CTGSC. The Secretariat of the NHLF is also hosted at the Commission.

In 2014–15, the NHLF continued to work in partnership with the Australian Government on the Implementation Plan for the National Aboriginal and Torres Strait Islander Health Plan. This has been a long term advocacy point of the Close the Gap Campaign.



Parliamentary Secretary the Hon Alan Tudge MP, Assistant Health Minister Senator the Hon Fiona Nash, Close the Gap Co-Chair Kirstie Parker, Prime Minister the Hon Tony Abbott MP, Close the Gap Co-Chair Mick Gooda and Minister for Indigenous Affairs, Senator the Hon Nigel Scullion at Parliament House, 11 February 2015



Aboriginal and Torres Strait Islander Social Justice Commissioner Mick Gooda discusses constitutional recognition with Indigenous leaders gathered in Broome, May 2015

## Constitutional recognition of Aboriginal and Torres Strait Islander peoples

The Commission has been working to advance constitutional recognition of Aboriginal and Torres Strait Islander peoples.

The Commission made a submission to the Joint Select Committee on Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples in October 2014. We supported the establishment of a Referendum Council of trusted national figures to progress the issue of constitutional recognition, and recommended that the Government:

- urgently commit to a timeframe for a referendum, to be held no later than 27 May 2017
- urgently release a timetable for the development of a model which will spell out what changes will be put to the Australian public
- continue to support the Recognise campaign with sufficient funding to raise public awareness of constitutional recognition
- led by the Prime Minister and Leader of the Opposition, engage with senior Aboriginal leaders regarding a model for constitutional recognition
- ensure that there is thorough consultation with Aboriginal and Torres Strait Islander people before the finalisation of any model.

The Aboriginal and Torres Strait Islander Social Justice Commissioner reported on the progress towards constitutional recognition in his annual Social Justice and Native Title Report, and raised this important issue on the international stage, including with the United Nations Expert Mechanism on the Rights of Indigenous Peoples (EMRIP).

As part of the Indigenous Leaders Roundtable on economic development and property rights, the Commissioner co-convened a discussion on constitutional recognition with Aboriginal and Torres Strait Islander leaders gathered in Broome. The Commissioner also attended meetings and events across Australia to advance the discussion, including the Nulungu Reconciliation Lecture in Broome in August 2014, the Journey to Recognition event in Bourke in May 2015, the inaugural meeting of the Assembly of First Nations in June 2015, and the annual Garma Festival.

The Commissioner joined with fellow Aboriginal and Torres Strait Islander leaders for a historic, high level meeting with the Prime Minister and Federal Opposition Leader in Sydney on 6 July 2015. The leaders agreed that a Referendum Council be established to help settle the referendum question and timing and that a series of community conferences be held across the country.

These events and meetings are just a snapshot of the Commissioner's advocacy on this important issue. Constitutional recognition remains a cornerstone of the Commissioner's work and a key priority of the Commission.



National Disability Forum, Australian Human Rights Commission, 15 September 2014

## National Disability Forum

The National Disability Forum was held in September 2014 to identify human rights challenges faced by people with disabilities and strategies to overcome them.

The forum provided the Commission and the disability sector with an opportunity to take stock on the status of the enjoyment of human rights by persons with disabilities.

The forum was opened by Senator Zed Seselja on behalf of the Attorney-General. Participants included representatives from around 50 peak groups, disability advocacy organisations, employers and government agencies.

The discussion was informed by the results of a Commission survey of people with disabilities and the disability sector. Survey respondents were asked to identify the key issues affecting persons with disabilities, particularly in relation to access to jobs.

## Free Speech Symposium

The Free Speech Symposium was held in August 2014 to generate a national discussion about free speech as a human right.

The symposium brought together notable speakers from across academia, government and civil society to share knowledge and stimulate new ideas. More than 160 people attended the event in Sydney, with more than 1000 people watching remotely via a captioned live stream.

Speakers included the Commission President Professor Gillian Triggs; Shadow Attorney-General, The Hon Mark Dreyfus QC MP; President of the Australian Law Reform Commission, Professor Rosalind Croucher; Dr Monika Bickert, Head of Global Content Policy at Facebook; and Andrew Greste, brother of imprisoned Australian journalist Peter Greste.

The topics were wide-ranging, including media and Internet regulation, intellectual property and defamation laws.

In December 2014, Human Rights Commissioner Tim Wilson released the Free Speech 2014 Symposium Papers, a collection of presentations from the event.



Commission President Professor Gillian Triggs at the Free Speech Symposium in Sydney, 7 August 2014



Human Rights Commissioner Tim Wilson and panelists at the Free Speech Symposium, 7 August 2014



Australian Council of Human Rights Authorities meeting at the Australian Human Rights Commission in Sydney, 17 February 2015

## Collaborating with state and territory agencies

Since 2003, the Commission has worked in partnership with state and territory anti-discrimination and human rights bodies to exchange information, collaborate on issues of common interest and build greater understanding of and respect for human rights across Australia.

In 2014–15 the Australian Council of Human Rights Authorities (ACHRA) held two meetings. The first meeting was held in November 2014, hosted by the NSW Anti-Discrimination Board. The following meeting was hosted by the Commission on 17 February 2015.

The Commission actively seeks the involvement of ACHRA members in our work. For example, ACHRA jointly prepared submissions to inquiries during the year.

National Children's Commissioner Megan Mitchell continues to work closely with state and territory counterparts through the Australian Children's Commissioners and Guardians (ACCG). Two meetings were held in 2014–15, with the Commissioners and Guardians agreeing to a number of areas for joint action. This included encouraging the Royal Commission into Institutional Responses to Child Sexual Abuse to examine responses to abuse perpetrated by other children and young people in out-of-home care and the sexual abuse of children and young people in immigration detention. They also called for active consideration of the views of children and young people about the effectiveness and relevance of potential recommendations to be made by the Royal Commission.

The ACCG also continues to engage with the Standing Committee on Social Policy and Legal Affairs in relation to surrogacy.

# Working in the international human rights arena

As Australia's national human rights institution, the Commission is respected for its independent and influential role in the international human rights arena.

We are often invited to share our knowledge and expertise with counterparts in the Asia Pacific region. Through these partnerships, we help build the capacity of other nations to protect rights and freedoms in the region. These partnerships also inform our own work.

The Commission continues to provide independent reports to the United Nations bodies that monitor Australia's performance in meeting its human rights obligations.

## Working with China and Vietnam

The Commission's two largest international cooperation programs are held with China and Vietnam.

We continue to work with China and Vietnam under the China-Australia Human Rights Technical Cooperation Program and the Vietnam-Australia Human Rights Technical Program, providing support for programs in these countries and conducting monitoring visits. This work is funded by DFAT.

The technical cooperation program with China has been ongoing since 1998.

In 2014–15, the Commission implemented a variety of activities as part of the China Human Rights Technical Cooperation Program, including activities to share experiences on developing measures to protect reproductive health and family planning rights, preventing and responding to domestic violence, protecting the rights of people with disabilities, the exclusion of illegally obtained evidence in court, and promoting the role of civil society organisations.

In November 2014, the annual Model United Nations was held at Southeast University, Nanjing, Jiangsu Province. Around 40 students from approximately 100 universities across China attended the event to discuss and debate the rights of older persons. A small delegation from the University of NSW Australia also attended the Model United Nations.



Australian Human Rights Commission President Professor Gillian Triggs in Hanoi, Vietnam, December 2014

The technical cooperation program with Vietnam has been ongoing since 2006.

In 2014, the Government of Vietnam approved phase five of the program which includes 26 activities in cooperation with eight Vietnamese partner agencies. This includes ongoing work to address gender equality and reform of the legal sector. New topics were also introduced, including domestic violence prevention, the treatment of prisoners within correctional facilities, and reintegration of prisoners into society following release.

In 2014–15, the Commission planned and implemented a range of initiatives in cooperation with Vietnamese partners including a seminar on human rights and criminal procedures; a workshop on reform of the penal code; workshops on the right to a fair trial; training for women's legal clubs; gender mainstreaming workshops; and a 10-day study tour to Australia, undertaken by a delegation from Vietnam's Ministry of Public Security, to examine measures for protecting and promoting the rights of prisoners and detainees.

In July 2014, the Commission's Executive Director Padma Raman attended the 11th round of the bilateral human rights dialogue between the Governments of Vietnam and Australia in Hanoi. Discussions focused on women's rights, minority rights, land rights, freedom of expression and association, criminal justice and religious freedom.

In December 2014, Commission President Professor Gillian Triggs attended a workshop in Hanoi focused on enhancing the Government of Vietnam's capacity to participate effectively in the United Nations Human Rights Council.

The Commission continues to monitor and evaluate the effectiveness of cooperation activities with China and Vietnam, and a range of new processes have been introduced to more effectively measure results and outcomes of the two programs.



Indonesian human rights activist and author, Ms Lies Marcos (centre), addressed a seminar at the Australian Human Rights Commission on Women and Poverty in Indonesia, September 2014

## Other meetings and events in the Asia Pacific region

In March 2015, the Commission President attended the fourth session of the bilateral human rights dialogue between the Governments of Laos and Australia, held in Vientiane. Topics discussed at the dialogue included the role of civil society, independent media and the Internet, treaty reporting, criminal justice, prison conditions, minority rights, religious freedom, disability rights and protection of women's and children's rights.

In June 2015, the Commission participated in the delivery of the Executive Leadership Program on Gender and Human Rights, held in Port Moresby, Papua New Guinea. The program brought together senior public service and private sector leaders in PNG to examine the benefits of gender equality and social inclusion in business. The Commission's presentation discussed the value of quotas and engaging men in advancing gender equality.

## Women and Poverty in Indonesia

In September 2014, the Commission hosted a seminar on women and poverty in Indonesia. Indonesian human rights activist and author Lies Marcos spoke about the serious human rights challenges faced by Indonesian women.

The Commission celebrated the publication of Ms Marcos' new book, *A Journey Against Defeat*, which details the powerful resilience of Indonesian women in resisting poverty and injustice.

The event was held under the auspice of the Australia-Indonesia Partnership for Justice Program—an initiative of the Australian Government aimed at increasing access to justice for poor and marginalised groups in Indonesia.

## Working with national human rights institutions

The Commission is accredited as an 'A status' National Human Rights Institution (NHRI), in recognition that we operate in accordance with the *Principles Relating to the Status of National Institutions*, commonly known as the 'Paris Principles'. The Paris Principles set out the minimum international standards required for NHRIs to be considered credible and to operate independently.

The Commission is a member of the Bureau of the International Coordinating Committee of NHRIs, the global coordinating agency for human rights commissions.

The Commission works in partnership with NHRIs from the Asia Pacific region and other regions to advance and promote human rights for everyone. In 2014–15, we contributed to the activities of the:

- Asia Pacific Forum of National Human Rights Institutions
- Commonwealth Forum of National Human Rights Institutions
- International Coordinating Committee (ICC) of National Institutions for the Promotion and Protection of Human Rights.

## Asia Pacific Forum of National Human Rights Institutions

The Commission is a member of the Asia Pacific Forum (APF) of National Human Rights Institutions. Through this we share knowledge and expertise with regional counterparts.

In 2014–15, the Commission delivered two blended-learning courses for APF, involving both online and face-to-face components.

The first course was held in April 2015 and was focused on gender equality. A workshop was held in Kathmandu, Nepal, with 25 participants from six South Asian countries. The Commission facilitated the training, with presentations and support from APF, Nepal Human Rights Commission and the United Nations Population Fund.

The second course focused on Indigenous rights. The face-to-face workshop was held in Bangladesh in May 2015, with 22 participants from NHRIs in the Asia Pacific region. The Commission facilitated the course, with support from the Office of the High Commissioner for Human Rights, NZ Human Rights Commission and APF.

In February 2015, Human Rights Commissioner Tim Wilson attended the APF Workshop on the Role of National Human Rights Institutions in Promoting and Protecting the Human Rights of Lesbian, Gay, Bisexual, Transgender and Intersex People in Asia and the Pacific. The Commissioner was an expert panel member in a session examining how NHRIs have progressed in monitoring human rights situations of persons of diverse sexual orientation and gender identity.

In September 2014, the Commission President Professor Gillian Triggs attended the 19th Annual Meeting of the APF, hosted by the National Human Rights Commission of India, in Delhi. The meeting resulted in the endorsement of the APF Strategic Plan 2015–2020.

## Working with the international human rights system

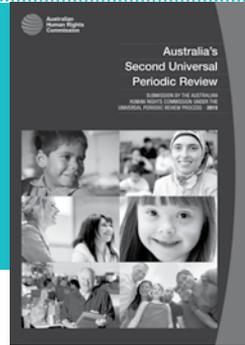
The Commission regularly contributes to the discussion of human rights at the United Nations. We also provide independent reports on Australia's performance in meeting its obligations under international human rights treaties.

In 2014–15, the Commission participated in a range of meetings and reviews conducted by United Nations bodies, including:

- the Open-ended Working Group of Ageing (August 2014)
- the Working Group's Stakeholders' consultation (September 2014)
- the Economic and Social Commission for Asia and the Pacific Workshop on the Social Integration and the Rights of Older Persons in the Asia-Pacific Region (September–October 2014)
- the Expert Working Group on Public Participation (March and October 2014)
- the Committee Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (November 2014).

The Commission also attended consultations with experts on the thematic report to the Human Rights Council in Bangkok in December 2014. The consultations were called by the United Nations Special Rapporteur on the rights to freedom of peaceful assembly and of association, and involved representative from NHRIs, non-government organisations and academia. The consultations were funded by the World Movement for Democracy.

The Commission also supported representatives of national disability peak organisations and advocacy groups to attend the Commission on the Status of Women in March 2015 and the United Nations Committee Against Torture Consideration of Australia's 4th and 5th periodic report in November 2014. The Commission provided this support through funding from the Department of Social Services.



2014 Universal Period Report Progress Report

## Monitoring progress under the Universal Periodic Review

Each year, the Commission prepares a status report on the implementation of recommendations accepted by the Australian Government following its participation in the Universal Periodic Review (UPR) in 2011.

The UPR process provides an opportunity for Australia to take stock of how well we protect human rights, inform the international community of the human rights situation in Australia, and engage with other countries about steps we will take to improve the enjoyment of human rights in Australia.

The Commission presented the 2014 UPR Progress Report to the United Nations Human Rights Council in December 2014, on behalf of all state and territory anti-discrimination and human rights bodies.

The report found that despite some positive developments in the protection and promotion of human rights in Australia, many actions committed to through the UPR process—and reflected in Australia's National Action Plan on Human Rights—have not been implemented or advanced over the reporting period. This included regressions in human rights protection in relation to asylum seekers and the lack of progress towards ratifying the *Optional Protocol to the Convention against Torture*.

Australia's second UPR will take place in November 2015. The Commission provided a submission to the United Nations Human Rights Council for the review in March 2015.

The Commission has also been actively engaged with the government and NGOs in preparing for this significant review process.



The Commission hosted a delegation from the South African Human Rights Commission in February 2015

## International delegations

The Commission hosted a number of international delegations over the past year.

In January 2015, Commission President Professor Gillian Triggs met with Consul-General of the Republic of Korea Whie Jin Lee. The meeting focused on areas of mutual interest and concern including social cohesion in a multicultural society and family and domestic violence.

In February 2015, the Commission hosted a delegation from the South African Human Rights Commission to exchange ideas and discuss mutual challenges. The delegation was led by South African Human Rights Commission Deputy Chairperson, Commissioner Pregs Govender.

The program included a roundtable facilitated by Professor Triggs; a lunchtime seminar on the role of the South African human rights body; and individual meetings with Commissioners, Commission staff and Australian non-government organisations.

In March, the Commission provided a training workshop for African public servants, focused on the extractive industries and human rights. The 21 trainees were from the African nations of Burkina Faso, Cameroon, Ghana, Kenya, Madagascar, Malawi, Mali, Niger, Rwanda, Tanzania and Togo. The delegation participated in the workshop as part of a broader exchange program hosted by the Graduate School of Government at the University of Sydney.

Over the past year, the Commission also hosted representatives from the Government of the People's Republic of China, Government of Vietnam, Government of Laos, Parliament of Pakistan, New Zealand Human Rights Commission, Vietnam Women's Union and Beijing Legal Aid Organization.

# Protecting rights and freedoms

A strategic goal of the Commission is to ensure that rights and freedoms are protected in Australian law, policy and practice.

We continue to monitor and report on how laws, policies and practices can better protect human rights in Australia.

We work with the Joint Committee on Human Rights in the Australian Parliament to consider whether proposed new legislation raises concerns about human rights.

The research and recommendations provided to Parliament, governments and the courts help protect the rights and freedoms of all Australians.

## National Inquiry into Children in Immigration Detention

In 2014, the Commission conducted a national inquiry into the impact of immigration detention on the health, well-being and development of children.

The inquiry reviewed changes in law, policy and practice in the treatment of children in immigration detention over the ten years since the Commission's 2004 report *A Last Resort*.

The inquiry was led by the Commission President Professor Gillian Triggs and comprised lawyers and social researchers. National Children's Commissioner Megan Mitchell and Human Rights Commissioner Tim Wilson, as well as medical experts, including four child psychiatrists and five paediatricians, accompanied the inquiry team on visits to immigration detention centres.

The inquiry team took evidence from 41 witnesses at five public hearings and visited 11 immigration detention centres, with repeat visits to Christmas Island after reported incidents of alleged self-harm and attempted suicide.

A total of 1,233 interviews were conducted with asylum seeker children and their parents, including those in detention centres and those living in the community.



*The Forgotten Children: National Inquiry into Children in Immigration Detention 2014* was tabled in Parliament on 11 February 2015.

The report provides compelling first-hand evidence that the prolonged, mandatory detention of asylum seeker children causes significant mental and physical illness and developmental delays, in breach of Australia's international obligations.

The report included 16 recommendations including that all children and their families in immigration detention in Australia and those detained on Nauru be released into the Australian community.



National Inquiry into Children in Immigration Detention, Hearing at Parliament House, Canberra, 22 August 2014



## Social Justice and Native Title Report 2014

The Aboriginal and Torres Strait Islander Social Justice Commissioner is required to report annually to the Attorney-General on the enjoyment and exercise of human rights by Aboriginal and Torres Strait Islander peoples, and to make recommendations on the action that should be taken to ensure that these rights are observed. This responsibility is fulfilled through the submission of an annual *Social Justice Report and Native Title Report* to the Australian Parliament.

The *Social Justice and Native Title Report 2014* was tabled in Parliament on 1 December 2014.

The report found that changes made by the Australian Government to Indigenous Affairs, including budget cuts and the transferral of programs across departments, occurred without meaningful engagement with Aboriginal and Torres Strait Islander people, their leaders, or their respective organisations. Aboriginal and Torres

Strait Islander Social Justice Commissioner Mick Gooda noted that these measures, combined with the hesitation of government to set a date for a referendum on constitutional recognition, had created an 'atmosphere of uncertainty'.

The report identified the over-representation of Aboriginal and Torres Strait Islander people as both victims and offenders in the criminal justice system as one of the most glaring disparities between Aboriginal and Torres Strait Islander Australians and non-Indigenous Australians. The Commissioner advocated for justice reinvestment as a way of addressing the underlying causes of the disproportionate crime and imprisonment rates and reported on some positive developments towards implementing this approach.

The ongoing health inequality between Indigenous and non-Indigenous Australians was also highlighted. The report noted that a decline in smoking rates and improvements in maternal and child health were positive signs that efforts to close the health gap were working.

The report made the following recommendations:

- The Australian Government revises its current position on targets as part of Closing the Gap, to include holistic justice targets aimed at promoting safer communities.
- The Australian Government actively consults and works with the National Justice Coalition on justice related issues.
- The Australian Government takes a leadership role on justice reinvestment and works with states, territories and Aboriginal and Torres Strait Islander communities to identify further trial sites.
- The Australian Government:
  - » acknowledges that effective local community governance is central to achieving sustainable development in Aboriginal and Torres Strait Islander communities
  - » acknowledges the Nation building efforts to date and engages with those Nations as a means of linking with local Aboriginal and Torres Strait Islander peoples
  - » continues to resource and support research into the concept of nationhood, such as the Indigenous Nation Building Collaboration.
- The Australian Government agrees to engage with the National Implementation Strategy to give effect to the *United Nations Declaration on the Rights of Indigenous Peoples*.
- The Australian Government amends the *Human Rights (Parliamentary Scrutiny) Act 2011* (Cth) to include the *United Nations Declaration on the Rights of Indigenous Peoples* in the definition of human rights.



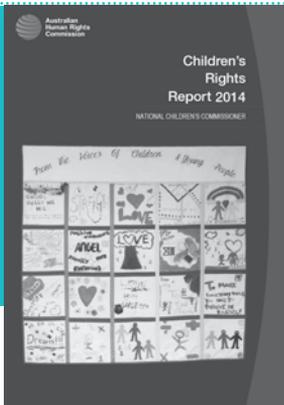
Launch of the *Social Justice and Native Title Report 2014* at the Australian Human Rights Commission, 5 December 2014

## Advocating for justice reinvestment

The Commission continues to advocate for governments to reinvest funding in tackling the underlying causes of crime, and for justice targets to form part of the Closing the Gap strategy.

Commissioner Gooda attended a number of forums and events over the past year to progress justice reinvestment, including the launch of the Change the Record campaign in April 2015 and the Cowra Justice Reinvestment Forum in May 2015. The Commissioner also engaged with stakeholders in Bourke to progress the Bourke Justice Reinvestment Project.

Commissioner Gooda presented a submission to the Senate Inquiry into Aboriginal and Torres Strait Islander experience of law enforcement and justice services in April 2015. He urged the Committee to consider the Bourke Justice Reinvestment Project in more detail as a successful crime prevention strategy.



*Children's Rights Report 2014*

## Children's Rights Report 2014

Ground-breaking data on child self-harm and suicide was released by National Children's Commissioner Megan Mitchell in November 2014, highlighting the need for further research on this important issue.

The findings were included in the *Children's Rights Report 2014*, which was tabled in Parliament on 27 November 2014.

The report included previously unpublished data from the National Coronial Information Service (NCIS) covering the period of 2007–2012 about children aged 4–17 years. The data revealed a 657% increase in the number of deaths due to intentional self-harm when comparing the 12–13 year age range with the 14–15 year age range, demonstrating the need for a review of the timing of interventions.

Data sourced from the Australian Institute of Health and Welfare (AIHW) showed that between 2007–08 and 2012–13, there were 18,277 hospitalisations for intentional self-harm involving children in the 3–17 year age range. It was found that 82% of the hospitalisations were for intentional self-poisoning.

The report identified a number of areas where empirical evidence is lacking, including how and why children engage in intentional self-harm, with or without suicidal intent; the psychological

mechanisms underlying suicide clusters; the impact of protective factors; the impact of current interventions and support programs; and the effectiveness of postvention services and gatekeeping training programs.

140 submissions were received from a range of organisations and individuals, including mental health experts and support services, health practitioners, state governments, children's commissioners, Aboriginal and Torres Strait Islander organisations, social services, LGBTI organisations and local government. Expert roundtables were also held in each state and territory, including a roundtable focused on the specific situation of Aboriginal and Torres Strait Islander children and young people and a roundtable examining the research and data gaps. 154 people participated in the roundtables.

A child-friendly version of the report, targeted at young children was also launched alongside the statutory report to Federal Parliament on 8 December 2014.

In preparing the *Children's Rights Report 2015*, the National Children's Commissioner is exploring the impact of family and domestic violence on children and young people, and business and children's rights with particular regard to children's rights as consumers.



Human Rights Commissioner Tim Wilson launched the *Rights and Responsibilities Consultation Report* on 30 March 2015

## Rights and Responsibilities 2014

Human Rights Commissioner Tim Wilson conducted a national consultation between August and December 2014 to examine how well people think their rights and freedoms are protected in Australia.

*Rights and Responsibilities 2014* involved 13 public events in suburban, regional and remote communities across Australia, and more than 60 consultations with stakeholders. An online survey generated more than 990 responses and the Commissioner also received 68 written submissions.

The consultation sought to examine whether Australia's different levels of government, through the enactment of legislation and implementation of policies, unnecessarily limit the capacity of individuals to exercise their human rights or undermine the role of civil society to determine restrictions on human rights in accordance with social norms and conventions.

The consultation sought to obtain people's views about the contemporary human rights issues in Australia; how well human rights and freedoms are protected; the legislation, policies and practices by government that unduly restrict the exercise of human rights and freedoms; and what more could be done, to promote a culture of respect for rights and responsibilities.

The Human Rights Commissioner released his report on the consultation on 30 March 2015.

The *Rights and Responsibilities Consultation Report* set out priorities for future work across the five key areas of freedom of expression, religious freedom, property rights, freedom from arbitrary detention and human rights education. The Commissioner announced his plans to:

- continue to explore potential reforms in relation to current laws that restrict the right to freedom of expression
- convene a religious freedom roundtable to bring together representatives of different faiths to facilitate how to advance religious freedom in Australia
- jointly facilitate a high-level forum with the Aboriginal and Torres Strait Islander Social Justice Commissioner to discuss reforms that remove legal and regulatory barriers faced by native title holders seeking economic development
- undertake further work that examines the right to access affordable housing in Australia
- seek to work with relevant organisations to examine the denial of liberty for people with mental health issues
- develop educational resources for the 800th anniversary of the Magna Carta on 15 June 2015.



Age and Disability Discrimination Commissioner Susan Ryan and Treasurer the Hon Joe Hockey launch the results of the National Prevalence Survey of Age Discrimination in the Workplace at IAG in Sydney, 23 April 2015

## Age discrimination prevalence research and report

The Commission conducted a survey of age discrimination in the workplace in late 2014.

The National Prevalence Survey of Age Discrimination in the Workplace found that 27 per cent of Australians aged 50 years and over had experienced some form of age discrimination in the last two years. Of those who experienced age discrimination, 80 per cent reported negative impacts.

When managers were asked if they factored age into their decision making, a third responded that they did.

When looking at the actions people took in response to discrimination, it was found that many took no action at all. The majority of people who did not take action reported that it was because they did not expect a positive outcome, doubting they would be believed or that anything could be done.

The groups most vulnerable to experiencing age discrimination were typically people who were in a lower income bracket or in a single parent household.

The survey was conducted by Roy Morgan Research. A total of 2,109 telephone interviews were conducted across Australia in November and December 2014.

The results of the survey were launched by Treasurer Joe Hockey and Age Discrimination Commissioner Susan Ryan at IAG offices in Sydney on 23 April 2015.

## Contributing to the review of legislation and policies

The Commission works with Parliament and government to ensure that human rights and fundamental freedoms are considered when laws, policies and practices are developed or amended.

We provide advice and recommendations to ensure that Australian laws and policies operate fairly and meet our national and international human rights obligations.

In 2014–15, the Commission presented 29 submissions to parliamentary committees and other inquiries and review bodies, including inquiries examining counter-terrorism legislation amendments, immigration detention-related matters, the Indigenous Advancement Strategy, residential care arrangements for young people with disability, domestic violence and constitutional recognition of Aboriginal and Torres Strait Islander peoples.

A key focus was advocating for immigration and counter-terrorism legislation that is compliant with Australia's human rights obligations.

A list of submissions for the reporting period is available at Appendix 4.

## Scrutiny of new laws

The Commission examines Statements of Compatibility accompanying all new legislation to ensure that human rights and fundamental freedoms are respected.

We maintain an effective working relationship with the Parliamentary Joint Committee on Human Rights, and consider whether any new legislation proposals raise concerns about human rights, or place restrictions on rights and liberties. We discuss our concerns with the Committee to ensure there is adequate parliamentary scrutiny.

# Resolving discrimination and addressing human rights breaches

One of the Commission's primary functions is to help people resolve complaints about discrimination and breaches of human rights.

## Helping people deal with discrimination

The Commission can investigate complaints of discrimination based on a person's sex, disability, race and age. We can also investigate complaints about alleged breaches of human rights by the Commonwealth and its agencies, as well as discrimination in employment based on a person's criminal record, trade union activity, political opinion, religion or social origin.

Information about the Commission's National Information Service and Investigation and Conciliation Service, is available on our website at: <http://www.humanrights.gov.au/complaints/information/>.

In 2014–15, the Commission assisted over 20,000 people and organisations who contacted our National Information Service by providing information about the law and the complaint process, assisting with problem solving and providing referrals to other services. This is 2% higher than the number assisted in the previous year.

The Commission received 2,388 complaints of alleged discrimination and breaches of human rights, which is 7% higher than the number received in the previous year. One complaint may raise a number of grounds and areas of discrimination and be against one or more respondents. If the Commission counted complaints by respondents, the number of complaints received in 2014–15 would increase to 3,156. If the Commission counted complaints received by grounds and areas of discrimination, the number of complaints received would increase to 4,635 and 2,650 respectively.

## Complaints received by Act

- Disability Discrimination Act: 31%
- Racial Discrimination Act: 24%
- Australian Human Rights Commission Act: 20%
- Sex Discrimination Act: 19%
- Age Discrimination Act: 6%

More information about complaints received and a comprehensive set of statistics and demographic data for 2014–15 is available at Appendix 1.

## Resolving complaints through conciliation

The Commission attempts to resolve complaints through conciliation. We use an informal, flexible approach and are an impartial third party during the conciliation process. Complaints are resolved on a 'without-admission-of-liability' basis.

In 2014–15 the Commission facilitated approximately 1,531 conciliation processes of which 1,101 complaints (72%) were successfully resolved. This represents successful dispute resolution for more than 2,202 people and organisations involved in complaints before the Commission. The conciliation success rate in 2014–15 is the highest on record.

Information on the outcomes of conciliated complaints under federal anti-discrimination law indicates that 30% included terms which will have benefits for people beyond the individual complainant. For example, agreements to introduce anti-discrimination policies and provide anti-discrimination training in workplaces and agreements to undertake modifications to buildings and services to address potential discriminatory factors.

Commission survey data also highlights the educative effect of the Commission's complaint process. For example, in relation to conciliated complaints, 74% of surveyed participants indicated that involvement in the complaint process had assisted them to better understand rights and responsibilities under federal human rights and anti-discrimination law.

## Complaint of disability discrimination in the provision of facilities

The complainant, who uses a wheelchair, attended an appointment at the offices of a government agency. The accessible toilet was located in a secure part of the office and so was not available to the public. The complainant said that because of this he was left with no choice but to relieve himself on the street on two occasions.

The complaint was resolved through conciliation with an agreement that the agency pay the complainant \$1,500 in general damages, write to him apologising for the incident and develop a procedure to enable members of the public to use the accessible toilet.

## Complaint of sexual harassment in the workplace

The complainant was on a working holiday visa and was employed as a waitress at a restaurant. She alleged the restaurant owner sexually harassed her by touching her, hugging her and pressing himself against her while he had an erection. She said she resigned from her job because of this.

On being notified of the complaint, the restaurant and its owner indicated a willingness to try to resolve the matter by conciliation. The complaint was resolved with an agreement that the restaurant and its owner pay the complainant \$10,000 as general damages and write to her apologising for the hurt and distress she experienced. The restaurant also agreed to deliver training on discrimination and harassment for staff and place posters around the workplace promoting a workplace free from discrimination and harassment.

## Complaint of disability discrimination in the provision of services

The complainant is blind and received regular services from the respondent government agency. She claimed that the agency only provided hard copy invoices and she fell behind with her payments because she was unable to read them. The complainant said that she raised her concerns with the service directly but they were not addressed.

On being advised of the complaint, the agency indicated a willingness to try to resolve the matter by conciliation. The complaint was resolved with an agreement that the agency provide the complainant with invoices in an accessible electronic format and provide information to enable her to have payments automatically deducted from her bank account. The agency also agreed to write to the complainant apologising for the lack of response to her original concerns, to institute procedures to enable all clients with vision impairments to have the option of electronic invoices and to introduce staff training on service delivery for clients with vision impairments.

## Complaint of criminal record discrimination in employment

The complainant applied for a sales consultant role with the respondent telecommunications company. She said she attended two interviews and was verbally informed that she was the preferred candidate. She claimed that after she disclosed her criminal record, which included a 2-year-old conviction for possession of a prohibited drug, the company sent her email advising she would not be offered employment because of her criminal history.

On being notified of the complaint the company indicated a willingness to participate in a conciliation process. The complaint was resolved with an agreement that the company employ the complainant as a permanent part-time sales consultant.

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## Our performance

People who use the Commission's Investigation and Conciliation Service report high rates of satisfaction with the service they receive. In 2014–15, 92% of surveyed parties reported that they were satisfied with the service and 73% rated the service as 'very good' or 'excellent'. Where complaints were conciliated, 94% of parties reported they were satisfied with the service and 82% rated the service they received as 'very good' or 'excellent'.

Key Performance Indicators (KPIs) for our Investigation and Conciliation Service, as well as our performance against them during 2014–15, are summarised on page 72.

*"I found the conciliator very knowledgeable and fair during the conciliation conference, which rendered the process easy to follow and resulted in a mutually satisfactory resolution."*

### Feedback from a respondent to a complaint

*"The investigator and mediator was totally professional, thorough, compassionate, understanding and fair throughout."*

### Feedback from a complainant

*"Excellent service. Extremely professional staff dealing in a highly emotionally charged area."*

### Feedback from a complainant

## Reporting on human rights breaches

In addition to receiving complaints of unlawful discrimination, the Commission can inquire into complaints of breaches of human rights and workplace discrimination under the Australian Human Rights Commission Act.

In 2014–15, complaints under the Act rose by 37% compared with the previous year. This is due to an increase in complaints related to immigration detention.

If conciliation is unsuccessful and the Commission finds that a breach of human rights or workplace discrimination has occurred, then we prepare a report of the complaint for the Attorney-General.

The report, which includes recommendations for action, must be tabled in Parliament.

In 2014–15, we presented 22 reports to the Attorney-General. These reports related to 43 individual complaints, as when thematic issues arise the Commission prepares one report in relation to a number of individual complaints. The majority of complaints were against the Commonwealth (Department of Immigration and Border Protection). The human rights breaches found against the Commonwealth principally related to individuals detained in immigration detention centres, including the right to liberty and to be free from arbitrary detention.

## Case study: KA, KB, KC and KD v Commonwealth of Australia

Four Aboriginal men with intellectual and cognitive disabilities were held for years in a maximum security prison in the Northern Territory despite being found unfit to stand trial or not guilty by reason of insanity.

If two of these men had been found guilty they would have received a sentence of 12 months. Instead, they were imprisoned for four and a half years and six years respectively.

There was an obligation under the ICCPR and CRPD on the Commonwealth to act. This obligation was consistent with domestic obligations undertaken by the Commonwealth to the Northern Territory. The need for action was well known and had been well known for many years. Specific administrative measures to take this action were provided for by legislation.

The Commission found that there was a failure by the Commonwealth to work with the Northern Territory to provide accommodation and other support services, other than accommodation in a maximum security prison, for people with intellectual disabilities who are unfit to plead to criminal charges.

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## Working with the courts

With the court's leave, the Commission can appear as *amicus curiae* – or 'friend of the court' – to provide specialist advice in discrimination cases.

We can also intervene, with a Court's leave, in cases when it is important to make a human rights argument. We have clear guidelines that we follow before we make a decision to intervene.

In 2014–15, the Commission was granted leave to intervene in three matters. In two of these matters, the Commission was invited by the Court to consider intervening in the proceedings.

### Case study: *Bateman v Kavan*

In *Bateman v Kavan*, the Federal Circuit Court considered whether the biological father of a child conceived through IVF was a 'parent' for the purposes of paying child support. The father claimed that he was not a parent because, although he had been in a sexual relationship with the mother, he said that he was not her *de facto* partner when the child was conceived and he had only intended to donate his sperm. The mother disputed this. Previous case law suggested that the meaning of 'parent' in the Child Support Assessment Act was narrower than in the Family Law Act. The Commission intervened to submit that these cases should be distinguished in the light of more recent amendments and that there should be consistency between these two Acts.

Following the Commission's intervention, the parties settled the matter by consent, agreeing that the biological father was a parent and was liable for child support. The Court published a judgment in which it considered the Commission's proposed rights based approach to interpreting the Child Support Assessment Act. The judge said:

'What is abundantly clear from the various provisions of the International Convention on the Rights of the Child as are identified in the submissions is that this young child has rights. Indeed, children born into this world, irrespective of how that may have occurred, have equal and universal rights. The child's rights include the right to know his parentage socially, psychologically, emotionally, medically and financially.

There should be no distinction between this child and any other child whose donator of genetic material is clearly known and based upon a distinction drawn purely on the means by which fertilisation of a human egg occurred. The child has a right to know his parentage and, as is indicated by the submissions of the Australian Human Rights Commission and those of the mother, a right to receive financial support from his parents.'

# Evaluating the impact of our work

Evaluation is a critical component of the Commission's work. We monitor and evaluate our work against our goals, objectives and priorities to ensure it is making a positive and tangible difference.

The *Public Governance, Performance and Accountability Act 2013* (Cth) sets out a series of new performance requirements for Commonwealth agencies. From July 2015, we are required to review and report each year on our progress in meeting our organisational objectives and over time, to assess what impact we are making through these in achieving our mandate and goals.

As an organisation, we invest in developing our capacity to evaluate what we do. This has resulted in growing levels of skills and confidence among Commission staff.

## Our evaluation framework

Our monitoring and evaluation framework is aligned with our Corporate Plan. It helps us to rigorously assess the impact and outcomes of all major projects and to answer the following questions:

- How much did we do?
- How well did we do it?
- What difference did we make?
- Who benefits and why?

Our evaluation framework helps us to assess implementation methods and processes, guide program development and decision making, add to our existing knowledge, identify gaps in knowledge and research and promote best practice.

Assessing the impact of our work can be a complex task, as our efforts are often linked to long term goals, multiple activities, and collaborative approaches. The criteria that we use to evaluate our impact will vary according to the nature of each project. It can include, for example, measuring the change in people's knowledge and understanding of an issue; changes in laws, policy and practice that are clearly linked to our activities; and the extent to which our submissions and reports inform the work and advocacy of others.

For many years we have had in place a series of KPIs to monitor and evaluate our Investigation and Conciliation Service. Each year we assess our performance against these indicators which relate to the timeliness of our service, our conciliation rate, satisfaction with various aspects of service delivery and the educative impact of involvement in the complaint process. Data for 2014–15 is available at pages 72 and 73.

## Our performance

A number of projects demonstrated tangible results in our first priority of building human rights education and promotion. We successfully developed human rights resources linked to the Australian Curriculum, supported the human rights capabilities of the public sector, met high-demand for resources through reprinting and widening distribution, increased our media activity, and received a record number of nominations for the Human Rights Awards.

In 2014–15, the Commission's website grew considerably to more than 8.4 million page views—an increase of 8.6% on the previous year. This demonstrates our growing reach online.

The Commission recently conducted an evaluation of our disability rights training pilot for NSW Government employees, which examined how well the training was provided, what difference the training made and how worthwhile the training was with regard to increasing participant knowledge and capacity in integrating disability rights into their policy and project work.

An online survey was conducted before and after the training to measure the impact of the training in building knowledge and capacity. The survey found that participants increased their knowledge across four indicators by an average of 23%, increased their understanding and awareness across all the indicators by 18.4% and increased the capability to apply disability rights by 14%. There was a high satisfaction rating for the training program, with 91% of respondents reporting that they would recommend the training to a colleague.

Overall, the project increased knowledge of the rights set out in the *United Nations Convention on the Rights of Persons with Disabilities*, increased understanding of disability policy frameworks in Australia and increased understanding of the barriers to the full and equal participation of people with disability. Significantly, the training increased the ability of government employees to apply disability rights knowledge and skills to project and policy work.

## Feedback from participants of the NSW Government disability rights training

*"I think as many people as possible need to do this training because so much is applicable to a large number of roles."*

*"I feel like in that space I went from zero, literally knowing nothing, to having not anywhere close to expert, to having a sound knowledge base to talk with my colleagues about it as well."*

*"I had no knowledge of the Convention or how applicable it was to my workplace and so the familiarisation that it provided on the Convention was definitely the highlight for me because I walked away with knowledge now that I didn't have previously."*

*"I think the disability training was able to change my ability to apply disability rights."*

We met our priority of engaging with business on human rights through a number of new projects. The Commission received positive feedback from the business sector following the launch of the *Good practice, good business* portal which helps businesses to support diversity and prevent discrimination. The new Business and Human Rights Network is growing in membership, and the Male Champions of Change program continues to elevate the issue of women's representation in leadership on the national agenda.

Through these projects we are delivering positive results in building understanding among Australian employers of the business case for workplace diversity.

We are making great progress on our third priority of promoting safety from violence, harassment and bullying. In 2014–15, the Commission continued to increase awareness of the human rights impact of violence, harassment and bullying and contributed to preventative measures to improve safety.

The Commission continued to investigate and resolve complaints alleging unlawful discrimination under federal human rights laws, including those which may be identified as harassment and bullying.

Our evaluation of the National Anti-Racism Strategy showed that we have been able to do a lot with a little. We have built a network of partners and supporters, and encouraged communities to be part of this important national campaign.

The *Racism. It Stops With Me* campaign had the support of more than 360 organisations by 30 June 2015. In our survey of campaign supporters, 84% of respondents said the campaign had a positive impact. The campaign had significant reach within supporter organisations, with 93% of respondents reporting that they had informed, or were planning to inform, staff or volunteers about the campaign. Since joining the campaign, 58% of survey respondents had or were planning to use the campaign to initiate anti-racism policies or training within their organisations. The evaluation found that the campaign successfully started conversations about racism, sent a clear message, provided leadership and empowered action against racism.

## Feedback from Racism. It Stops With Me campaign supporters

*"The campaign almost legitimises people to feel more comfortable in talking about racism."*

*"Being part of this campaign sends a strong message to our community that we support its cultural diversity and we, as a community, will bear no tolerance for racism."*

Family and domestic violence has received unprecedented attention from media, government and the community. The Commission has generated greater awareness of family and domestic violence as not only a societal issue, but as a workplace issue, and is helping organisations to develop strategies in response.

The Commission has taken clear strides in raising awareness of SOGII rights, revealing that LGBTI people in Australia continue to face unjust discrimination and unacceptable levels of violence, harassment and bullying.

In 2014–15, we demonstrated our commitment to placing human rights issues on the national agenda.

The National Inquiry into Children in Immigration Detention provided compelling first-hand evidence that the prolonged, mandatory detention of asylum seeker children causes significant mental and physical illness and developmental delays, in breach of Australia's international obligations.

The historic Indigenous Leaders Roundtable on economic development and property rights elevated the issue of property rights after native title. The Commission also helped progress constitutional recognition of Aboriginal and Torres Strait Islander peoples with national leadership. Improved health outcomes for Aboriginal and Torres Strait Islander people can also be linked to practical health initiatives proposed and advocated by the Close the Gap Campaign.

The Cultural Reform in the ADF program was recognised and celebrated as international best practice.

Our submissions and reports have contributed to community discussion and policy making across a broad range of areas, including age discrimination, family and domestic violence, counter-terrorism legislation, the Indigenous Advancement Strategy, residual care arrangements for young people with disability, and constitutional recognition of Aboriginal and Torres Strait Islander peoples.

# People and performance

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Everyone has the  
right to

## EDUCATION

Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.



# Organisational excellence

We are committed to working collaboratively, with innovation, and to the highest standard of excellence.

As a micro-agency, the strategic management of our capability in the areas of financial services, workforce and information and communications technology is different from that of larger government agencies and departments.

With diminishing resources and no economy of scale factor, our agility and innovation in these areas relies on skilled personnel, cross-agency information sharing and streamlined or shared services.

Our strategic objectives are to lead by example and to practice and inspire sound corporate social responsibility, operate in accordance with the human rights standards that we expect of others and to be transparent and accountable.

## Strategic plan

The Commission's strategic plan has been updated to meet new legal obligations as an independent corporate entity under the *Public Governance, Performance and Accountability Act 2013* (Cth).

The four-year strategic plan for 2014–18 has been replaced by the 2015–19 strategic plan to meet further requirements under the new Act.

The *Public Governance, Performance and Accountability Act* requires the Commission to have a four-year corporate plan that is updated annually and forms the basis of annual reporting of performance and evaluation. We have built our planning framework to ensure we meet the reporting obligations set out in the legislation.

In 2014–15, we monitored and evaluated our work to ensure that it makes a positive and tangible difference; delivered work guided by the goals, objectives and priorities identified in the Strategic Plan 2014–18; and worked in a collaborative way that recognised the universal and indivisible nature of human rights.

We offered a broad range of flexible working options to our staff and developed staff skills for professional growth within the Commission and beyond. We also maintained a workplace that is respectful and reflects the diversity of the Australian community.



## Accreditation

The Commission is accredited as an 'A status' NHRI by the ICC.

The ICC is responsible for accrediting new NHRIs, as well as re-accrediting existing NHRIs every five years, according to a rigorous and transparent process endorsed by the United Nations.

In order to receive 'A status', NHRIs must be established and operate in compliance with the *Principles Relating to the Status of National Institutions*, commonly known as the 'Paris Principles'.

While our 'A status' gives us greater opportunities to contribute to reviews and discussions at the United Nations Human Rights Council, it is accompanied by a set of responsibilities which the Commission must meet.

# Working at the Commission

The Commission has a collaborative, resilient and flexible workforce that is representative of the Australian community. Our staff are highly educated, valued and encouraged to undertake a variety of work to build their professional skills and provide us with an adaptive and agile workforce.

The Commission benchmarks the diversity of its workforce against the *APS State of the Service* report. We continue to exceed APS targets for all diversity groups.

We consolidated our internship program this year and offered priority placements for applicants from an Aboriginal or Torres Strait Island background and applicants with a disability. We attract many interstate candidates and increasing interest from international students.

## Staff development and training

During 2014–2015, the Commission delivered the following learning and development activities to staff:

- Federal Human Rights & Discrimination Law and the Complaint Process
- Vicarious Trauma Workshop
- Bullying and Harassment workshops
- Upholding the Rights of People with Disability in Policy and Project Work

Specific manager training was also delivered including:

- Coaching and Mentoring
- Critical Conversations
- Leading and Managing Teams

We complemented these externally presented sessions with in-house employment policy information sessions, inductions and WHS sessions.

## Performance feedback

The Commission conducts an annual review of staff performance. This enables us to identify key areas for learning and professional growth for the coming year. Policy staff have transitioned well to the new structure and ICS staff have exceeded performance targets.



## Health and safety at work

The Commission has a strong and proactive record on work health and safety issues. We hold regular health and wellbeing lunchtime sessions and encourage best practice in workplace safety and risk management. No workers compensation claims were received for the reporting period and no systemic issues of concern were identified. The Commission offers workplace rehabilitation case management services and support for both work and non-work related injuries and illness.

## Workplace relations and employment arrangements

The Commission's current enterprise agreement with staff nominally expired on 30 June 2014. Bargaining negotiations for a new Agreement under the new APS employment bargaining framework have commenced but have been delayed by the stringent new approval process. The Commission has three Senior Executive Service employees, each covered by a section 24(1) Determination. During this period, the Commission had six non-SES employees on Individual Flexibility Arrangements. The Commission does not provide performance payments.



## Recruitment

During 2014–2015, the Interim Recruitment Arrangements continued to impact as all ongoing employment advertising required approval by the Australian Public Service Commissioner.

## Promoting staff ethics

We have an Ethics Contact Officer who is responsible for ethics-related issues in the workplace and to foster a high performing ethical culture. We participate in and receive information from the ECONET, an APS network of ethics officers and the APS Ethics Advisory Service. No issues were raised for investigation or resolution during the year in review and no Public Interest Disclosures were made.

## Our staff

The Commission's average staffing level for the year was 119.3, with a turnover of 10.2% for ongoing staff. The Commission has a diverse workforce mix, which includes:

- 72.5% women
- 2.3% Aboriginal and Torres Strait Islander staff
- 10% People with a disability
- 20.6% NESB staff

The Commission's staffing profile stayed steady despite undertaking new work such as the Inquiry into discrimination against older workers and people with a disability and the ADF Cultural Reform Project.

An overview of the Commission's staffing profile, as at 30 June 2015, is provided at Appendix 3.



# Management accountability

## Our corporate governance

The Commission is a corporate Commonwealth entity constituted by the President and Commissioners. The President is the Accountable Authority of the Commission under the *Public Governance, Performance and Accountability Act 2013*.

The Commission formally meets every six to eight weeks. All meetings are minuted. The President attended all six Commission meetings in 2014–15.

The responsibilities of the Commission include preparing and implementing the strategic plan, ensuring compliance with the APS Code of Conduct, ensuring transparency and accountability for our work and fostering high ethical standards in its execution. As the Accountable Authority, the President has specific responsibility for ensuring compliance with the *Public Governance, Performance and Accountability Act 2013* and for the financial management of the Commission. The President has authorised the Executive Director and a number of managers and other officials to perform specified management and financial functions.

The Commission has developed a Handbook, which sets out its responsibilities of the President and specific Commissioners.

## Identifying financial and operational risk

We annually review and identify changes to business and operational risks through our business risk assessment. Risks are categorised according to whether they are strategic or corporate in nature. Controls and risk-mitigating strategies are also identified, along with an assessment of the residual risk.

## Protecting against fraud

We have undertaken a Fraud Risk Assessment, developed a Fraud Control Plan and have procedures and processes in place to assist in fraud prevention, detection, investigation and reporting in line with the Commonwealth Fraud Control Guidelines. The Fraud Control Plan is available electronically to all Commission staff.

## Audit committee

Consistent with the Australian Stock Exchange principles of good corporate governance and the requirements of the *Public Governance, Performance and Accountability Act 2013* (Cth), the Commission maintains an audit committee. The audit committee advises the President on compliance with external reporting requirements and the effectiveness and efficiency of internal control and risk management mechanisms. The audit committee met five times during the reporting period.



# People and performance

## Key Performance Indicators and standards for our Investigation and Conciliation Service

We have developed KPIs and standards which form the basis for ongoing assessment of the Commission's complaint service. These indicators, and our performance in 2014–15 in relation to these indicators, are summarised below.

- **Timeliness.** Our stated performance standard is for 80% of complaints to be finalised within 12 months of receipt. In 2014–15, 82% of complaints were finalised within 6 months, 95% within 9 months and 99% within 12 months. The average time from lodgement to finalisation of a complaint was approximately 3.7 months.
- **Conciliation rate.** Our stated performance standard is for 30% of all finalised complaints to be conciliated. In 2014–15, 51% of all finalised complaints were conciliated and 72% of complaints where conciliation was attempted were successfully resolved. These are the highest figures on record.
- **Service satisfaction.** Our stated performance standard is for 80% of parties to complaints to be satisfied with the service they receive. In 2014–15, 92% of surveyed parties reported that they were satisfied with the service and 73% rated the service as 'very good' or 'excellent'. Over recent years there has been an ongoing increase in the number of participants who rate the service they receive as 'very good' or 'excellent' (61% – 73%). Where complaints were conciliated, 94% of parties reported they were satisfied with the service and 82% rated the service they received as 'very good' or 'excellent'. Further details of survey results for this reporting year are provided below.

## Complaint of age discrimination in education

The complainant, who was 68 years of age, claimed a training provider refused to enrol him in one of its courses because he was over 65 years of age.

The training provider confirmed the course the complainant wished to enrol in was only available to persons under 65 years of age and claimed this was a requirement imposed by the relevant government funding body.

The complaint was resolved with an agreement that the complainant be allowed to enrol in the desired course. The training provider also agreed to review its policy on age limitations for enrolment.

## Complaint of racial discrimination in retail services

The complainant is of Indian ethnic origin and purchased a bed from the respondent retailer. He claimed that during an email exchange regarding delays in delivery of the bed the store manager sent him an email that said *"I am sick of them ... and they all come from the one country which someone should sink into the ocean"*.

On being advised of the complaint, the retailer explained the email had been sent inadvertently and apologised for any distress the complainant experienced. The retailer also conveyed an apology from the manager who had sent the email and assured the complainant the manager had been counselled about the incident.

The complaint was resolved with an agreement that the retailer donate \$3,000 to a community legal centre.

## Measuring satisfaction with the complaint service

We seek feedback on aspects of the service from people lodging complaints (complainants) and people responding to complaints (respondents). The survey can be completed online or in other formats. Feedback is sought regardless of the outcome of the complaint and the following results include feedback from parties where the complaint was terminated, withdrawn or discontinued.

In 2014–15, 229 complainants and 258 respondents agreed to participate in the survey.

- 95% of participants (92% of complainants and 98% of respondents) felt that Commission staff explained things in a way that was easy for them to understand.
- 94% of participants (89% of complainants and 98% of respondents) felt that forms and correspondence from the Commission were easy to understand.
- 86% of participants (86% of complainants and 86% of respondents) felt that the Commission dealt with the complaint in a timely manner.
- 88% of participants (83% of complainants and 92% of respondents) felt they were treated fairly.

“Timely and balanced approach to the complaint. Very well handled.”

Feedback from a respondent to a complaint

“Excellent service. Extremely professional staff dealing in a highly emotionally charged area.”

Feedback from a complainant

“The conciliator was terrific. They showed excellent judgement... and were a great support to the parties.”

Feedback from a respondent representative

## Our Charter of Service

Our Charter of Service provides an avenue through which complainants and respondents can understand the nature and standard of service they can expect, as well as contribute to continual improvement of our service. All complainants are provided with a copy of the Charter when their complaint is accepted by the Commission. Respondents receive a copy when notified of a complaint. Our Charter of Service is available at <http://www.humanrights.gov.au/complaints-charter-service>.

In 2014–15 the Commission received one complaint about its service under the complaint process provided in the Charter.

---

## Ensuring accountability for our administrative decisions

People who are affected by administrative decisions we have made may be entitled to seek a review of those decisions before a court or tribunal.

**Judicial review:** Judicial review of Commission decisions can be sought by application to the Federal Court or the Federal Circuit Court under the *Administrative Decisions (Judicial Review) Act 1977* (Cth).

In accordance with established legal principle, the Commission (as decision maker) usually does not play an active role in those proceedings. This is to avoid a perception of bias in the event that a matter is remitted to the Commission for further determination. Instead, the Commission agrees to be bound by the decision of the Court and leaves the substantive parties (usually the complainant and respondent to a complaint that was before the Commission) to argue the matter.

In 2014–15, the Commission consented to two matters being remitted to it by the Federal Court.

**Merits review:** Some decisions of the Commission or its staff (acting under instruments of delegation) are subject to merits review by the Administrative Appeals Tribunal (AAT). These include decisions made under the *Freedom of Information Act 1982* (Cth) and decisions on applications for temporary exemptions under section 44 of the Sex Discrimination Act, section 55 of the Disability Discrimination Act and section 44 of the Age Discrimination Act. In 2014–15, one application for merits review by the AAT that was ongoing at the end of FYE 2014 was discontinued. One new application was made and this is ongoing.

## Facilitating freedom of information

The *Freedom of Information Act 1982* (Cth) gives the general public legal access to government documents.

Documents held by the Commission relate to:

- administration matters, including personnel, recruitment, accounts, purchasing, registers, registry, library records and indices

- complaint handling matters, including the investigation and resolution of complaints
- legal matters, including legal documents, opinion, advice and representations
- research matters, including research papers in relation to complaints, existing or proposed legislative practices, public education, national inquiries and other relevant issues
- policy matters, including minutes of Commission meetings, administrative and operational guidelines
- operational matters, including files on formal inquiries
- reference materials, including press clippings, survey and research materials, documents relating to conferences, seminars and those contained in the library.

All initial inquiries about access to Commission documents are directed to our Freedom of Information Officer, who can be contacted by either telephoning (02) 9284 9600 or by writing to:

Freedom of Information Officer  
Australian Human Rights Commission  
GPO Box 5218  
Sydney NSW 2001

We follow procedures for dealing with Freedom of Information requests detailed in section 15 of the Freedom of Information Act. A valid request must:

- be in writing
- state that it is a request for the purposes of the Freedom of Information Act
- include details of how notices under the Freedom of Information Act can be sent to them, such as an email address
- specify the documents to which access is sought.

Since 1 May 2011, agencies subject to the *Freedom of Information Act* have been required to publish information to the public as part of the Information Publication Scheme (IPS). The Commission's plan, which shows what information is published in accordance with the IPS requirements, is available on our website at: [http://www.humanrights.gov.au/ips/ips\\_scheme.html](http://www.humanrights.gov.au/ips/ips_scheme.html)

## Advertising and market research

During the reporting period, the Commission engaged Roy Morgan Research Ltd to undertake research into the prevalence and impact of age discrimination. The total value of the contract was \$143,623 (including GST) and this contract was fully paid.

The Commission paid \$14,702 (including GST) on campaign advertising (Development and Distribution of a Television Community Service Announcement and Radio Activity in support of the Age Discrimination Campaign).

The Commission paid \$663 (including GST) on non-campaign advertising (recruitment) and \$16,720 (including GST) on non-campaign advertising (event notifications and program advertising).

## MOU and fee-for-service arrangements

The Commission provided fee-for-service activities and received sponsorship from a number of entities during 2014–15. Approximately \$8.099 million in fees, sponsorship and cost recoveries were earned by the Commission through MOUs and service contracts as set out below.

### Service fees or sponsorship from related parties performed under MOU arrangements

Description of services	Client/Sponsor	2014–15 Revenue earned (\$,000)
Provision of shared corporate services including Finance, HR and IT	Office of the Australian Information Commissioner	\$1,075
Provision of sublease at 175 Pitt Street Sydney	Office of the Australian Information Commissioner	\$983
Provision of ITC support services	Attorney-General's Department	\$99
Statutory Conciliation training	Office of the Australian Information Commissioner	\$7
Provision of management services for the human rights technical support arrangements, principally with China and Vietnam	Department of Foreign Affairs & Trade	\$3,759
Commission and Australian Defence Force collaboration to implement Cultural reform. Examine and provide advice on the Defence Abuse Response Task Force report on allegations of abuse at the Australian Defence Force Academy.	Australian Defence Force	\$1,194

Description of services	Client/Sponsor	2014–15 Revenue earned (\$,000)
Sponsorship of the Freedom of speech agenda, including symposium	Attorney-General's Department	\$220
National review into discrimination related to pregnancy and return to work after parental leave	Attorney-General's Department	\$35
National Health Leadership Forum Secretariat	Department of Health	\$58
Resource for Supporting Working Parents Project	Department of Prime Minister & Cabinet	\$55
Contribution for Indigenous delegates to attend the UN Permanent Forum 2015 and UN Expert Mechanism	Department of Prime Minister & Cabinet	\$32
Interactive website developed to meet the learning requirements of the Australian Mathematics curriculum. The topics included focus on contemporary human rights issues in Australian society	Australian Broadcasting Commission	\$38
Supporting participation by representatives of people with disability in key international forums on human rights	Department of Social Services	\$57
Supporting participation of representatives of indigenous peoples' organisations in key international forums on human rights	Department of Social Services	\$2
Other	Various	\$13
<b>Total services to related parties</b>		<b>\$7,627</b>

### Service fees or sponsorship from unrelated parties performed under contracts

Description of services	Client/Sponsor	2014–15 Revenue earned (\$,000)
Provision of secretariat for Close the Gap Campaign	Various, including Oxfam and the Fred Hollows Foundation	\$133
United Nations Convention on the rights of persons with disabilities – training and education program	Department of Social Services	\$46
Statutory conciliation training	Office of the Anti-Discrimination Commissioner (Tasmania)	\$10
	New Zealand Office of the Privacy Commissioner	\$6
Training consultancy fees	Victoria Equal Opportunity and Human Rights Commission	\$6
Develop materials for the classroom project on 20 Years: 20 Stories	Australian Centre for Disability Law	\$9
Service provided as expert advisers to report for NATO on UN Resolution 1325: Women, Peace and Security, including the provision of data, analysis, case study preparation and attendance at high level NATO sponsored meetings and conferences	North Atlantic Treaty Organisation	\$7
Torture Prevention Ambassadors Project	Secretariat of the Asia Pacific Forum of National Human Rights Institutions	\$8
Social Justice visiting fellowship	University of Sydney	\$3
Sponsorship for Free Speech 2014 Symposium	Law Council of Australia	\$5
	Australian Interactive Media Industry Association	\$20

Description of services	Client/Sponsor	2014–15 Revenue earned (\$,000)
Human Rights and the Extractives Industry Training	University of Sydney	\$8
Ticket sales for the 2015 RDA@40 Conference	Various	\$10
Provision of shared services	Secretariat of the Asia Pacific Forum of National Human Rights Institutions	\$88
Pilot Blended-Learning Course on the United Nations Declaration on the Rights of Indigenous Peoples	Secretariat of the Asia Pacific Forum of National Human Rights Institutions	\$13
Training on promoting and protecting women's human rights	Secretariat of the Asia Pacific Forum of National Human Rights Institutions	\$13
Ticket sales for the Free Speech Symposium 2014	Various	\$13
Ticket sales and sponsorship for the 2014 Human Rights Awards	Various	\$57
Other	Various	\$17
<b>Total services to unrelated parties</b>		<b>\$472</b>



Quinn O'Connell

Human rights training for African public servants,  
March 2015

# Financial statements

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# EXCHANGE CENTRE





## INDEPENDENT AUDITOR'S REPORT

### To the Attorney-General

I have audited the accompanying annual financial statements of the Australian Human Rights Commission for the year ended 30 June 2015, which comprise:

- Statement by the Accountable Authority and Chief Finance Officer;
- Statement of Comprehensive Income;
- Statement of Financial Position;
- Statement of Changes in Equity;
- Cash Flow Statement;
- Schedule of Commitments;
- Notes to and forming part of the financial statements comprising a Summary of Significant Accounting Policies and other explanatory information.

### *Accountable Authority's Responsibility for the Financial Statements*

The Chief Executive of the Australian Human Rights Commission is responsible under the *Public Governance, Performance and Accountability Act 2013* for the preparation and fair presentation of annual financial statements that comply with Australian Accounting Standards and the rules made under that Act. The Chief Executive is also responsible for such internal control as is necessary to enable the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

### *Auditor's Responsibility*

My responsibility is to express an opinion on the financial statements based on my audit. I have conducted my audit in accordance with the Australian National Audit Office Auditing Standards, which incorporate the Australian Auditing Standards. These auditing standards require that I comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of the accounting policies used and the reasonableness of accounting estimates made by the Accountable Authority of the entity, as well as evaluating the overall presentation of the financial statements.

GPO Box 707 CANBERRA ACT 2601  
19 National Circuit BARTON ACT  
Phone (02) 6203 7300 Fax (02) 6203 7777

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

***Independence***

In conducting my audit, I have followed the independence requirements of the Australian National Audit Office, which incorporate the requirements of the Australian accounting profession.

***Opinion***

In my opinion, the financial statements of the Australian Human Rights Commission:

- (a) comply with Australian Accounting Standards and the *Public Governance, Performance and Accountability (Financial Reporting) Rule 2015*; and
- (b) present fairly the financial position of the Australian Human Rights Commission as at 30 June 2015 and its financial performance and cash flows for the year then ended.

Australian National Audit Office



Peter Kerr

Executive Director

Delegate of the Auditor-General

Canberra

29 September 2015

**AUSTRALIAN HUMAN RIGHTS COMMISSION**

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**FINANCIAL STATEMENTS**

**STATEMENT BY THE ACCOUNTABLE AUTHORITY AND CHIEF FINANCE OFFICER**

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In our opinion, the attached financial statements for the year ended 30 June 2015 comply with subsection 42(2) of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act), and are based on properly maintained financial records as per subsection 41(2) of the PGPA Act.

In our opinion, at the date of this statement, there are reasonable grounds to believe that the Australian Human Rights Commission will be able to pay its debts as and when they fall due.



**Professor Gillian Triggs**  
President and Accountable Authority

29 September 2015



**David Richards**  
Chief Finance Officer

29 September 2015

## Statement of Comprehensive Income

for the period ended 30 June 2015

	Notes	2015 \$'000	Departmental 2014 \$'000	Administered 2014 \$'000
<b>NET COST OF SERVICES</b>				
<b>Expenses</b>				
Employee benefits	4A	15,992	15,855	–
Suppliers	4B	8,909	8,228	144
Depreciation and amortisation	4C	987	978	–
Write-down and impairment of assets	4D	5	2	–
<b>Total expenses</b>		<b>25,893</b>	<b>25,063</b>	<b>144</b>
<b>Own-Source Income</b>				
<b>Own-source revenue</b>				
Sale of goods and rendering of services	5A	7,116	5,140	–
Interest	5B	305	–	–
Other revenue	5C	1,034	951	–
<b>Total own-source revenue</b>		<b>8,455</b>	<b>6,091</b>	<b>–</b>
<b>Gains</b>				
Other gains	5D	92	17	–
<b>Total gains</b>		<b>92</b>	<b>17</b>	<b>–</b>
<b>Total own-source income</b>		<b>8,547</b>	<b>6,108</b>	
<b>Net cost of services</b>		<b>(17,346)</b>	<b>(18,955)</b>	<b>(144)</b>
Revenue from Government	5E	18,315	18,092	144
<b>Surplus/(Deficit) attributable to the Australian Government</b>		<b>969</b>	<b>(863)</b>	<b>–</b>
<b>OTHER COMPREHENSIVE INCOME</b>				
<b>Items not subject to subsequent reclassification to net cost of services</b>				
Changes in asset revaluation reserve		15	51	–
<b>Total other comprehensive income</b>		<b>15</b>	<b>51</b>	<b>–</b>
<b>Total comprehensive income/(loss) attributable to the Australian Government</b>		<b>984</b>	<b>(812)</b>	<b>–</b>

The above statement should be read in conjunction with the accompanying notes.

## Statement of Financial Position

as at 30 June 2015

	Notes	2015 \$'000	Departmental 2014 \$'000	Administered 2014 \$'000
<b>ASSETS</b>				
<b>Financial Assets</b>				
Cash and cash equivalents	7A	13,388	8,835	17
Trade and other receivables	7B	99	681	–
Other financial assets	7C	3	286	–
<b>Total financial assets</b>		<b>13,490</b>	9,802	17
<b>Non-Financial Assets</b>				
Infrastructure, plant and equipment	8A,B	3,768	4,430	–
Intangibles	8C,D	583	804	–
Other non-financial assets	8E	161	162	–
<b>Total non-financial assets</b>		<b>4,512</b>	5,396	–
<b>Total assets</b>		<b>18,002</b>	15,198	17
<b>LIABILITIES</b>				
<b>Payables</b>				
Suppliers	9A	1,653	1,724	17
Other payables	9B	7,224	5,551	–
<b>Total payables</b>		<b>8,877</b>	7,275	17
<b>Non-interest Bearing Liabilities</b>				
Lease incentives	10A	3,396	3,962	–
<b>Total non-interest bearing liabilities</b>		<b>3,396</b>	3,962	–
<b>Provisions</b>				
Employee provisions	11A	3,708	3,374	–
Other provisions	11B	775	702	–
<b>Total provisions</b>		<b>4,483</b>	4,076	–
<b>Total liabilities</b>		<b>16,756</b>	15,313	17
<b>Net assets</b>		<b>1,246</b>	(115)	–
<b>EQUITY</b>				
Contributed equity		2,511	2,134	–
Reserves		353	338	–
Accumulated results		(1,618)	(2,587)	–
<b>Total equity</b>		<b>1,246</b>	(115)	–

The above statement should be read in conjunction with the accompanying notes.

## Statement of Changes in Equity

for the period ended 30 June 2015

	Retained earnings		Asset revaluation reserve		Contributed equity/capital		Total equity	
	2015 \$'000	2014 \$'000	2015 \$'000	2014 \$'000	2015 \$'000	2014 \$'000	2015 \$'000	2014 \$'000
<b>Opening balance</b>								
Balance carried forward from previous period	(2,587)	(1,794)	338	287	2,134	1,961	(115)	454
Adjustment for errors and revised estimates	-	70	-	-	-	-	-	70
<b>Adjusted opening balance</b>	<b>(2,587)</b>	<b>(1,724)</b>	<b>338</b>	<b>287</b>	<b>2,134</b>	<b>1,961</b>	<b>(115)</b>	<b>524</b>
<b>Comprehensive income</b>								
Surplus/(Deficit) for the period	969	(863)					969	(863)
Other comprehensive income	-	-	15	51	-	-	15	51
<b>Total comprehensive income</b>	<b>969</b>	<b>(863)</b>	<b>15</b>	<b>51</b>	<b>-</b>	<b>-</b>	<b>984</b>	<b>(812)</b>
of which:								
Attributable to the Australian Government	969	(863)	15	51	-	-	984	(812)
<b>Transactions with owners</b>								
<b>Contributions by owners</b>								
Departmental capital budget	-	-	-	-	326	173	326	173
Equity injection	-	-	-	-	51	-	51	-
<b>Sub-total transactions with owners</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>377</b>	<b>173</b>	<b>377</b>	<b>173</b>
<b>Closing balance attributable to the Australian Government</b>	<b>(1,618)</b>	<b>(2,587)</b>	<b>353</b>	<b>338</b>	<b>2,511</b>	<b>2,134</b>	<b>1,246</b>	<b>(115)</b>

The above statement should be read in conjunction with the accompanying notes.

## Cash Flow Statement

for the period ended 30 June 2015

	Notes	2015 \$'000	Departmental 2014 \$'000	Administered 2014 \$'000
<b>OPERATING ACTIVITIES</b>				
<b>Cash received</b>				
Appropriations		18,315	18,092	144
Cash transferred from the Official Public Account		–	11,020	–
Sales of goods and rendering of services		11,055	8,682	–
Interest		295	–	–
Net GST received		170	318	–
<b>Total cash received</b>		<b>29,835</b>	<b>38,112</b>	<b>144</b>
<b>Cash used</b>				
Employees		(15,623)	(16,248)	–
Suppliers		(9,942)	(9,267)	(127)
Section 31 receipts transferred to Official Public Account		–	(5,188)	–
<b>Total cash used</b>		<b>(25,565)</b>	<b>(30,703)</b>	<b>(127)</b>
<b>Net cash from operating activities</b>	12	<b>4,270</b>	<b>7,409</b>	<b>17</b>
<b>INVESTING ACTIVITIES</b>				
<b>Cash used</b>				
Purchase of infrastructure, plant and equipment		(94)	(92)	–
Purchase of intangibles		–	(144)	–
<b>Total cash used</b>		<b>(94)</b>	<b>(236)</b>	<b>–</b>
<b>Net cash used by investing activities</b>		<b>(94)</b>	<b>(236)</b>	<b>–</b>
<b>FINANCING ACTIVITIES</b>				
<b>Cash received</b>				
Contributed equity		377	617	–
<b>Total cash received</b>		<b>377</b>	<b>617</b>	<b>–</b>
<b>Net cash from financing activities</b>		<b>377</b>	<b>617</b>	<b>–</b>
<b>Net increase in cash held</b>		<b>4,553</b>	<b>7,790</b>	<b>17</b>
Cash and cash equivalents at the beginning of the reporting period		8,835	1,045	–
<b>Cash and cash equivalents at the end of the reporting period</b>	7A	<b>13,388</b>	<b>8,835</b>	<b>17</b>

The above statement should be read in conjunction with the accompanying notes.

## Schedule of Commitments

as at 30 June 2015

	2015 \$'000	2014 \$'000
<b>BY TYPE</b>		
<b>Commitments receivable</b>		
Sublease rental income	(7,082)	(8,116)
Other commitments	(1,473)	(665)
Net GST recoverable on commitments <sup>1</sup>	(1,439)	(1,705)
<b>Total commitments receivable</b>	<b>(9,994)</b>	<b>(10,486)</b>
<b>Commitments payable</b>		
<b>Capital commitments</b>		
Infrastructure, plant and equipment <sup>2</sup>	-	72
<b>Total capital commitments</b>	<b>-</b>	<b>72</b>
<b>Other commitments</b>		
Operating leases <sup>2</sup>	24,276	27,272
Other	120	195
<b>Total other commitments</b>	<b>24,396</b>	<b>27,467</b>
<b>Total commitments payable</b>	<b>24,396</b>	<b>27,539</b>
<b>Net commitments by type</b>	<b>14,402</b>	<b>17,053</b>
<b>BY MATURITY</b>		
<b>Commitments receivable</b>		
<b>Operating lease income</b>		
Within one year	(1,073)	(1,034)
Between one to five years	(6,009)	(5,789)
More than five years	-	(1,293)
<b>Total operating lease income</b>	<b>(7,082)</b>	<b>(8,116)</b>
<b>Other commitments receivable</b>		
Within one year	(1,489)	(862)
Between one to five years	(1,423)	(1,233)
More than five years	-	(275)
<b>Total other commitments receivable</b>	<b>(2,912)</b>	<b>(2,370)</b>
<b>Total commitments receivable</b>	<b>(9,994)</b>	<b>(10,486)</b>

## Schedule of Commitments

as at 30 June 2015

	2015 \$'000	2014 \$'000
<b>Commitments payable</b>		
<b>Capital commitments</b>		
Within one year	-	72
<b>Total capital commitments</b>	<b>-</b>	<b>72</b>
<b>Operating lease commitments</b>		
Within one year	<b>3,765</b>	3,593
Between one to five years	<b>20,511</b>	19,357
More than five years	-	4,322
<b>Total operating lease commitments</b>	<b>24,276</b>	<b>27,272</b>
<b>Other commitments</b>		
Within one year	<b>120</b>	195
<b>Total other commitments</b>	<b>120</b>	195
<b>Total commitments payable</b>	<b>24,396</b>	<b>27,539</b>
<b>Net commitments by maturity</b>	<b>14,402</b>	<b>17,053</b>

Note: Commitments are GST inclusive where relevant

### Nature of Leases/General Description

1. Outstanding payments for leasehold improvements
2. Operating leases included are effectively non-cancellable and comprise:

#### *Leases for office accommodation*

Lease payments are subject to fixed annual rental increases. The initial periods of accommodation are still current and there are two options in the lease agreement to renew.

#### *Agreements for the provision of motor vehicles to senior executive officers*

No contingent rentals exist and there are no renewal or purchase options available to the Commission.

#### *Lease agreement in relation to the provision of desktop computer equipment and printers*

The lessor provides all desktop computer equipment and software. The lease agreement allows for variations to the duration of the rental period and to the equipment being provided.

#### *Other commitments*

Consists of agreements with other entities for the provision of goods and services, outgoings and agreements equally proportionately unperformed.

The above statement should be read in conjunction with the accompanying notes.

# Notes to and forming part of the financial statements

for the period ended 30 June 2015

## Note 1: Summary of Significant Accounting Policies

### 1.1 Objectives of the Australian Human Rights Commission

The Australian Human Rights Commission (the Commission) is an Australian Government controlled entity. It is a not-for-profit entity. The Commission's objective is to ensure that Australians have access to independent human rights complaint handling and public inquiries processes and benefit from human rights education, promotion, monitoring and compliance activities.

The Commission is structured to meet the following outcome:

An Australian Society in which human rights are respected, protected and promoted through independent investigation and resolution of complaints, education and research to promote and eliminate discrimination, and monitoring, and reporting on human rights.

The continued existence of the Commission in its present form and with its present programs is dependent on Government policy and on continuing funding by Parliament for the Commission's administration and programs.

Commission activities contributing toward this outcome are classified as either departmental or administered. Departmental activities involve the use of assets, liabilities, income and expenses controlled or incurred by the Commission in its own right. Administered activities involve the management or oversight by the Commission, on behalf of the Government, of items controlled or incurred by the Government.

The Commission became a corporate Commonwealth entity from 1 July 2014 and its administered activities and associated funding were reclassified as departmental. The administered information in the Commission's financial statements for the period ended 30 June 2015 is provided for comparative purposes only.

### 1.2 Basis of Preparation of the Financial Statements

The financial statements are general purpose financial statements and are required by section 42 of the *Public Governance, Performance and Accountability Act 2013*.

The financial statements have been prepared in accordance with:

- a) Financial Reporting Rule (FRR) for reporting periods ending on or after 1 July 2014; and
- b) Australian Accounting Standards and Interpretations issued by the Australian Accounting Standards Board (AASB) that apply for the reporting period

The financial statements have been prepared on an accrual basis and in accordance with the historical cost convention, except for certain assets and liabilities at fair value. Except where stated, no allowance is made for the effect of changing prices on the results or the financial position.

The financial statements are presented in Australian dollars and values are rounded to the nearest thousand dollars unless otherwise specified.

Unless an alternative treatment is specifically required by an accounting standard or the FRR, assets and liabilities are recognised in the statement of financial position when and only when it is probable that future economic benefits will flow to the Commission or a future sacrifice of economic benefits will be required and the amounts of the assets or liabilities can be reliably measured. However, assets and liabilities arising under executory contracts are not recognised unless required by an accounting standard. Liabilities and assets that are unrecognised are reported in the schedule of commitments or the contingencies note.

Unless alternative treatment is specifically required by an accounting standard, income and expenses are recognised in the Statement of Comprehensive Income when and only when the flow, consumption or loss of economic benefits has occurred and can be reliably measured.

## Note 1: Summary of Significant Accounting Policies (continued)

### 1.3 Significant Accounting Judgements and Estimates

In the process of applying the accounting policies listed in this note, the Commission has made the following judgements that have the most significant impact on the amounts recorded in the financial statements: the fair value of infrastructure, plant and equipment has been taken to be the market value of similar assets as determined by an independent valuer; the relevant government bond rate has been used to discount non-current liabilities in accordance with the FRR; and the long service leave has been estimated in accordance with the FRR taking into account expected salary growth, attrition and future discounting using the government bond rate.

No other accounting assumptions or estimates have been identified that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next reporting period.

### 1.4 Fair Presentation and Compliance with Australian Accounting Standards

During the reporting period the Commission was appropriated an additional \$1.050m to assist meeting organisational restructure costs. The costs were associated with the Australian Government's decision, announced in the 2014-15 Budget, to abolish the Office of the Australian Information Commissioner (OAIC) from 1 January 2015 and transfer the privacy function to the Commission. Both entities disclosed the details of the restructure as an event arising after reporting date in their respective 2013-14 Annual Reports.

The arrangements required to effect this restructure are set out in the *Freedom of Information Amendment (New Arrangements) Bill 2014* (the Bill). On 30 October 2014 the Bill was passed in the House of Representatives. As at 30 June 2015 the Bill had not been passed in the Senate and currently stands at number 11 on the Government Business Orders of the Day on the Senate Notice Paper.

Although the additional funds appropriated by Parliament were explicitly for the purpose of entity restructuring arising from the transfer of the Privacy function, the Commission is unable to establish a provision for restructuring in the current reporting period as the Bill has not yet passed Parliament.

In order to recognise a restructuring provision under AASB 137 – *Provisions, Contingent Liabilities and Contingent Assets* (section 72) requires an entity to:

- a) have a detailed formal plan for restructuring; and
- b) raise a valid expectation in those affected that it will carry out restructuring by starting to implement the plan or announcing its main features to those affected by it.

While the Commission has formulated a detailed formal plan for restructuring, at reporting date the Commission had not:

- a) commenced implementing the plan; or
- b) communicated the plan to the affected employees.

For the plan to give sufficient rise to a restructuring provision, implementation needs to be planned to begin as soon as possible and to be completed in a timeframe that makes significant changes to the plan unlikely.

Although elements of the plan could commence before the Bill is passed by Parliament, the Commission considers that the facts of the events do not currently meet the requirements of AASB 137.72.

As a consequence, the anticipated costs arising from the announced restructure have been disclosed in the notes accompanying the Commission's financial statements as a contingent liability (Note 13).

The Commission has concluded that compliance with the requirements in AASB 137.72 makes the financial statements so misleading that it conflicts with the objective of financial statements as it prohibits the recognition of a provision to offset the additional appropriated revenue. This results in a material operating surplus in the Statement of Comprehensive Income. This is misleading as the funds cannot be used for any purpose other than the restructure and if the restructure does not occur, will have to be returned to the Official Public Account. In this sense it is not a surplus in comprehensive income and retained earnings.

## Notes to and forming part of the financial statements for the period ended 30 June 2015

### Note 1: Summary of Significant Accounting Policies (continued)

In order to achieve a fair presentation of the financial statements the Statement of Comprehensive Income would report employee benefits of \$17.042m reducing the operating surplus to an operating deficit of \$0.081m and employee provisions would include an additional \$1.050m for separations and redundancies on the Statement of Financial Position in the current reporting period. The associated notes to the accounts would also reflect these differences.

#### 1.5 New Australian Accounting Standards

##### *Adoption of New Australian Accounting Standard Requirements*

No accounting standard has been adopted earlier than the application date as stated in the standard.

The following new standard was issued prior to the signing of the statement by the accountable authority and chief financial officer, was applicable to the current reporting period and had a disclosure impact on the Commission's financial statements:

Standard/ Interpretation	Nature of change in accounting policy
AASB 1055 – Budgetary Reporting – March 2013 (Principal)	Requires reporting of budgetary information by not-for-profit entities within the General Government Sector (however, comparative information is not required).  In particular: <ul style="list-style-type: none"><li>– original budget presented to Parliament;</li><li>– variance of actuals from budget; and</li><li>– explanations of significant variances.</li></ul>

All other new, revised and amending standards and interpretations that were issued prior to the sign-off date and are applicable to the current reporting period did not have a material effect, and are not expected to have a future material effect, on the Commission's financial statements.

**Notes to and forming part of the financial statements**  
for the period ended 30 June 2015

**Note 1: Summary of Significant Accounting Policies (continued)**

*Future Australian Accounting Standard Requirements*

The following new, revised and amending standards and interpretations were issued by the Australian Accounting Standards Board prior to the signing of the statement by the accountable authority and chief financial officer, which are expected to have a material impact on the Commission's financial statements for future reporting period(s):

<b>Standard/ Interpretation</b>	<b>Application date for the Commission<sup>1</sup></b>	<b>Nature of impending change/s in accounting policy and likely impact on initial application</b>
AASB 15 Revenue from Contracts with Customers	1 January 2017	<p>AASB 15:</p> <ul style="list-style-type: none"> <li>- establishes principles for reporting information about the nature, amount, timing and uncertainty of revenue and cash flows arising from an entity's contracts with customers, with revenue recognised as 'performance obligations' are satisfied; and</li> <li>- will apply to contracts of NFP entities that are exchange transactions. AASB 1004 Contributions will continue to apply to non-exchange transactions until the Income for NFP project is completed.</li> </ul>
AASB 2014-5 Amendments to Australian Accounting Standards arising from AASB 15	1 January 2017	Amends various AASs to incorporate the consequential amendments arising from the issuance of AASB 15.
AASB 9 Financial Instruments	1 January 2018	<p>AASB 9 was reissued in December 2014 and now incorporates:</p> <ul style="list-style-type: none"> <li>- the classification and measurement requirements for financial assets (including limited amendments) and for financial liabilities, and the recognition and derecognition requirements for financial instruments (representing the first phase of the three phase project that replaces AASB 139);</li> <li>- requirements for impairment of financial assets (representing the second phase); and</li> <li>- hedge accounting (representing the third phase).</li> </ul>

**Notes to and forming part of the financial statements**  
for the period ended 30 June 2015

**Note 1: Summary of Significant Accounting Policies (continued)**

<b>Standard/ Interpretation</b>	<b>Application date for the Commission<sup>1</sup></b>	<b>Nature of impending change/s in accounting policy and likely impact on initial application</b>
AASB 2010-7 Amendments to Australian Accounting Standards arising from AASB 9 (December 2010) [AASB 1, 3, 4, 5, 7, 101, 102, 108, 112, 118, 120, 121, 127, 128, 131, 132, 136, 137, 139, 1023 & 1038 and Interpretations 2, 5, 10, 12, 19 & 127]	1 January 2018	<p>The requirements for classifying and measuring financial liabilities were added to AASB 9. The existing requirements for the classification of financial liabilities and the ability to use the fair value option have been retained. However, where the fair value option is used for financial liabilities the change in fair value is accounted for as follows:</p> <ul style="list-style-type: none"> <li>- The change attributable to changes in credit risk are presented in other comprehensive income (OCI).</li> <li>- The remaining change is presented in profit or loss.</li> </ul> <p>If this approach creates or enlarges an accounting mismatch in the profit or loss, the effect of the changes in credit risk are also presented in profit or loss.</p>
AASB 2014-1 Amendments to Australian Accounting Standards [Part E Financial Instruments]	1 January 2018	Amends various AASs to reflect the AASB's decision to defer the mandatory application date of AASB 9 to annual reporting periods beginning on or after 1 January 2018; as a consequence of Chapter 6 Hedge Accounting; and to amend reduced disclosure requirements.
AASB 2014-7 Amendments to Australian Accounting Standards arising from AASB 9 (December 2014)	1 January 2018	Amends various AASs to incorporate the consequential amendments arising from the issuance of AASB 9.

1. The Commission's expected initial application date is when the accounting standard becomes operative at the beginning of the Commission's reporting period.

All other new, revised and amending standards and interpretations that were issued prior to the sign-off date and are applicable to future reporting periods are not expected to have a future material impact on the Commission's financial statements.

# Notes to and forming part of the financial statements

for the period ended 30 June 2015

## Note 1: Summary of Significant Accounting Policies (continued)

### 1.6 Revenue

Revenue from the sale of goods is recognised when:

- a) the risks and rewards of ownership have been transferred to the buyer;
- b) the Commission retains no managerial involvement or effective control over the goods;
- c) the revenue and transaction costs incurred can be reliably measured; and
- d) it is probable that the economic benefits associated with the transaction will flow to the Commission.

Revenue from rendering of services is recognised by reference to the stage of completion of contracts at the reporting date. The revenue is recognised when:

- a) the amount of revenue, stage of completion and transaction costs incurred can be reliably measured; and
- b) the probable economic benefits associated with the transaction will flow to the Commission.

The stage of completion of contracts at the reporting date is determined by reference to the proportion that costs incurred to date bear to the estimated total costs of the transaction.

Receivables for goods and services, which have 30 day terms, are recognised at the nominal amounts due less any impairment allowance account. Collectability of debts is reviewed at end of the reporting period. Allowances are made when collectability of the debt is no longer probable.

Interest revenue is recognised using the effective interest method as set out in AASB 139 *Financial Instruments: Recognition and Measurement*.

#### *Revenue from Government*

Amounts appropriated for departmental outputs for the year (adjusted for any formal additions and reductions) are recognised as revenue when the Commission gains control of the appropriation, except for certain amounts that relate to activities that are reciprocal in nature, in which case revenue is recognised only when it has been earned.

#### *Resources Received Free of Charge*

Resources received free of charge are recognised as revenue when, and only when, a fair value can be reliably determined and the services would have been purchased if they had not been donated. Use of those resources is recognised as an expense.

### 1.7 Gains

#### *Other Gains*

Gains on the reduction of prior year provisions are recognised at their nominal value as gains when, and only when, the original provision for services has been determined to no longer be required.

### 1.8 Transactions with the Government as Owner

#### *Equity Injections*

Amounts appropriated which are designated as 'equity injections' for a year and Departmental Capital Budgets (DCBs) are recognised directly in contributed equity in that year.

#### *Other Distributions to Owners*

The FRR requires distributions to owners be debited to contributed equity unless it is in the nature of a dividend.

## Note 1: Summary of Significant Accounting Policies (continued)

### 1.9 Employee Benefits

Liabilities for 'short-term employee benefits' (as defined in AASB 119 *Employee Benefits*) and termination benefits expected within twelve months of the end of reporting period are measured at their nominal amounts.

The nominal amount is calculated with regard to the rates expected to be paid on settlement of the liability.

Other long-term employee benefits are measured as net total of the present value of the defined benefit obligation at the end of the reporting period minus the fair value at the end of the reporting period of plan assets (if any) out of which the obligations are to be settled directly.

#### *Leave*

The liability for employee benefits includes provision for annual leave and long service leave. No provision has been made for sick leave as all sick leaves is non-vesting and the average sick leave taken in future years by employees of the entity is estimated to be less than the annual entitlement for sick leave.

The leave liabilities are calculated on the basis of employees' remuneration at the estimated salary rates that will be applied at the time the leave is taken, including the entity's employer superannuation contribution rates to the extent that the leave is likely to be taken during service rather than paid out on termination.

The liability for long service leave has been determined by reference to the work of an actuary as at 30 June 2015. The estimate of the present value of the liability takes into account attrition rates and pay increases through promotion and inflation.

#### *Separation and Redundancy*

Provision is made for separation and redundancy benefit payments. The Commission recognises a provision for termination when it has developed a detailed formal plan for the terminations and has informed those employees affected that it will carry out the terminations.

#### *Superannuation*

The Commission's staff are members of the Commonwealth Superannuation Scheme (CSS), the Public Sector Superannuation Scheme (PSS) or the PSS accumulation plan (PSSap).

The CSS and PSS are defined benefit schemes for the Australian Government. The PSSap is a defined contribution scheme.

The liability for defined benefits is recognised in the financial statements of the Australian Government and is settled by the Australian Government in due course. This liability is reported in the Department of Finance's administered schedules and notes.

The Commission makes employer contributions to the employees' superannuation scheme at rates determined by an actuary to be sufficient to meet the current cost to the Government. The Commission accounts for the contributions as if they were contributions to defined contribution plans.

The liability for superannuation recognised as at 30 June represents outstanding contributions for the final fortnight of the year.

### 1.10 Leases

A distinction is made between finance leases and operating leases. Finance leases effectively transfer from the lessor to the lessee substantially all the risks and rewards incidental to ownership of leased assets.

An operating lease is a lease that is not a finance lease. In operating leases, the lessor effectively retains substantially all such risks and benefits.

## Notes to and forming part of the financial statements for the period ended 30 June 2015

### Note 1: Summary of Significant Accounting Policies (continued)

Where an asset is acquired by means of a finance lease, the asset is capitalised at either the fair value of the lease property or, if lower, the present value of minimum lease payments at the inception of the contract and a liability is recognised at the same time and for the same amount.

The discount rate used is the interest rate implicit in the lease. Leased assets are amortised over the period of the lease. Lease payments are allocated between the principal component and the interest expense.

Operating lease payments are expensed on a straight-line basis which is representative of the pattern of benefits derived from the leased assets.

#### 1.11 Fair Value Measurement

The Commission deems transfers between levels of the fair value hierarchy to have occurred at the end of the reporting period. There were no transfers in or out of any levels during the reporting period.

#### 1.12 Cash

Cash is recognised at its nominal amount. Cash and cash equivalents includes:

- a) cash on hand; and
- b) demand deposits in bank accounts with an original maturity of 3 months or less that are readily convertible to known amounts of cash and subject to insignificant risk of changes in value.

#### 1.13 Financial Assets

The Commission classifies its financial assets in the following categories as receivables.

The classification depends on the nature and purpose of the financial assets and is determined at the time of initial recognition. Financial assets are recognised and derecognised upon trade date.

##### *Effective Interest Method*

The effective interest method is a method of calculating the amortised cost of a financial asset and of allocating interest income over the relevant period. The effective interest rate is the rate that exactly discounts estimated future cash receipts through the expected life of the financial asset, or, where appropriate, a shorter period.

##### *Receivables*

Trade and other receivables that have fixed or determinable payments that are not quoted in an active market are classified as 'receivables'. Receivables are measured at amortised cost using the effective interest method less impairment.

##### *Impairment of Financial Assets*

Financial assets are assessed for impairment at the end of each reporting period.

*Financial assets held at cost* – if there is objective evidence that an impairment loss has been incurred, the amount of the impairment loss is the difference between the carrying amount of the asset and the present value of the estimated future cash flows discounted at the current market rate for similar assets.

#### 1.14 Financial Liabilities

Financial liabilities are classified as 'other financial liabilities'. Financial liabilities are recognised and derecognised upon 'trade date'.

##### *Other Financial Liabilities*

Other financial liabilities are initially measured at fair value, net of transaction costs. These liabilities are subsequently measured at amortised cost using the effective interest method, with interest expense recognised on an effective yield basis.

## Note 1: Summary of Significant Accounting Policies (continued)

The effective interest method is a method of calculating the amortised cost of a financial liability and of allocating interest expense over the relevant period. The effective interest rate is the rate that exactly discounts estimated future cash payments through the expected life of the financial liability, or, where appropriate, a shorter period.

Supplier and other payables are recognised at amortised cost. Liabilities are recognised to the extent that the goods or services have been received (and irrespective of having been invoiced).

### 1.15 Contingent Liabilities and Contingent Assets

Contingent liabilities and contingent assets are not recognised in the statement of financial position but are reported in the notes. They may arise from uncertainty as to the existence of a liability or asset or represent an asset or liability in respect of which the amount cannot be reliably measured. Contingent assets are disclosed when settlement is probable but not virtually certain and contingent liabilities are disclosed when settlement is greater than remote.

### 1.16 Acquisition of Assets

Assets are recorded at cost on acquisition except as stated below. The cost of acquisition includes the fair value of assets transferred in exchange and liabilities undertaken. Financial assets are initially measured at their fair value plus transaction costs where appropriate. Assets acquired at no cost, or for nominal consideration, are initially recognised as assets and income at their fair value at the date of acquisition, unless acquired as a consequence of restructuring of administrative arrangements. In the latter case, assets are initially recognised as contributions by owners at the amounts at which they were recognised in the transferor's accounts immediately prior to the restructuring.

### 1.17 Infrastructure, Plant and Equipment

#### *Asset Recognition Threshold*

Purchases of infrastructure, plant and equipment are recognised initially at cost in the statement of financial position, except for purchases costing less than \$2,000 which are expensed in the year of acquisition (other than where they form part of a group of similar items which are significant in total).

The initial cost of an asset includes an estimate of the cost of dismantling and removing the item and restoring the site on which it is located. This is particularly relevant to 'make good' provisions in property leases taken up by the Commission where there exists an obligation to restore the property to its original condition. These costs are included in the value of the Commission's leasehold improvements with a corresponding provision for the 'make good' recognised.

#### *Revaluations*

Following initial recognition at cost, infrastructure, plant and equipment is carried at fair value. Valuations are conducted with sufficient frequency to ensure that the carrying amounts of assets did not differ materially from the assets' fair values as at the reporting date. The regularity of independent valuations depends upon the volatility of movements in market values for the relevant assets.

Revaluation adjustments were made on a class basis. Any revaluation increment was credited to equity under the heading of asset revaluation reserve except to the extent that it reversed a previous revaluation decrement of the same asset class that was previously recognised in the surplus/deficit. Revaluation decrements for a class of assets were recognised directly in the surplus/deficit except to the extent that they reversed a previous revaluation increment for that class.

Any accumulated depreciation as at the revaluation date was eliminated against the gross carrying amount of the asset and the asset was restated to the revalued amount.

## Notes to and forming part of the financial statements for the period ended 30 June 2015

### Note 1: Summary of Significant Accounting Policies (continued)

#### Depreciation

Depreciable infrastructure, plant and equipment assets are written-off to their estimated residual values over their estimated useful lives to the Commission using, in all cases, the straight-line method of depreciation.

Depreciation rates (useful lives), residual values and methods are reviewed at each reporting date and necessary adjustments are recognised in the current, or current and future reporting periods, as appropriate.

Depreciation rates applying to each class of depreciable asset are based on the following useful lives:

	2015	2014
Leasehold improvements	Lease term	Lease term
Computer, plant and equipment	4 to 10 years	4 to 10 years

#### Impairment

All assets were assessed for impairment at 30 June 2015. Where indications of impairment exist, the asset's recoverable amount is estimated and an impairment adjustment made if the asset's recoverable amount is less than its carrying amount.

The recoverable amount of an asset is the higher of its fair value less costs of disposal and its value in use. Value in use is the present value of the future cash flows expected to be derived from the asset. Where the future economic benefit of an asset is not primarily dependent on the asset's ability to generate future cash flows, and the asset would be replaced if the Commission were deprived of the asset, its value in use is taken to be its depreciated replacement cost.

#### Derecognition

An item of infrastructure, plant and equipment is derecognised upon disposal or when no further future economic benefits are expected from its use or disposal.

#### 1.18 Intangibles

The Commission's intangibles comprise intellectual property and internally developed and internally customised software for internal use. These assets are carried at cost less accumulated amortisation and accumulated impairment losses.

Software is amortised on a straight-line basis over its anticipated useful life. The useful lives of the Commission's software are 2 to 5 years (2014: 2 to 5 years). Intellectual property has an indefinite useful life and is not amortised.

All intangible assets were assessed for indications of impairment as at 30 June 2015.

#### 1.19 Taxation

The Commission is exempt from all forms of taxation except Fringe Benefits Tax (FBT) and the Goods and Services Tax (GST).

Revenues, expenses and assets are recognised net of GST except:

- where the amount of GST incurred is not recoverable from the Australian Taxation Office; and
- for receivables and payables.

#### 1.20 Reporting of Administered Activities

From 1 July 2014 the Commission became a corporate Commonwealth entity under the *Public Governance, Performance and Accountability Act 2013* and the Commission no longer receives administered funding.

## Notes to and forming part of the financial statements for the period ended 30 June 2015

### Note 2: Events After the Reporting Period

The Commission is not aware of any significant events that have occurred since balance date that warrant disclosure in these financial statements.

### Note 3: Net Cash Appropriation Arrangements

	2015 \$'000	2014 \$'000
<b>Total comprehensive income less depreciation/amortisation expenses previously funded through revenue appropriations<sup>1</sup></b>	<b>1,971</b>	166
Plus: depreciation/amortisation expenses previously funded through revenue appropriation	<b>(987)</b>	(978)
<b>Total comprehensive income (loss) per the Statement of Comprehensive Income</b>	<b>984</b>	(812)

1. From 2010-11, the Government introduced net cash appropriation arrangements, where revenue appropriations for depreciation/amortisation expenses ceased. Entities now receive a separate capital budget provided through equity appropriations. Capital budgets are to be appropriated in the period when cash payment for capital expenditure is required.

### Note 4: Expenses

	2015 \$'000	Departmental 2014 \$'000
<b>Note 4A: Employee Benefits</b>		
Wages and salaries	<b>12,273</b>	12,458
Superannuation:		
Defined contribution plans	<b>1,211</b>	1,198
Defined benefit plans	<b>858</b>	967
Leave and other entitlements	<b>1,383</b>	831
Separation and redundancies	<b>210</b>	319
Other employee expenses	<b>57</b>	82
<b>Total employee benefits</b>	<b>15,992</b>	15,855

**Notes to and forming part of the financial statements**  
for the period ended 30 June 2015

**Note 4: Expenses (continued)**

	2015 \$'000	Departmental 2014 \$'000	Administered 2014 \$'000
<b>Note 4B: Supplier</b>			
<b>Goods and services supplied or rendered</b>			
General property operating expenses	980	862	–
Insurance	35	38	–
Office consumables	58	87	–
Official travel	1,505	1,204	14
Postage and freight	29	42	–
Printing and publications	185	251	11
Professional services and fees	2,947	2,462	114
Reference materials, subscriptions and licences	395	344	–
Staff training	102	101	–
Telecommunications	206	228	–
Other	250	308	5
<b>Total goods and services supplied or rendered</b>	<b>6,692</b>	<b>5,927</b>	<b>144</b>
<b>Goods supplied in connection with</b>			
Related entities	42	42	–
External parties	704	790	11
<b>Total goods supplied</b>	<b>746</b>	<b>832</b>	<b>11</b>
<b>Services rendered in connection with</b>			
Related entities	179	247	2
External parties	5,767	4,848	131
<b>Total goods and services</b>	<b>5,946</b>	<b>5,095</b>	<b>133</b>
<b>Total goods and services supplied or rendered</b>	<b>6,692</b>	<b>5,927</b>	<b>144</b>
<b>Other supplier expenses</b>			
Operating lease rentals in connection with			
Related parties			
Minimum lease payments	5	118	
External parties			
Minimum lease payments	2,148	2,145	
Workers compensation expenses	64	38	
<b>Total other supplier expenses</b>	<b>2,217</b>	<b>2,301</b>	
<b>Total suppliers</b>	<b>8,909</b>	<b>8,228</b>	

**Notes to and forming part of the financial statements**  
for the period ended 30 June 2015

**Note 4: Expenses (continued)**

	<b>2015</b>	Departmental
	<b>\$'000</b>	2014
		<b>\$'000</b>

**Note 4C: Depreciation and Amortisation**

**Depreciation:**

Infrastructure, plant and equipment:

Computer, plant and equipment	176	153
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<b>Total depreciation</b>	<b>176</b>	<b>153</b>
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**Amortisation:**

Infrastructure, plant and equipment:

Leasehold improvements	590	591
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Intangibles:

Computer software	221	234
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<b>Total amortisation</b>	<b>811</b>	<b>825</b>
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<b>Total depreciation and amortisation</b>	<b>987</b>	<b>978</b>
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**Note 4D: Write-Down and Impairment of Assets**

**Asset write-downs and impairments from:**

Non-financial assets written off	5	2
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<b>Total write-down and impairment of assets</b>	<b>5</b>	<b>2</b>
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**Notes to and forming part of the financial statements**  
for the period ended 30 June 2015

**Note 5: Income**

	2015 \$'000	2014 \$'000
<b>OWN-SOURCE REVENUE</b>		
<b>Note 5A: Sale of Goods and Rendering of Services</b>		
<b>Sale of goods in connection with</b>		
External parties	-	1
<b>Total sale of goods</b>	<b>-</b>	<b>1</b>
<b>Rendering of services in connection with</b>		
Related entities	6,644	4,741
External parties	472	398
<b>Total rendering of services</b>	<b>7,116</b>	<b>5,139</b>
<b>Total sale of goods and rendering of services</b>	<b>7,116</b>	<b>5,140</b>
<b>Note 5B: Interest</b>		
Deposits	305	-
<b>Total interest</b>	<b>305</b>	<b>-</b>
<b>Note 5C: Other Revenue</b>		
Operating lease:		
Sub lease rental income	983	900
Resources received free of charge		
Remuneration of auditors	51	51
<b>Total other revenue</b>	<b>1,034</b>	<b>951</b>
<b>GAINS</b>		
<b>Note 5D: Other Gains</b>		
Gain on reduction of prior year provisions	92	17
<b>Total other gains</b>	<b>92</b>	<b>17</b>
<b>REVENUE FROM GOVERNMENT</b>		
<b>Note 5E: Revenue from Government</b>		
<b>Appropriations</b>		
Departmental appropriations	18,315	18,092
<b>Total departmental revenue from Government</b>	<b>18,315</b>	<b>18,092</b>
<b>Appropriations</b>		
Administered Appropriations	-	144
<b>Total administered revenue from Government</b>	<b>-</b>	<b>144</b>

## Notes to and forming part of the financial statements for the period ended 30 June 2015

### Note 6: Fair Value Measurements

The following tables provide an analysis of assets and liabilities that are measured at fair value. The different levels of the fair value hierarchy are defined below.

Level 1: Quoted prices (unadjusted) in active markets for identical assets or liabilities that the entity can access at measurement date.

Level 2: Inputs other than quoted prices included within Level 1 that are observable for the asset or liability, either directly or indirectly.

Level 3: Unobservable inputs for the asset or liability.

#### Note 6A: Fair Value Measurements, Valuation Technique and Inputs used

	Fair value measurements at the end of the reporting		For Levels 2 and 3 Fair Value Measurements		
	2015 \$'000	2014 \$'000	Category (Level 1, 2 or 3)	Valuation Technique	Inputs Used
<b>Non-financial assets</b>					
Infrastructure, plant and equipment	3,768	4,430	2	Market Approach	Market replacement cost less estimate of written down value of asset used
<b>Total non-financial assets</b>	<b>3,768</b>	<b>4,430</b>			
<b>Total fair value measurements of assets in the statement of financial position</b>	<b>3,768</b>	<b>4,430</b>			

#### Fair value measurements

There were no NFAs where the highest and best use differed from its current use during the reporting period.

#### Note 6B: Level 1 and Level 2 Transfers for Recurring Fair Value Measurements

The Commission made no transfers between level 1 and level 2 for recurring fair value measurements during the reporting period.

The Commission's policy for determining when transfers between the levels are deemed to have occurred can be found in Note 1.

#### Note 6C: Reconciliation of Recurring Level 3 Fair Value Measurements

The Commission had no recurring level 3 fair value measurements for assets or liabilities during the reporting period.

The Commission's policy for determining when transfers between the levels are deemed to have occurred can be found in Note 1.

**Notes to and forming part of the financial statements**  
for the period ended 30 June 2015

**Note 7: Financial Assets**

	2015 \$'000	Departmental 2014 \$'000	Administered 2014 \$'000
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**Note 7A: Cash and Cash Equivalents**

Cash on hand or on deposit	13,388	8,835	17
<b>Total cash and cash equivalents</b>	<b>13,388</b>	<b>8,835</b>	<b>17</b>

**Note 7B: Trade and Other Receivables**

**Goods and Services receivables in connection with**

Related entities	65	513	
External parties	42	78	
<b>Total goods and services receivables</b>	<b>107</b>	<b>591</b>	

**Other receivables:**

Interest	11	–	
GST receivable from the Australian Taxation Office	–	109	
<b>Total other receivables</b>	<b>11</b>	<b>109</b>	
<b>Total trade and other receivables (gross)</b>	<b>118</b>	<b>700</b>	

**Less impairment allowance account**

Goods and services	(19)	(19)	
<b>Total impairment allowance account</b>	<b>(19)</b>	<b>(19)</b>	
<b>Total trade and other receivables (net)</b>	<b>99</b>	<b>681</b>	

**Trade and other receivables (net) expected to be recovered**

<b>No more than 12 months</b>	<b>99</b>	<b>681</b>	
<b>Total trade and other receivables (net)</b>	<b>99</b>	<b>681</b>	

**Trade and other receivables (gross) aged as follows**

Not overdue	91	635	
Overdue by			
0 to 30 days	–	22	
31 to 60 days	1	–	
61 to 90 days	5	22	
More than 90 days	21	21	
<b>Total receivables (gross)</b>	<b>118</b>	<b>700</b>	

**Notes to and forming part of the financial statements**  
for the period ended 30 June 2015

**Note 7: Financial Assets (continued)**

	2015 \$'000	Departmental 2014 \$'000
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**Note 7B: Trade and Other Receivables (continued)**

**The impairment allowance account is aged as follows:**

Not overdue	-	-
Overdue by:		
0 to 30 days	-	-
31 to 60 days	-	-
61 to 90 days	-	-
More than 90 days	(19)	(19)
<b>Total impairment allowance account</b>	<b>(19)</b>	<b>(19)</b>

There have been no movements in the impairment allowance account in the current or previous reporting period.

**Note 7C: Other Financial Assets**

Rent in advance	-	277
Accrued revenue	-	6
Accommodation bond	3	3
<b>Total other financial assets</b>	<b>3</b>	<b>286</b>
<b>Other financial assets expected to be recovered</b>		
No more than 12 months	-	283
More than 12 months	3	3
<b>Total other financial assets</b>	<b>3</b>	<b>286</b>

**Notes to and forming part of the financial statements**  
for the period ended 30 June 2015

**Note 8: Non-Financial Assets**

	2015 \$'000	2014 \$'000
<b>Note 8A: Infrastructure, Plant and Equipment</b>		
<b>Computer, plant and equipment</b>		
Fair value	218	305
<b>Total computer, plant and equipment</b>	<b>218</b>	<b>305</b>
<b>Leasehold improvements</b>		
Fair value	3,550	4,125
<b>Total leasehold improvements</b>	<b>3,550</b>	<b>4,125</b>
<b>Total infrastructure, plant and equipment</b>	<b>3,768</b>	<b>4,430</b>

No indicators of impairment were found for infrastructure, plant and equipment.

No infrastructure, plant or equipment is expected to be sold or disposed of within the next 12 months.

**Revaluations of non-financial assets**

All revaluations were conducted in accordance with the revaluation policy stated at Note 1. On 30 June 2015, an independent valuer conducted the revaluations.

A revaluation increment of \$11,465 for leasehold improvements (2014: \$22,750 decrement) and \$3,380 for plant and equipment (2014: \$78,873 decrement) was credited to the asset revaluation surplus by asset class and included in the equity section of the balance sheet; no increments/decrements were expensed (2014: nil expensed).

**Note 8B: Reconciliation of the Opening and Closing Balances of Infrastructure, Plant and Equipment 2015**

	Computer, plant and equipment \$'000	Leasehold improvements \$'000	Total \$'000
<b>As at 1 July 2014</b>			
Gross book value	305	4,125	4,430
Accumulated depreciation and impairment	-	-	-
<b>Total as at 1 July 2014</b>	<b>305</b>	<b>4,125</b>	<b>4,430</b>
Additions:			
By purchase	91	3	94
Revaluations recognised in other comprehensive income	3	12	15
Depreciation/Amortisation expense	(176)	(590)	(766)
Disposals:			
Other	(5)	-	(5)
<b>Total as at 30 June 2015</b>	<b>218</b>	<b>3,550</b>	<b>3,768</b>
<b>Net book value as of 30 June 2015 represented by:</b>			
Gross book value	218	3,550	3,768
Accumulated depreciation and impairment	-	-	-
<b>Total as at 30 June 2015</b>	<b>218</b>	<b>3,550</b>	<b>3,768</b>

**Notes to and forming part of the financial statements**  
for the period ended 30 June 2015

**Note 8: Non-Financial Assets (continued)**

**Note 8B: Reconciliation of the Opening and Closing Balances of Infrastructure, Plant and Equipment 2014**

	Computer, plant and equipment \$'000	Leasehold improvements \$'000	Total \$'000
<b>As at 1 July 2013</b>			
Gross book value	304	4,730	5,034
Accumulated depreciation and impairment	–	–	–
<b>Total as at 1 July 2013</b>	<b>304</b>	<b>4,730</b>	<b>5,034</b>
Additions:			
By purchase	82	9	91
Revaluations recognised in other comprehensive income	74	(23)	51
Depreciation/Amortisation expense	(153)	(591)	(744)
Disposals:			
Other	(2)	–	(2)
<b>Total as at 30 June 2014</b>	<b>305</b>	<b>4,125</b>	<b>4,430</b>
<b>Net book value as of 30 June 2014 represented by:</b>			
Gross book value	305	4,125	4,430
Accumulated depreciation and impairment	–	–	–
<b>Total as at 30 June 2014</b>	<b>305</b>	<b>4,125</b>	<b>4,430</b>

**Notes to and forming part of the financial statements**  
for the period ended 30 June 2015

**Note 8: Non-Financial Assets (continued)**

	2015 \$'000	2014 \$'000
<b>Note 8C: Intangibles</b>		
<b>Computer software</b>		
Internally customised – in progress	–	128
Internally developed – in use	1,271	1,143
Accumulated amortisation	(693)	(472)
<b>Total computer software</b>	<b>578</b>	<b>799</b>
<b>Other intangibles</b>		
Purchased	5	5
<b>Total other intangibles</b>	<b>5</b>	<b>5</b>
<b>Total intangibles</b>	<b>583</b>	<b>804</b>

No indicators of impairment were found for intangible assets.

No intangibles are expected to be sold or disposed of within the next 12 months.

**Note 8D: Reconciliation of the Opening and Closing Balances of Intangibles 2015**

	Computer software internally customised – in progress \$'000	Computer software internally developed – in use \$'000	Other intangibles – intellectual property \$'000	Total \$'000
<b>As at 1 July 2014</b>				
Gross book value	128	1,143	5	1,276
Accumulated amortisation and impairment	–	(472)	–	(472)
<b>Total as at 1 July 2014</b>	<b>128</b>	<b>671</b>	<b>5</b>	<b>804</b>
Additions:				
<b>By purchase or internally developed</b>				
Work-in-progress transfer	(128)	128	–	–
Amortisation	–	(221)	–	(221)
<b>Total as at 30 June 2015</b>	<b>–</b>	<b>578</b>	<b>–</b>	<b>583</b>
<b>Net book value as of 30 June 2015 represented by:</b>				
Gross book value	–	1,271	5	1,276
Accumulated amortisation and impairment	–	(693)	–	(693)
<b>Total as at 30 June 2015</b>	<b>–</b>	<b>578</b>	<b>5</b>	<b>583</b>

**Notes to and forming part of the financial statements**  
for the period ended 30 June 2015

**Note 8: Non-Financial Assets (continued)**

**Note 8D: Reconciliation of the Opening and Closing Balances of Intangibles 2014**

	Computer software internally customised – in progress \$'000	Computer software internally developed – in use \$'000	Other intangibles – intellectual property \$'000	Total \$'000
<b>As at 1 July 2013</b>				
Gross book value	–	1,131	–	1,131
Accumulated amortisation and impairment	–	(238)	–	(238)
<b>Total as at 1 July 2013</b>	–	893	–	893
Additions:				
By purchase or internally developed	128	12	5	140
Amortisation	–	(234)	–	(234)
<b>Total as at 30 June 2014</b>	128	671	5	799
<b>Net book value as of 30 June 2014 represented by:</b>				
Gross book value	128	1,143	5	1,276
Accumulated amortisation and impairment	–	(472)	–	(472)
<b>Total as at 30 June 2014</b>	128	671	5	804

	2015 \$'000	2014 \$'000
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**Note 8E: Other Non-Financial Assets**

Prepayments	161	162
<b>Total other non-financial assets</b>	<b>161</b>	<b>162</b>
<b>Total other non-financial assets – are expected to be recovered in:</b>		
No more than 12 months	154	155
More than 12 months	7	7
<b>Total other non-financial assets</b>	<b>161</b>	<b>162</b>

No indicators of impairment were found for other non-financial assets.

**Notes to and forming part of the financial statements**  
for the period ended 30 June 2015

**Note 9: Payables**

	2015 \$'000	Departmental 2014 \$'000	Administered 2014 \$'000
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**Note 9A: Suppliers**

Trade creditors and accruals	455	689	17
Rent payable	1,198	1,035	–
<b>Total suppliers payables</b>	<b>1,653</b>	<b>1,724</b>	<b>17</b>

**Suppliers expected to be settled**

No more than 12 months	455	689	17
More than 12 months	1,198	1,035	–
<b>Total suppliers</b>	<b>1,653</b>	<b>1,724</b>	<b>17</b>

**Suppliers in connection with**

Related entities	187	57	–
External parties	1,466	1,667	17
<b>Total suppliers</b>	<b>1,653</b>	<b>1,724</b>	<b>17</b>

Settlement is generally made in accordance with the terms of the supplier invoice.

	2015 \$'000	2014 \$'000
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**Note 9B: Other Payables**

Wages and salaries	405	386
Superannuation	81	54
Other employee expenses	12	24
Revenue received in advance	6,482	5,087
GST payable to the Australian Taxation Office	244	–
<b>Total other payables</b>	<b>7,224</b>	<b>5,551</b>

**Other payables expected to be settled**

No more than 12 months	7,224	5,551
<b>Total other payables</b>	<b>7,224</b>	<b>5,551</b>

Notes to and forming part of the financial statements  
for the period ended 30 June 2015

## Note 10: Non-interest Bearing Liabilities

	2015 \$'000	2014 \$'000
<b>Note 10A: Non-interest Bearing Liabilities</b>		
Lease incentives <sup>1</sup>	3,396	3,962
<b>Total non-interest bearing liabilities</b>	<b>3,396</b>	<b>3,962</b>
<b>Non-interest bearing liabilities expected to be settled</b>		
Within one year	566	566
Between one to five years	2,268	2,268
More than five years	562	1,128
<b>Total non-interest bearing liabilities</b>	<b>3,396</b>	<b>3,962</b>

1 Lease incentive included in property operating lease.

## Note 11: Provisions

	2015 \$'000	2014 \$'000
<b>Note 11A: Employee Provisions</b>		
Leave	3,548	3,248
Separations and redundancies	160	126
<b>Total employee provisions</b>	<b>3,708</b>	<b>3,374</b>
<b>Employee provisions expected to be settled in</b>		
No more than 12 months	2,928	2,593
More than 12 months	780	781
<b>Total employee provisions</b>	<b>3,708</b>	<b>3,374</b>
<b>Note 11B: Other Provisions</b>		
Provision for contract obligations	696	623
Provision for restoration obligations	79	79
<b>Total other provisions</b>	<b>775</b>	<b>702</b>
<b>Other provisions expected to be settled in</b>		
No more than 12 months	696	623
More than 12 months	79	79
<b>Total other provisions</b>	<b>775</b>	<b>702</b>

**Notes to and forming part of the financial statements**  
for the period ended 30 June 2015

**Note 11: Provisions (continued)**

	Provision for contract obligations \$'000	Provision for restoration \$'000	Total \$'000
<b>As at 1 July 2014</b>	<b>623</b>	<b>79</b>	<b>702</b>
Additional provisions made	496	–	496
Amounts used	(331)	–	(331)
Amounts reversed	(92)	–	(92)
<b>Total as at 30 June 2015</b>	<b>696</b>	<b>79</b>	<b>775</b>

**Note 12: Cash Flow Reconciliation**

	2015 \$'000	Departmental 2014 \$'000	Administered 2014 \$'000
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**Reconciliation of cash and cash equivalents as per  
statement of financial position to cash flow Statement**

**Cash and cash equivalents as per:**

Cash flow statement	13,388	8,835	17
Statement of financial position	13,388	8,835	17
<b>Difference</b>	<b>–</b>	<b>–</b>	<b>–</b>

**Reconciliation of net cost of services to net cash from  
operating activities:**

Net cost of services	(17,346)	(18,955)	(144)
Add revenue from Government	18,315	18,092	–

**Adjustments for non-cash items**

Depreciation / amortisation	987	978	–
Net write down of non-financial assets	5	2	–
Adjustment for errors and revised estimates	–	70	–
Unwinding of lease incentive	(566)	(567)	–
Changes in assets / liabilities			
(Increase) / decrease in net receivables	863	5,588	–
(Increase) / decrease in other non-financial assets	1	(62)	–
Increase / (decrease) in employee provisions	334	(430)	–
Increase / (decrease) in supplier payables	(72)	64	17
Increase / (decrease) in other payable	1,675	2,171	–
Increase / (decrease) in other provisions	74	458	–
<b>Net cash from operating activities</b>	<b>4,270</b>	<b>7,409</b>	<b>(127)</b>

**Notes to and forming part of the financial statements**  
for the period ended 30 June 2015

## Note 13: Contingent Assets and Liabilities

### Quantifiable Contingencies

At the time of signing these financial statements the Commission had one quantifiable contingent liability for \$1,050,000 (2014: nil). The amount represents additional funding received during the reporting period to assist meeting organisational restructure costs. Note 1.4 provides full details of this event.

### Unquantifiable Contingencies

At the time of signing these financial statements the Commission is appearing as an intervener in one matter before the Family Court of Western Australia, and appeared as *amicus curiae* in one matter before the High Court of Australia in which judgement has been reserved.

It is not possible to estimate the amounts of the eventual payments that may be required in relation to the unresolved claims, though it is not common for costs to be awarded against the Commission in these matters.

## Note 14: Senior Management Personnel Remuneration

	2015 \$	2014 \$
<b>Short-term employee benefits:</b>		
Salary	2,868,286	2,912,237
Motor vehicle and other allowances	124,341	93,429
<b>Total short-term employee benefits</b>	<b>2,992,627</b>	<b>3,005,666</b>
<b>Post-employment benefits:</b>		
Superannuation	291,780	283,207
<b>Total post-employment benefits</b>	<b>291,780</b>	<b>283,207</b>
<b>Other long-term employee benefits:</b>		
Annual leave accrued	220,705	224,747
Long-service leave	70,342	75,540
<b>Total other long-term employee benefits</b>	<b>291,047</b>	<b>300,287</b>
<b>Termination benefits:</b>		
Separation and redundancy payments	-	-
<b>Total termination benefits</b>	<b>-</b>	<b>-</b>
<b>Total senior executive remuneration expenses</b>	<b>3,575,454</b>	<b>3,589,160</b>

The total number of senior management personnel that are included in the above table is 11 (2014: 10).

**Notes to and forming part of the financial statements**  
for the period ended 30 June 2015

**Note 15: Financial Instruments**

	2015 \$'000	Departmental 2014 \$'000	Administered 2014 \$'000
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**Note 15A: Categories of Financial Instruments**

**Financial Assets**

**Receivables:**

Cash and cash equivalents	13,388	8,835	17
Trade and other receivables	99	572	-
Other financial assets	3	286	-
<b>Carrying amount of financial assets</b>	<b>13,490</b>	<b>9,693</b>	<b>17</b>

**Financial Liabilities**

**Other liabilities:**

Trade creditors and accruals	1,653	1,724	17
<b>Carrying amount of financial liabilities</b>	<b>1,653</b>	<b>1,724</b>	<b>17</b>

	Departmental Carrying Amount 2015 \$'000	Departmental Fair Value 2015 \$'000	Administered Carrying Amount and Fair Value 2015 \$'000
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**Note 15B: Fair Value of Financial Instruments**

**Financial Assets**

Cash and cash equivalents	13,388	13,388	-
Trade and other receivables	99	99	-
Other financial assets	3	3	-
<b>Total</b>	<b>13,490</b>	<b>13,490</b>	<b>-</b>

**Financial Liabilities**

Trade creditors and accruals	1,653	1,653	-
<b>Total</b>	<b>1,653</b>	<b>1,653</b>	<b>-</b>

## Note 15: Financial Instruments (continued)

	Departmental Carrying Amount 2014 \$'000	Departmental Fair Value 2014 \$'000	Administered Carrying Amount and Fair Value 2014 \$'000
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### Note 15B: Fair Value of Financial Instruments

#### Financial Assets

Cash and cash equivalents	8,835	8,835	17
Trade and other receivables	572	572	–
Other financial assets	286	286	–
<b>Total</b>	<b>9,693</b>	<b>9,693</b>	<b>17</b>

#### Financial Liabilities

Trade creditors and accruals	1,724	1,724	17
<b>Total</b>	<b>1,724</b>	<b>1,724</b>	<b>17</b>

### Note 15C: Credit Risk

The Commission's maximum exposures to credit risk at reporting date in relation to each class of recognised financial asset is the carrying amount of those assets as indicated in the statement of financial position.

The Commission has no significant exposures to any concentrations of credit risk nor does it hold any collateral to mitigate against credit risk.

#### Credit quality of financial instruments not past due or individually determined as impaired:

	Not past due nor impaired 2015 \$'000	Not past due nor impaired 2014 \$'000	Past due or impaired 2015 \$'000	Past due or impaired 2014 \$'000
<b>Receivables</b>				
Cash and cash equivalents	13,388	8,835	–	–
Trade receivables	72	507	27	65
Other financial assets	3	286	–	–
<b>Total</b>	<b>13,463</b>	<b>9,628</b>	<b>27</b>	<b>65</b>

**Notes to and forming part of the financial statements**  
for the period ended 30 June 2015

**Note 15: Financial Instruments (continued)**

**Note 15C: Credit Risk (continued)**

**Ageing of financial assets that were past due but not impaired for 2015:**

	0 to 30 days \$'000	31 to 60 days \$'000	61 to 90 days \$'000	90+ days \$'000	Total \$'000
Trade receivables	–	1	5	21	27
<b>Total</b>	<b>–</b>	<b>1</b>	<b>5</b>	<b>21</b>	<b>27</b>

**Ageing of financial assets that were past due but not impaired for 2014:**

	0 to 30 days \$'000	31 to 60 days \$'000	61 to 90 days \$'000	90+ days \$'000	Total \$'000
Trade receivables	22	–	22	21	65
<b>Total</b>	<b>22</b>	<b>–</b>	<b>22</b>	<b>21</b>	<b>65</b>

**Note 15D: Liquidity Risk**

The Commission's financial liabilities are supplier payables and accrued expenses. The exposure to liquidity risk is based on the notion that the Commission will encounter difficulty in meeting its obligations associated with financial liabilities. This is unlikely due to the appropriation funding and mechanisms available to the Commission (e.g. Advance to the Minister for Finance) and internal policies and procedures put in place to ensure there are appropriate resources to meet its financial obligations.

**Maturities for non-derivative financial liabilities 2015:**

	On demand \$'000	within 1 year \$'000	1 to 2 years \$'000	2 to 5 years \$'000	> 5 years \$'000	Total \$'000
Trade creditors and accruals	–	455	–	1,198	–	1,653
<b>Total</b>	<b>–</b>	<b>455</b>	<b>–</b>	<b>1,198</b>	<b>–</b>	<b>1,653</b>

From 1 July 2014 the Commission became a corporate Commonwealth entity and no longer receives administered funding. The administered table below is provided for comparative purposes only.

**Notes to and forming part of the financial statements**  
for the period ended 30 June 2015

**Note 15: Financial Instruments (continued)**

**Maturities for non-derivative financial liabilities 2014:**

	On demand \$'000	within 1 year \$'000	1 to 2 years \$'000	2 to 5 years \$'000	> 5 years \$'000	Total \$'000
Trade creditors and accruals	–	689	–	–	1,035	1,724
<b>Total</b>	–	689	–	–	1,035	1,724

**Maturities for non-derivative financial liabilities 2014:**

	On demand \$'000	within 1 year \$'000	1 to 2 years \$'000	2 to 5 years \$'000	> 5 years \$'000	Total \$'000
Trade creditors and accruals	–	17	–	–	–	17
<b>Total</b>	–	17	–	–	–	17

The Commission had no derivative financial liabilities in both the current and prior year.

**Note 15E: Market Risk**

The Commission holds basic financial instruments that do not expose the Commission to certain market risks. The Commission is not exposed to 'interest rate risk', 'currency risk' or 'other price risk'.

**Notes to and forming part of the financial statements**  
for the period ended 30 June 2015

**Note 16: Financial Assets Reconciliation**

	Notes	2015 \$'000	2014 \$'000
<b>Financial Assets</b>			
<b>Total financial assets as per statement of financial position</b>		<b>13,490</b>	9,802
Less: non-financial instrument components			
GST Receivable from the Australian Taxation Office	7B	-	109
Total non-financial instrument components		-	109
<b>Total financial assets as per financial instruments note</b>		<b>13,490</b>	9,693

	2015 \$'000	2014 \$'000
<b>Financial Assets</b>		
<b>Total financial assets as per schedule of administered assets and liabilities</b>	-	17
Less: non-financial instrument components	-	-
Total non-financial instrument components	-	-
<b>Total financial assets as per financial instruments note</b>	-	17

	2015 \$'000	2014 \$'000
<b>Administered Reconciliation Schedule</b>		
<b>Opening assets less liabilities as at 1 July</b>	-	-
<b>Net cost of services</b>		
Expenses		
Payments to entities other than corporate Commonwealth entities	-	(144)
<b>Transfers from Australian Government</b>		
Appropriation transfers from OPA		
Annual Appropriations		
Payments to entities other than corporate Commonwealth entities	-	144
<b>Closing assets less liabilities as at 30 June</b>	-	-

**Notes to and forming part of the financial statements**  
for the period ended 30 June 2015

**Note 17: Appropriations**

**Table A: Annual Appropriations ('Recoverable GST exclusive')**

	Annual Appropriations 2015						Total appropriation \$'000	Appropriation applied in 2015 (current and prior years) \$'000	Variance <sup>2</sup> \$'000	Section 51 determinations \$'000
	Appropriation Act		PGPA Act		Section 75 \$'000	Section 74 \$'000				
	Annual Appropriation <sup>1</sup> \$'000	AFM \$'000	Section 74 \$'000	Section 75 \$'000						
<b>DEPARTMENTAL</b>										
Ordinary annual services	18,315	-	-	-	-	-	(24,802)	(6,487)	-	
Other services	51	-	-	-	-	51	(51)	-	-	
Equity	-	-	-	-	-	-	-	-	-	
Loans	-	-	-	-	-	-	-	-	-	
<b>Total departmental</b>	<b>18,366</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>18,366</b>	<b>(24,853)</b>	<b>(6,487)</b>	<b>-</b>	

**Notes:**

- In 2014-15 there were no appropriations that have been quarantined.
- In 2014-15 there was no adjustment that met the recognition criteria of a formal reduction in revenue (in accordance with FRR Part 6 Div 3) but at law the appropriations had not been amended before the end of the reporting period.
- Variance represents the application of current and previous years own-source revenue.
- From 1 July 2014 the Commission became a corporate Commonwealth entity and no longer receives administered funding. During the reporting period an amount of \$146,000 has been reclassified as Departmental and included in the Annual Appropriation amount reported in this table. Administered information in the following table is provided for comparative purposes only.

**Notes to and forming part of the financial statements**  
for the period ended 30 June 2015

**Note 17: Appropriations (continued)**

**Table A: Annual Appropriations ('Recoverable GST exclusive') (continued)**

	2014 Appropriations						Appropriation applied in 2014 (current and prior years) \$'000	Variance <sup>2</sup> \$'000
	Appropriation Act		FMA Act			Total appropriation \$'000		
	Annual Appropriation \$'000	AFM \$'000	Section 30 \$'000	Section 31 \$'000	Section 32 \$'000			
<b>DEPARTMENTAL</b>								
Ordinary annual services	18,092	-	-	8,366	-	26,458	(25,086)	1,372
Other services	-	-	-	-	-	-	-	-
Equity	-	-	-	-	-	-	-	-
Loans	-	-	-	-	-	-	-	-
<b>Total departmental</b>	<b>18,092</b>	<b>-</b>	<b>-</b>	<b>8,366</b>	<b>-</b>	<b>26,458</b>	<b>(25,086)</b>	<b>1,372</b>
<b>ADMINISTERED</b>								
Ordinary annual services								
Administered items	144	-	-	-	-	144	(144)	-
<b>Total administered</b>	<b>144</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>144</b>	<b>(144)</b>	<b>-</b>

**Notes:**

1. Departmental appropriations do not lapse at financial year-end. However, the responsible Minister may decide that part or all of a departmental appropriation is not required and request that the Finance Minister to reduce that appropriation. The reduction in the appropriation is effected by the Finance Minister's determination and is disallowable by Parliament. In 2014, there was no reduction in departmental and non-operating departmental appropriations. As with departmental appropriations, the responsible Minister may decide that part or all of an administered appropriation is not required and request that the Finance Minister reduce that appropriation. For administered appropriations reduced under section 11 of Appropriation Acts (Nos. 1,3&5) 2013-14 and section 12 of Appropriation Acts (Nos. 2,4&6) 2013-14, the appropriation is taken to be reduced to the required amount specified in Note 24D of the Commission's 2013-14 annual report when it is tabled in Parliament. All administered appropriations may be adjusted by a Finance Minister's determination, which is disallowable by Parliament.

2. Variance represents unspent appropriations.

Notes to and forming part of the financial statements  
for the period ended 30 June 2015

Note 17: Appropriations (continued)

Table B: Departmental and Administered Capital Budgets ('Recoverable GST exclusive')

	2015 Capital Budget Appropriations			Capital Budget Appropriations applied in 2015 (current and prior years)			Variance <sup>3</sup> \$'000
	Appropriation Act		Total Capital Budget Appropriations \$'000	Payments for non-financial assets <sup>2</sup> \$'000	Payments for other purposes \$'000	Total payments \$'000	
	Annual Capital Budget \$'000	PGPA Act Section 75 \$'000					
<b>DEPARTMENTAL</b>							
<b>Ordinary annual services – Departmental Capital Budget<sup>1</sup></b>	326	-	326	(43)	-	(43)	283

Notes:

1. Departmental Capital Budgets are appropriated through Appropriation Act (No.1,3,5). They form part of ordinary annual services, and are not separately identified in the Appropriation Acts. For more information on ordinary annual services appropriations, please see Table A: Annual appropriations.
2. Payments made on non-financial assets include purchases of assets, expenditure on assets which has been capitalised.
3. Variance represents prior year departmental capital budget appropriation drawdown and spent in the current period.
4. From 1 July 2014 the Commission became a corporate Commonwealth entity and no longer receives departmental capital budget funding. The table above represents the designation of departmental capital budget funding as equity as submitted to Parliament at Budget 2014-15 and can not be redesignated during the reporting period.

	2014 Capital Budget Appropriations			Capital Budget Appropriations applied in 2014 (current and prior years)			Variance <sup>3</sup> \$'000
	Appropriation Act		Total Capital Budget Appropriations \$'000	Payments for non-financial assets <sup>2</sup> \$'000	Payments for other purposes \$'000	Total payments \$'000	
	Annual Capital Budget \$'000	FMA Act Section 32 \$'000					
<b>DEPARTMENTAL</b>							
<b>Ordinary annual services – Departmental Capital Budget<sup>1</sup></b>	173	-	173	(236)	-	(236)	(63)

Notes:

1. Departmental Capital Budgets are appropriated through Appropriation Acts (No.1,3,5). They form part of ordinary annual services, and are not separately identified in the Appropriation Acts. For more information on ordinary annual services appropriations, please see Table A: Annual appropriations.
2. Payments made on non-financial assets include purchases of assets, expenditure on assets which has been capitalised.
3. Variance represents prior year departmental capital budget appropriation drawdown and spent in the current period.

Note 17: Appropriations (continued)

Table C: Unspent Annual Appropriations ('Recoverable GST exclusive')

	2015 \$'000	2014 \$'000
<b>Authority</b>		
<b>DEPARTMENTAL</b>		
Cash held by the Commission	13,388	8,835
<b>Total</b>	<b>13,388</b>	<b>8,835</b>
<b>ADMINISTERED</b>		
Cash held by the Commission	-	17
<b>Total</b>	<b>-</b>	<b>17</b>

Notes to and forming part of the financial statements  
for the period ended 30 June 2015

## Note 18: Reporting of Outcomes

### Note 18A: Net Cost of Outcome Delivery

	Outcome 1		Total	
	2015 \$'000	2014 \$'000	2015 \$'000	2014 \$'000

#### DEPARTMENTAL

Expenses	25,893	25,063	25,893	25,063
Own-source income	8,547	6,108	8,547	6,108

#### ADMINISTERED

Expenses	-	144	-	144
<b>Net cost of outcome delivery</b>	<b>(17,346)</b>	<b>(19,099)</b>	<b>(17,346)</b>	<b>(19,099)</b>

### Note 18B: Major Classes of Departmental Expense, Income, Assets and Liabilities by Outcome

	Outcome 1		Total	
	2015 \$'000	2014 \$'000	2015 \$'000	2014 \$'000

#### Expenses

Employee benefits	15,992	15,855	15,992	15,855
Supplier	8,909	8,228	8,909	8,228
Depreciation and Amortisation	987	978	987	978
Other	5	2	5	2
<b>Total</b>	<b>25,893</b>	<b>25,063</b>	<b>25,893</b>	<b>25,063</b>

#### Income

Sale of goods and rendering of services	7,116	5,140	7,116	5,140
Revenue from Government	18,315	18,092	18,315	18,092
Interest	305	-	305	-
Other Revenue	1,034	951	1,034	951
Other gains	92	17	92	17
<b>Total</b>	<b>26,862</b>	<b>24,200</b>	<b>26,862</b>	<b>24,200</b>

#### Assets

Cash and cash equivalents	13,388	8,835	13,388	8,835
Trade and other receivables	99	681	99	681
Other financial assets	3	286	3	286
Infrastructure, plant and equipment	3,768	4,430	3,768	4,430
Intangibles	583	804	583	804
Other non-financial assets	161	162	161	162
<b>Total</b>	<b>18,002</b>	<b>15,198</b>	<b>18,002</b>	<b>15,198</b>

**Notes to and forming part of the financial statements**  
for the period ended 30 June 2015

**Note 18: Reporting of Outcomes (continued)**

	Outcome 1		Total	
	2015 \$'000	2014 \$'000	2015 \$'000	2014 \$'000
<b>Liabilities</b>				
Suppliers	1,653	1,724	1,653	1,724
Lease incentives	3,396	3,962	3,396	3,962
Employee provisions	3,708	3,374	3,708	3,374
Other provisions and payables	7,999	6,253	7,999	6,253
<b>Total</b>	<b>16,756</b>	<b>15,313</b>	<b>16,756</b>	<b>15,313</b>

Outcome 1 is described in Note 1.1. Net costs shown included intra-government costs that were eliminated in calculating the actual Budget Outcome.

**Note 18C: Major Classes of Administered Expenses, Income, Assets and Liabilities by Outcome**

	Outcome 1		Total	
	2015 \$'000	2014 \$'000	2015 \$'000	2014 \$'000
<b>Expenses</b>				
Supplier	–	144	–	144
<b>Total</b>	<b>–</b>	<b>144</b>	<b>–</b>	<b>144</b>
<b>Income</b>				
Revenue from Government				
Administered	–	144	–	144
<b>Total</b>	<b>–</b>	<b>144</b>	<b>–</b>	<b>144</b>
<b>Assets</b>				
Cash and cash equivalents	–	17	–	17
<b>Total</b>	<b>–</b>	<b>17</b>	<b>–</b>	<b>17</b>
<b>Liabilities</b>				
Suppliers	–	17	–	17
<b>Total</b>	<b>–</b>	<b>17</b>	<b>–</b>	<b>17</b>

Outcome 1 is described in Note 1.1. Net costs shown included intra-government costs that were eliminated in calculating the actual Budget Outcome.

**Notes to and forming part of the financial statements**  
for the period ended 30 June 2015

**Note 19: Budgetary Reports and Explanations of Major Variances**

The following tables provide a comparison of the original budget as presented in the 2014-15 Portfolio Budget Statements (PBS) and the revised budgets as presented in the 2014-15 Portfolio Additional Estimates Statements (PAES) and Portfolio Supplementary Additional Estimates Statements (PSAES) to the final outcome as presented in accordance with Australian Accounting Standards for the Commission. The budget is not audited.

**Note 19A: Departmental Budgetary Reports**

**Statement of Comprehensive Income**

for the period ended 30 June 2015

	Budget estimate		
	Actual 2015 \$'000	Original <sup>1</sup> 2015 \$'000	Variance <sup>2</sup> 2015 \$'000
<b>Expenses</b>			
Employee benefits	15,992	18,816	(2,824)
Suppliers	8,909	7,335	1,574
Depreciation and amortisation	987	895	92
Write-down and impairment of assets	5	-	5
<b>Total expenses</b>	<b>25,893</b>	<b>27,046</b>	<b>(1,153)</b>
<b>Own-Source Income</b>			
<b>Own-source revenue</b>			
Sale of goods and rendering of services	7,116	5,585	1,531
Interest	305	-	305
Other revenue	1,034	900	134
<b>Total own-source revenue</b>	<b>8,455</b>	<b>6,485</b>	<b>1,970</b>
<b>Gains</b>			
Other gains	92	51	41
<b>Total gains</b>	<b>92</b>	<b>51</b>	<b>41</b>
<b>Total own-source income</b>	<b>8,547</b>	<b>6,536</b>	<b>2,011</b>
<b>Net cost of services</b>	<b>(17,346)</b>	<b>(20,510)</b>	<b>3,164</b>
Revenue from Government	18,315	19,615	(1,300)
<b>Surplus/(Deficit) attributable to the Australian Government</b>	<b>969</b>	<b>(895)</b>	<b>1,864</b>
<b>OTHER COMPREHENSIVE INCOME</b>			
<b>Items not subject to subsequent reclassification to net cost of services</b>			
Changes in asset revaluation reserve	15	-	15
<b>Total other comprehensive income</b>	<b>15</b>	<b>-</b>	<b>15</b>
<b>Total comprehensive income/(loss) attributable to the Australian Government</b>	<b>984</b>	<b>(895)</b>	<b>1,879</b>

1. The Commission's original budgeted financial statement that was first presented to parliament in respect of the reporting period.
2. Between the actual and budgeted amounts for 2015. Explanations of major variances are provided further below.

**Notes to and forming part of the financial statements**  
for the period ended 30 June 2015

**Note 19: Budgetary Reports and Explanations of Major Variances (continued)**

**Statement of Financial Position**  
for the period ended 30 June 2015

	Budget estimate		
	Actual 2015 \$'000	Original <sup>1</sup> 2015 \$'000	Variance <sup>2</sup> 2015 \$'000
<b>ASSETS</b>			
<b>Financial Assets</b>			
Cash and cash equivalents	13,388	1,045	12,343
Trade and other receivables	99	5,523	(5,424)
Other financial assets	3	–	3
<b>Total financial assets</b>	<b>13,490</b>	<b>6,568</b>	<b>6,922</b>
<b>Non-Financial Assets</b>			
Infrastructure, plant and equipment	3,768	4,938	(1,170)
Intangibles	583	523	60
Other non-financial assets	161	100	61
<b>Total non-financial assets</b>	<b>4,512</b>	<b>5,561</b>	<b>(1,049)</b>
<b>Total assets</b>	<b>18,002</b>	<b>12,129</b>	<b>5,873</b>
<b>LIABILITIES</b>			
<b>Payables</b>			
Suppliers	1,653	2,034	(381)
Other payables	7,224	193	7,031
<b>Total payables</b>	<b>8,877</b>	<b>2,227</b>	<b>6,650</b>
<b>Non-interest Bearing Liabilities</b>			
Lease incentives	3,396	3,397	(1)
<b>Total non-interest bearing liabilities</b>	<b>3,396</b>	<b>3,397</b>	<b>(1)</b>
<b>Provisions</b>			
Employee provisions	3,708	4,433	(725)
Other provisions	775	2,910	(2,135)
<b>Total provisions</b>	<b>4,483</b>	<b>7,343</b>	<b>(2,860)</b>
<b>Total liabilities</b>	<b>16,756</b>	<b>12,967</b>	<b>3,789</b>
<b>Net assets</b>	<b>1,246</b>	<b>(838)</b>	<b>2,084</b>
<b>EQUITY</b>			
Contributed equity	2,511	2,460	51
Reserves	353	287	66
Retained earnings	(1,618)	(3,585)	1,967
<b>Total equity</b>	<b>1,246</b>	<b>(838)</b>	<b>2,084</b>

1. The Commission's original budgeted financial statement that was first presented to parliament in respect of the reporting period.  
2. Between the actual and budgeted amounts for 2015. Explanations of major variances are provided further below.

**Notes to and forming part of the financial statements**  
for the period ended 30 June 2015

**Note 19: Budgetary Reports and Explanations of Major Variances (continued)**

**Statement of Changes in Equity**  
for the period ended 30 June 2015

	Retained earnings			Asset Revaluation Reserve			Contributed equity			Total equity		
	Budget estimate			Budget estimate			Budget estimate			Budget estimate		
	Actual 2015 \$'000	Original <sup>1</sup> 2015 \$'000	Variance <sup>2</sup> 2015 \$'000	Actual 2015 \$'000	Original <sup>1</sup> 2015 \$'000	Variance <sup>2</sup> 2015 \$'000	Actual 2015 \$'000	Original <sup>1</sup> 2015 \$'000	Variance <sup>2</sup> 2015 \$'000	Actual 2015 \$'000	Original <sup>1</sup> 2015 \$'000	Variance <sup>2</sup> 2015 \$'000
<b>Opening balance</b>												
Balance carried forward from previous period	(2,587)	(2,690)	103	338	287	51	2,134	2,134	-	(115)	(269)	154
Adjustment for changes in accounting policies	-	-	-	-	-	-	-	-	-	-	-	-
<b>Adjusted opening balance</b>	<b>(2,587)</b>	<b>(2,690)</b>	<b>103</b>	<b>338</b>	<b>287</b>	<b>51</b>	<b>2,134</b>	<b>2,134</b>	<b>-</b>	<b>(115)</b>	<b>(269)</b>	<b>154</b>
<b>Comprehensive income</b>												
Surplus/Deficit for the period	969	(895)	1,864							969	(895)	1,864
Other comprehensive income	-	-	-	15	-	15	-	-	-	15	-	15
<b>Total comprehensive income</b>	<b>969</b>	<b>(895)</b>	<b>1,864</b>	<b>15</b>	<b>-</b>	<b>15</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>984</b>	<b>(895)</b>	<b>1,879</b>
<b>Transactions with owners</b>												
<b>Contributions by owners</b>												
Departmental capital budget	-	-	-	-	-	-	326	326	-	326	326	-
Equity injection	-	-	-	-	-	-	51	-	51	51	-	51
<b>Sub-total transactions with owners</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>377</b>	<b>326</b>	<b>51</b>	<b>377</b>	<b>326</b>	<b>51</b>
<b>Closing balance attributable to the Australian Government</b>	<b>(1,618)</b>	<b>(3,585)</b>	<b>1,967</b>	<b>353</b>	<b>287</b>	<b>66</b>	<b>2,511</b>	<b>2,460</b>	<b>51</b>	<b>1,246</b>	<b>(838)</b>	<b>2,084</b>

1. The Commission's original budgeted financial statement that was first presented to parliament in respect of the reporting period.

2. Between the actual and budgeted amounts for 2015. Explanations of major variances are provided further below.

**Notes to and forming part of the financial statements**  
for the period ended 30 June 2015

**Note 19: Budgetary Reports and Explanations of Major Variances (continued)**

**Cash Flow Statement**

for the period ended 30 June 2015

	Budget estimate		
	Actual	Original <sup>1</sup>	Variance <sup>2</sup>
	2015 \$'000	2015 \$'000	2015 \$'000
<b>OPERATING ACTIVITIES</b>			
<b>Cash received</b>			
Appropriations	18,315	19,615	(1,300)
Cash transferred from the Official Public Account	–	4,500	(4,500)
Sales of goods and rendering of services	11,055	6,485	4,570
Interest	295	–	295
Net GST received	170	150	20
<b>Total cash received</b>	<b>29,835</b>	<b>30,750</b>	<b>(915)</b>
<b>Cash used</b>			
Employees	(15,623)	(19,201)	3,578
Suppliers	(9,942)	(6,406)	(3,536)
Section 74 receipts transferred to the Official Public Account	–	(5,100)	5,100
<b>Total cash used</b>	<b>(25,565)</b>	<b>(30,707)</b>	<b>5,142</b>
<b>Net cash from operating activities</b>	<b>4,270</b>	<b>43</b>	<b>4,227</b>
<b>INVESTING ACTIVITIES</b>			
<b>Cash used</b>			
Purchase of infrastructure, plant and equipment	(94)	(369)	275
<b>Total cash used</b>	<b>(94)</b>	<b>(369)</b>	<b>275</b>
<b>Net cash used by investing activities</b>	<b>(94)</b>	<b>(369)</b>	<b>275</b>
<b>FINANCING ACTIVITIES</b>			
<b>Cash received</b>			
Contributed equity	377	326	51
<b>Total cash received</b>	<b>377</b>	<b>326</b>	<b>51</b>
<b>Net cash from financing activities</b>	<b>377</b>	<b>326</b>	<b>51</b>
<b>Net increase in cash held</b>	<b>4,553</b>	<b>–</b>	<b>4,553</b>
Cash and cash equivalents at the beginning of the reporting period	8,835	1,045	7,790
<b>Cash and cash equivalents at the end of the reporting period</b>	<b>13,388</b>	<b>1,045</b>	<b>12,343</b>

1. The Commission's original budgeted financial statement that was first presented to parliament in respect of the reporting period.
2. Between the actual and budgeted amounts for 2015. Explanations of major variances are provided further below.

## Note 19: Budgetary Reports and Explanations of Major Variances (continued)

### Note 19B: Departmental Major Budget Variances for 2015

#### Events announced and implemented post Budget

From 1 July 2014 the Commission became a corporate Commonwealth entity under the *Public Governance, Performance and Accountability Act 2013* (PGPA). Upon commencement of the PGPA Bills and the Consequential Amendments to the PGPA Act, the Commission undertook the necessary arrangements to effect becoming a corporate Commonwealth entity from 1 July 2014.

The impact of these administrative and legal changes were reflected in the 2014-15 PAES and 2014-15 PSAES.

During the reporting period the Commission received additional funding to assist with the implementation of government decisions to consolidate the Privacy functions with the AHRC and redirect funding from 2015-16 to the Royal Commission into Institutional Responses to Child Sexual Abuse. The impact of these measures were reflected in the 2014-15 PAES and PSAES.

Explanations of major variances due to change in status	Affected line items (and statement)
The shift in the Commission's status from a non-corporate entity to a corporate entity involved a number of administrative and legal changes to the Commission's operations and resulted in the more significant variances including reclassification of appropriation types (e.g. administered funding reclassified as departmental); authority to earn and retain interest on cash deposits; no longer required to transfer S74 retained receipts to the Official Public Account.	<i>Interest; Revenue from Government (Statement of Comprehensive Income) Cash and Cash Equivalents; Trade and other receivables; Retained Earnings (Statement of Financial Position) Appropriations; Cash transferred to the Official Public Account; Interest; Section 74 receipts transferred from the Official Public Account; (Cash Flow Statement)</i>

#### Events announced at Budget not yet implemented

In the 2014-15 Budget, the Australian Government announced its decision to set up new arrangements for privacy and FOI regulation to streamline and reduce complexity and duplication in the current system. From 1 January 2015 it was intended that the Office of the Australian Information Commissioner (OAIC) would cease operating and funding for ongoing functions was transferred to other agencies.

From 1 January 2015 an Office of the Privacy Commissioner (OPC) was to be established as a separate statutory office within the Australian Human Rights Commission (the Commission), exercising statutory privacy functions under the Privacy Act 1988 and related legislation. The Commission was to provide administrative services to the OPC under agreement. The OPC would be independent of the Australian Human Rights Commission for the purposes of the *Australian Human Rights Commission Act 1986*.

This decision required legislative amendments that are still currently before the Parliament. The funding transferred to the Commission in the 2014-15 Budget was formally returned to the OAIC as part of the 2014-15 PSAES. The OAIC will continue operations for the 2015-16 reporting period.

**Notes to and forming part of the financial statements**  
for the period ended 30 June 2015

**Note 19: Budgetary Reports and Explanations of Major Variances (continued)**

**Note 19B: Departmental Major Budget Variances for 2015 (continued)**

**Explanations of major variances due to new FOI arrangements**

**Affected line items (and statement)**

The 2014–15 Budget reflected the consolidated forecasts for the Commission as the reporting entity incorporating the Privacy functions. As the *Freedom of Information Amendment (New Arrangements) Bill 2014* has not yet passed the Parliament the 2014–15 actuals do not reflect the consolidated reporting entity. Variances have been caused by continuing Memorandum of Understanding (MOU) arrangements; cost recoveries; extension of operating lease for office accommodation; reduced asset acquisitions and staffing profile.

*Employee benefits; Suppliers; Sales of goods and rendering of services (Statement of Comprehensive Income)*  
*Infrastructure, plant and equipment; Suppliers; Employee Provisions; Other provisions (Statement of Financial Position)*  
*Employees; Suppliers; Purchase of infrastructure, plant and equipment (Cash Flow Statement)*

**Explanations of major variances due to other causes**

**Affected line items (and statement)**

*Reporting requirements not known at Budget*

Variance caused by reclassification of resources received free of charge between the two affected line items.

*Other revenue; Other gains (Statement of Comprehensive Income)*

*Extended rendering of services arrangements to other entities*

Variance caused by continuation of MOUs and service provision arrangements with other Commonwealth entities.

*Other payables (Statement of Financial Position)*

*Reappropriated funding through additional estimates*

Variance caused by the reappropriation of amounts under the *Omnibus Repeal Day (Autumn 2014) Act 2014*. Portfolio Additional Estimates Statements 2014–15 refers.

*Contributed Equity (Statement of Financial Position & Cash Flow Statement)*  
*Equity Injection (Statement of Changes in Equity)*

Notes to and forming part of the financial statements  
for the period ended 30 June 2015

Note 19: Budgetary Reports and Explanations of Major Variances (continued)

Note 19C: Administered Budgetary Reports

**Administered Schedule of Comprehensive Income**

for the period ended 30 June 2015

	Budget estimate		
	Actual 2015 \$'000	Original <sup>1</sup> 2015 \$'000	Variance <sup>2</sup> 2015 \$'000
<b>NET COST OF SERVICES</b>			
<b>Expenses</b>			
Suppliers	–	146	(146)
<b>Total expenses</b>	–	146	(146)
<b>Net cost of services</b>	–	(146)	146
<b>Deficit</b>	–	(146)	146
<b>Total comprehensive loss</b>	–	(146)	146

1. The Commission's original budgeted financial statement that was first presented to parliament in respect of the reporting period.

2. Between the actual and budgeted amounts for 2015. Explanations of major variances are provided further below.

Note 19D: Administered Major Budget Variances for 2015

Explanations of major variances	Affected line items (and schedule)
From 1 July 2014 the Commission became a corporate Commonwealth entity under the <i>Public Governance, Performance and Accountability Act 2013</i> and the Commission's administered activities, and associated funding, contributing towards its outcome were reclassified as departmental (refer note 1.1).	<i>Suppliers</i> <i>(Administered Schedule of Comprehensive Income)</i>

# Appendices

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- Appendix 4: Submissions **162**



# Appendix 1: Complaint statistics

## Enquiries and complaints received

In 2014–15 the Commission received 20,020 enquiries. This is 2% higher than the number received in the previous year. The majority of enquiries (69%) were received via the Commission's National Information Hotline. The main issues raised by enquirers in this reporting year related to general employment matters including harassment and bullying (15%), disability discrimination (14%), discrimination on grounds covered by the Sex Discrimination Act (11%), human rights related issues including immigration and immigration detention (10%) and racial discrimination including racial hatred (7%).

In 2014–15 the Commission received 2,388 complaints. One complaint may raise a number of grounds and areas of discrimination and be against one or more respondents. If the Commission counted complaints by respondents, the number of complaints received in 2014–15 would increase to 3,156. If the Commission counted complaints received by grounds and areas of discrimination, the number of complaints received would increase to 4,635 and 2,650 respectively.

The number of complaints received in 2014–15 is 7% higher than the number received in the previous reporting year. In 2014–15:

- 31% of complaints were lodged under the Disability Discrimination Act
- 24% of complaints were lodged under the Racial Discrimination Act
- 20% of complaints were lodged under the Australian Human Rights Commission Act
- 19% of complaints were lodged under the Sex Discrimination Act
- 6% of complaints were lodged under the Age Discrimination Act.

Complaints about employment made up 77% of complaints under the Sex Discrimination Act, 63% of complaints under the Age Discrimination Act, 34% of complaints under the Disability Discrimination Act and 18% of complaints under the Racial Discrimination Act. The provision of goods, services and facilities was the other main area of complaint making up 37% of complaints under the Disability Discrimination Act, 20% of complaints under the Age Discrimination Act, 18% of complaints under the Sex Discrimination Act and 15% of complaints under the Racial Discrimination Act.

## Outcomes of complaints

The Commission finalised 2,251 complaints during 2014–15. The Commission conducted approximately 1,531 conciliation processes of which 1,101 complaints (72%) were successfully resolved. This represents successful dispute resolution for more than 2,200 people and organisations involved in complaints before the Commission. The conciliation success rate in 2014–15 is the highest on record.

Information on the outcomes of conciliated complaints under federal anti-discrimination law indicates that 30% included terms which will have benefits for people beyond the individual complainant. For example, agreements to introduce anti-discrimination policies and provide anti-discrimination training in workplaces and agreements to undertake modifications to buildings and services to address potential discriminatory factors.

Commission survey data also highlights the educative effect of the Commission's complaint process. For example, in relation to conciliated complaints, 74% of surveyed participants indicated that involvement in the complaint process had assisted them to better understand rights and responsibilities under federal human rights and anti-discrimination law.<sup>1</sup>

Data provided to the Commission indicates that in 2014–15, approximately 3% of finalised complaints regarding unlawful discrimination proceeded to court.

## Timeliness of the complaint process

In 2014–15, just under half of all complaints were finalised within 3 months (47%), 82% were finalised within 6 months, 95% within 9 months and 99% within 12 months. The average time from receipt to finalisation of a complaint was approximately 3.7 months.

## Demographic data

Information on the geographical location and ethnicity of complainants is provided in Tables 8, 11 and 12. Available demographic data indicates that in 2014–15, 49% of complaints were lodged by individual males, 47% by individual females and 4% by other categories. Other categories include intersex, sex not specified, joint/multiple complainants and organisations.

Where referral source was identified, 45% of complainants reported that they knew about the Commission prior to lodging their complaint. The other main identified referral sources were private lawyers (14%), the internet (12%), family members, friends or support people (11%), and specialist advocacy agencies such as advocacy agencies for people with disabilities, women, migrants or Aboriginal and Torres Strait Islander peoples (5%).

The majority of complainants (61%) indicated that their main source of income at the time of the alleged act was from a form of employment. Of this group 75% indicated they were in full or part-time permanent employment, 22% were engaged in casual, contract or outwork and 3% were self-employed.

Approximately 37% of complainants said they were represented at the beginning of the complaint process which is consistent with the average level of representation over recent years. Of these complainants, 39% said they were represented by privately funded solicitors. Other identified forms of representation were family members or friends (21%), community legal centres, including Aboriginal or disability legal services (18%), other advocacy groups such as working women's centres or disability advocacy services (16%), and trade unions or professional associations (4%).

In 2014–15, the main respondent organisation categories were private enterprise (48%), Commonwealth departments/statutory authorities (20%) and State departments/statutory authorities (19%). These consistently are the main respondent organisation categories.

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1 Details of the Commission's Service Satisfaction Survey for 2014–15 are provided at page 72.

## National Information Service

**Table 1: Website enquiries**

<b>Webpage views</b>	<b>215 979</b>
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**Table 2: Enquiries received by mode of contact**

<b>Enquiry type</b>	<b>Total</b>	<b>Percent</b>
Telephone	13 759	69
TTY/NRS	11	–
Email/Smartform/Webform	5 540	28
In person	94	–
Written	616	3
<b>Total</b>	<b>20 020</b>	<b>100</b>

**Table 3: Enquiries received by State/Territory of enquirer**

<b>State of origin</b>	<b>Number</b>	<b>Percentage</b>
New South Wales	4 628	23
Victoria	2 430	12
South Australia	709	4
Western Australia	1 407	7
Queensland	2 100	11
Australian Capital Territory	459	2
Tasmania	269	1
Northern Territory	538	3
Unknown/overseas	7 480	37
<b>Total</b>	<b>20 020</b>	<b>100</b>

## Complaints overview

**Table 4: Complaints received in 2014–15**

	2014-15
Counted by complainants*	2 388
Counted by respondents	3 156
Counted by grounds of discrimination	4 635
Counted by areas of discrimination	2 650

\* The Commission counts complaints by complainants. Other State and Territory anti-discrimination bodies may count complaints by respondents and/or by grounds of discrimination and/or by areas of discrimination raised in a complaint.

**Table 5: Complaints received and finalised over the past five years**

	2010-11	2011-12	2012-13	2013-14	2014-15
Received	2 152	2 610	2 177	2 223	2 388
Finalised	2 266	2 605	2 500	2 178	2 251

**Table 6: Outcomes of finalised complaints over the past five years**

	2010-11 (%)	2011-12 (%)	2012-13 (%)	2013-14 (%)	2014-15 (%)
Terminated/declined	35	31	33	23	23
Conciliated	47	48	45	49	51
Withdrawn*	11	12	13	16	16
Discontinued**	6	8	9	9	9
Referred for reporting (Australian Human Rights Commission Act only)	1	1	–	3	1

\* This category includes where a complainant withdraws due to personal circumstances or where they decide not to proceed after reviewing information from the respondent or being provided with information about the law and/or a preliminary assessment of the complaint.

\*\* A complaint may be discontinued where a complainant does not respond to the Commission's attempts to contact them, including after being provided with an assessment of the complaint.

**Table 7: Complaints resolved by conciliation over the past five years**

	2010-11 (%)	2011-12 (%)	2012-13 (%)	2013-14 (%)	2014-15 (%)
Complaints successfully resolved	64	66	65	70	72
Complaints unable to be resolved	36	34	35	30	28

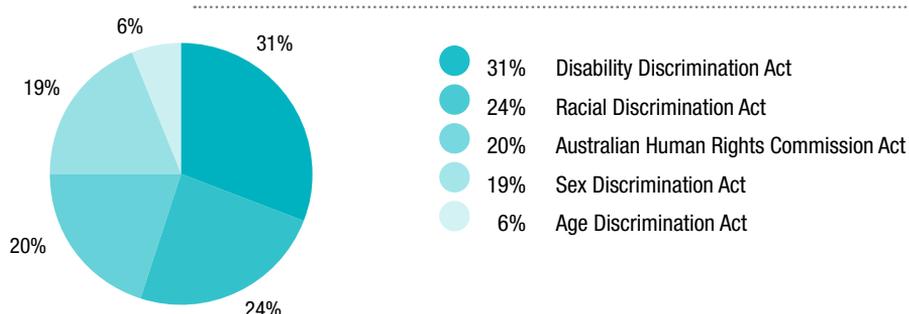
**Table 8: Complaints received by State/Territory of complainant**

State of origin	Total	Percentage
New South Wales	699	29
Victoria	363	15
South Australia	179	8
Western Australia	250	11
Queensland	600	25
Australian Capital Territory	65	3
Tasmania	21	1
Northern Territory	152	6
Unknown/overseas	59	2
<b>Total</b>	<b>2 388</b>	<b>100</b>

**Table 9: Complaints received and finalised by Act**

Act	Received	Finalised
Racial Discrimination Act (RDA)	561	405
Sex Discrimination Act (SDA)	453	451
Disability Discrimination Act (DDA)	740	772
Age Discrimination Act (ADA)	149	146
Australian Human Rights Commission Act (AHRCA)	485	477
<b>Total</b>	<b>2 388</b>	<b>2 251</b>

**Chart 1: Complaints received by Act**



**Table 10: Complaints received by Act over the past five years**

	2010-11	2011-12	2012-13	2013-14	2014-15
Racial Discrimination Act	422	477	500	380	561
Sex Discrimination Act	459	505	417	474	453
Disability Discrimination Act	823	955	793	830	740
Age Discrimination Act	175	196	157	184	149
Australian Human Rights Commission Act	273	477	310	355	485
<b>Total</b>	<b>2 152</b>	<b>2 610</b>	<b>2 177</b>	<b>2 223</b>	<b>2 388</b>

**Table 11: Country of birth of complainants**

	RDA (%)	SDA (%)	DDA (%)	ADA (%)	AHRCA (%)	Total (%)
Born in Australia	38	26	36	50	10	30
Born outside of Australia	29	10	10	25	71	27
Unknown/unspecified	33	64	54	25	19	43

**Table 12: Aboriginal and Torres Strait Islander status of complainants**

	RDA (%)	SDA (%)	DDA (%)	ADA (%)	AHRCA (%)	Total (%)
Aboriginal	38	2	3	2	3	9
Torres Strait Islander	–	–	–	–	–	–
Both of the above	–	–	–	–	–	–
None of the above/Unknown	62	98	97	98	97	91

**Table 13: Time from receipt to finalisation for finalised complaints**

	RDA (%)	SDA (%)	DDA (%)	ADA (%)	AHRCA (%)	Cumulative Total (%)
0-3 months	59	50	46	47	34	47
3-6 months	88	86	84	87	69	82
6-9 months	96	97	97	99	86	95
9-12 months	99	100	100	100	97	99

## Racial Discrimination Act

**Table 14: Racial Discrimination Act – Complaints received and finalised**

Racial Discrimination Act	Total
Received	561
Finalised	405

**Table 15: Racial Discrimination Act – Complaints received by ground**

Racial Discrimination Act – Grounds	Number	Percentage
Colour	64	6
National origin	112	11
Ethnic origin	100	9
Descent	29	3
Race	610	57
Racial hatred	116	11
Immigrant status	10	1
Association	4	–
Victimisation	24	2
Incite unlawful act	1	–
Advertisements	–	–
<b>Total*</b>	<b>1 070</b>	<b>100</b>

\* One complaint may raise multiple grounds.

**Table 16: Racial Discrimination Act – Complaints received by area**

Racial Discrimination Act – Areas	Number	Percentage
Rights to equality before the law	–	–
Access to places and facilities	2	–
Land, housing, other accommodation	10	2
Provision of goods and services	95	15
Right to join trade unions	–	–
Employment	120	18
Education	13	2
Other – section 9	292	45
Racial hatred	116	18
<b>Total*</b>	<b>648</b>	<b>100</b>

\* One complaint may relate to more than one area.

**Table 17: Racial hatred complaints received by sub-area**

Racial hatred sub-areas	Number	Percentage
Media – press/TV/radio	19	16
Disputes between neighbours	10	9
Personal conflict	15	13
Employment	32	27
Racist propaganda	3	2
Internet – email/webpage/chat room	9	8
Entertainment	–	–
Sport	2	2
Public debate	1	1
Provision of goods and services	23	20
Education	–	–
Other	2	2
<b>Total</b>	<b>116</b>	<b>100</b>

**Table 18: Racial Discrimination Act – Outcomes of finalised complaints**

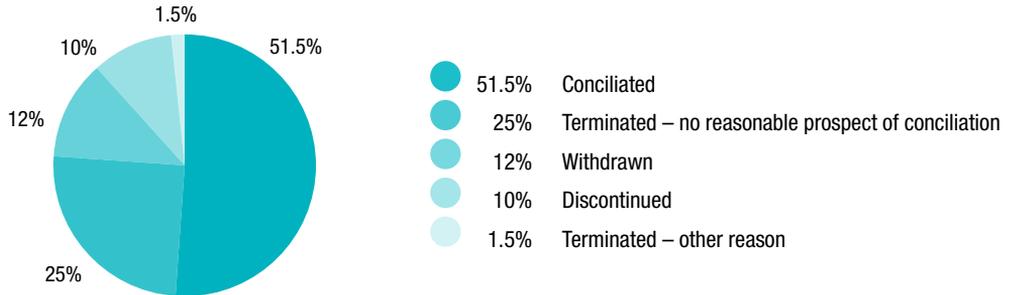
Racial Discrimination Act – Outcomes	Number
<b>Terminated</b>	<b>104</b>
At complainant's request – s.46PE	–
Not unlawful	–
More than 12 months old	3
Trivial, vexatious, frivolous, misconceived, lacking in substance	3
Adequately dealt with already	–
More appropriate remedy available	–
Subject matter of public importance	–
No reasonable prospect of conciliation	98
<b>Discontinued*</b>	<b>39</b>
<b>Withdrawn**</b>	<b>47</b>
<b>Conciliated</b>	<b>202</b>
<b>Administrative closure***</b>	<b>13</b>
<b>Total</b>	<b>405</b>

\* A complaint may be discontinued where a complainant does not respond to the Commission's attempts to contact them, including after being provided with an assessment of the complaint.

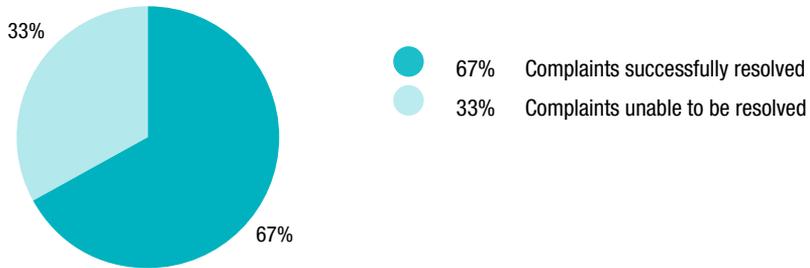
\*\* This category includes where a complainant withdraws due to personal circumstances or where they decide not to proceed after reviewing information from the respondent or being provided with information about the law and/or a preliminary assessment of the complaint.

\*\*\* Includes where complaint is not lodged by or on behalf of an aggrieved person and where a complaint has also been lodged under State or Territory anti-discrimination law.

**Chart 2: Racial Discrimination Act – Outcomes of finalised complaints**



**Chart 3: Racial Discrimination Act – Complaints resolved by conciliation**



## Sex Discrimination Act

**Table 19: Sex Discrimination Act – Complaints received and finalised**

Sex Discrimination Act	Total
Received	453
Finalised	451

**Table 20: Sex Discrimination Act – Complaints received by complainant category**

Sex Discrimination Act – Complainant category	Number	Percentage
Female	358	79
Male	93	21
Intersex	–	–
Other category*	2	–
<b>Total</b>	<b>453</b>	<b>100</b>

\* Includes sex not specified, joint/multiple complainants and organisations.

**Table 21: Sex Discrimination Act – Complaints received by ground**

Sex Discrimination Act – Grounds	Number	Percentage
Sex discrimination	504	46
Marital or relationship status	24	2
Pregnancy	136	13
Sexual harassment	212	19
Family responsibilities	56	5
Breastfeeding	7	1
Gender identity	55	5
Intersex	2	–
Sexual orientation	34	3
Victimisation	59	5
Causes, instructs, induces, aids or permits an unlawful act	7	1
Advertisements	–	–
<b>Total*</b>	<b>1 096</b>	<b>100</b>

\* One complaint may raise multiple grounds.

**Table 22: Sex Discrimination Act – Complaints received by area**

Sex Discrimination Act – Areas	Number	Percentage
Employment	365	77
Goods, services and facilities	83	18
Land	–	–
Accommodation	4	1
Superannuation and insurance	1	–
Education	11	2
Clubs	6	1
Administration of Commonwealth laws and programs	4	1
Requests for information	–	–
Registered organisations	–	–
Qualifying bodies	1	–
<b>Total*</b>	<b>475</b>	<b>100</b>

\* One complaint may relate to more than one area.

**Table 23: Sex Discrimination Act – Outcomes of finalised complaints**

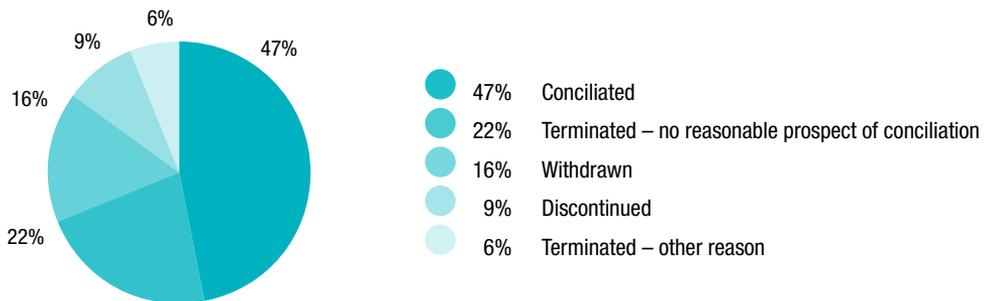
Sex Discrimination Act – Outcomes	Number
<b>Terminated</b>	<b>116</b>
At complainant's request – s.46PE	–
Not unlawful	–
More than 12 months old	14
Trivial, vexatious, frivolous, misconceived, lacking in substance	10
Adequately dealt with already	–
More appropriate remedy available	–
Subject matter of public importance	–
No reasonable prospect of conciliation	92
<b>Discontinued*</b>	<b>39</b>
<b>Withdrawn**</b>	<b>67</b>
<b>Conciliated</b>	<b>195</b>
<b>Administrative closure***</b>	<b>34</b>
<b>Total</b>	<b>451</b>

\* A complaint may be discontinued where a complainant does not respond to the Commission's attempts to contact them, including after being provided with an assessment of the complaint.

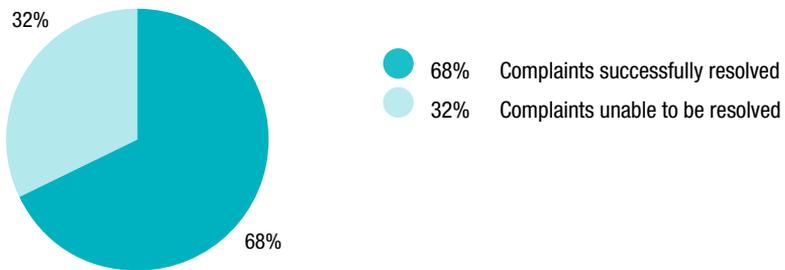
\*\* This category includes where a complainant withdraws due to personal circumstances or where they decide not to proceed after reviewing information from the respondent or being provided with information about the law and/or a preliminary assessment of the complaint.

\*\*\* Includes where complaint is not lodged by or on behalf of an aggrieved person and where a complaint has also been lodged under State or Territory anti-discrimination law.

**Chart 4: Sex Discrimination Act – Outcomes of finalised complaints**



**Chart 5: Sex Discrimination Act – Complaints resolved by conciliation**



## Disability Discrimination Act

**Table 24: Disability Discrimination Act – Complaints received and finalised**

Disability Discrimination Act	Total
Received	740
Finalised	772

**Table 25: Nature of complainant's disability**

Disability Discrimination Act – Complainant's disability	Number	Percentage
Physical disability	160	19
A mobility aid is used (eg walking frame or wheelchair)	76	9
Physical disfigurement	5	1
Presence in the body of organisms causing disease (HIV/AIDS)	3	–
Presence in the body of organisms causing disease (other)	10	1
Mental health/psychosocial disability	196	23
Neurological disability (eg epilepsy)	37	5
Intellectual disability	26	3
Learning disability	35	4
Sensory disability (hearing impaired)	31	4
Sensory disability (deaf)	17	2
Sensory disability (vision impaired)	53	6
Sensory disability (blind)	36	4
Work-related injury	42	5
Medical condition (eg diabetes)	57	7
Other	62	7
<b>Total*</b>	<b>846</b>	<b>100</b>

\* One complainant may have multiple disabilities.

**Table 26: Disability Discrimination Act – Complaints received by ground**

Disability Discrimination Act – Grounds	Number	Percentage
Disability of person(s) aggrieved	1 328	83
Associate	48	3
Person assisted by trained animal	49	3
Accompanied by carer or assistant	5	–
Disability aid	29	2
Harassment	7	–
Victimisation	34	2
Causes, instructs, induces, aids or permits an unlawful act	25	2
Incites unlawful act	1	–
Advertisements	1	–
Unlawful to contravene disability standard	82	5
<b>Total*</b>	<b>1 609</b>	<b>100</b>

\* One complaint may raise multiple grounds.

**Table 27: Disability Discrimination Act – Complaints received by area**

Disability Discrimination Act – Areas	Number	Percentage
Employment	302	34
Goods, services and facilities	323	37
Access to premises	60	7
Land	–	–
Accommodation	24	3
Superannuation, insurance	16	2
Education	99	11
Clubs, incorporated associations	18	2
Administration of Commonwealth laws and programs	22	2
Sport	6	1
Requests for information	2	–
Qualifying bodies	6	1
Registered organisations	–	–
Disability standards	1	–
<b>Total*</b>	<b>879</b>	<b>100</b>

\* One complaint may relate to more than one area.

**Table 28: Disability Discrimination Act – Outcomes of finalised complaints**

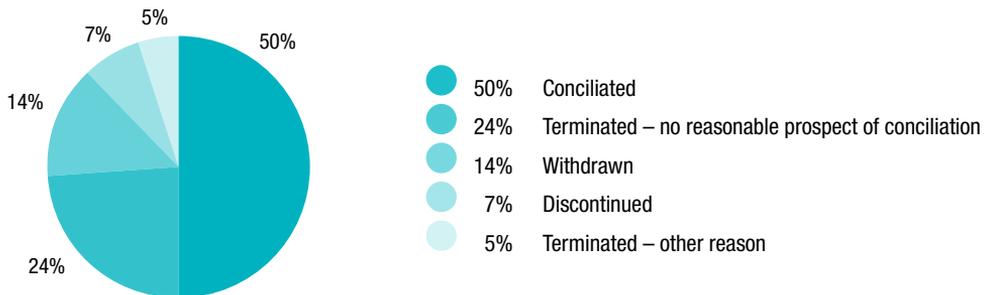
<b>Disability Discrimination Act – Outcomes</b>	<b>Number</b>
<b>Terminated</b>	<b>216</b>
At complainant's request – s.46PE	–
Not unlawful	3
More than 12 months old	13
Trivial, vexatious, frivolous, misconceived, lacking in substance	12
Adequately dealt with already	2
More appropriate remedy available	4
Subject matter of public importance	–
No reasonable prospect of conciliation	182
<b>Discontinued*</b>	<b>56</b>
<b>Withdrawn**</b>	<b>105</b>
<b>Conciliated</b>	<b>376</b>
<b>Administrative closure***</b>	<b>19</b>
<b>Total</b>	<b>772</b>

\* A complaint may be discontinued where a complainant does not respond to the Commission's attempts to contact them, including after being provided with an assessment of the complaint.

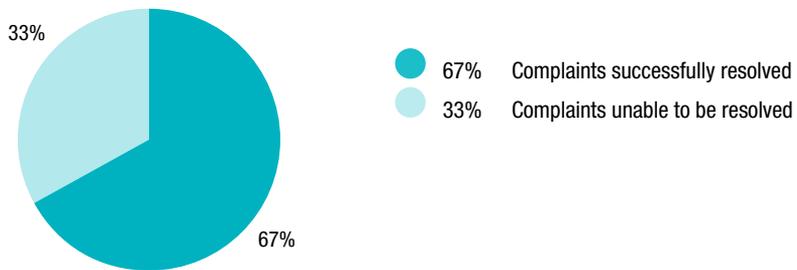
\*\* This category includes where a complainant withdraws due to personal circumstances or where they decide not to proceed after reviewing information from the respondent or being provided with information about the law and/or a preliminary assessment of the complaint.

\*\*\* Includes where complaint is not lodged by or on behalf of an aggrieved person and where a complaint has also been lodged under State or Territory anti-discrimination law.

**Chart 6: Disability Discrimination Act – Outcomes of finalised complaints**



**Chart 7: Disability Discrimination Act – Complaints resolved by conciliation**



## Age Discrimination Act

**Table 29: Age Discrimination Act – Complaints received and finalised**

Age Discrimination Act	Total
Received	149
Finalised	146

**Table 30: Age Discrimination Act – Complaints received by ground**

Age Discrimination Act – Grounds	Number	Percentage
Age – direct	144	62
Age – indirect	81	35
Causes, instructs, induces, aids or permits an unlawful act	3	1
Victimisation	3	1
Advertisements	1	1
<b>Total*</b>	<b>232</b>	<b>100</b>

\* One complaint may raise multiple grounds.

**Table 31: Age Discrimination Act – Age group of complainant**

Age Discrimination Act – Complainant age group	Number	Percentage
0-12 years	3	2
13-17 years	6	4
18-24 years	15	10
25-34 years	8	5
35-44 years	9	6
45-54 years	23	16
55-64 years	56	38
65-74 years	24	16
Older than 75 years	5	3
<b>Total</b>	<b>149</b>	<b>100</b>

**Table 32: Age Discrimination Act – Complaints received by area**

<b>Age Discrimination Act – Areas</b>	<b>Number</b>	<b>Percentage</b>
Employment	103	63
Goods, services and facilities	33	20
Access to premises	3	2
Land	–	–
Accommodation	8	5
Advertisements	–	–
Superannuation, insurance	4	3
Education	7	4
Administration of Commonwealth laws and programs	5	3
Sport	–	–
Requests for information	–	–
Registered organisations	–	–
Qualifying bodies	–	–
Victimisation	–	–
<b>Total*</b>	<b>163</b>	<b>100</b>

\* One complaint may relate to more than one area.

**Table 33: Age Discrimination Act – Outcomes of finalised complaints**

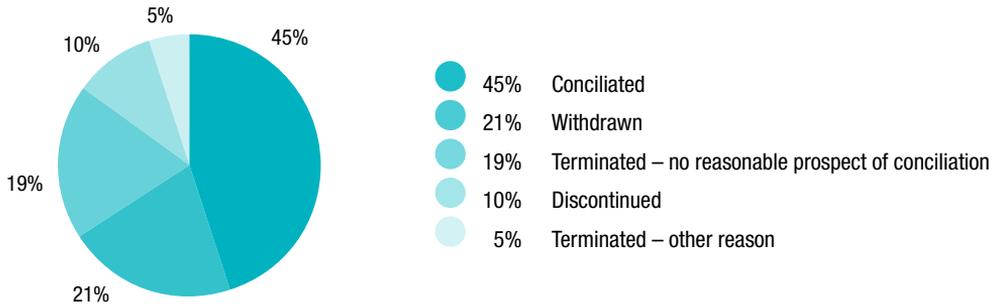
<b>Age Discrimination Act – Outcomes</b>	<b>Number</b>
<b>Terminated</b>	<b>35</b>
At complainant's request – s.46PE	–
Not unlawful	–
More than 12 months old	3
Trivial, vexatious, frivolous, misconceived, lacking in substance	4
Adequately dealt with already	–
More appropriate remedy available	–
Subject matter of public importance	–
No reasonable prospect of conciliation	28
<b>Discontinued*</b>	<b>14</b>
<b>Withdrawn**</b>	<b>31</b>
<b>Conciliated</b>	<b>65</b>
<b>Administrative closure***</b>	<b>1</b>
<b>Total</b>	<b>146</b>

\* A complaint may be discontinued where a complainant does not respond to the Commission's attempts to contact them, including after being provided with an assessment of the complaint.

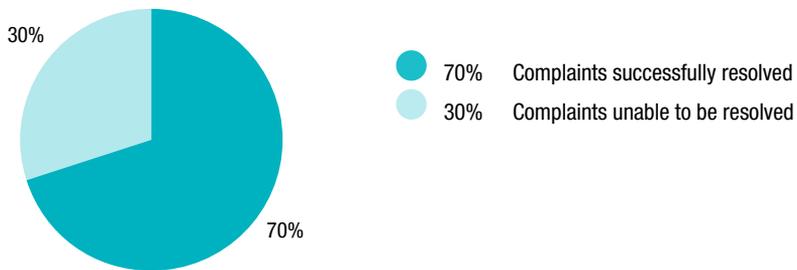
\*\* This category includes where a complainant withdraws due to personal circumstances or where they decide not to proceed after reviewing information from the respondent or being provided with information about the law and/or a preliminary assessment of the complaint.

\*\*\* Includes where complaint is not lodged by or on behalf of an aggrieved person and where a complaint has also been lodged under State or Territory anti-discrimination law.

**Chart 8: Age Discrimination Act – Outcomes of finalised complaints**



**Chart 9: Age Discrimination Act – Complaints resolved by conciliation**



## Australian Human Rights Commission Act (AHRCA)

**Table 34: AHRCA – Complaints received and finalised**

Australian Human Rights Commission Act	Total
Received	485
Finalised	477

**Table 35: AHRCA – Complaints received by ground**

Australian Human Rights Commission Act – Grounds	Number	Percentage
Religion (ILO 111)	16	2
Political opinion (ILO 111)	4	1
Social origin (ILO 111)	–	–
Medical record (ILO 111)	–	–
Criminal record (ILO 111)	76	12
Sexual preference (ILO 111)	–	–
Trade union activity (ILO 111)	2	–
International Covenant on Civil and Political Rights	379	60
Convention on the Rights of the Child	136	22
Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief	1	–
Convention on the Rights of Persons with Disabilities	10	2
Victimisation	4	1
<b>Total*</b>	<b>628</b>	<b>100</b>

\* One complaint may raise multiple grounds.

**Table 36: AHRCA – Complaints received by area**

Australian Human Rights Commission Act – Areas	Number	Percentage
Acts or practices of the Commonwealth	386	80
Employment	98	20
Not act or practice of the Commonwealth (not employment cases)	1	–
<b>Total*</b>	<b>485</b>	<b>100</b>

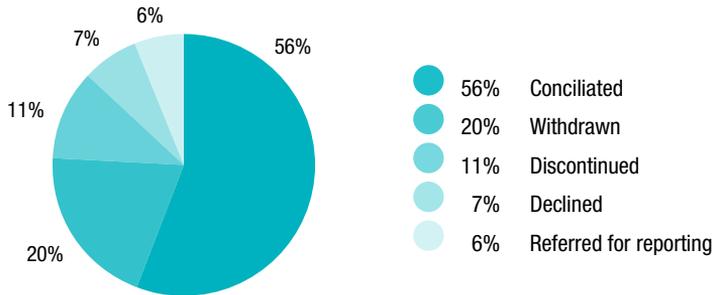
\* One complaint may relate to more than one area.

**Table 37: AHRCA – Outcomes of finalised complaints**

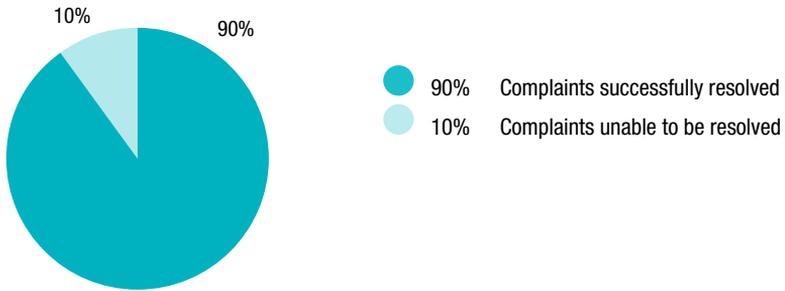
Australian Human Rights Commission Act – Outcomes	Number
<b>Declined</b>	<b>174</b>
Does not constitute discrimination	6
Not inconsistent or contrary to any human right	–
More than 12 months old	2
Trivial, vexatious, frivolous, misconceived, lacking in substance	13
Adequately dealt with already	4
More appropriate remedy available	7
Withdrawn, does not wish to pursue, advised the Commission	89
Withdrawn, does not wish to pursue, settled outside the Commission	2
Discontinued – lost contact	51
<b>Conciliated</b>	<b>263</b>
<b>Referred for reporting*</b>	<b>30</b>
<b>Administrative closure</b>	<b>10</b>
<b>Total</b>	<b>477</b>

\* Complaints in this category could not be conciliated and were transferred from the Commission's Investigation and Conciliation Section to the Legal Section for further inquiry and possible reporting.

**Chart 10: AHRCA – Outcomes of finalised complaints**



**Chart 11: AHRCA – Complaints resolved by conciliation**



# Appendix 2: Website statistics

**Table 38: Website statistics**

From 1 July 2014 – 30 June 2015

Overall	Page views	Visits
Main Commission website	7,763,633	3,994,623
All Commission sub-sites	646,719	311,101
<b>Total</b>	<b>8,410,352</b>	<b>4,305,724</b>
<b>2013–14</b>	<b>7,747,609</b>	<b>3,899,278</b>
<b>Difference (increase from previous year)</b>	8.6%	10.4%

Section Breakdown	Page views	Home page of section
Home page	583,230	n/a
About	318,897	59,677
News	779,966	11,668
Complaints	215,979	42,429
Education	132,965	24,279
Get Involved	35,204	9,082
Publications	1,859,740	30,006
Our work – ATSI	166,574	30,189
Our work – Age	58,554	30,850
Our work – Children	66,039	36,156
Our work – Disability	352,798	48,735
Our work – Human Rights Scrutiny/Rights & Freedoms	103,136	33,910
Our work – Race	46,102	32,794
Our work – Sex	185,442	30,727
Our work – Sexuality, Sex & Gender Identity	32,239	17,284
Our work – Legal	204,021	16,072
Our work overall	39,117	11,224
Our work – Employers	1,548,131	22,834
Site search	150,495	n/a
Events calendar	6,763	n/a

Sub-sites	Page views	Visits
Age Positive	14,538	4,756
Bullying	57,325	38,378
Cultural Diversity Tool*	24,326	8,070
Declaration on the Rights of Indigenous Peoples**	10,363	4,117
Defence Review	11,651	6,064
Human Rights Awards	49,180	19,128
Know Where the Line Is	18,430	7,120
Power of Oldness***	18,841	16,076
Racism. It Stops With Me	353,629	165,439
RightsTalk	12,318	5,750
Sogi's Story#	3,486	1,729
Something in Common	39,853	21,642
Tell Me Something I Don't Know	11,402	3,382
Twenty Years Twenty Stories	21,377	9,450
<b>TOTAL</b>	<b>646,719</b>	<b>311,101</b>
<b>2013-14</b>	<b>431,631</b>	

\* From 17 September 2014

\*\* From 8 August 2014

\*\*\* From 18 August 2014

# From 30 September 2014

# Appendix 3: Staffing profile

**Table 39: Staffing profile as at 30 June 2015**

Classification	Male	Female	Full Time	Part Time	Total Ongoing	Total Non-Ongoing	Total
Statutory Office Holders	4	4	8			8	8
SES Band 2		1	1		1		1
SES Band 1	1	1	2		2		2
Executive Level 2 (\$111,285-130,787)	7	15	17	5	20	2	22
Executive Level 1 (\$92,560-103,493)	6	21	16	11	23	4	27
APS 6 (\$73,998-84,563)	7	22	20	9	24	5	29
APS 5 (\$66,848-73,617)	4	6	7	3	6	4	10
APS 4 (\$59,933-66,351)	5	16	17	4	17	4	21
APS 3 (\$53,775-59,178)	2	9	9	2	5	6	11
APS 2 (\$48,512-53,382)	0	0	0	0	0	0	0
APS 1 (\$41,717-47,010)	0	0	0	0	0	0	0
	36	95	97	34	98	33	<b>131</b>
Non-English speaking background	27	20.6%					
Aboriginal and/or Torres Strait Islander	3	2.3%					

# Appendix 4: Submissions

Submissions from 1 July 2014 to 30 June 2015

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## 2014

- Comments in response to the Interim Report: A New System for Better Employment and Social Outcomes  
Submission to the Review of Australia's Welfare System
- Inquiry into the Migration Amendment (Protecting Babies Born in Australia) Bill 2014  
Submission to the Senate Legal and Constitutional Affairs Committee
- Inquiry into Domestic Violence in Australia  
Submission to the Finance and Public Administration References Committee
- Inquiry into the National Security Legislation Amendment Bill (No. 1) 2014  
Submission to the Parliamentary Standing Committee on Intelligence and Security
- Inquiry into the Counter-Terrorism Legislation Amendment Bill (No.1) 2014  
Submission to the Parliamentary Joint Committee on Intelligence and Security
- Inquiry into the Counter-Terrorism Legislation Amendment (Foreign Fighters) Bill 2014  
Submission to the Parliamentary Joint Committee on Intelligence and Security
- Information concerning Australia's compliance with the Convention against Torture  
Submission to the United Nations Committee Against Torture
- Inquiry into the Guardian for Unaccompanied Children Bill 2014  
Submission to the Senate Legal and Constitutional Affairs Legislation Committee
- Submission to the Community Services and Health Industry Skills Council Environmental Scan
- Migration Amendment (Character and General Visa Cancellation) Bill 2014  
Submission to the Senate Legal and Constitutional Affairs Legislation Committee
- Inquiry into the Migration and Maritime Powers Legislation Amendment (Resolving the Asylum Legacy Caseload) Bill 2014  
Submission to the Senate Legal and Constitutional Affairs Legislation Committee
- Constitutional recognition of Aboriginal and Torres Strait Islander Peoples  
Submission to the Joint Select Committee on Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples
- Inquiry into the Australian Citizenship and Other Legislation Amendment Bill  
Submission to the Senate Legal and Constitutional Affairs Legislation Committee
- Freedom of Information Amendment (New Arrangements) Bill 2014  
Submission to the Legal and Constitutional Affairs Legislation Committee
- Inquiry into the Broadcasting and Other Legislation Amendment Bill 2014  
Submission to the Standing Committee on Environment and Communications Legislation Committee
- Review of the AS One APS Disability Employment Strategy  
Submission to the Australian Public Service Commission
- Inquiry into the Telecommunications (Interception and Access) Amendment (Data Retention) Bill 2014  
Submission to the Parliamentary Joint Committee on Intelligence and Security

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## 2015

- Inquiry into the Operation, Regulation and Funding of Private Vocational Education and Training (VET) Providers in Australia  
Submission to the Senate Education and Employment Reference Committee
- Inquiry into the Independent National Security Legislation Monitor (Improved Oversight and Resourcing) Bill 2014  
Submission to the Senate Legal and Constitutional Affairs Legislation Committee
- Inquiry into the adequacy of existing residential care arrangements for young people with severe physical, mental or intellectual disabilities in Australia  
Submission to the Senate Standing Committee on Community Affairs
- The drivers of the increase in the number of children placed in out-of-home care  
Submission to the Senate Standing Committee on Community Affairs
- Inquiry into the Commonwealth's Treaty-Making Process  
Submission to the Senate Standing Committee on Foreign Affairs, Defence and Trade
- Workplace Relations Inquiry  
Submission to the Productivity Commission
- Australia's Universal Periodic Review  
Submission to the United Nations Human Rights Council Working Group
- Inquiry into the Migration Amendment (Maintaining the Good Order of Immigration Detention Facilities) Bill 2015  
Submission to the Senate Legal and Constitutional Affairs Legislation Committee
- Inquiry into Copyright Amendment (Online Infringement) Bill 2015  
Submission to the Senate Legal and Constitutional Affairs Legislation Committee
- Inquiry into the Crimes Legislation Amendment (Powers, Offences and Other Measures) Bill 2015  
Submission to the Senate Legal and Constitutional Affairs Legislation Committee
- Inquiry into the Commonwealth Indigenous Advancement Strategy tendering processes  
Submission to the Finance and Public Administration References Committee
- Inquiry into responsibilities of the Commonwealth Government in connection with the management and operation of the Regional Processing Centre in Nauru  
Submission to the Select Committee on the Recent Allegations relating to Conditions and Circumstances at the Regional Processing Centre in Nauru
- Inquiry into Aboriginal and Torres Strait Islander experience of law enforcement and justice services  
Submission to the Senate Standing Committees on Finance and Public Administration
- Inquiry into the Social Services Legislation Amendment Bill 2015  
Submission to the Senate Community Affairs Legislation Committee
- Law Enforcement Legislation Amendment (Powers) Bill 2015 (Cth)  
Submission to the Senate Legal and Constitutional Affairs Committee
- Australian Citizenship – Your Right, Your Responsibility Discussion Paper  
Submission to the Department of Immigration and Border Protection
- Roundtable on Surrogacy  
Submission to the House of Representatives Standing Committee on Social Policy and Legal Affairs
- Inquiry into violence, abuse and neglect against people with disability in institutional and residential settings  
Submission to Senate Standing Committees on Community Affairs

## Glossary

A	
AAT	Administrative Appeals Tribunal
ACHRA	Australian Council of Human Rights Authorities
ACT	Australian Capital Territory
ACTU	Australian Council of Trade Unions
ADA	<i>Age Discrimination Act 2004</i>
ADF	The Australian Defence Force consists of the Royal Australian Navy, Australian Army, Royal Australian Air Force and a number of 'tri-service' units.
ADFA	The Australian Defence Force Academy is a tri-service military Academy that provides military and tertiary academic education for junior officers of the Australian Defence Force.
AHRCA	<i>Australian Human Rights Commission Act 1986</i>
ALRC	Australian Law Reform Commission
ANAO	Australian National Audit Office
APF	The Asia Pacific Forum of National Human Rights Institutions is a member-based organisation that supports the establishment and strengthening of independent national human rights institutions in the Asia Pacific region.
APS	Australian Public Service
Action Plan	A voluntary mechanism for organisations to structure their own compliance efforts.
Amicus curiae	The role of <i>amicus curiae</i> – 'friend of the court' – is to provide special assistance to the court in resolving issues raised by the case and to draw attention to aspects of the case that might otherwise have been overlooked.
AusAID	Australian Agency for International Development
Action Plan	A voluntary mechanism for organisations to structure their own compliance efforts.
Amicus curiae	The role of <i>amicus curiae</i> – 'friend of the court' – is to provide special assistance to the court in resolving issues raised by the case and to draw attention to aspects of the case that might otherwise have been overlooked.

## Glossary

### C

CEDAW	<i>Convention on the Elimination of All Forms of Discrimination Against Women</i>
CEO	Chief Executive Officer
Charter of Service	Public statement about the service that a department or agency will provide.
COAG	Council of Australian Governments
CRPD	Convention on the Rights of Persons with Disabilities
Cth	Commonwealth
CTGSC	Close the Gap Steering Committee. The Close the Gap Campaign is Australia's largest public movement for health equality and seeks to achieve equal health outcomes and life expectancy between Aboriginal and Torres Strait Islander peoples and the broader Australian public by 2030.
Commission on the Status of Women	This United Nations body is responsible for policy-making body on gender equality and the advancement of women and girls.
Commission, the	Australian Human Rights Commission
Consultancy contract	A contract that typically defines the nature, purpose and duration of the task to be performed, but not (in any detail) the manner in which the task is to be performed by a consultant. The consultant is usually paid on completion of milestones or in a lump sum.
Consultancy service	A particular type of service delivered under a contract for services, distinguished from other contracts by the nature of the work performed. Consultancy services involve the application of expert professional skills to: investigate or diagnose a defined issue or problem, carry out defined research, reviews or evaluations; or provide independent advice, information or creative solutions to assist the agency in management decision making.
Consultant	An entity (whether an individual, a partnership or a corporation) engaged to provide professional independent and expert advice or services. Consultants are not employees of the department and are not paid wages or other employee entitlements.

### D

DDA	<i>Disability Discrimination Act 1992</i>
-----	---

## Glossary

### E

EL Executive Level

Expert Mechanism on the Rights of Indigenous Peoples Comprised of five independent experts, this United Nations body provides thematic expertise on the rights of indigenous peoples to the Human Rights Council.

### F

Fair Work Act *Fair Work Act 2009 (Cth)*

### G

GST Goods and Services Tax

### H

Human Rights Technical Cooperation Program In August 1997, China and Australia initiated a high level dialogue on human rights during the course of which it was agreed that the two countries would undertake a program of technical cooperation. The goal of the Program is to strengthen the administration, promotion and protection of human rights in China.

### I

IAS Indigenous Advancement Strategy

ICC International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights

ICCPR The *International Covenant on Civil and Political Rights* is a multilateral treaty adopted by the United Nations General Assembly on December 16, 1966, and in force from March 23, 1976, which commits its parties to respect the civil and political rights of individuals, including the right to life, freedom of religion, freedom of speech, freedom of assembly, electoral rights and rights to due process and a fair trial.

ICS Investigation and Conciliation Service

IFA Individual flexibility agreement. Under the *Fair Work Act*, an IFA varies the effect of the Modern Award or Enterprise Agreement so that it can “meet the genuine needs of the employer and that individual employee” in an individual context.

IPS Information Publication Scheme

## Glossary

### J

Justice reinvestment	A criminal justice strategy where a portion of public funds that would have been spent on covering the costs of imprisonment are diverted to local communities that have a high concentration of offenders. The money is invested in community programs, services and activities that aim to address the underlying causes of crime in those communities.
----------------------	---

### K

KPIs	Key Performance Indicators
------	----------------------------

### L

LGBTI	Lesbian, gay, bisexual, trans, gender diverse and intersex people.
-------	--

### M

MOU	memorandum of understanding
-----	-----------------------------

### N

Native title	A pre-existing property interest, held communally or individually by Aboriginal peoples and Torres Strait Islanders, which is capable of being recognised by Australia's common law. Native title can exist over land and waters where Aboriginal people or Torres Strait Islanders maintain traditional laws and customs that give them a connection to the specified area. Native title rights are not granted by governments or courts. Native title is not an underlying title but rather a bundle of rights that can be extinguished by inconsistent acts of government.
--------------	---

NATO	North Atlantic Treaty Organization
------	------------------------------------

NGO	non-governmental organisation
-----	-------------------------------

NHRI	national human rights institution
------	-----------------------------------

NHLF	The National Health Leadership Forum of the National Congress of Australia's First Peoples comprises Aboriginal and Torres Strait Islander health-related bodies. It was established to liaise with government in the development of health policy relating to Aboriginal and Torres Strait Islander peoples.
------	---

NSW	New South Wales
-----	-----------------

NT	Northern Territory
----	--------------------

## Glossary

### O

Operations	Functions, services and processes performed in pursuing the objectives or discharging the functions of an agency.
Outcomes	The results, impacts or consequence of actions by the Commission on the Australian community.
Outputs	The goods or services produced by agencies on behalf of government for external organisations or individuals. Outputs include goods and services produced for other areas of government external to an agency.

### P

Parliament	The Parliament of Australia
------------	-----------------------------

### Q

Qld	Queensland
-----	------------

### R

RDA	<i>Racial Discrimination Act 1975</i>
-----	---------------------------------------

### S

SDA	<i>Sex Discrimination Act 1984</i>
SES	Senior Executive Service
SA	South Australia
SOGII	sexual orientation, gender identity and intersex

### T

Tas	Tasmania
TTY	Text Telephone or teletypewriter. A special device that lets people who are deaf, hearing impaired, or speech-impaired use the telephone to communicate, by allowing them to type messages back and forth to one another, instead of talking and listening.

## Glossary

### U

UN	United Nations
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples
UPR	The Universal Periodic Review is a State-driven process, under the auspices of the Human Rights Council, which involves a review of the human rights records of all 193 Member States once every four years. It provides the opportunity for each State to declare the actions they have taken to improve the human rights situations in their countries and to fulfil their human rights obligations.
Universal Declaration of Human Rights	Adopted unanimously by the United Nations on 10 December 1948, it is the foundation on which much international law has been based. It sets out the fundamental rights of all people, including the right to life; freedom from slavery, torture and arbitrary arrest; freedom of thought, opinion and religion; the right to a fair trial and equality before the law; the right to work and education; and the right to participate in the social, political and cultural life of one's country.

### V

Vic	Victoria
-----	----------

### W

WA	Western Australia
WEPs	Women's Empowerment Principles. The WEPs are an initiative of the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women) and the United Nations Global Compact.
Workplace diversity	The central principle of workplace diversity is the creation of workplaces free from discrimination, harassment and bullying.
WHS	Workplace health and safety

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## Note – Use of the terms ‘Aboriginal and Torres Strait Islander peoples’ and ‘Indigenous peoples’

The Commission recognises the diversity of the cultures, languages, kinship structures and ways of life of Aboriginal and Torres Strait Islander peoples. Aboriginal and Torres Strait Islander peoples are also referred to as ‘Indigenous peoples’ in this document. This is because the term carries a meaning in international law. In particular, the use of ‘peoples’ with an ‘s’ (and not people singular) reflects the human rights instruments that refer to the collective right of self-determination as one enjoyed by ‘peoples’. For a more detailed explanation on the use of terms, see ‘Note: Terminology’ on the inside back cover of the Aboriginal and Torres Strait Islander Social Justice Commissioner’s *Social Justice and Native Title Report 2014*, Australian Human Rights Commission 2014.

