



Australian
Human Rights
Commission



National
Anti-Racism
Framework

National Anti-Racism Framework Submission guide October 2021

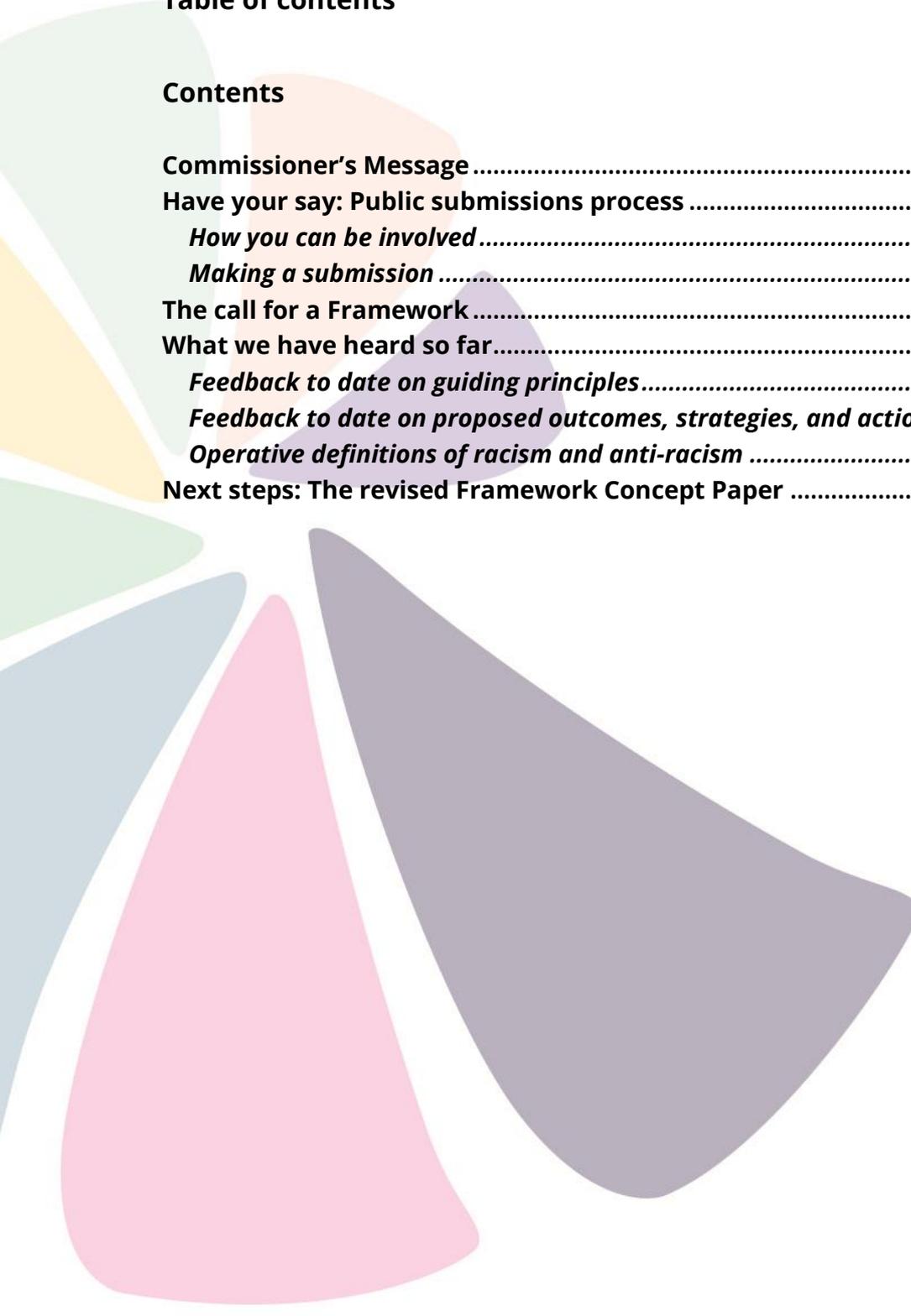




Table of contents

Contents

Commissioner’s Message	3
Have your say: Public submissions process	4
<i>How you can be involved</i>	<i>4</i>
<i>Making a submission</i>	<i>5</i>
The call for a Framework	6
What we have heard so far	7
<i>Feedback to date on guiding principles</i>	<i>8</i>
<i>Feedback to date on proposed outcomes, strategies, and actions</i>	<i>9</i>
<i>Operative definitions of racism and anti-racism</i>	<i>16</i>
Next steps: The revised Framework Concept Paper	17



Acknowledgement of Country

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

Acknowledgement of lived experiences of racism

The Commission acknowledges the lived experiences of individuals and communities affected by racism, trauma, and violence. We recognise the strength, hope and courage of those with lived experience who undertake anti-racism work and build visions of change that inform the Commission's work on racial discrimination.

Commission acknowledgements

The Commission would like to acknowledge the consultation participants who have contributed feedback on the Framework so far. The Commission acknowledges the continuing contribution of the Aboriginal and Torres Strait Islander and multicultural organisations and peak bodies who have provided feedback as well as the Multicultural Advisory Group and Commonwealth Government Advisory Group.

Commissioner's Message

In March 2021, I called for the development of a National Anti-Racism Framework. I released a [Concept Paper](#) that details the vision, as well as proposed principles, outcomes and strategies of such a Framework.

The Concept Paper is a starting point designed to begin discussions about what a coordinated national approach to anti-racism should look like in Australia.

Since March 2021, the Commission has undertaken an initial round of consultations about the Concept Paper with all levels of Government, Aboriginal and Torres Strait Islander peak bodies and research institutes, migrant, refugee, multicultural and settlement peak bodies and human rights organisations. Meetings have also been held with a Commonwealth Government Advisory Group and a Multicultural Advisory Group.

This engagement has provided invaluable guidance to inform the Framework development, and ensure it recognises and complements the already existing work of these departments and organisations.

This includes by building and extending from the Commonwealth Government's priorities around social cohesion and economic and social recovery in the context of the COVID-19 pandemic. It also includes commitments to the *National Agreement on Closing the Gap*, developed in partnership between all levels of Government and the Coalition of Aboriginal and Torres Strait Islander peak bodies, as well as the Commonwealth's existing commitments under the Multicultural Access and Equity Policy.¹

The Commission is taking an iterative approach to the development of the Framework. We will provide updated summaries of consultations that identify major feedback received. This allows the Commission to update people on what we are learning in real time, to clearly show participants how their feedback is being taken on board and facilitate an ongoing conversation among stakeholders, in line with human rights principles.

We are now entering the second, public consultation stage. This document identifies the feedback on the principles, outcomes and strategies from the initial consultations, in order to inform those making a submission on the Framework.

I would like to extend my deep thanks to all the experts and knowledge holders, including those with lived experience of racism, who have so generously contributed their time and knowledge to inform the Framework development.

Have your say: Public submissions process

We want to hear from you about where the responsibility for a National Anti-Racism Framework should sit, and how we can best achieve our goal of an Australia that is free from racism.

The Commission invites you to make a submission to share your vision of a future where all Australians are treated equally, and with dignity and respect.

The Commission will analyse submissions and consider all the feedback it receives as we develop a Conversation and Consultation Report and a revised Framework Concept Paper. This Report and revised Framework Concept Paper will be provided to government for consideration in mid-2022 and will be publicly released.

How you can be involved



July to December 2021

Consult with governments, human rights agencies, peak bodies and Strategy leaders on the scope and vision for the Framework



October 2021 to February 2022

Undertake a public submissions process



October 2021 to April 2022

Partner with governments, organisations and Strategy leaders in specific outcome areas to facilitate further conversations with communities so that all sectors can endorse the Framework and contribute to its development

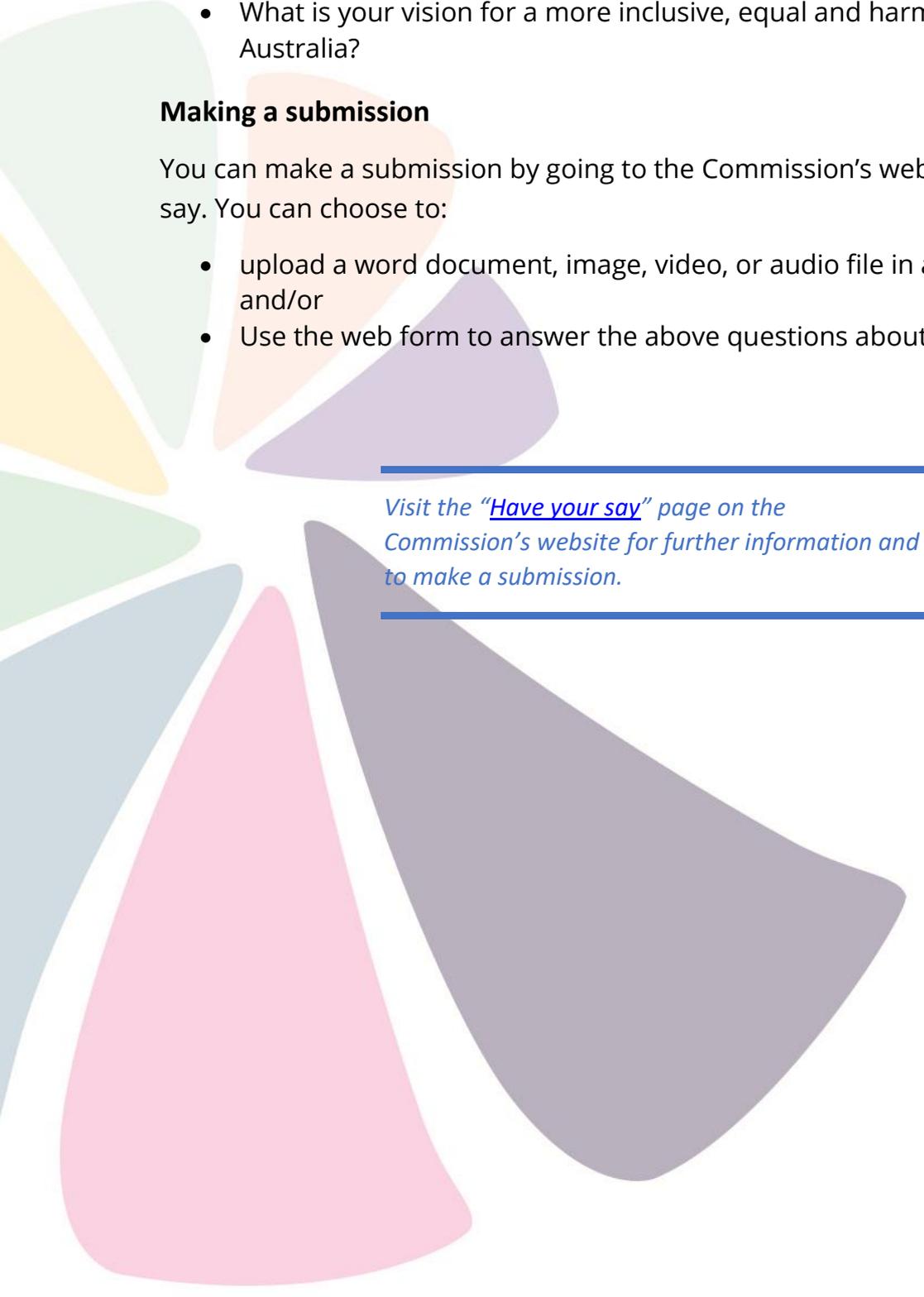


June 2022

Consider all the feedback we receive, compile a consultation report and finalise a revised Framework Concept Paper

From **21 October 2021 to 4 February 2022**, the Australian Human Rights Commission is inviting submissions from everyone, including people who have had experiences of racism. The following questions are proposed to guide submissions:

- What are the issues/areas on which the Framework can best provide guidance?
- Are there best practice stories of anti-racism, social inclusion, social cohesion, and diversity and inclusion initiatives to share?
- How can we embed evaluation and accountability measures within the Framework?

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- What principles should guide the Framework?
 - What outcomes and strategies are necessary for the Framework to create change?
 - What is your vision for a more inclusive, equal and harmonious future in Australia?

Making a submission

You can make a submission by going to the Commission's website to have your say. You can choose to:

- upload a word document, image, video, or audio file in any language and/or
- Use the web form to answer the above questions about the Framework.

Visit the "[Have your say](#)" page on the Commission's website for further information and to make a submission.

The call for a Framework

The Australian Human Rights Commission is an independent statutory organisation, established by an act of the Australian Parliament. The Commission provides advice to government and advocates for improved protection of human rights in Australia.

In March 2021, the Race Discrimination Commissioner, Mr Chin Tan called for a National Anti-Racism Framework to be developed. The Commissioner released a Concept Paper which proposed guiding principles, outcomes and strategies to be adopted across government, and the business, volunteer and community sectors. The release of the scoping paper was intended to start a national conversation about the vision and scope of a new national approach to anti-racism.

As the Concept Paper outlines, the National Anti-Racism Framework will be a long-term, central reference point to guide actions on anti-racism and equality by government, NGOs, business, communities, and other sectors.

The Concept Paper sets the terms for a Framework that will:

- outline a coordinated, shared vision to tackle racism
- identify clear outcomes and strategies to make that vision a reality
- present an implementation plan with evaluation targets and indicators to measure progress against the outcomes.

The call for a Framework is a response to rising community awareness of racism and building momentum for national action on racism.

Australians face unprecedented challenges, from the unequal impacts of the COVID 19 pandemic to the rise of far-right extremism in Australia, including forms of Islamophobia and antisemitism and continuing inequality faced by Aboriginal and Torres Strait Islander communities.² Meeting these challenges requires more and better data collection on racism, the compilation of a strong evidence-base for action and clear guidance for all sectors of government, civil society and institutions on what racism is and how to tackle it at a structural and systemic level.

The Commission's call for a Framework recognises that anti-racism is a collective mission, one that is led by community members in their everyday lives as much as being an imperative for governments and institutions at all levels of policy and practice. The development of the Framework Concept Paper aims to support, empower, and amplify the efforts of governments, institutions, services, organisations, communities and individuals taking up

this collective project to work towards a more equitable and harmonious future for all Australians.

What we have heard so far

Since releasing the scoping paper in March 2021, the Commission has conducted an initial round of consultations with peak bodies, government departments and human rights agencies.

This paper provides an overview of the main issues that have been raised in these consultations to date. This information is provided as context for those wishing to make a submission in the second stage of consultations, and to flag the main differences that have been proposed

What we have heard so far:	Proposed changes to the draft framework:
Centring Aboriginal and Torres Strait Islander sovereign voices and truth telling	Principles 1 and 2 of the Framework should be redrafted to give greater emphasis to Aboriginal and Torres Strait Islander sovereignty and truth-telling
Highlight a definition of racism that begins with systemic racism	Ensure a comprehensive definition of racism is included in the framework that fully captures the experiences of diverse communities.
A desire for Aboriginal and Torres Strait Islander programs to be community- controlled, strengths-based and culturally safe.	Outcome 5 to emphasise this approach.
Include a greater focus on criminal justice reform	Outcome 7 to align with strategies led and advocated by Aboriginal and Torres Strait Islander leaders about breaking the cycles of trauma between child protection, youth detention and incarceration.

Highlight the importance of interfaith education and understanding.	Prioritise this objective in Outcome 6.
The need for action to address the use of artificial intelligence and big data to address surveillance and systemic discrimination on the basis of race.	Increase emphasis in the national framework on these technologies.

Feedback to date on guiding principles

The Concept Paper outlines 8 guiding principles. Consultations to date have suggested some additions and changes to these draft principles as follows:

- Aboriginal and Torres Strait Islander stakeholders and a significant number of other stakeholders have expressed the view that the Framework development and implementation should be led by principles of Aboriginal and Torres Strait Islander sovereignty and self-determination.
- Consultations have pointed to the need for a greater focus on truth telling about Australia’s settler colonial structures and the way in which they reproduce systemic discrimination.
- Some consultations have highlighted the importance of supporting rights and protections for cultural heritage, aligned with the *National Agreement on Closing the Gap*.
- Stakeholder feedback highlights organisations should be encouraged to put in place more positive measures and take more proactive action on discrimination and to ensure racial equity.
- Participants in consultations reaffirmed the importance of an intersectional approach to addressing racism
- Peak bodies and service providers highlighted the importance of healing-informed and trauma-aware approaches to respond to the cumulative harm that racism does to individuals and communities.
- Consultation findings suggest that values of collaboration and shared responsibility should be central to the process of Framework implementation.

Feedback to date on proposed outcomes, strategies, and actions

The Concept Paper has 8 outcome areas, with a variety of strategies and actions identified under each of these.

In responding to these outcomes, consultation participants supported an action-oriented Framework with clear outcomes and strategies.

Some participants suggested ways outcomes could be consolidated or extended.

Consultations to date have affirmed the importance of improved data collection as a major focus of the Framework. They also supported an expanded focus on education strategies and expressed a need for an additional outcome on regulating and building capacity around racial bias in new technology and artificial intelligence systems due to the significance of these issues.

The following summarises the feedback received to date on the 8 proposed outcome areas.

Outcomes and summary of consultation feedback to date
National Outcome 1 – Racism and racial inequality in Australia is understood including its prevalence and nature.
<ul style="list-style-type: none">• There was a strong consensus among consultation participants that the Framework should have a focus on improved data collection and that the framework should outline clear strategies for how to address the gaps in data collection.• Stakeholders emphasised that work on a national data unit should be led by Aboriginal and Torres Strait Islander research institutes and that it should be shaped by a strengths-based approach.• Some researchers and knowledge holders raised the issue of data sovereignty and respecting knowledge holders of all kinds, regardless of academic affiliation.• Participants highlighted existing gaps in current data collection and reporting on:<ul style="list-style-type: none">- the incidence of racism- an accurate picture of the complexity of cultural, ethnic, linguistic and faith diversity in Australia.-intersectional forms of discrimination

- longitudinal data on experiences of different forms of racism
- nuanced qualitative data on diversity, racism and what works in different sectors to address racism
- the experiences of groups under-represented in current data, including Aboriginal and Torres Strait Islander communities and young people.

- Many participants emphasised the importance of narratives of lived experience of racism for shaping responses to racism.
- There was also significant interest in more research on the prevalence of far-right extremism and its reproduction in online forums.
- Participants' feedback suggests that national data standards for research in this area will be required to ensure that the research commissioned and/or undertaken in this area is strengths-based, contributes to Aboriginal and Torres Strait Islander-led change and the broader empowerment of migrant, refugee and faith-based communities.

National Outcome 2 –Australia has an effective legal framework to protect people from racial discrimination and racial hatred.

- There was strong support for a preventative and proactive approach to safeguarding rights.
- Stakeholders proposed a range of strategies to improve outcomes in relation to the operation of the justice system, including through breaking cycles of incarceration and diversionary programs to address the harmful impact of involvement in the justice system for Aboriginal and Torres Strait Islander communities.
- Some stakeholders highlighted that ensuring that justice outcomes are community informed was important for breaking cycles of incarceration.
- Some stakeholders suggested that building the capacity of law enforcement to gather evidence in this area and engage in a culturally safe way with racialised communities was as important as changing legislation.
- A few stakeholders highlighted that working with rights holders to ensure that they have enough information about their rights and can

access and afford legal support, when necessary, was also key to ensuring effective and equitable justice outcomes.

National Outcome 3 – All Australian Governments commit to eradicating racism and racial discrimination through their actions.

- Stakeholders affirmed the need to build complementarity across the Framework's strategies and existing measures on Closing the Gap, building social cohesion, countering violent extremism, supporting diversity and inclusion, supporting settlement processes, and reducing violence against women and children.
- Stakeholders highlighted that existing commitments and reporting under the National Agreement on Closing the Gap should be noted in the Framework to minimise duplication in reporting and ensure that existing commitments are met.
- Some consultation participants highlighted that there was significant scope for reform in the sustainable resourcing of initiatives in this area, including through more direct funding and capacity building to community -controlled organisations.
- A majority of stakeholders expressed support for strong transparency, accountability, regular reporting and nationally consistent evaluation measures for government initiatives under the Framework.
- Stakeholders identified a need to undertake mapping of government funded services, projects, and initiatives to address anti-racism across all Australian states and territories to identify gaps and good practice.

National Outcome 4 – There is broad based community understanding of racism and racial discrimination, and how to counter it.

- Stakeholders expressed strong support for a broad reaching national anti-racism campaign, under the Framework, highlighting how important increasing the knowledge and changing the attitudes of the majority of the Australian public was to addressing racism nationally.

- Many stakeholders felt there was not enough mainstream understanding of the serious and pervasive harm that racism causes for individuals and communities and that racism kills.
- Some stakeholders expressed the view that the Framework should include education and awareness building strategies to address misunderstandings and misinformation about the interaction between anti-racism and other rights.
- Many stakeholders affirmed the importance of better standards and representation in the media industry and these strategies must be extended.
- More accountability for media providers and on social media platforms was also a clear priority for stakeholders, with suggestions on:
 - anti-racism standards for the media industry and adequate moderation mechanisms
 - working with Aboriginal and Torres Strait Islander and community media to increase media diversity
 - in-language programming, and the representation of Aboriginal and Torres Strait Islander people in the mainstream media
 - encouraging social media platforms to commit to countering and preventing racism and racial discrimination.

National Outcome 5 – All sectors of society commit to countering and preventing racism, and community partnerships are formed.

- Stakeholders articulated clear priorities for workforce capacity building and training standards in culturally safe, culturally responsive and anti-racist service provision and business operations.
- Many Aboriginal and Torres Strait Islander stakeholders and stakeholders of colour expressed the view that these strategies should put the responsibility back on organisations, institutions and Australians who do not experience racial discrimination to address racism, rather than seeing it as the responsibility of victims/survivors of racism.

- Stakeholders highlighted that providing key guidance and sharing best practice resources for organisations would be key in building confidence to act on racism.
- Many consultation participants spoke of adequate and sustainable resourcing as a central challenge that Framework strategies needed to address and their views suggest that partnerships across government, corporate and community could assist in meeting this challenge.

National Outcome 6 – All sectors of society commit to ensuring communities vulnerable to racism and racial discrimination are adequately represented and have effective participation in all areas of public life.

- Stakeholders broadly affirmed and expressed their support for the strategies under this outcome area, and to extend its focus beyond government to all sectors of society
- A significant number of stakeholders highlighted a need to separate out initiatives for Aboriginal and Torres Strait Islander communities from those designed for migrant, refugee and faith-based communities, to reflect their fundamentally different experiences of racialisation in Australia.
- Stakeholders highlighted that addressing intersecting forms of discrimination should be central to the Framework
- Stakeholders identified the need to engage in community-led co-design and long-term partnerships with Aboriginal and Torres Strait Islander communities in the development of programs and policies that affect them, in line with the principles in the National Agreement on Closing the Gap.

National Outcome 7 – All Australian Governments commit to addressing racial inequality and adopt targeted and appropriate measures to address it

- Stakeholders' views and priorities highlighted that this outcome could be combined with outcome 3 above and outcome 8 below, since they refer to coordinated action across all levels of government.

- The majority of stakeholders saw education as the basis of creating change across Australian society to address racism, which suggest that there needs to be another outcome area, specifically focusing on education, within the Framework.
- Stakeholders highlighted key barriers to equitable education outcomes for racialised communities, suggesting that building the capacity of educators to respond to racism and implicit bias, a strength-based approach to education and the collection of evidence on best-practice on mainstreaming anti-racism education could be beneficial.
- There has been a strong focus on early education about racism and increased interfaith education in consultations for the Framework and in the community-identified solutions of the Commission's [Sharing the Stories of Australian Muslims](#) project report.
- Consultation findings suggest that input from families and communities in designing initiatives, greater flexibility in institutional responses to challenges experienced by diverse students, a greater focus on student empowerment and more tailored and culturally appropriate educational resources could help improve educational outcomes.
- Stakeholders expressed the view that community controlled and led service provision should be prioritised.
- This outcome area also affords important opportunities to build complementarity between the Framework and related areas of service provision, including in settlement services and in responses to family and domestic violence.
- Many stakeholders expressed strong support for more holistic approaches to service provision that included the whole person and their communities, rather than limited aspects of individual lives or identities.

National Outcome 8 – Measures to address racism, racial discrimination and racial inequality complement measures to strengthen multiculturalism, social inclusion, and Indigenous reconciliation.

- Stakeholders emphasised the need to recognise the different experiences of different groups of people –such as Aboriginal and Torres Strait Islander peoples

- Stakeholders emphasised the need to take an intersectional approach to anti-racism initiatives
- Stakeholders emphasised the need to advance anti-racism initiatives alongside other priorities

Proposed additional outcome area: An appropriate regulatory and capacity building environment is established to address racial bias in the development and use of emerging technologies and artificial intelligence systems.

- Many stakeholders suggested that the Framework needed another outcome with defined strategies to address racial bias in emerging technologies and in artificial intelligence decision-making processes.
- Some stakeholders raised a need for more accountability and transparency around the use of 'big data', including in relation to the connections between data collected and used by different government services.
- The need for more regulation and action on online hate has also been a priority that has been consistently expressed in successive Commission projects, including the recently released project report from the Sharing the Stories of Australian Muslims project, including through:
 - Establishing a mechanism to determine basic online safety expectations for social media and internet services using a human rights approach.
 - Ensuring update mechanisms for the Online Content Scheme and strengthen industry codes and standards for online content.
 - Expanding information, education, and enforcement for cyber-abuse takedown options, in particular to protect women and children from online abuse and harm

Operative definitions of racism and anti-racism

Consultations have highlighted the importance of definitions of racism that acknowledges the everyday nature of experiences of racism for many in the community, as well as taking into account:

- the structuring context of settler colonial violence and the cycles of trauma that make racism an everyday reality for Aboriginal and Torres Strait Islander communities
- healing and community strengths, while acknowledging the intergenerational and cumulative harm of racism, particularly for Aboriginal and Torres Strait Islander communities
- the way racism operates at the level of social systems and ecologies.
- the fundamental differences in experience between systemic racism against Aboriginal and Torres Strait Islander people and that experienced by migrant, refugee, and faith communities
- the diversity of Aboriginal and Torres Strait Islander communities, and the diverse experiences of migrant, refugee and faith communities
- the ways racism structures access to essential services for those in regional and remote communities
- the intersections of racism and violence for differentially racialised populations, including Aboriginal and Torres Strait Islander women and girls and Aboriginal and Torres Strait Islander people with disability.

Consultations have also highlighted a need for definitions of anti-racism that:

- include a focus on anti-racism in government and institutions rather than only in reference to individual attitudes or perpetrators of racism.
- balance capacity building in culturally safe practice with the provision of stronger penalties and accountability measures for racism.

The Commission provides the following practical guidance on racism and anti-racism:

Racism

Racism exists in systems and institutions that operate in ways that lead to unequal outcomes. Racism can come in many forms and can happen in many places. Racism includes prejudice, discrimination or hatred directed at someone because of their colour, ethnicity, or national origin.

Racism can be revealed through people's actions as well as their attitudes, beliefs, and actions. It includes all the barriers that prevent people from enjoying dignity and equality because of their race.³

Anti-Racism

Anti-racism is an active process, unlike the passive stance of 'non-racism'. Anti-racism work requires consistent, committed, and targeted action and attention. Racism operates at systemic, institutional, interpersonal, and individual levels. Typically, individual, and interpersonal racism receives more focus than institutional and systemic racism, and as a result deeper, systemic racial injustice continues to flourish. Anti-racism involves focusing on systemic racism.⁴

Next steps: [The revised Framework Concept Paper](#)

The next step is the conduct of consultations and the submissions process through to the end of 2021.

The Commission will then develop a revised full Framework Concept Paper by June 2022 with:

- definitions and introductions to key concepts and approaches and an explanation of why the Framework is necessary
- the evidence behind the approach the Framework takes and a brief summary of gaps in current evidence
- further revisions to the structure of the Framework, including principles, outcomes and strategies
- cross-references to existing reporting, administrative and legislative obligations under complementary National Agreements, Plans and Frameworks
- best-practice stories in the identified outcome areas to guide the implementation of strategies

- evaluation and reporting indicators and measures in identified outcome areas to build accountability to the Framework principles.

Endnotes

¹ Commonwealth of Australia, *The Multicultural Access and Equity Policy Guide* (2018).

<https://www.homeaffairs.gov.au/mca/PDFs/multicultural-access-equity-policy-guide.pdf>

² Australian Human Rights Commission, Wiyi Yani U Thangani (2020)

³ Australian Human Rights Commission, 'What is Racism?', *Race Discrimination* (Web Page)

<<https://humanrights.gov.au/our-work/race-discrimination/what-racism>>

⁴ 'Learn more about racism', *Creative Equity Toolkit* (Web Page)

<<https://creativeequitytoolkit.org/topic/organisational-culture/racism/>>