

***Respect at Uni: Study into Antisemitism, Islamophobia, Racism
and the experience of First Nations people***

Study into the prevalence and impact of racism in Australian Universities, with a particular focus on the incidence of antisemitism, Islamophobia and the experience of First Nations peoples.

Terms of Reference

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

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

- Its duties to ensure that its functions are performed with regard to:
 - the indivisibility and universality of human rights; and
 - the principle that every person is free and equal in dignity and rights (s.10A(1) AHRC Act).

- Community concern about the rise in antisemitic and Islamophobic incidents in Australia, including in the months following 7 October 2023.

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

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

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

Scope

6. The Study will identify:
 - a. The prevalence, nature and experiences of racism including antisemitism and Islamophobia at universities (including those with dual-sector operations) for both staff and students, at the individual and systemic level.
 - b. Which cohorts of students and staff experience racism, including but not limited to the distinct incidences of antisemitism, Islamophobia, and the experience of Aboriginal and Torres Strait Islander peoples, people from negatively racialised backgrounds, and international students.
 - c. The unique context and circumstances of racism for different groups of students and staff, including a specific focus on the experiences of Jewish, Muslim and Aboriginal and Torres Strait Islander students and staff.
 - d. Any matter incidental to the above.
7. The Study will also identify:
 - a. Frameworks for prevention, including examples of best practice and other guidance available within national and international university contexts to strengthen sectoral and institutional anti-racism approaches and activities.

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

Consultation

11. The Study will consult widely with stakeholders, including universities, students, staff, student and staff representative bodies and unions, community leaders and groups and governments. This will specifically include stakeholders reflecting the experiences of Aboriginal and Torres Strait Islander, Jewish, Muslim, negatively racialised, and international students, staff, and communities.
12. Such consultations will be conducted in a trauma informed and culturally safe manner.

Governance and advisory support

Advisory Committee

13. The Commission will establish an Advisory Committee representing students, staff and community and cultural groups to provide advice and guidance on the Study's approach, methodology, consultation mechanisms, identification of best practice, analysis of findings and recommendations.
14. In establishing the Advisory Committee, the Race Discrimination Commissioner will consult the Minister for Education and the Attorney-General on composition of the Committee. The Minister

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for Education will consult with the Minister for Indigenous Australians regarding the membership of Aboriginal and Torres Strait Islander peoples on the Committee.

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

Australian Government Senior Officials' Working Group

16. The Race Discrimination Commissioner will also convene a working group of senior Australian Government officials.
17. The Senior Officials' Working Group will discuss progress, emerging issues and key considerations. A focus will be to ensure the Study's objectives and deliverables are met by the agreed timelines. Other Government agencies may be invited as required.

Timing

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

Dated: 30 July 2024