



Australian  
Human Rights  
Commission

# Australian Human Rights Commission

ANNUAL REPORT 2017 • 2018



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Cover image by Matt Syres: 2017 Human Rights Medal Winner Johnathan Thurston. Mr Thurston received the 2017 Human Rights Medal in recognition of his commitment to improving the educational opportunities available to young Aboriginal and Torres Strait Islander people.



20 September 2018

The Hon Christian Porter MP  
Attorney-General  
Parliament House  
CANBERRA ACT 2600

Dear Attorney,

I am pleased to present the Annual Report of the Australian Human Rights Commission for the period ending 30 June 2018. The report has been prepared pursuant to section 45 of the *Australian Human Rights Commission Act 1986* (Cth) and in accordance with the requirements of section 46 of the *Public Governance, Performance and Accountability Act 2013* (Cth).

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 2017–18 on 20 September 2018 by signing a memorandum.

Yours sincerely,

A handwritten signature in black ink that reads "Rosalind Croucher".

Emeritus Professor Rosalind Croucher AM  
**President**

# 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**.

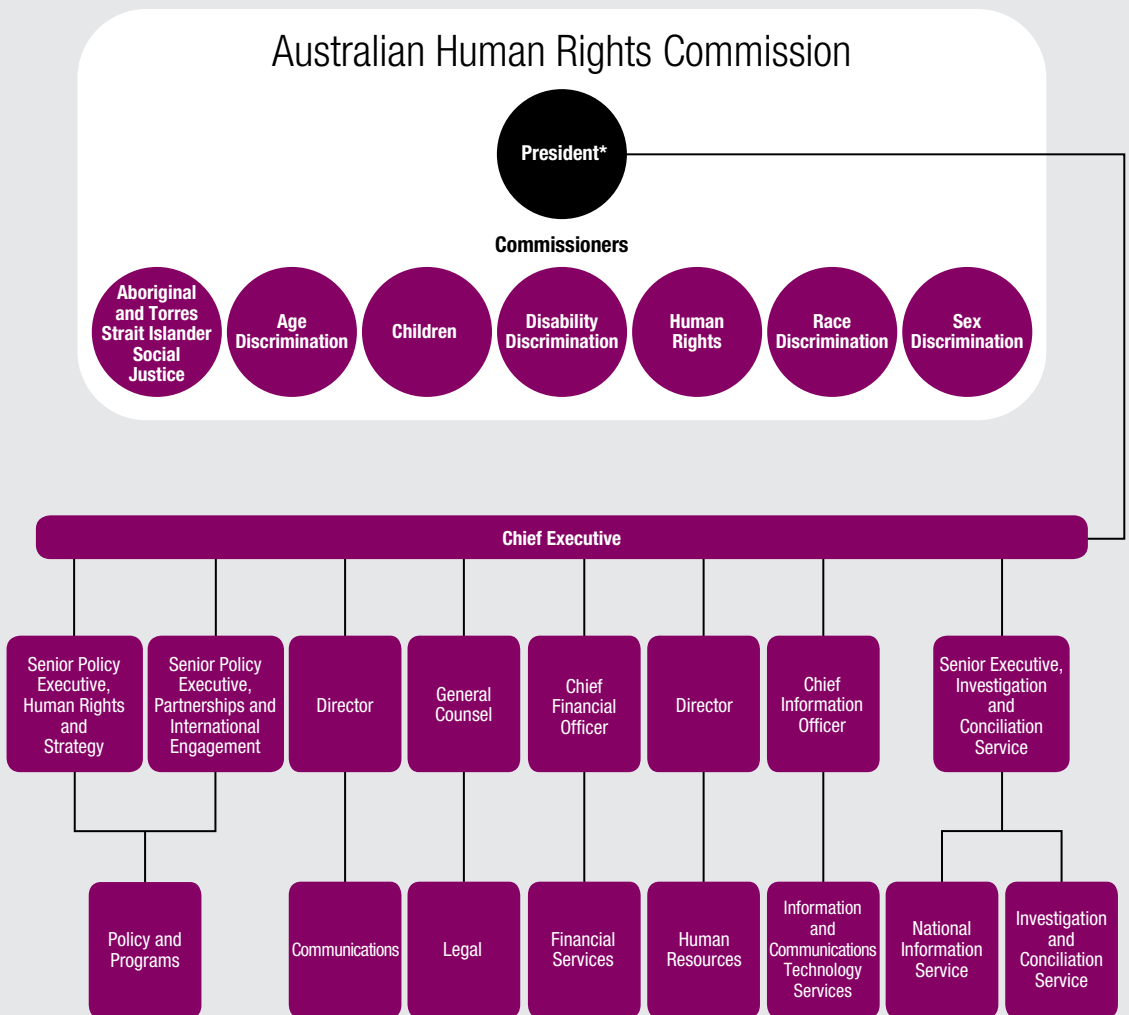
## Achieving our purpose

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 reporting period. The plan contains the Commission's performance framework, which links the performance criteria outlined in our 2017–18 Portfolio Budget Statement to the results in this annual report. The Commission's performance is measured against four outcomes, which are detailed in Appendix 1.

## Our organisational structure

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



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

# Our functions

## Legislation

The Commission exercises functions under the following Acts.

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### *Australian Human Rights Commission Act 1986 (Cth)*

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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 1975 (Cth)*

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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 1984 (Cth)*

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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 (or potential 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 1992 (Cth)*

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Its main aims 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 2004 (Cth)*

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Its main aims 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 goods, services or facilities
  - change negative stereotypes about older people.
- 

### **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 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 1986* (Cth), the Aboriginal and Torres Strait Islander Social Justice Commissioner may report to the Minister on the exercise and enjoyment of human rights of Indigenous peoples and undertakes social justice education and promotional activities.

This Commissioner may report under the *Native Title Act 1993* (Cth) 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 may report to the Minister on the enjoyment and exercise of human rights by children in Australia.

## **Responsible Minister**

The Hon Christian Porter MP, 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 1986* (Cth).

## **Location**

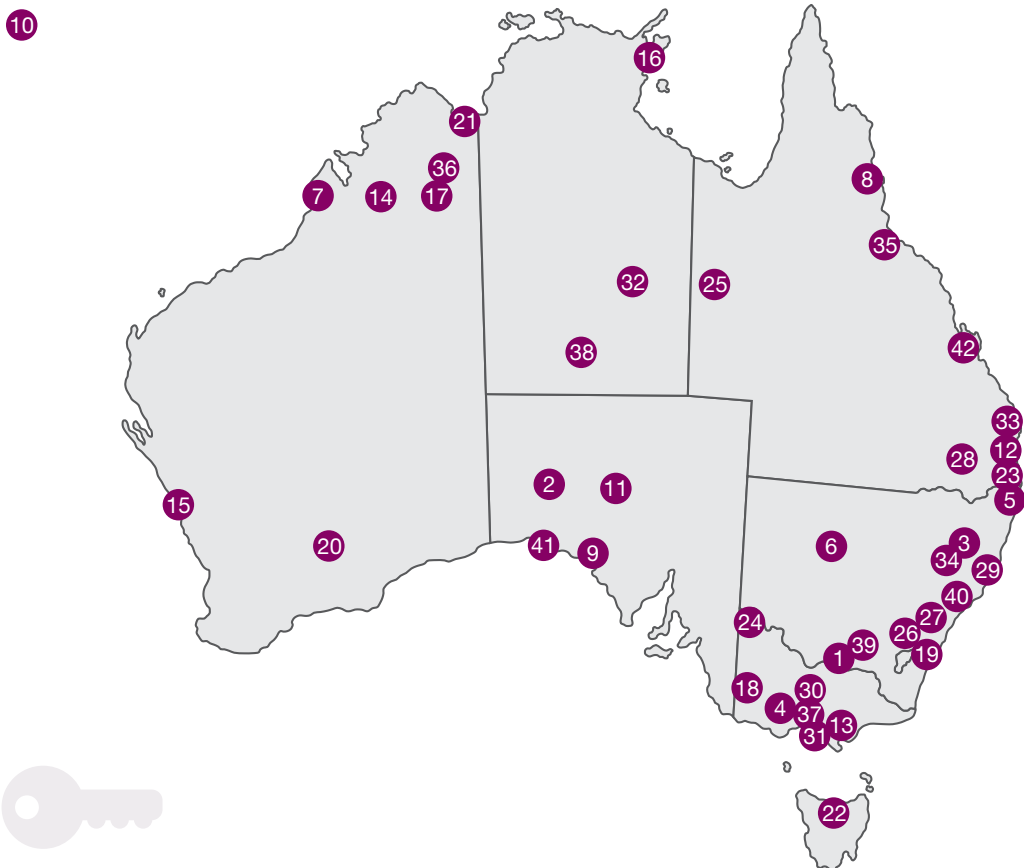
The office of the Australian Human Rights Commission is located in Sydney. The Australian Human Rights Commission conducts its activities nationally—including by maintaining a National Information Service, extensive web communication and conduct of meetings and events across Australia.



# Achieving a national reach

As a small scale and Sydney based entity ensuring national coverage of our work and engaging with communities in rural, regional and remote areas is a priority for the Commission.

We build consideration of rural, regional and, where possible, remote activity into our planning processes. We have also started to track the geographic range of activities in these areas. These can vary from consultation and engagement events, conducting training and workshops, commissioned research and Commissioner engagements. The figure below shows our rural, regional and remote activity by location in 2017–18.



- |                     |                         |                        |                     |
|---------------------|-------------------------|------------------------|---------------------|
| 1 Albury, NSW       | 12 Deception Bay, QLD   | 23 Logan, QLD          | 34 Tamworth, NSW    |
| 2 APY Lands, SA     | 13 East Sale, VIC       | 24 Mildura, VIC        | 35 Townsville, QLD  |
| 3 Armidale, NSW     | 14 Fitzroy Crossing, WA | 25 Mount Isa, QLD      | 36 Turkey Creek, WA |
| 4 Ballarat, VIC     | 15 Geraldton, WA        | 26 North Nowra, NSW    | 37 Upwey, VIC       |
| 5 Ballina, NSW      | 16 Gulkula, NT          | 27 North Richmond, NSW | 38 Utopia, NT       |
| 6 Bourke, NSW       | 17 Halls Creek, WA      | 28 Oakey, QLD          | 39 Wagga Wagga, NSW |
| 7 Broome, WA        | 18 Horsham, VIC         | 29 Port Macquarie, NSW | 40 Williamtown, NSW |
| 8 Cairns, QLD       | 19 Jervis Bay, NSW      | 30 Puckapunyal, VIC    | 41 Yalata, SA       |
| 9 Ceduna, SA        | 20 Kalgoorlie, WA       | 31 Rosebud, VIC        | 42 Yeppoon, QLD     |
| 10 Christmas Island | 21 Kununurra, WA        | 32 Sandover, NT        |                     |
| 11 Coober Pedy, SA  | 22 Launceston, TAS      | 33 Sunshine Coast, QLD |                     |

# The year in review

This Annual Report sets out the performance of the Australian Human Rights Commission in the 2017–18 financial year.

I commenced as President on 30 July 2017 following the completion of former President Gillian Triggs' term on 28 July 2017. The National Children's Commissioner was re-appointed for a further two years in March 2018. With four new commissioners appointed in the previous financial year, this has constituted a significant renewal of the Commission's leadership. We await the appointment of a new Race Discrimination Commissioner in 2018 to provide our full complement of Commissioners to take us through the next few years.

A significant focus of my first year has been to further the relationships between Commissioners to ensure a collaborative, vibrant working culture as a Commission.

This past year has also seen a significant focus on implementing amendments to the handling of discrimination and human rights complaints that were introduced in April 2017. Of particular note, these amendments provided greater scope for the early termination of matters and also introduced the requirement that some complainants are now required to seek leave of the court to take their claims forward to the judicial stage.

These amendments have assisted the Commission to handle complaints expeditiously.

I am particularly proud of the excellence of the contribution provided by our Investigation and Conciliation Service and through the National Information Service. Our rigorous evaluation of complaint handling processes demonstrates exceptionally high rates of satisfaction with the professionalism of the service we provide. It is particularly pleasing that the results reflect satisfaction from people who have been in the midst of disputes—as both complainants and respondents.

A residual matter that remains to be addressed is the Commission's complaints jurisdiction for employment complaints not otherwise covered by the federal discrimination Acts. Unlike our jurisdiction under the four discrimination Acts, complaints brought under the *Australian Human Rights Commission Act 1986* (Cth) are unable to proceed to judicial determination in the event that they are not able to be resolved.

This is for matters relating to religious belief, irrelevant criminal record, political opinion and other grounds. Instead, the Commission can only report to the federal Attorney-General on these matters with findings.

The Commission has urged reconsideration of these provisions so that they become regular complaints processes.

This past year has also seen the Commission playing a leadership role in driving change on key human rights issues.

The *Wiyi Yani U Thangani (Women's Voices)* project has commenced national consultations with Aboriginal and Torres Strait Islander women and girls about their rights. The first dedicated consultation on these issues in 30 years has reinvigorated debate about the important role of women in Indigenous communities. The report of these consultations will be finalised in the next financial year.

The *Change the course* report on experiences of sexual assault and sexual harassment in university settings has led to a significant re-appraisal of the systems and policies across all 39 Australian universities. The Commission is following up this work by conducting the next instalment of our national prevalence study on sexual harassment in Australian workplaces, and a national inquiry into this issue that was launched by the Minister for Women in May 2018.

The Human Rights Commissioner played an important role in Australia ratifying the Optional Protocol to the Convention Against Torture in December 2017, which will result in a more systematic approach to monitoring conditions in places of detention. The Commissioner has also launched a significant three-year project to consider the impact of new technologies on the enjoyment of human rights. This project will examine the use of artificial intelligence in decision-making processes, privacy and other human rights implications of big data, the potential for improved accessibility for people with a disability, among other issues. A range of business, education and government organisations have been confirmed as partners in this work, highlighting its importance across our society.

The Commission has also been making crucial contributions to ensuring safety and protection for vulnerable groups in Australia.

- The National Children's Commissioner has commenced work on ensuring organisations are child safe, in the wake of the findings of the Royal Commission into Institutional Responses to Child Sexual Abuse. Working with all states, territories and the federal government, new principles have been developed to protect children. Guidance and educational materials will be rolled out over the next year and form a key part of the response to the Royal Commission's recommendations. The Commission is proud to be leading this work with its potential to achieve significant benefits for child safety into the long term

- The Age Discrimination Commissioner has made a substantial contribution to the design of new mechanisms to prevent elder abuse in our community. A national action plan, with a range of new protections, is likely to be finalised in the coming year. The Age Discrimination Commissioner will also commence research and other projects to advance this, following the allocation of new funding in the 2018–19 federal budget
- The Disability Discrimination Commissioner has conducted research into the protection from violence of people with a disability living in institutions. This research was released in mid-2018.

The Race Discrimination Commissioner has worked tirelessly to promote cultural diversity and inclusion in the workplace with the *Leading for Change* report. Activities under the National Anti-Racism Partnership and Strategy have also promoted youth leadership on anti-racism and better understanding within government of systemic discrimination issues.

I acknowledge the significant contribution to public debate made by the outgoing Race Discrimination Commissioner achieved over the five years of his term.

As we enter the next financial year, we join in global celebrations of 70 years of the Universal Declaration of Human Rights, adopted by the General Assembly of the UN on 10 December 1948.

The Declaration emerged out of one of the darkest periods in world history. It has been a clarion call for all people to be treated equally and with dignity the world over. Its words remain as relevant now as they were in 1948.

Article 1 of the Declaration reads:

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

The Commission will continue to play its part in building a greater community understanding of human rights so that we can all enjoy a society that affords dignity and respect to all.



**Emeritus Professor Rosalind Croucher AM**  
President

# President and Commissioners



Emeritus Professor  
**Rosalind Croucher AM**  
**President**  
(commenced 30 July 2017)



The Hon Dr Kay Patterson AO  
**Age Discrimination Commissioner**



June Oscar AO  
**Aboriginal and Torres Strait  
Islander Social Justice  
Commissioner**



Alastair McEwin  
**Disability Discrimination  
Commissioner**



Megan Mitchell  
**National Children's Commissioner**



Dr Tim Soutphommasane  
**Race Discrimination Commissioner**  
(finishes 19 August 2018)



Edward Santow  
**Human Rights Commissioner**



Kate Jenkins  
**Sex Discrimination Commissioner**

# Annual performance statement for non-financial outcomes

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AUSTRALIAN HUMAN RIGHTS COMMISSION

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## INTRODUCTORY STATEMENT

As the Accountable Authority of the Australian Human Rights Commission, I present the 2017–2018 annual performance statement of the Commission. This is required under section 39(1)(a) of the *Public Governance, Performance and Accountability Act 2013* (Cth). In my opinion, these annual performance statements are based on properly maintained records, accurately reflect the performance of the entity, and comply with section 39(2) of the Act.



Emeritus Professor Rosalind Croucher AM  
**President and Accountable Authority**

20 September 2018

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## Purpose

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To fulfil our statutory functions so that Australians have access to effective, independent complaint handling and public inquiry processes on human rights and discrimination matters, and benefit from our human rights education, advocacy, monitoring and compliance activities.

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## Results

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### Introduction

The Commission undertakes a wide range of activities in pursuit of our statutory obligations and mandate. We focus our work on issues that constitute ‘protected attributes’ under federal discrimination law or for which there is a mandated specialist commissioner. This includes race, age, disability and sex discrimination, Aboriginal and Torres Strait Islander social justice, children, sexual orientation, gender identity and intersex status, and issues within the role of Human Rights Commissioner (asylum seekers and immigration, national security and technology issues).

We must inquire into and attempt to conciliate complaints of unlawful discrimination, and breaches of human rights, and process applications for exemptions under the age, disability and sex discrimination Acts.

We may also produce reports to the federal Parliament in relation to the enjoyment and exercise of human rights by children in Australia; by Aboriginal persons and Torres Strait Islanders; and in relation to complaints of breaches of human rights. We have a range of functions to raise awareness, conduct research and develop educational resources about human rights, and consider the compatibility of legislation with human rights.

The *Australian Human Rights Commission Act 1986* (Cth) requires us to exercise our functions in a manner that achieves the ‘greatest possible benefit to the people of Australia’ and ‘with regard for the indivisibility and universality of human rights’. Accordingly, we also conduct human rights education, intervene in human rights matters before the courts, and promote the role of business in addressing human rights.

Our work priorities are set through an annual planning process framed by the four outcomes in our Corporate Plan. In addition, the Commission ensures its work helps achieve the outcome articulated in its Portfolio Budget Statement, being:

*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 sole program of which, Program 1.1, is:

*Australians have access to independent human rights complaint handling and public inquiries processes and benefit from human rights education, promotion and monitoring, and compliance activities.*

**Performance criteria**

The performance statement on pages 16 – 42 of this report highlights the ways in which the Commission has met its purpose through activities that are monitored and evaluated. These results are reported in relation to the Commission’s four outcomes and 14 indicators provided in the 2017–18 Corporate Plan. The four outcomes correspond to the Performance Criteria in the Commission’s Portfolio Budget Statement (PBS). Two indicators under each outcome also correspond to the targets in our PBS and this relationship is indicated in the statement. In this way, a clear line of sight is maintained between our PBS, work plan and results.

In reporting against all the indicators, we have focused on case studies and exemplar projects to demonstrate our performance.

**Appendices**

Appendix 1 provides the full text of the abbreviated outcomes and indicators used in the body of the report and shows which of the indicators are also PBS targets.

Appendix 2 lists the Commission’s 2017–18 projects, services and activities against the four outcomes.

Appendix 3 lists the Commission’s major events, reports, publications and education resources completed in 2017–18.



# Snapshot of Commission activity

The following provides an overview of the Commission's key outputs in 2017–18.

	<b>Public presence</b>	<ul style="list-style-type: none"> <li>• 15 major events</li> <li>• 141 web news stories</li> <li>• 1,037 media enquiries</li> <li>• 483 interviews</li> <li>• 17 opinion pieces</li> </ul>
	<b>National Information Service</b>	<p>Answered 14,164 enquiries from people seeking information about discrimination and human rights</p>
	<b>Investigation and Conciliation Service</b>	<ul style="list-style-type: none"> <li>• 2,046 complaints about discrimination and breaches of human rights received</li> <li>• 1,262 conciliation processes conducted – 74% of these complaints successfully resolved</li> </ul>
	<b>Reports and resources</b>	<ul style="list-style-type: none"> <li>• 1 statutory report (National Children's Report)</li> <li>• 7 Australian Human Rights Commission Act reports</li> <li>• 23 research/investigation/discussion papers</li> <li>• 2 school teaching packages</li> </ul>
<b>Aa</b>	<b>Human rights education and training</b>	<ul style="list-style-type: none"> <li>• 27 information sessions reaching over 915 attendees</li> <li>• 12 interactive training workshops with 331 participants</li> </ul>
	<b>Legal expertise and investigation</b>	<ul style="list-style-type: none"> <li>• 48 submissions to public inquiries (13 appearances at public hearings)</li> <li>• 1 intervention in Court proceedings (judgement delivered)</li> </ul>
	<b>Digital engagement</b>	<ul style="list-style-type: none"> <li>• 26 YouTube videos</li> <li>• 9,606,268 page views</li> <li>• 5,324,341 website visits</li> <li>• 114,510 Facebook likes</li> <li>• 158,694 Twitter followers</li> </ul>

## Outcome 1:

# Effective promotion and engagement builds increased awareness and understanding of human rights

### Performance indicator 1a:

#### Leadership

#### **National survey on sexual assault and sexual harassment experienced by students at Australian universities**

Led by the Sex Discrimination Commissioner this landmark project provided the first nationally representative data on students' experiences of sexual assault and sexual harassment at university. A national survey measured the experiences of over 30,000 students across all 39 Australian universities. A national submissions process and consultations accompanied this. The results of the project were published in the *Change the course* report in August 2017. Upon release of the report, Universities Australia released an action plan to address sexual assault and harassment in universities. Nineteen out of 39 universities accepted all of the report recommendations and all 39 Universities have taken action in response to the report's recommendations in the ten months since the report was released.

This project was funded by the university sector. As a follow up to the *Change the course* report, the Commission has been commissioned to conduct an independent review of university colleges at the University of New England.

### **Wiyi Yani U Thangani (Women's Voices)**

Since February 2018 the Aboriginal and Torres Strait Islander Social Justice Commissioner has been leading a national conversation with Aboriginal and Torres Strait Islander women and girls to hear their priorities, challenges and aspirations for themselves, their families and their future. The research gathers data through submissions, surveys and direct engagement with women and girls. In this reporting period, the team have visited 23 locations including regional, rural, and remote locations and met with 960 women and girls. Participants in the face-to-face engagements completed a feedback survey. The feedback has been overwhelmingly positive, with most respondents feeling empowered by an inclusive process and the opportunity to have their voices heard by the Commissioner. The data below is a snapshot of the results:

*A platform to give strong Aboriginal women to discuss and reflect on where we are today and where we are going was very much needed. I felt empowered to be in the presence of June Oscar and various other influential women.*

*I saw a lot of deep listening, which will assist in the change needed for our people.*

*Empowering, connecting with all the women here. Our voices and concerns were listened to with respect.*

*Today is the first step in the process, it has great potential.*

The *Wiyi Yani U Thangani* initiative continues into 2018–19, with more engagements and reporting of the research findings. It is a joint initiative with the Department of Prime Minister and Cabinet, which has provided funding.



### **Implementing the Optional Protocol to the Convention against Torture (OPCAT)**

The Commission has actively encouraged the Australian Government to ratify OPCAT over many years. Most recently, the Commission has worked towards this outcome through its engagement at the United Nations in the Universal Periodic Review and periodic review of Australia's implementation of the Convention against Torture. The Australian Government ratified OPCAT in December 2017. At the request of the Attorney-General, the Human Rights Commissioner is undertaking a public consultation, focusing on the views of civil society, to inform implementation of the OPCAT inspection framework in Australia. In this period, the Commissioner undertook five OPCAT implementation roundtables in different states and territories and delivered a report to Government. Ninety-nine civil society stakeholders attended the roundtables, which were evaluated to capture process and outcome feedback. The analysis showed that:

- 60% of respondents felt more informed about OPCAT issues from taking part
- 86% said that participation had been worthwhile
- 94% endorsed the importance of the Commissioner's role in informing OPCAT implementation.

*The Commission must continue to be proactive in public interventions on such issues, providing as wide as possible public participation.*

*This sort of outreach from AHRC is valuable.*

Other qualitative feedback described the implementation as: *Highly professional and strategic* (Melbourne respondent) and *very well organised and chaired—discussions focused and relevant* (Adelaide respondent).

The Commission provided its interim report on OPCAT implementation to the Attorney-General in September 2017. The Commission is now undertaking the second phase of its public consultation, with the aim of producing a final report in the 2018–19 financial year.

### **Age and employment**

The Age Discrimination Commissioner has focused on leading the implementation of core recommendations from the Commission's *Willing to Work, National Inquiry into Employment Discrimination Against Older Australians and Australians with Disability 2016* report. Under this program, the Commissioner collaborated with the Illawarra Retirement Trust (IRT) Foundation to support the Career Check-Up Expo for Mature Workers initiative held in Ballina in March 2018. These expos are 'one-stop-shops' for people aged over 45 looking for advice on career planning, education and training, financial planning and job seeking services. They aim to help participants create a personal action plan to help them continue working for as long as they want to. This work builds on similar successful collaborations with IRT Foundation on career check-up expos for mature workers in this and the previous reporting year. More expos are planned for 2019.

### **Accessible housing**

In this period, the Disability Discrimination Commissioner collaborated with the Summer Foundation on a jointly funded research project to quantify the economic benefits of mandating a minimum Silver standard of accessible housing in the National Construction Code. The research findings are informing the Australian Building Codes Board's regulatory impact assessment on accessible housing for private residences.

### **Regional conversations on racism and social cohesion**

In the context of the ongoing public debate about cultural diversity, immigration, and community cohesion in Australia, the Race Discrimination Commissioner collaborated with the Anti-Discrimination Commission Queensland to hold community conversations in three regional locations: Hervey Bay, Sunshine Coast and Townsville. These forums aimed to support regional communities in strengthening inclusion and community cohesion. Nearly 150 local residents took part in the forums.

The evaluation found that the event experience was positive and beneficial for the majority of participants:

- 60% of Sunshine Coast respondents said that the event had increased their acceptance or understanding of different views
- 79% stated that following the event they would have conversations about belonging or human rights within their network.

### **Engagement with United Nations Mechanisms**

The Commission is an 'A status' National Human Rights Institution, meaning that we are recognised in the United Nations as complying at the highest level with relevant standards for national commissions. This enables us to participate in various UN human rights related processes in our independent capacity, including by making written, oral and video statements to the United Nations Human Rights Council. In this period, the Commission made seven video statements to Council.

During this period, Australia appeared before three treaty bodies in relation to its compliance with international human rights obligations: the Human Rights Committee (under the International Covenant on Civil and Political Rights); the Committee on Economic, Social and Cultural Rights (under the Covenant of the same name); and the Committee on the Elimination of Racial Discrimination (under the Convention on the Elimination of All Forms of Racial Discrimination). As part of the process, we produced submissions and factsheets to each of these treaty bodies. The Human Rights Commissioner, Race Discrimination Commissioner and senior Commission staff attended these reviews and provided oral briefings to each committee. As part of this process, we reviewed the effectiveness of our participation in these mechanisms.

### **United Nations Human Rights Committee:**

#### **Our participation in the consideration of Australia's sixth periodic report under the International Covenant on Civil and Political Rights**

The Commission provided a written submission, which made 62 recommendations to inform the Committee's work. We highlighted five priority areas where the Committee should pay particular attention and advised the Committee to request an update from the Australian Government in 12 months. The Human Rights Commissioner attended the appearance and engaged with treaty body members to assist their assessment of Australia's compliance with the treaty. We also provided fact sheets to the Committee members, which went into more detail on specific areas.

At the end of the session, the Committee published Concluding Observations about each country appearing. This document identifies issues of concern and makes recommendations for future action. Analysis of the Committee report showed that many of the Commission's recommendations were included. Notably, the Committee requested further information on various aspects of immigration policy (especially as it relates to refugees and asylum seekers), which was one of the priority areas identified in our submission.

**Committee on the Elimination of Racial Discrimination:**

Our participation in the consideration of Australia's eighteenth to twentieth periodic reports under the Committee

The Commission provided a written submission, which made 44 recommendations to inform the Committee's work. We highlighted three priority areas where the Committee should pay particular attention and advised the Committee to request an update from the Australian Government in 12 months. The Race Discrimination Commissioner attended the appearance and engaged with treaty body members, including by making an oral presentation about racial discrimination in Australia, developments since the last appearance and areas of concern. We also provided fact sheets to the Committee members, with detail on specific areas.

At the end of the session, the Committee published Concluding Observations about each country appearing. This document identifies issues of concern and makes recommendations for future action. Analysis of the Committee report showed that many of the Commission's recommendations were included. Notably, the Committee requested further information on the implementation of recommendations of the Royal Commission into the Protection and Detention of Children in the Northern Territory, which was one of the priority areas identified in our submission.

**Performance indicator (and PBS target) 1b:**  
**Effective reach among identified audiences—demonstrated by web analytics that exceed previous year by 5%**

**Web and social media reach**

Social media analytics show growth that exceeds the 5% target for both Facebook and Twitter. The Commission earned 114,510 Facebook likes during the period, an increase of 8% on last year. The Commission also increased its number of Twitter followers to 158,694, a rise of 6.3%.

The Commission monitors its website reach through page views and visits. In this reporting period, web analytics show a reach of 9,606,268 page views and 5,324,341 website visits. This translates to a change of -1.2% and 2.5% respectively, both below the PBS performance benchmark of 5% annual growth.

The drop in website visits is linked to the reduced public profile and media visibility of the Commission over the last year.

**Events and launches**

Our public presence helps us reach large and diverse audiences and to facilitate informed debate. In this period, we hosted and promoted at least 15 major events that have engaged substantial audiences and generated significant awareness and debate through positive media coverage. This includes our external speakers program of seminars and the annual Human Rights Awards.

***Human Rights Awards, 8 December 2017***

The Commission hosts an annual Human Rights Awards event to recognise and celebrate the contribution of individuals and organisations in promoting and protecting human rights and freedoms in Australia. In 2017 the Awards ceremony was attended by 520 guests, the second highest number on record.

The program included a keynote speech delivered by Commission President Rosalind Croucher, and a special address from the then Attorney-General the Hon George Brandis. Feedback about the 2017 Awards was very positive; 81% of respondents to an online survey said they would recommend the event to others.

*It was a great opportunity to recognise achievements in the human rights sector and to network with fellow human rights advocates.*

#### **20th Anniversary of the Bringing Them Home Report, 21 November 2017**

To commemorate the 20th Anniversary of the landmark *Bringing Them Home* report, the Commission hosted an event in the First Australians Galleries at the Australian Museum. The event was attended by over 180 people. June Oscar, Aboriginal and Torres Strait Islander Social Justice Commissioner, delivered the keynote address and launched the Commission's *Bringing Them Home* website, an interactive educational website about the Stolen Generations and their families. Guests also heard from Riki Salam, who spoke about the creation of the artwork for this project, and Michael Welsh, a Stolen Generations survivor.

#### **Close the Gap Campaign Steering Committee and National Health Leadership Forum**

The *Close the Gap* (CTG) Campaign aims to raise the health and life expectancy of Aboriginal and Torres Strait Islander people to that of the non-Indigenous population within a generation: to close the gap by 2030. It aims to do this through the implementation of a human rights-based approach as set out in the Aboriginal and Torres Strait Islander Social Justice Commissioner's Social Justice Report 2005.

The Close the Gap Campaign Steering Committee (CTGSC) is comprised of Australia's peak Aboriginal and Torres Strait Islander health organisations, health professional bodies and human rights organisations and is chaired by the Aboriginal and Torres Strait Islander Social Justice Commissioner.

The National Health Leadership Forum (NHLF) brings together expertise and senior leadership from representatives across Aboriginal and Torres Strait Islander health peak organisations. As a collective, the NHLF engages with government and senior levels of the bureaucracy to advance collective priorities in Aboriginal and Torres Strait Islander Health. The NHLF Chair is actively involved in the CTGSC, and also co-chairs the Implementation Plan Advisory Group with senior executives from the Commonwealth Department of Health.

The Commission provides secretariat support for each of these committees.

At the annual CTG Parliamentary breakfast, the campaign released its ten-year review of this strategy: *A ten-year review: the Closing the Gap Strategy and Recommendations for Reset* (the review). The review launch attracted one of the largest media reactions since the Close the Gap Campaign's inception, reaching 639,712 social media accounts.

#### **Positive ageing**

Our work often involves using our national profile to lend support to other initiatives. For example, under a goal to promote positive ageing the Age Discrimination Commissioner supports the *100: The Centenarian Portrait Project by Teenagers*—a professional community arts project that promotes inter-generational friendships, celebrates elders and fights negative ageing stereotypes. One hundred centenarians in each participating state or territory sit for portraits created by skilled young artists, largely from local secondary schools. For most of the artists, it is an opportunity to meet a centenarian for the first time; for the centenarians it is a chance to share history. Through the process, both generations are able to develop fresh intergenerational perspectives. In this period, the Commissioner participated in the Victorian campaign. This support will continue in the coming years as the campaign occurs in all the states and territories.

# Annual Performance Statement

for non-financial outcomes  
Outcome 1

## National Anti-Racism Partnership and Strategy (NARPS)

The NARPS is a campaign led by the Race Discrimination Commissioner to promote an understanding of racism and its prevention. This year NARPS undertook workshops for senior executives from both public sector and industry on addressing systemic racism, in particular, in the areas of law and justice, health, human services and education (see outcome 4 below) and an anti-racism youth leadership workshop with Aboriginal and Torres Strait Islander, refugee and migrant youth advocates. The NARPS also includes the *Racism. It Stops With Me* initiative, which released Community Service Announcements for the general public, as well as two social media videos.

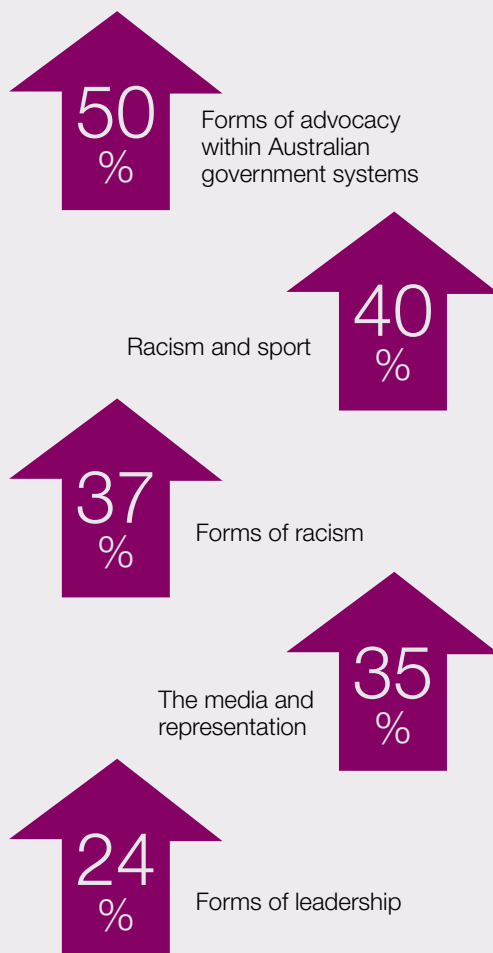
### Anti-Racism Youth Leadership Workshop

In collaboration with the Multicultural Youth Advocacy Network, the Commission piloted a two-day workshop designed to equip young participants with the necessary anti-racism tools, networks and skills essential for anti-racism advocacy. The evaluation results showed that all the young leaders said they benefited from taking part. Specifically, all respondents increased their understanding of racism and advocacy skills. The data opposite shows the average 'before' to 'after' change in understanding of the workshop topics and the proportion of respondents who increased their skills in the training areas.

*This opportunity has been one of, if not the most, invigorating and inspiring experiences of my life.*

*Everyone involved in the program will definitely lead Australia into a prosperous future and be leaders in their own respect. I think programs and initiatives such as these that connect youth leaders along with the guidance of an older more experienced facilitator such as Tim [Race Discrimination Commissioner] are important.*

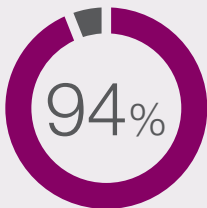
## Increase in understanding



\*This shows the average percentage change in understanding of topic areas among respondents following participation in the Australian Human Rights Commission's Anti-Racism Youth Leadership Workshop (2018)

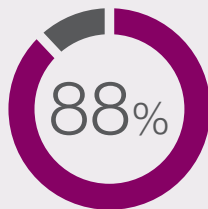


## Increase in skills

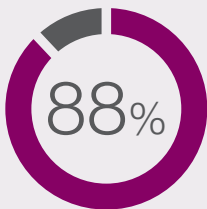


Practical advocacy strategies around anti-racism work

Gaining media interest

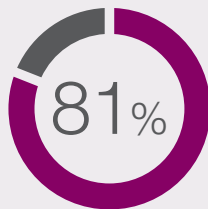


88%



Leadership abilities

Pitch ideas to potential supporters



81%

\*This shows the proportion of respondents who increased their skills in topic areas following participation in the Australian Human Rights Commission's Anti-Racism Youth Leadership Workshop (2018)

### Performance criterion (and PBS target) 1c:

## Contribution of expertise on human rights to court processes

The Commission has the power to intervene, with leave of the Court, in proceedings that involve issues of race, sex, age and disability discrimination, human rights issues and equal opportunity in employment. In this period, we made no new requests to intervene but received judgment in a matter in which we intervened in May 2017.

The Family Court decision in *Re Kelvin* was handed down in November 2017. The Full Court of the Family Court unanimously held that court authorisation is no longer required for hormonal treatment for children with gender dysphoria where there is no dispute about the need for treatment and where the treatment is carried out in accordance with best practice guidelines.

The Commission's intervention was crucial in ensuring the court had enough information in front of it to make a decision. A majority of the court agreed with the Commission's submissions about why it was appropriate to depart from the previous case of *Re Jamie*.

### Performance criterion 1d:

## Increased capability among organisations and employers to be diverse, inclusive and respectful workplaces

### Business and Human Rights Program

Led by our President, this program promotes implementation of the United Nations Guiding Principles on Business and Human Rights (UNGPs). The Commission entered into a range of partnerships during this reporting period with private sector organisations and research centres.

# Annual Performance Statement

for non-financial outcomes  
Outcome 1

## ***Annual Human Rights Dialogue on Business and Human Rights***

In partnership with the Global Compact Network Australia (GCNA), the Commission jointly convenes an annual human rights dialogue to increase the capacity among business stakeholders to implement the UNGPs by exploring leading practices, challenges and opportunities.

The 2017 dialogue was attended by over 100 people. Invitees include corporate members of the GCNA, academics with subject-matter expertise, and representatives from civil society organisations. An evaluation of the 2017 event indicated high levels of satisfaction by participants and an increased knowledge and understanding of the issues covered. Most respondents assigned high value to their participation:

- 90% rating it as either extremely or considerably worthwhile
- 97% indicating they would attend a future Dialogue
- 97% would recommend colleagues or organisations in their networks to attend a future Dialogue.

*It was good to see the focus on due diligence—moving from awareness raising on human rights to ‘how do we do this’.*

*A lot of Australian workers—not just those who have been the most egregiously exploited—will be better off when business both understands and implements human rights in the workplace.*

*Best conference on the issue that brings other stakeholders together with business.*

## ***Stronger Seasonal Worker programs—Capacity Building Project***

Migrant workers are an ever-increasing feature of global supply-chains. Low-skilled migrant workers are amongst the most vulnerable to exploitation and abuse. Compounding this, they are also often among the least able to assert their rights.

In April 2018, we partnered with the New Zealand Human Rights Commission, the Business and Human Rights Resource Centre, Fair Work Ombudsman and the Freedom Partnership, to conduct a multi-stakeholder capacity building program for National Human Rights Institutions, State agency offices, Civil Society/Regional Training peak body representatives and Consular representatives from the Pacific region.

The two-day workshop provided an introduction to the key risks of forced labour, human trafficking, slavery and other forms of exploitation with a focus on seasonal worker programs. The evaluation confirmed that all participants increased their understanding of the topics covered and most reported improved practical skills in relation to taking action and being more able to promote stronger seasonal worker programs.

*Extremely useful and empowering, I absorbed so much information to pass on to our Labour Sending Unit.*

## ***Leading for Change and cultural diversity***

In April 2018, the Race Discrimination Commissioner released a second *Leading for Change* report highlighting levels of cultural diversity in Australian leadership. This report, completed in partnership with the University of Sydney Business School, Committee for Sydney and Asia Society Australia, built on the landmark 2016 report with a significantly larger sample of almost 2,500 leaders (as well as 11 organisational case studies), and including deeper discussions about relevant issues, including discrimination, visibility and dealing with backlash.

Also in partnership with the University of Sydney Business School, the Commissioner piloted Australia's first leadership program on cultural diversity. This program, which brought together 27 inaugural fellows from 16 organisations including banks, law firms, media, professional services and police, was designed to promote leadership on cultural diversity in business and government.

## Analysis—Outcome 1

Over the reporting period, the Commission has consolidated its reputation for excellence and expertise by delivering high impact policy and research across a range of topic areas. Our United Nations engagement has been influential, with significant take-up of our analysis and recommendations. This is only possible because we have a significant body of policy and research to draw upon in our domestic work program, and speaks to the topicality and quality of our entire work program.

Projects such as the *Change the course* report and the *Wiyi Yani U Thangani (Women's Voices)* project have shone a spotlight on issues in a way that has elevated the national focus on them. They have given voice to vulnerable, marginalised groups, and assisted in giving profile to the issues that they face and to empowering individuals and groups.

These projects remind us that our capacity to influence and exert leadership is more likely to be effective when our projects are of sufficient scale. For this reason, the Commission aims to conduct at least one major project each year, subject to available resources, and to build on momentum from our previous work. For example, the *Change the course* report was released at the beginning of the 2017–18 year, and the momentum from this is now being built upon with the conduct of national prevalence research on sexual harassment in workplaces and a National Inquiry into these issues. That the Government and industry partners are partly funding this work demonstrates the recognised value of the Commission's work to them.

The Commission also works on the basis that, when we focus on building capacity across government and the NGO sector, and do this collaboratively, our work is more likely to have positive impact. The continued success of projects such as the Close the Gap campaign and *Racism. It Stops with Me* campaign demonstrate the impact we achieved by engaging with diverse stakeholders on complex issues.

2017–18 has also been an important year for building these relationships for some key project work for the Commission over the coming three years. In particular, early preparation was completed on a major project on human rights and technology, with corporate partners secured to enable this work to proceed over the next three financial years. Similarly, Government funding was announced in the 2018–19 federal budget that will enhance the Commission's capacity to undertake a range of educative and research activities on combatting elder abuse. In both these examples, the securing of funding was the product of awareness raising, relationship building and thought leadership, particularly by the Human Rights Commissioner and Age Discrimination Commissioner, the benefits of which will be realised over the coming years.

## Outcome 2:

# Effective and timely information assists compliance with discrimination law and human rights, and effective investigation and conciliation of complaints

### **Performance indicator (and PBS target) 2a:**

#### **Efficient and effective information and dispute resolution services**

In 2017–18, the Commission assisted over 14,164 people and organisations by providing information about the law and the complaint process, assisting with problem solving and providing referrals to other services.

The Commission provided approximately 31 information/education sessions to stakeholders, professionals, advocates and community groups across Australia.

In 2017–18, the Commission received 2,046 complaints of alleged discrimination and breaches of human rights and finalised 2,111 complaints. The Commission conducted approximately 1,262 conciliations, of which 931 complaints (74%) were successfully resolved.

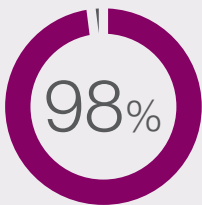
The Commission website publishes statistics about complaints received and resolved. For more information visit [www.humanrights.gov.au/complaint-information](http://www.humanrights.gov.au/complaint-information).

In the 2017–18 period, the Commission exceeded our PBS performance targets as follows:

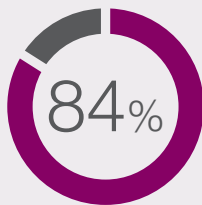
- 47% of all finalised complaints were conciliated (exceeding our target in the reporting period of 40% by 7%)
- 97% of complaints were finalised within 12 months (exceeding our target of 85% to be finalised within 12 months of receipt)
- 91% of surveyed parties to complaints reported that they were satisfied with the service provided (exceeding our target of 85%) and 77% rated the service as 'very good' or 'excellent'
- 96% of surveyed participants to complaints that were conciliated reported they were satisfied and 86% rated the service as 'very good' or 'excellent'.

The following infographic shows the levels of satisfaction reported by complainants and respondents to complaints in 2017–18.

## satisfied



Respondents



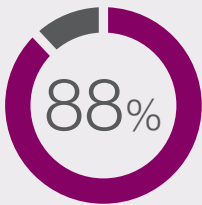
Complainants

“ I found the Commission staff to be professional and at all times endeavoured to assist the parties reach an outcome. I strongly believe if it was not for the HRC, despite an agreement being reached, certain outcomes would not have been achieved.

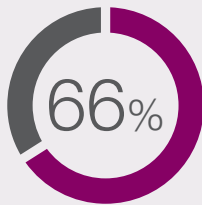
The Commission staff member contacted me regularly to keep me informed of progress, communication was cordial and professional, delivered in plain, easy to understand terms.

”

## Service was very good or excellent



Respondents



Complainants

“ The staff were well informed. They provided a balanced, impartial position with a goal to providing a mutually satisfactory outcome for all parties. I was very impressed by the level of professionalism by staff.

I appreciated being treated with respect and professional courtesy: even though I/my organisation, was the basis of the complaint. To know I would be heard, be given a voice and have that voice appraised without bias was truly valued.

”

**Case study:**

**Complaint of disability discrimination in goods, services and facilities**

The complainant has a back injury and requires support rails to access bathroom facilities. He claimed toilet facilities at the respondent shopping centre were not accessible.

On being advised of the complaint, the shopping centre indicated a willingness to try to resolve the matter by conciliation.

The complaint was resolved with an agreement that the shopping centre install unisex accessible toilet facilities. In the interim, the shopping centre undertook to install support rails in existing toilet facilities.

**Case study:**

**Complaint of pregnancy discrimination in education**

The complainant was pregnant and was studying at the respondent university. She claimed the university told her she would be unable to enrol in residential school when more than 36 weeks into her pregnancy because the course would involve manual handling of patients.

On being notified of the complaint, the university indicated a willingness to try and resolve the complaint by conciliation.

The complaint was resolved with an agreement that the university allow the complainant to enrol in residential school subject to medical clearance to participate in the course. The university also undertook to revise its policies and procedures to enable pregnant students to enrol in residential school regardless of the stage of their pregnancy provided they have medical clearance to undertake the relevant course.

**Performance indicator (and PBS target) 2b:**

**The terms on which disputes are resolved include systemic outcomes**

Information on outcomes of unlawful discrimination complaints indicates that in 2017–18, 31% of conciliation agreements included terms that benefit the community as well as the individual complainant. For example, agreements were reached to introduce anti-discrimination policies and training, to facilitate participatory design of inaccessible technology and modify inaccessible premises.

**Performance indicator 2c:**

**Legal information and resources assist employers and organisations to comply with discrimination and human rights**

**Reports to the Minister under the *Australian Human Rights Commission Act 1986 (Cth)***

When the Commission receives a complaint of a breach of human rights or workplace discrimination, we attempt to resolve the complaint through conciliation. If conciliation is unsuccessful or inappropriate and we find that there has been a breach of human rights or that a matter amounts to workplace discrimination, then we may prepare a report of the complaint for the Attorney-General. For reports of complaints lodged with the Commission before April 2017, these reports must be tabled in Parliament. For reports since this date, when reforms to the Commission's legislation came into effect, reports may be tabled at the discretion of the Minister.

In this period, seven of our reports were tabled. Below is an example of this process and outcomes.

In November 2017, the Commission's report addressing the human rights complaints of nine Vietnamese men in immigration detention was tabled in Parliament. The Department of Immigration and Border Protection had permitted Vietnamese officials to interview Vietnamese asylum seekers while they were in immigration detention in late 2013. The Commission found that interviews were conducted in a way that amounted to a failure to respect the complainants' humanity and inherent dignity and to protect their privacy.

In response to the Commission's findings and recommendations, the Department agreed to provide the Commission's report to relevant decision makers when Vietnamese asylum seekers in this cohort were applying for protection visas or seeking review of decisions to refuse them protection visas.

### **Guidelines under the *Sex Discrimination Act 1984* (Cth)**

In the reporting period, we began work on several guidelines by conducting extensive stakeholder consultations.

- We have a partnership with the Australian Sports Commission and the Coalition of Major Professional and Participation Sports—members include the Australia Football League, Rugby AU, Cricket Australia, Football Federation Australia, the NRL, Netball Australia and Tennis Australia. Together we are developing national guidelines for national sporting organisations on promoting the inclusion and participation of transgender and gender diverse people in sport in a manner consistent with the *Sex Discrimination Act 1984* (Cth) ('the Act').

The purpose is to outline obligations under the Act regarding discrimination against transgender and intersex people in sport. It will provide practical guidance for sporting organisations about creating and promoting an inclusive environment, preventing discrimination and responding appropriately if it occurs.

The guidelines will also provide information on exceptions in the Act relating to participation in single-sex competitions, which may allow discrimination on the basis of sex or gender identity in some circumstances.

- With Golf Australia, we are also developing national guidelines for golf clubs on promoting equal opportunity for women in golf in a manner consistent with the Act. The purpose is to provide practical guidance to golf clubs around Australia regarding discrimination on the basis of gender in golf. The guidelines will provide practical guidance for clubs about creating and promoting an inclusive environment, preventing discrimination and responding appropriately if it occurs.

## Analysis—Outcome 2

The Commission's National Information Service (NIS) and Investigation and Conciliation Service (ICS) both contribute significantly to the Commission's key functions as Australia's National Human Rights Institution, by providing education about human rights and responsibilities and by providing an accessible, fair and impartial complaint handling process.

The NIS and ICS increase community knowledge and awareness of rights and responsibilities and facilitate a complaint handling process that can lead to systemic outcomes as well as outcomes specific to the needs and interests of individual parties. The Commission achieves these outcomes through an investigation and conciliation process. It also avoids the need for lengthy and potentially costly court processes. This is particularly effective where there are ongoing relationships between the parties, as is often the case in employment, education and service related complaints.

In 2017–18, the ICS implemented the legislative amendments to the *Australian Human Rights Commission Act 1986* (Cth) that came into effect on 13 April 2017. These amendments, which were broadly supported by the Commission, had the stated aim of ensuring that 'unmeritorious complaints are discouraged or dismissed at each stage of the complaints handling process' and reducing the number of unmeritorious complaints proceeding to court. In terms of achieving the latter aim, it is noteworthy that due to the amendments, for over 30% of the 440 complaints alleging unlawful discrimination that were terminated by the Commission in 2017–18, an application to the court can now only be made if the court concerned grants leave. Information provided to the Commission indicates that only 2% of the complaints alleging unlawful discrimination that were finalised by the Commission in 2017–18 proceeded to court.

While it is crucial that any complaint handling process has responsive and impartial processes in place to deal appropriately with all manner of complaints, it is important to acknowledge that by far the most common outcome for people involved in the Commission's complaint process is the successful resolution of the complaint.

In 2017–18, 931 complaints were resolved, this represents successful dispute resolution for more than 1,862 individuals and organisations. The fact that resolution is also often accompanied by a significant increase in understanding of and appreciation for human rights and responsibilities is demonstrated by anecdotal participant feedback, and by the fact that in 2017–18, over 77% of surveyed participants in conciliated complaints reported having an increased understanding of human rights and responsibilities.



# An environmentally sustainable workplace

Human rights principles are fundamentally embedded within the principles of ecologically sustainable development. The Commission uses energy saving methods in its operations and it endeavours to make the best use of resources while reducing its environmental impact through appropriate recycling schemes.

In 2017–18 we continued to mitigate the effects of our impact on the environment by:

- commencing a trial with RecordPoint to implement cloud technology for records management
- using Skype for Business facilities to reduce air and road travel
- building on the establishment of our paperless record management system for the Investigation and Conciliation Service
- providing facilities to support staff to ride and walk to work
- participating in Earth Hour
- switching off all non-essential electronic equipment during the Christmas and New Year shutdown.



### Outcome 3:

# Expert and persuasive research contributes to preventing human rights breaches and proactively improving compliance with human rights obligations

#### **Performance indicator (and PBS target) 3a:**

#### **Parliamentary debates and committee inquiry reports reference the work of the Commission**

Our human rights scrutiny and parliamentary committee work is led by the Commission's President. We are an active contributor to parliamentary processes, seeking to ensure that our expertise on human rights matters is applied to matters under consideration by the Parliament.

#### **Submissions**

This year, the Commission made 48 submissions to parliamentary and other inquiries providing specialist, independent policy and legal analysis of the human rights impact of proposed laws or on public policy issues.

We monitor hearing appearances, conduct a citation analysis of our submissions and examine the extent our recommendations are reflected in any reports. This data assists to demonstrate the extent the Commission contributes to public debate of proposed laws and provides valuable input to inquiries into social policy issues. In this period, 98% of the available reports cited our submissions and our Commissioners were called upon to make 13 appearances at inquiry hearings.

The case study below is an example of these outcomes.

### Case study:

## Submission to the Senate Legal and Constitutional Affairs Committee inquiry into the Migration Amendment (Prohibiting Items in Immigration Detention Facilities) Bill 2017

This Bill proposed the introduction of restrictions on the use of a variety of items, including mobile phones, in immigration detention facilities. Determining whether the proposed restrictions were reasonable involved balancing competing rights about ensuring safety and security while also not being overly restrictive of the civil and political rights of people in detention. The Commission expressed concern to the Committee about:

- The breadth of the Minister’s discretion to determine items to be prohibited in detention
- Lack of independent oversight of the Minister’s determinations
- The potential negative impacts of prohibitions on certain items (such as mobile phones, certain food items and medication)
- The potential for disproportionate application of search, screen and seizure powers (such as the use of strip searches to search for items which do not pose inherent risks to safety or security)
- The application of measures that are more suited to a criminal context than to administrative detention.

When appearing before the Committee, the Chair stated:

*Thank you for your written submission, and I very much appreciate the Human Rights Commission’s positive attempt to address the issues. I don’t agree with all of what you have said, but ... I do appreciate that you have taken a balanced approach to your views on this bill, which is refreshing. You are not—and this is no disrespect to other submitters—players in the game, and you are looking at it purely from the Human Rights Commission’s purpose, which I appreciate. Thank you very much for your submission and for your positive approach in suggesting a number of amendments with your recommendations (Hansard transcript, 27 October 2017).*

While noting the Commission’s concerns, the Committee accepted advice from the Department of Immigration and Border Protection that the proposed measures would be applied in a proportionate manner and ‘in line with best practice’. The Committee made three recommendations:

- That the Department of Immigration and Border Protection provides a central information registry of the status and location of people in detention to facilitate communication with families, legal representatives and advocates
- That the Government consider amending the Bill in accordance with the Commission’s third recommendation, to ensure that people in detention have access to communication facilities that will reasonably meet their needs, including private communication where appropriate
- Subject to these recommendations, that the Bill be passed.

The Commission’s submission and evidence provided during the hearing were extensively cited in the Committee’s report and in the two dissenting reports. The recommendations in both the Committee’s report and the Australian Labor Party’s dissenting report specifically referred to Recommendation 3 from the Commission’s submission (*the Australian Government should ensure that all people in immigration detention have adequate opportunities to communicate with people outside detention*).

**Performance indicator (and PBS target) 3b:**  
**Major reports and national inquiries lead to increased understanding of human rights**

A core function of the Commission is delivering independent and robust research and analysis on human rights issues and providing relevant and usable recommendations to improve highlighted issues. Acknowledgement and use of our research and recommendations is one of our stated Portfolio Budget Statement indicators.

**National survey on sexual assault and sexual harassment experienced by students at Australian universities and university responses to the *Change the course* report**

Several months after launching the *Change the course* report on sexual assault and sexual harassment experienced at Australian universities, we conducted a review of University responses to the recommendations. The results suggest that the report will have a positive impact on the goal to achieve zero tolerance for sexual assault or sexual harassment in any form. For example:

- 32 universities reported establishing, or a commitment to establishing, an advisory body or working group, in line with Recommendation 1 of *Change the course*
- All 39 universities reported they are implementing training and education in line with Recommendation 2 of *Change the course*
- All 39 universities have taken steps to increase the availability and visibility of their support services in line with Recommendation 3 of *Change the course*.

Many of the Universities have initiated additional measures in response to the report, for example:

- Establishing a safe and supportive environment First Responder Network so those who have experienced sexual assault and misconduct can receive information on the support services that are available

- A commitment to implementing an annual survey to measure violence – supportive attitudes within their student community on an annual basis
- Developing a long-term education and awareness campaign to promote zero tolerance, consent, respect, bystander response, reporting, policy and support services for students.

This is a positive start to dealing with a longstanding and challenging issue. Ongoing focus will be required to embed and maintain cultural change in university cultures over the coming years.

**Cultural Reform in the Australian Defence Force**

Led by the Sex Discrimination Commissioner, our collaboration with the Australian Defence Force (ADF) is an ongoing research program that contributes to our performance under this criterion. This program supports the ADF to embed cultural reform in Australia's military services.

In this reporting period, we delivered ten research projects and reports for the Navy, Army and Air Force. Nearly a thousand personnel have participated in surveys and interviews to inform the field research. An example of this year's commissioned projects is 'Cultural reform in Army training establishments'. For this work, we investigated and reported on the culture in five Army training establishments and crafted strategies informed by the research to advance 'Good Soldiering' (the Army's cultural renewal program).

We also finalised an evaluation project during this reporting period. The findings confirmed that senior personnel viewed the relationship with the Commission as trusted and professional and the research as robust and independent. They saw direct benefit to Defence with findings that are insightful, valuable and strategic. Importantly, the evaluation established that the Army, Navy and Air Force disseminate and discuss the Commission's reports at senior levels, and that the reports contribute to cultural reform in the Australian Defence Force.

An interviewee spoke of their tangible impact:

*Out of all the reports I've seen in my time in Defence this is one of the ones that had a really profound effect in a key area that needed a bit of outside observation, and recommendation.*

The evaluation contributed to negotiations with the ADF that secured funding for the collaboration for a further two years.

### **Children's Rights Report 2017**

The *Children's Rights Report 2017* outlined the findings of the National Children's Commissioner's investigation into the rights and needs of young parents and their children. The project identified gaps in knowledge about the experiences and trajectories of young parents, and analyses good practice in early intervention and support services that lead to better outcomes for young parents and their children. This includes identifying the education and employment pathways most likely to lead to long term stability and security. The project involved submissions and roundtables with government and non-government agencies, a survey and consultations with young parents, and additional data collection on information about young parent programs.

The report included 17 recommendations on a range of monitoring and data collection mechanisms, and reviews of government policies and practices, to ensure that young parents have their specific needs met. Many of these recommendations have been situated within national initiatives, councils or frameworks. The realisation of the rights of young parents and their children requires an integrated approach across a range of government initiatives, and should be informed by the views of young parents themselves.

### **Performance indicator 3c:**

## **Stakeholders use our research increasing their capacity to promote human rights issues**

### **Disability institutional violence report**

More than 4.3 million Australians have a disability. They experience violence at a higher rate than others in the community and people receiving disability services in institutional settings are even more vulnerable to violence. In this period, the Disability Discrimination Commissioner finalised the report, *A Future Without Violence: Quality, safeguarding and oversight to prevent and address violence against people with disability in institutional settings*. The report drew on evidence gathered in consultation with disability organisations, disability advocacy groups, government, industry, academia and independent research. The recommendations are a platform to help address violence against people with disability in institutional settings.

### **Building capacity for child safety**

In 2017–18, the Australian Human Rights Commission, led by the National Children's Commissioner, continued to develop the draft National Principles for Child Safe Organisations (National Principles) and led the national cross-sector consultations under a project commissioned by the Department of Social Services. The National Principles reflect the ten standards for creating child safe institutions featured in Volume 6 of the *Royal Commission into Institutional Responses to Child Sexual Abuse* final report released 15 December 2017. Underpinned by a child rights approach, the National Principles promote the prevention of sexual abuse and all other forms of potential harm to children and young people. The National Principles will provide a nationally consistent approach to protecting the safety and wellbeing of children and young people in organisational settings. They apply to organisations of different sizes across all sectors that engage with or provide services to children and young people.

# Annual Performance Statement

## for non-financial outcomes

### Outcome 3

Their goal is to build capacity and help organisations develop child safe practices and cultures to advance the safety and wellbeing of children and young people across Australia. National sector peak bodies and advocacy groups assisted in the development of the National Principles.

The National Principles align with existing child safe approaches at the state and territory level and were finalised in this period to progress to the Council of Australian Governments for endorsement. In this period, the Department of Social Services also commissioned the Australian Human Rights Commission to develop a suite of resources and tools including a website on child safe organisations and e-learning modules. These resources will support organisations to implement the National Principles.

#### **Immigration detention and asylum seeker program**

The Human Rights Commissioner leads this program, which released four immigration detention centre reports for inspections conducted at Yongah Hill, Villawood, Maribyrnong Immigration Detention Centres and Melbourne Immigration Transit Accommodation.

Evaluations of our research reports under this program consistently show that stakeholders, in particular civil society and community advocacy organisations, regard them highly and actively use them in their work.

This was reflected in an evaluation study this year conducted on the report *Pathways to Protection: A human rights-based response to the flight of asylum seekers by sea* (2016), which found:

- 40% of survey respondents said the report considerably increased their awareness and understanding of rights based policy alternatives to third country processing of asylum claims
- 45% of survey respondents described using the Report in their advocacy work

- The Report was used internationally with the United Nations High Commissioner for Refugees disseminating it to UN field workers to demonstrate the thinking and current discourse on the subject from a National Human Rights Institution's perspective.

*The Report has been crucial to our advocacy work, to be able to point to very reasoned and compelling ideas* (interviewee).

*The data in report is excellent—a stellar report* (interview respondent).

*This report was expertly researched, well written and very useful to our organisation. We commend the AHRC for their work on it* (survey respondent).

*We wrote about the report in a blog on our website, referred to it in our own publications, raised it with high-level stakeholders and promoted it widely to our members* (survey respondent).

Another evaluation conducted this year assessed the second edition of our *Asylum seekers, refugees and human rights. Snapshot Report* (2017). Feedback indicated the report:

- was viewed as factual, not inflammatory
- offered an excellent overview and summary of the issues faced by asylum seekers
- provided a good reference for some organisations when speaking to donors and stakeholders.

## Analysis—Outcome 3

The Commission has a longstanding reputation for excellence in research and policy, grounding our work in evidence.

Our extensive engagement with Parliament, often at the request of parliamentary committees, enables us to give prominence to the human rights issues raised by often challenging issues, for example, national security and counter-terrorism. Citation of the Commission's work and take-up of our recommendations demonstrates the valuable contribution of our work.

The Commission continues to focus on ensuring that our work with Parliament complements the role of the Parliamentary Joint Committee on Human Rights to embed better protection of human rights and freedoms in the legislative process. We remain concerned that Statements of Compatibility with Human Rights, which accompany Explanatory Memorandums to all new bills, remain of variable quality. This indicates an ongoing need for better awareness about human rights among public servants, as there are limits to how much reliance can be placed on human rights defects in draft legislation being remedied at the parliamentary review stage.

Projects such as the National Children's Commissioner's investigation into young parents and the Disability Commissioner's review of violence experienced by people with a disability in institutional settings give voice to vulnerable and marginalised sections of our community. The use of multiple data sources for our research—with qualitative and quantitative components generated through our own fieldwork—adds significantly to the knowledge of these issues in the community. Our reputation enables us to build trusting relationships with vulnerable groups in the community, enabling us to hear from them and for them to tell their stories more readily.

Our work on child safe organisations is at the cutting edge of practice internationally, as many countries struggle with the challenge of identifying ways of increasing awareness of children's rights, promoting resilience among children and families and making institutions more resistant to rights abusing behaviours. Translating human rights principles into practical guidance that can be applied by organisations and individuals across Australia remains the challenge for this project over the coming years.

There were some projects listed in our 2016–17 Corporate Plan that have not been completed within the expected timeframe. This is due to the complexity of those projects, the need to ensure appropriate protections for vulnerable groups (such as by undertaking ethical research reviews prior to commencing consultations) and under-estimating the resources necessary to complete them. Some project timelines have been re-assessed accordingly, and the lessons learned have been embedded in our planning processes to improve assessment of timeframes in the future and in accordance to the available resources to meet them.

## Outcome 4:

# Human rights education activities increase understanding and build capacity about human rights

### **Performance indicators 4a (and PBS target) and 4b:**

**Education and training programs and resources are engaging, meet quality standards and increase knowledge to apply human rights in different settings**

Our human rights education resources seek to increase understanding about human rights, and to lay the foundations for positive change in attitudes and behaviour among students. We do this by developing and promoting resources for schools and by delivering training programs. In our training program we currently target the public service and help government personnel to apply human rights frameworks in their day-to-day work.

### **School Education Resources**

A 2015–16 evaluation of our school education resources confirmed the relevance of human rights to the Australian curriculum and identified critical improvements for future education resources. We continue to apply these findings to our updates of existing resources and development of new teaching packages. In doing so, we meet our stated PBS target of delivering school resources that are of a satisfactory quality and relevant to the National Curriculum.

In this period, we celebrated the 20th anniversary of our landmark *Bringing Them Home* report with the November 2017 release of an interactive educational resource and web platform. This resource consists of two Australian curriculum linked classroom packages for year six and year nine students. They are designed to support teachers to help students understand the issues surrounding the forcible removal of Indigenous people in Australian history in an appropriate and respectful way.



In 2018–19 we will add more resources to the *Bringing Them Home* platform. In this context, monitoring has shown that website has already attracted nearly 60,000 page views and the report, accessed via the site, is our most downloaded document with 1,840 downloads in this period.

During this year, we commenced work on a comprehensive suite of classroom resources—*The Story of our Rights and Freedoms*. They are mapped to the Australian Curriculum for History and Civics and Citizenship for years seven through to ten. The resources introduce students to the concept of human rights and explore the important relationship between fundamental rights and personal responsibilities. They take the form of a suite of videos and more than a hundred lesson plans mapped to curriculum learning objectives across all years. They will be launched in 2018–19.

### Public Service Training

We complement our school resources with training initiatives currently aimed at the federal, state and territory level public sectors. Resources developed for one level of government are then adapted for usage by other public sector agencies and the private sector. Examples of this work include the following:

#### *Parliamentary scrutiny training in the Northern Territory*

Following the introduction of human rights scrutiny arrangements in the Northern Territory Parliament in 2017, the Commission was invited to deliver training in drafting and reviewing statements of compatibility with human rights to the Legal Policy Unit, Department of the Attorney-General and Justice NT and other interested staff in the Northern Territory Public Service. This was delivered in November, and the evaluation showed that the training was well tailored and executed. The ‘before’ to ‘after’ comparison demonstrates that the workshops met our PBS target to deliver training in which the learning outcomes are achieved for most participants:

## Increase in knowledge and abilities



\*This shows the average percentage increase in knowledge and abilities by survey respondents after participation in Australian Human Rights Commission’s Parliamentary Scrutiny Training in the NT (2017)

*The delivery was engaging and targeted appropriately.*

*I really appreciated the group discussion and interaction with the AHRC experts.*

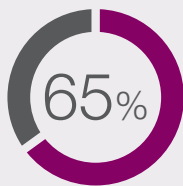
*I gained a greater appreciation of how to draft statements of compatibility and how much rights considerations impact on bills.*

*I will need to consider more examples but confident I now have the skills/resources to review.*

Increase in **understanding**



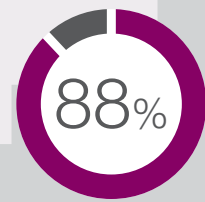
**Impact** of the workshops on ability to address institutional racism in everyday role was **a lot** or **quite a lot**



**Workshop 1**  
Seeing the Unseen



**Workshop 2**  
Addressing Institutional Racism and developing action plans



will **apply the learning** gained

**Seeing the Unseen: Institutional racism and the public service**

In partnership with the National Centre for Cultural Competence at the University of Sydney, the National Anti-Racism Partnership Strategy piloted a training program targeting senior leaders and managers in the public service. Held in Canberra, the Forum and Workshop event explored how institutional racism relates to the public sector as well as industry—in particular, in the areas of law and justice, health, human services and education. Ninety-two people attended the event, which used three learning styles: presentations, guided table dialogues, and in the afternoon, skill-based workshops. The evaluation results showed that most respondents benefited from taking part with 98% finding the event valuable:

*A worthwhile event that provided a reflective approach to how we contribute to institutionalised racism and how we can think to ignite change and it was very engaging, well run, very thought provoking.*

In terms of improving capability, among the majority of respondents there was a shift in their ‘before’ to ‘after’ understanding across the five institutional racism topic areas.

The infographic above shows the average shift, by topic, and highlights other results.

**Performance indicator (and PBS target) 4c: Participation in the investigation and conciliation process results in increased understanding of rights and responsibilities in the law**

In 2017–18, 70% of surveyed participants in the complaint process and 77% of participants involved in conciliated complaints, reported an enhanced understanding of human rights laws and their rights and responsibilities.

That such a high proportion of surveyed participants reflected positively on their increased understanding and knowledge, irrespective of the outcome of the complaint, demonstrates we are meeting this target. In light of the data presented earlier, it also suggests participation in a professional, impartial and respectful statutory investigation and conciliation process can assist in building organisational capacity for recognising and respecting human rights and responsibilities.

**Performance indicator 4d:**

**International technical cooperation activities increase human rights capacity and advance national reform in partner states**

Cooperation on human rights with international partners not only strengthens networks between governments and civil society in each country, it enhances the Commission's expertise and provides an opportunity to learn from different approaches and new ideas. We have several established technical cooperation programs operating funded by the Department of Foreign Affairs and Trade (DFAT).

In this reporting period, the Commission continued human rights technical cooperation programs with China and Laos, and completed an extension activity with the Sri Lankan Human Rights Commission.

***China-Australia 2017–21 Human Rights Technical Cooperation Program (HRTCP)***

Established in 1998 following the first Australia-China Human Rights Dialogue in 1997, this is a long-term HRTCP for the Commission. Following an independent evaluation in 2016, the HRTCP was re-designed and the 2017–21 program was agreed with China. The new design takes a longer-term and more strategic approach to the planning and support for the work of the Chinese partner agencies. In this reporting period an extensive Inception Phase was completed which included close liaison with the Chinese partners to develop the multi-year program strategies and coherently linked activity plans in preparation for implementation and two capacity building workshops. The workshops *Gender Equality and Disability* and *Monitoring and Evaluation* were evaluated with the results indicating that most respondents had developed their topic knowledge considerably and would apply the new learning to their work on the HRTCP.

*The contents on disability inclusion were inspiring to me—inclusion is more than showing people with a disability sympathy and respect, we should work to overcome all barriers to their full participation. People with a disability themselves are the experts on the work of disability inclusion thus all programs about them require their participation.*

*The presentation on the development of program logic, in particular the explanation on inputs-processes/activities-outputs-outcomes-impact. It was new to me and I found it quite practical.*

***2017–21 Lao PDR-Australia Human Rights Technical Cooperation Program (HRTCP)***

The Lao PDR-Australia HRTCP completed its first implementation year. Under this program we completed five scheduled activities in collaboration with the Government of Laos and DFAT. These included: supporting the Government of Laos to develop an International Covenant on Economic, Social and Cultural Rights (ICESCR) reporting tool and to conduct civil society consultations on ICESCR; a workshop on best practice United Nations reporting for government staff; and human rights seminars to National University of Laos teachers and students.

***Access to Public Spaces for People with Disability Cooperation between the Human Rights Commissions of Sri Lanka and Australia***

A six-month extension activity under this 2016–17 program with the Human Rights Commission Sri Lanka (HRCSL) was completed. The program aimed to strengthen the existing legislative and regulatory regime governing the access standards to public spaces, including public transport, for people with disability. Delivered in November, the extension activity comprised a technical training workshop for the Commission staff and built environment professionals and an advocacy and stakeholder workshop for HRCSL staff. At the end of the project, HRCSL reported the collaboration as having a *huge impact on HRCSL activities in the disability field.*

***A developing relationship with the ASEAN Inter-Governmental Commission on Human Rights***

During the reporting period, DFAT also funded the Commission to participate in a range of activities with the ASEAN Inter-Governmental Commission on Human Rights (AICHR). The Commission conducted a study visit for members of AICHR in late 2017, participated in the annual dialogue between the Australian Government and AICHR in March 2018, and convened a roundtable for National Human Rights Institutions as a side event to the AICHR Interregional Dialogue on Business and Human Rights.

Feedback at the AICHR annual dialogue in March 2018 indicated that the Commission has established itself as a valuable partner with AICHR, with a clear willingness to expand cooperation activities in the future.

The roundtable on business and human rights shared case studies of NHRI engagement with business and human rights issues under the framework of the UN Guiding Principles on Business and Human Rights (UNGPs). Case studies covered the development of National Action Plans on business and human rights, Australian Modern Slavery Legislation, industry specific tools for UNGP implementation, compensation and remedy frameworks for migrant workers within the Asia-Pacific region, inter-governmental bilateral agreements, human rights issues within garment producing factories and with land rights for Indigenous peoples.

## **Analysis—Outcome 4**

Our human rights education focus is critical to building a culture of rights-mindedness within the Australian community. Education and awareness raising activities support a more proactive approach to the protection and promotion of human rights in Australia by broadening perspectives of policy makers and promoting supportive attitudes at the community level that contribute to community cohesion and inclusiveness.

The targeting of our school resources to key learning outcomes in the national curriculum makes it easy for teachers to use them. For students to engage with them requires our resources to be in a variety of online formats (including video and with interactive elements). We have developed these resources with external partnerships and are looking to build our internal capability to develop further resources in-house to increase the volume of products and to reduce timeframes and cost for their production, while maintaining quality standards.

The evaluations of our training activities reveal that they are high quality. Our challenge is to increase awareness of these resources so they can be utilised more broadly. At this stage, we do not have the full technical capability or resourcing to scale up our activities across the public service and private sector. Building such capability, such as through a learning management system platform for e-learning, is a priority for the 2018–19 financial year to capitalise on the quality of the resources that we have created and our good reputation for delivery of them.

Continued growth of our educational products and training is a key priority for the Commission over the coming years.

The Commission's reputation for excellence in international technical cooperation has continued in this reporting period. Our status as a robust, credible national human rights institution that operates independently of government direction makes us a trusted partner in the region. Our expanding relationship with ASEAN during the reporting period is of particular note. There is a strong alignment of priorities among many countries in the region on issues relating to business and human rights, human trafficking, gender equality and disability rights, among other issues. Our domestic expertise is critical to being able to continue to deliver high quality products internationally. This element of our work is entirely funded from external sources, most notably DFAT, due to its strong alignment with foreign policy objectives promoting better awareness and practice of human rights within our region.

# Financial statements

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## INDEPENDENT AUDITOR'S REPORT

To the Attorney-General

### Opinion

In my opinion, the financial statements of the Australian Human Rights Commission for the year ended 30 June 2018:

- (a) comply with Australian Accounting Standards – Reduced Disclosure Requirements 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 2018 and its financial performance and cash flows for the year then ended.

The financial statements of the Australian Human Rights Commission, which I have audited, comprise the following statements as at 30 June 2018 and for the year then ended:

- 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;
- Administered Schedule of Comprehensive Income; and
- Notes to the financial statements, comprising a Summary of Significant Accounting Policies and other explanatory information.

### Basis for Opinion

I conducted my audit in accordance with the Australian National Audit Office Auditing Standards, which incorporate the Australian Auditing Standards. My responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Statements* section of my report. I am independent of the Australian Human Rights Commission in accordance with the relevant ethical requirements for financial statement audits conducted by the Auditor-General and his delegates. These include the relevant independence requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants* (the Code) to the extent that they are not in conflict with the *Auditor-General Act 1997*. I have also fulfilled my other responsibilities in accordance with the Code. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

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

As the Accountable Authority of the Australian Human Rights Commission the President 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 – Reduced Disclosure Requirements and the rules made under that Act. The President is also responsible for such internal control as the President determines is necessary to enable the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the President is responsible for assessing the Australian Human Rights Commission's ability to continue as a going concern, taking into account whether the entity's operations will cease as a result of an administrative restructure or for any other reason. The President is also responsible for disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the assessment indicates that it is not appropriate.

## **Auditor's Responsibilities for the Audit of the Financial Statements**

My objective is to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian National Audit Office Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with the Australian National Audit Office Auditing Standards, I exercise professional judgement and maintain professional scepticism throughout the audit. I also:

- identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control;
- obtain an understanding of internal control relevant to the audit 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;
- evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Accountable Authority;
- conclude on the appropriateness of the Accountable Authority's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the entity's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my auditor's report. However, future events or conditions may cause the entity to cease to continue as a going concern; and
- evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

I communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

Australian National Audit Office



Bola Oyetunji

Senior Executive Director

Delegate of the Auditor-General

Canberra

12 September 2018



**Australian  
Human Rights  
Commission**

STATEMENT BY THE ACCOUNTABLE AUTHORITY AND CHIEF FINANCE OFFICER

In our opinion, the attached financial statements for the year ended 30 June 2018 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 my 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 and when they fall due.



Emeritus Professor Rosalind Croucher AM  
**President and Accountable Authority**

12 September 2018



Darrell Yesberg FCPA  
**Chief Finance Officer**

12 September 2018



## Statement of Comprehensive Income

for the period ended 30 June 2018

	Notes	2018 \$'000	2017 \$'000	Original Budget \$'000
<b>NET COST OF SERVICES</b>				
<b>Expenses</b>				
Employee benefits	1.1A	16,518	14,795	15,855
Suppliers	1.1B	7,607	6,720	4,104
Depreciation and amortisation	2.2A	820	853	895
<b>Total expenses</b>		<b>24,945</b>	22,368	20,854
<b>Own-source income</b>				
<b>Own-source revenue</b>				
Rendering of services	1.2A	6,922	9,939	6,164
Interest	1.2B	194	112	200
Other revenue	1.2C,D	1,098	1,046	–
<b>Total own-source revenue</b>		<b>8,214</b>	11,097	6,364
<b>Gains</b>				
Other gains	1.2E	2	129	51
<b>Total gains</b>		<b>2</b>	129	51
<b>Total own-source income</b>		<b>8,216</b>	11,226	6,415
<b>Net cost of services</b>		<b>(16,729)</b>	(11,142)	(14,439)
Revenue from Government	1.2F	14,391	14,593	14,439
<b>Surplus/(deficit) attributable to the Australian Government</b>		<b>(2,338)</b>	3,451	–
<b>OTHER COMPREHENSIVE INCOME</b>				
<b>Items subject to subsequent reclassification to net cost of services</b>				
Changes in asset revaluation surplus		81	7	–
<b>Total other comprehensive income</b>		<b>81</b>	7	–

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

### Budget Variances Commentary

The major variances on the Statement of Comprehensive Income are supplier expenditure, rendering of services and other revenue and other gains.

During the period, the Commission entered into new and extended some current partnership arrangements with other organisations for the delivery of services on joint projects that were not known at the time of original budget preparation. These arrangements generate own-source revenue funding from service fees and direct cost recoveries resulting in revenue from the rendering of services and supplier expenditure variances.

Other revenue reflects an incorrect classification as rendering of services revenue and other gains reflects an incorrect classification of resources received free of charge in the original budget.

Commentary on the operating deficit is included on the Statement of Changes in Equity.

# Statement of Financial Position

as at 30 June 2018

	Notes	2018 \$'000	2017 \$'000	Original Budget \$'000
<b>ASSETS</b>				
<b>Financial assets</b>				
Cash	2.1A	9,435	11,719	5,936
Trade and other receivables	2.1B	823	1,625	650
<b>Total financial assets</b>		<b>10,258</b>	13,344	6,586
<b>Non-financial assets</b>				
Infrastructure, plant and equipment	2.2A	2,182	2,593	2,699
Intangibles	2.2A	379	413	523
Other non-financial assets	2.2B	245	243	194
<b>Total non-financial assets</b>		<b>2,806</b>	3,249	3,416
<b>Total assets</b>		<b>13,064</b>	16,593	10,002
<b>LIABILITIES</b>				
<b>Payables</b>				
Suppliers	2.3A	1,626	1,805	258
Other payables	2.3B	4,117	4,733	5,220
<b>Total payables</b>		<b>5,743</b>	6,538	5,478
<b>Non-interest bearing liabilities</b>				
Lease incentives	2.4A	1,768	2,312	1,222
<b>Total non-interest bearing liabilities</b>		<b>1,768</b>	2,312	1,222
<b>Provisions</b>				
Employee provisions	4.1A	3,278	3,204	4,161
Other provisions	2.5A	48	55	225
<b>Total provisions</b>		<b>3,326</b>	3,259	4,386
<b>Total liabilities</b>		<b>10,837</b>	12,109	11,086
<b>Net assets</b>		<b>2,227</b>	4,484	(1,084)
<b>EQUITY</b>				
Contributed equity		2,511	2,511	2,511
Reserves		465	384	378
Accumulated results		(750)	1,589	(3,973)
<b>Total equity</b>		<b>2,227</b>	4,484	(1,084)

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

## Statement of Financial Position

as at 30 June 2018

### **Budget Variances Commentary**

The major variances on the Statement of Financial Position are infrastructure, plant and equipment and intangibles, trade receivables, other non-financial assets, suppliers and other payables.

Infrastructure, plant and equipment and intangibles, reflects the delayed implementation of the Commission's electronic Document and Records Management System.

Trade receivables, other non-financial assets and supplier payable variances can be attributed to timing differences at year-end. Other payables reflects the changed revenue recognition policy in accordance with prior year audit recommendations in relation to reciprocity arrangements in partnership agreements.

Commentary on equity variances is included on the Statement of Changes in Equity.

## Statement of Changes in Equity

for the period ended 30 June 2018

	Notes	2018 \$'000	2017 \$'000	Original Budget \$'000
<b>CONTRIBUTED EQUITY</b>				
<b>Opening balance</b>				
Balance carried forward from previous period		2,511	2,511	2,511
<b>Adjusted opening balance</b>		<b>2,511</b>	2,511	2,511
<b>Closing balance as at 30 June</b>		<b>2,511</b>	2,511	2,511
<b>RETAINED EARNINGS</b>				
<b>Opening balance</b>				
Balance carried forward from previous period		1,588	(1,863)	(3,973)
<b>Adjusted opening balance</b>		<b>1,588</b>	(1,863)	(3,973)
<b>Comprehensive income</b>				
Surplus/(deficit) for the period		(2,338)	3,451	-
<b>Total comprehensive income</b>		<b>(2,338)</b>	3,451	-
<b>Closing balance as at 30 June</b>		<b>(750)</b>	1,588	(3,973)
<b>ASSET REVALUATION RESERVE</b>				
<b>Opening balance</b>				
Balance carried forward from previous period		385	378	378
<b>Adjusted opening balance</b>		<b>385</b>	378	378
<b>Comprehensive income</b>				
Other comprehensive income		81	7	-
<b>Total comprehensive income</b>		<b>81</b>	7	-
<b>Closing balance as at 30 June</b>		<b>466</b>	385	378
<b>TOTAL EQUITY</b>				
<b>Opening balance</b>				
Balance carried forward from previous period		4,484	1,026	(1,462)
<b>Adjusted opening balance</b>		<b>4,484</b>	1,026	(1,462)
<b>Comprehensive income</b>				
Surplus/(deficit) for the period		(2,338)	3,451	-
Other comprehensive income		81	7	-
<b>Total comprehensive income</b>		<b>(2,257)</b>	3,458	-
<b>Transactions with owners</b>				
Contributions by owners		-	-	-
<b>Total transactions with owners</b>		<b>-</b>	-	-
<b>Closing balance as at 30 June</b>		<b>2,227</b>	4,484	(1,462)

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

## Statement of Changes in Equity

for the period ended 30 June 2018

### **Accounting Policy**

#### *Equity Injections*

Amounts appropriated which are designated as 'equity injections' for a year (less any formal reductions) and Departmental Capital Budgets (DCBs) are recognised directly in contributed equity in that year. The Commission did not receive any 'equity injections' or DCB in 2017–18.

### **Budget Variances Commentary**

The major variance on the Statement of Changes in Equity is retained earnings. The variance arises from prior year adjustments to revenue recognition and timing differences. For the period ended 30 June 2017, the Commission recognised an additional \$4.661 million in revenue that was treated as unearned revenue in the original budget.

The Commission's adjusted and approved estimated operating deficit of \$2.288 million was published in the 2018–19 Portfolio Budget Statements and reflects the impact of the prior year change to recognised revenue.

# Cash Flow Statement

for the period ended 30 June 2018

	Notes	2018 \$'000	2017 \$'000	Original Budget \$'000
<b>OPERATING ACTIVITIES</b>				
<b>Cash received</b>				
Appropriations		–	14,593	14,439
Receipts from Government		<b>14,391</b>	–	–
Rendering of services		<b>8,466</b>	11,305	5,348
Interest		<b>179</b>	115	200
Net GST received		<b>326</b>	211	150
<b>Total cash received</b>		<b>23,362</b>	26,224	20,137
<b>Cash used</b>				
Employees		<b>(16,431)</b>	(15,552)	(15,249)
Suppliers		<b>(8,921)</b>	(7,940)	(5,282)
<b>Total cash used</b>		<b>(25,352)</b>	(23,492)	(20,531)
<b>Net cash from/(used by) operating activities</b>		<b>(1,990)</b>	2,732	(394)
<b>INVESTING ACTIVITIES</b>				
<b>Cash used</b>				
Purchase of infrastructure, plant and equipment		<b>(196)</b>	(36)	(300)
Purchase of intangibles		<b>(97)</b>	–	–
<b>Total cash used</b>		<b>(293)</b>	(36)	(300)
<b>Net cash used by investing activities</b>		<b>(293)</b>	(36)	(300)
<b>FINANCING ACTIVITIES</b>				
<b>Net cash from/(used by) financing activities</b>		–	–	–
<b>Net increase/(decrease) in cash held</b>		<b>(2,283)</b>	2,696	(694)
Cash and cash equivalents at the beginning of the reporting period		<b>11,718</b>	9,023	6,630
<b>Cash and cash equivalents at the end of the reporting period</b>	2.1A	<b>9,435</b>	11,719	5,936

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

## Budget Variances Commentary

The major variances on the Cash Flow Statement are rendering of services revenue, interest received and supplier expenditure.

Rendering of services revenue reflects new agreements and extension to current agreements for the delivery of services that were not known at the time of original budget preparation.

Interest revenue is directly related to the Commission entering into short-term deposits with a commercial bank at higher interest rates than those available on the Commission's day-to-day transactional bank accounts.

Suppliers reflects the increased expenditure to deliver the services under the new and extended partnership agreements.

# Notes to and forming part of the financial statements

for the period ended 30 June 2018

## Overview

### Objectives of the Entity

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 inquiry 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 programmes is dependent on Government policy and on continuing funding by Parliament for the entity's administration and programmes.

### The Basis of Preparation

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) *Public Governance, Performance and Accountability (Financial Reporting) Rule 2015* (FRR) for reporting periods ending on or after 1 July 2015 and
- b) Australian Accounting Standards and Interpretations — Reduced Disclosure Requirements 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.

### New 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.

No new, revised, amending standards and interpretations that were issued prior to the sign-off date and are applicable to the current reporting period have a material effect, or expected to have a future material effect, on the Commission's financial statements.

#### *Future Australian Accounting Standard Requirements*

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

## Overview (continued)

Standard/Interpretation	Application date for the Commission	Nature of impending change/s in accounting policy and likely impact on initial application
AASB 15 Revenue from Contracts with customers	1 July 2019	<p>This standard establishes principles for reporting information about the nature, amount, timing and uncertainty of revenue and cash flows arising from the Commission's contracts with customers, with revenue recognised as 'performance obligations' are satisfied; and 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. The effective date was modified by 2015-8 for for-profit entities and 2016-7 Not-For-Profit entities.</p> <p>Depending on the nature of the transaction and the Commission's current policy, the new Standard may have a significant impact on the timing of the recognition of revenue. Final outcome will need to be considered once the related Income for NFP project is completed.</p>
AASB 16 Leases	1 July 2019	<p>The standard will require the net present value of payments under most operating leases to be recognised as assets and liabilities. An initial assessment indicates that the implementation of the standard may have a substantial impact on the financial statements. The property lease will create a right of use asset and lease liability.</p>

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

### Taxation

The Commission is exempt from all forms of taxation except Fringe Benefits Tax (FBT) and the Goods and Services Tax (GST).

### 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.



## 1. Financial Performance

This section analyses the financial performance of the Australian Human Rights Commission for the year ended 2018.

### Note 1.1: Expenses

	2018 \$'000	2017 \$'000
<b>Note 1.1A: Employee Benefits</b>		
Wages and salaries	12,998	11,776
Superannuation:		
Defined contribution plans	1,372	1,162
Defined benefit plans	670	700
Leave and other entitlements	1,299	955
Separation and redundancies	16	82
Other employee expenses	163	120
<b>Total employee benefits</b>	<b>16,518</b>	<b>14,795</b>

#### Accounting Policy

Accounting policies for employee related expenses is contained in the People and Relationships section.

#### Note 1.1B: Suppliers

##### Goods and services supplied or rendered

General property operating expenses	941	855
Insurance	38	33
Office consumables	68	69
Official travel	1,133	805
Postage and freight	16	16
Printing and publications	84	119
Professional services and fees	2,128	1,735
Reference materials, subscriptions and licences	474	476
Staff training	83	42
Telecommunications	107	141
Other	375	241
<b>Total goods and services supplied or rendered</b>	<b>5,447</b>	<b>4,532</b>
Goods supplied	152	187
Services rendered	5,296	4,345
<b>Total goods and services supplied or rendered</b>	<b>5,447</b>	<b>4,532</b>

## Note 1.1: Expenses (continued)

	2018 \$'000	2017 \$'000
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### Note 1.1B: Suppliers (continued)

#### Other suppliers

Operating lease rentals in connection with:

Minimum lease payments	2,132	2,140
Workers compensation expenses	28	48
<b>Total other suppliers</b>	<b>2,160</b>	<b>2,188</b>
<b>Total suppliers</b>	<b>7,607</b>	<b>6,720</b>

#### Leasing commitments

The Commission in its capacity as lessee leases office accommodation that is subject to annual review and fixed annual rental increases. The initial periods of accommodation are still current and there are two options in the lease agreement to renew.

#### Commitments for minimum lease payments in relation to non-cancellable operating leases are payable as follows:

Within 1 year	4,174	4,027
Between 1 to 5 years	8,520	12,694
<b>Total operating lease commitments</b>	<b>12,694</b>	<b>16,721</b>

#### Accounting Policy

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.

## Note 1.2: Own-Source Revenue and Gains

	2018 \$'000	2017 \$'000
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### OWN-SOURCE REVENUE

#### Note 1.2A: Rendering of Services

Rendering of services	6,922	9,939
<b>Total sale of goods and rendering of services</b>	<b>6,922</b>	<b>9,939</b>

#### Accounting Policy

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

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.

#### Note 1.2B: Interest

Deposits	194	112
<b>Total interest</b>	<b>194</b>	<b>112</b>

#### Accounting Policy

Interest revenue is recognised using the effective interest method.

#### Note 1.2C: Other Revenue

Operating lease:

Sublease rental income	1,052	1,000
<b>Total rental income</b>	<b>1,052</b>	<b>1,000</b>

#### Subleasing rental income commitments

The Commission in the capacity as lessor: the Commission subleases one floor (part of its operating property lease) to the Office of the Australian Information Commissioner and part of a floor to the Asia Pacific Forum of National Human Rights Institutions.

#### Commitments for sublease rental income receivables are as follows:

Within 1 year	1,200	1,156
Between 1 to 5 years	2,538	3,738
<b>Total sublease rental income commitments</b>	<b>3,738</b>	<b>4,894</b>

#### Note 1.2D: Other Revenue

Resources received free of charge:

Remuneration of auditors	46	46
<b>Total other revenue</b>	<b>46</b>	<b>46</b>

## Note 1.2: Own-Source Revenue and Gains (continued)

	2018 \$'000	2017 \$'000
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### Accounting Policy

#### 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. Resources received free of charge are recorded as revenue or gains depending on their nature.

### GAINS

#### Note 1.2E: Other Gains

Gain on reduction of prior year provisions	-	122
Other – sale of assets	2	7
<b>Total other gains</b>	<b>2</b>	<b>129</b>

### Accounting Policy

#### 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.

#### Sale of Assets

Gains from disposal of assets are recognised when control of the asset has passed to the buyer.

#### Note 1.2F: Revenue from Government

##### Appropriations:

Departmental appropriations	-	14,593
Attorney-General's Department:		
Corporate Commonwealth entity payment item	14,391	-
<b>Total revenue from Government</b>	<b>14,391</b>	<b>14,593</b>

### Accounting Policy

#### Revenue from Government

Amounts appropriated for departmental appropriations for the year (adjusted for any formal additions and reductions) are recognised as Revenue from Government when the entity 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.

Funding received or receivable from non-corporate Commonwealth entities (appropriated to the non-corporate Commonwealth entity as a corporate Commonwealth entity payment item for payment to this entity) is recognised as Revenue from Government by the corporate Commonwealth entity unless the funding is in the nature of an equity injection or a loan.

## 2. Financial Position

This section analyses the Australian Human Rights Commission's assets used to conduct its operations and the operating liabilities incurred as a result. Employee-related information is disclosed in the People and Relationships section.

### Note 2.1: Financial Assets

	2018 \$'000	2017 \$'000
<b>Note 2.1A: Cash</b>		
Cash on hand and at bank	9,435	11,719
<b>Total cash and cash equivalents</b>	<b>9,435</b>	<b>11,719</b>

#### Accounting Policy

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

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

### Note 2.1B: Trade and Other Receivables

#### Goods and services receivables

Goods and services	773	1,531
<b>Total goods and services receivables</b>	<b>773</b>	<b>1,531</b>

#### Other receivables

Interest	19	4
GST Receivable from the Australian Taxation Office	31	109
<b>Total other receivables</b>	<b>51</b>	<b>113</b>
<b>Total trade and other receivables (gross)</b>	<b>823</b>	<b>1,644</b>

<b>Less impairment allowance</b>	<b>—</b>	<b>(19)</b>
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<b>Total trade and other receivables (net)</b>	<b>823</b>	<b>1,625</b>
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#### Trade and other receivables (net) expected to be recovered

No more than 12 months	823	1,625
<b>Total trade and other receivables (net)</b>	<b>823</b>	<b>1,625</b>

Notes to and forming part of the financial statements  
for the period ended 30 June 2018

Note 2.1: Financial Assets (continued)

	2018	2017
	\$'000	\$'000
<b>Note 2.1B: Trade and Other Receivables (continued)</b>		
<b>Impairment allowance aged as follows:</b>		
Not overdue	-	-
Overdue by:		
0 to 30 days	-	-
31 to 60 days	-	-
61 to 90 days	-	-
More than 90 days	-	(19)
<b>Total impairment allowance</b>	-	(19)

Credit terms for goods and services were within 30 days (2017: 30 days).

**Accounting Policy**

*Receivables*

Receivables are measured at amortised cost using the effective interest method less impairment.

## Note 2.2: Non-Financial Assets

### Note 2.2A: Reconciliation of the Opening and Closing Balances of Infrastructure, Plant and Equipment and Intangibles

	Leasehold improvements \$'000	Computer, plant and equipment \$'000	Computer, plant and equipment – work in progress \$'000	Total \$'000
<b>Reconciliation of the opening and closing balances of infrastructure, plant and equipment for 2018</b>				
<b>As at 1 July 2017</b>				
Gross book value	2,477	117	–	2,594
Accumulated depreciation, amortisation and impairment	–	–	–	–
<b>Total as at 1 July 2017</b>	<b>2,477</b>	<b>117</b>	<b>–</b>	<b>2,594</b>
Additions:				
Purchase	196	–	–	196
Work-in-progress transfer	–	–	–	–
Revaluations and impairments recognised in other comprehensive income	63	18	–	81
Depreciation and amortisation	(622)	(67)	–	(689)
<b>Total as at 30 June 2018</b>	<b>2,114</b>	<b>68</b>	<b>–</b>	<b>2,182</b>
<b>Total as at 30 June 2018 represented by:</b>				
Gross book value	2,114	68	–	2,182
Accumulated depreciation, amortisation and impairment	–	–	–	–
<b>Total as at 30 June 2018</b>	<b>2,114</b>	<b>68</b>	<b>–</b>	<b>2,182</b>

No indicators of impairment were found for infrastructure, plant and equipment.

No infrastructure, plant and 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 2.2. On 30 June 2018, an independent valuer conducted the revaluations.

## Note 2.2: Non-Financial Assets (continued)

### Note 2.2A: Reconciliation of the Opening and Closing Balances of Infrastructure, Plant and Equipment and Intangibles (continued)

	Leasehold improvements \$'000	Computer, plant and equipment \$'000	Computer, plant and equipment – work in progress \$'000	Total \$'000
<b>Reconciliation of the opening and closing balances of infrastructure, plant and equipment for 2017</b>				
<b>As at 1 July 2016</b>				
Gross book value	3,102	108	63	3,273
Accumulated depreciation, amortisation and impairment	–	–	–	–
<b>Total as at 1 July 2016</b>	<b>3,102</b>	<b>108</b>	<b>63</b>	<b>3,273</b>
Additions:				
Purchase	–	36	–	36
Work-in-progress transfer	–	63	(63)	–
Revaluations and impairments recognised in other comprehensive income	(5)	12	–	7
Depreciation and amortisation	(620)	(102)	–	(722)
<b>Total as at 30 June 2017</b>	<b>2,477</b>	<b>117</b>	<b>–</b>	<b>2,594</b>
<b>Total as at 30 June 2017 represented by:</b>				
Gross book value	2,477	117	–	2,594
Accumulated depreciation, amortisation and impairment	–	–	–	–
<b>Total as at 30 June 2017</b>	<b>2,477</b>	<b>117</b>	<b>–</b>	<b>2,594</b>



## Note 2.2: Non-Financial Assets (continued)

### Note 2.2A: Reconciliation of the Opening and Closing Balances of Infrastructure, Plant and Equipment and Intangibles (continued)

	Intangibles \$'000	Intangibles – work in progress \$'000	Total \$'000
<b>Reconciliation of the opening and closing balances of intangibles for 2018</b>			
<b>As at 1 July 2017</b>			
Gross book value	1,353	–	1,353
Accumulated depreciation, amortisation and impairment	(940)	–	(940)
<b>Total as at 1 July 2017</b>	<b>413</b>	<b>–</b>	<b>413</b>
Additions:			
Purchase	73	24	97
Depreciation and amortisation	(131)	–	(131)
<b>Total as at 30 June 2018</b>	<b>355</b>	<b>24</b>	<b>379</b>
<b>Total as at 30 June 2018 represented by:</b>			
Gross book value	1,426	24	1,450
Accumulated depreciation, amortisation and impairment	(1,071)	–	(1,071)
<b>Total as at 30 June 2018</b>	<b>355</b>	<b>24</b>	<b>379</b>

No indicators of impairment were found for intangibles.

No intangibles are expected to be sold or disposed of within the next 12 months.

	Intangibles \$'000	Intangibles – work in progress \$'000	Total \$'000
<b>Reconciliation of the opening and closing balances of intangibles for 2017</b>			
<b>As at 1 July 2016</b>			
Gross book value	1,276	77	1,353
Accumulated depreciation, amortisation and impairment	(810)	–	(810)
<b>Total as at 1 July 2016</b>	<b>466</b>	<b>77</b>	<b>543</b>
Additions:			
Purchase	77	(77)	–
Depreciation and amortisation	(130)	–	(130)
<b>Total as at 30 June 2017</b>	<b>413</b>	<b>–</b>	<b>413</b>
<b>Total as at 30 June 2017 represented by:</b>			
Gross book value	1,353	–	1,353
Accumulated depreciation, amortisation and impairment	(940)	–	(940)
<b>Total as at 30 June 2017</b>	<b>413</b>	<b>–</b>	<b>413</b>

## Note 2.2: Non-Financial Assets (continued)

### Accounting Policy

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.

### Asset Recognition Threshold

Purchases of property, plant and equipment are recognised initially at cost in the statement of financial position, except for purchases costing less than \$5,000, 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 entity 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, property, plant and equipment are carried at fair value less subsequent accumulated depreciation and accumulated impairment losses. 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 depended upon the volatility of movements in market values for the relevant assets.

Revaluation adjustments are made on a class basis. Any revaluation increment is 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 are 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 is eliminated against the gross carrying amount of the asset and the asset restated to the revalued amount.

### 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:

	2018	2017
Leasehold improvements	Lease term	Lease term
Computer, plant and equipment	4 to 10 years	4 to 10 years

## Note 2.2: Non-Financial Assets (continued)

### *Impairment*

All assets were assessed for impairment at 30 June 2018. 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 entity were deprived of the asset, its value in use is taken to be its depreciated replacement cost.

### *Derecognition*

An item of property, plant and equipment is derecognised upon disposal or when no further future economic benefits are expected from its use or disposal.

### *Intangibles*

The entity's intangibles comprise internally developed 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 two to five years (2017: two to five years).

All software assets were assessed for indications of impairment as at 30 June 2018.

### **Accounting Judgements and Estimates**

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.

	<b>2018</b>	2017
	<b>\$'000</b>	\$'000
<b>Note 2.2B: Other Non-Financial Assets</b>		
Prepayments	<b>245</b>	243
<b>Total other non-financial assets</b>	<b>245</b>	243
<b>Other non-financial assets expected to be recovered:</b>		
No more than 12 months	<b>242</b>	240
More than 12 months	<b>3</b>	3
<b>Total other non-financial assets</b>	<b>245</b>	243

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 2018

Note 2.3: Payables

	2018 \$'000	2017 \$'000
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**Note 2.3A: Suppliers**

Trade creditors and accruals	536	576
Rent payable	1,090	1,229
<b>Total suppliers</b>	<b>1,626</b>	<b>1,805</b>

**Suppliers expected to be settled:**

No more than 12 months	763	794
More than 12 months	863	1,011
<b>Total suppliers</b>	<b>1,626</b>	<b>1,805</b>

Settlement is generally made in accordance with the terms of the supplier invoice.

**Note 2.3B: Other Payables**

Salaries and wages	106	97
Superannuation	20	17
Other employee expenses	7	7
Revenue received in advance	3,984	4,264
GST payable to the Australian Taxation Office	-	348
<b>Total other payables</b>	<b>4,117</b>	<b>4,733</b>

**Other payables to be settled:**

No more than 12 months	2,179	3,490
More than 12 months	1,938	1,243
<b>Total other payables</b>	<b>4,117</b>	<b>4,733</b>

## Note 2.4: Non-interest Bearing Liabilities

	2018 \$'000	2017 \$'000
<b>Note 2.4A: Non-interest Bearing Liabilities</b>		
Lease incentives	1,768	2,312
<b>Total lease incentives</b>	<b>1,768</b>	<b>2,312</b>
<b>Minimum lease payments expected to be settled:</b>		
Within 1 year	566	566
Between 1 to 5 years	1,202	1,746
<b>Total lease incentives</b>	<b>1,768</b>	<b>2,312</b>

### Accounting Policy

Refer to Note 1.1B.

## Note 2.5: Other Provisions

	Provision for contract obligations \$'000	Provision for restoration \$'000	Total \$'000
<b>Note 2.5A: Other Provisions</b>			
<b>As at 1 July 2017</b>	55	–	55
Amounts used	(7)	–	(7)
Amounts reversed	–	–	–
<b>Total as at 30 June 2018</b>	<b>48</b>	<b>–</b>	<b>48</b>

	2018 \$'000	2017 \$'000
<b>Other provisions expected to be settled:</b>		
No more than 12 months	48	55
<b>Total other provisions</b>	<b>48</b>	<b>55</b>

### 3. Funding

This section identifies the Australian Human Rights Commission's funding structure.

#### Note 3.1: Appropriations

##### Note 3.1A: Annual Appropriations ('Recoverable GST exclusive')

###### Annual Appropriations for 2018

From 1 July 2018, the Commission became a full Corporate Commonwealth Entity and no longer receives appropriation directly. The Commission's funding is now received through a grant from the Attorney-General's Department.

	Annual appropriation <sup>1</sup> \$'000	Adjustments to appropriation \$'000	Total appropriation \$'000	Appropriation applied in 2017 \$'000	Variance <sup>2</sup> \$'000
<b>Annual Appropriations for 2017</b>					
Departmental:					
Ordinary annual services	14,593	–	14,593	(22,860)	(8,267)
<b>Total departmental</b>	<b>14,593</b>	<b>–</b>	<b>14,593</b>	<b>(22,860)</b>	<b>(8,267)</b>

1. In 2016–17 there were no appropriations that have been quarantined.

2. Variance represents the application of current and previous years own-source revenue.

##### Note 3.1B: Unspent Annual Appropriations ('Recoverable GST exclusive')

	2018 \$'000	2017 \$'000
Departmental:		
Cash held by the Commission	9,435	11,719
<b>Total departmental</b>	<b>9,435</b>	<b>11,719</b>

Notes to and forming part of the financial statements  
for the period ended 30 June 2018

Note 3.2: Net Cash Appropriation Arrangements

	2018 \$'000	2017 \$'000
<b>Total comprehensive income/(loss) less depreciation/amortisation expenses previously funded through revenue appropriations</b>	<b>(1,518)</b>	4,304
Plus: depreciation/amortisation expenses previously funded through revenue appropriation	<b>(820)</b>	(853)
<b>Total comprehensive income – as per the Statement of Comprehensive Income</b>	<b>(2,338)</b>	3,451

## 4. People and Relationships

This section describes a range of employment and post employment benefits provided to our people and our relationships with other key people.

### Note 4.1: Employee Provisions

	2018 \$'000	2017 \$'000
<b>Note 4.1A: Employee Provisions</b>		
Leave	3,150	3,037
Separations and redundancies	128	173
<b>Total employee provisions</b>	<b>3,278</b>	<b>3,204</b>
<b>Employee provisions expected to be settled:</b>		
No more than 12 months	2,678	2,494
More than 12 months	600	710
<b>Total employee provisions</b>	<b>3,278</b>	<b>3,204</b>

#### Accounting Policy

Liabilities for short-term employee benefits and termination benefits expected within twelve months of the end of the reporting period are measured at their nominal amounts.

#### Leave

The liability for employee benefits includes provision for annual leave and long service 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 Commission'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 performed for the Department of Finance (DoF) and summarised in the Standard Parameters for use in 2017–18 Financial Statements published on the DoF website. 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.



## Note 4.1: Employee Provisions (continued)

### *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), or other superannuation funds held outside the Australian Government.

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' defined benefit 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 financial year.

### **Accounting Judgements and Estimates**

The long service leave provision has been estimated in accordance with the FRR taking into account expected salary growth, attrition and future discounting using the government bond rate.

## Note 4.2: Key Management Personnel Remuneration

Key management personnel are those persons having authority and responsibility for planning, directing and controlling the activities of the Commission, directly or indirectly, including any director (whether executive or otherwise) of the Commission. The Commission has determined the key management personnel to be the President, Commissioners, Senior Executive Service Officers, General Counsel and the Chief Finance Officer. Key management personnel remuneration is reported in the table below.

	<b>2018</b>	2017
	<b>\$'000</b>	\$'000
Short-term employee benefits	<b>3,883</b>	3,522
Post-employment benefits	<b>359</b>	344
Other long-term employee benefits	<b>133</b>	357
Termination benefits	<b>79</b>	188
<b>Total key management personnel remuneration expenses</b>	<b>4,454</b>	4,411

The total number of key management personnel that are included in the above table are 15 (2017: 17).

Please note that the group has been broadened this year as a result of the inclusion of other key management personnel.

1. The above key management personnel remuneration excludes the remuneration and other benefits of the Portfolio Minister. The Portfolio Minister's remuneration and other benefits are set by the Remuneration Tribunal and are not paid by the entity.
2. Other long-term employee benefits result from the movement in accrued leave balances for the period.

## Note 4.3: Related Party Disclosures

### Related Party Relationships

The Commission is an Australian Government controlled entity. Related parties to this entity are Key Management Personnel including the Portfolio Minister and Executive, and other Australian Government entities.

### Transactions with Related Parties

Given the breadth of Government activities, related parties may transact with the government sector in the same capacity as ordinary citizens. Such transactions include the payment or refund of taxes, receipt of a Medicare rebate or higher education loans. These transactions have not been separately disclosed in this note.

Significant transactions with related parties can include:

- the payments of grants or loans
- purchases of goods and services
- asset purchases, sales transfers or leases
- debts forgiven and
- guarantees.

Giving consideration to relationships with related entities, and transactions entered into during the reporting period by the entity, it has been determined that there are no related party transactions to be separately disclosed.

## 5. Managing Uncertainties

This section analyses how the Australian Human Rights Commission manages financial risks within its operating environment.

### Note 5.1: Contingent Assets and Liabilities

#### Quantifiable Contingencies

At the time of signing these financial statements the Commission had no quantifiable contingent liabilities.

#### Unquantifiable Contingencies

At the time of signing these financial statements the Commission was a respondent to an application in the Federal Court for judicial review of a decision to terminate a complaint. While the Federal Court may award costs in relation to such an application it is unlikely as the application is in our view without merit. The Attorney-General has been joined to the proceedings to act as a contradictor. The Commission has submitted to the jurisdiction of the court and is not playing an active role; was a respondent to an application in the Federal Court for judicial review of a decision of the Office of the Australian Information Commissioner to cease to inquire into an application for Information Commissioner review under the *Freedom of Information Act 1982* (Cth). While the Federal Court may award costs in relation to such an application it is unlikely to do so. The applicants confirmed at a directions hearing that they do not intend to seek costs against the Commission. The Commission has submitted to the jurisdiction of the court and is not playing an active role; was named as a respondent in proceedings in the Federal Court relating to an ongoing complaint before the Commission. Although the Commission has been named as a respondent, the applicant does not appear to be seeking relief against the Commission. The applicant is seeking orders against the other respondent to the proceedings, who is also the respondent to the complaint before the Commission. In the circumstances, it appears unlikely that costs would be awarded against the Commission.

#### Accounting Policy

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.

## Note 5.2: Financial Instruments

### Note 5.2A: Categories of Financial Instruments

	2018 \$'000	2017 \$'000
<b>Financial Assets</b>		
<b>Receivables</b>		
Cash on hand and at bank	9,435	11,719
Trade and other receivables	792	1,535
<b>Total receivables</b>	<b>10,228</b>	<b>13,254</b>
<b>Total financial assets</b>	<b>10,228</b>	<b>13,254</b>
<b>Financial Liabilities</b>		
<b>Other financial liabilities</b>		
Trade creditors and accruals	536	576
<b>Total financial liabilities measured at amortised cost</b>	<b>536</b>	<b>576</b>
<b>Total financial liabilities<sup>1</sup></b>	<b>536</b>	<b>576</b>

1. Carrying amount is equal/approximate to fair value.

### Accounting Policy

#### *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.

## Note 5.2: Financial Instruments (continued)

### *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.

### *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, including borrowings, 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 interest basis.

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).

	2018	2017
	\$'000	\$'000

### Note 5.2B: Net Gains or Losses on Financial Assets

#### Loans and receivables

Interest revenue	194	112
<b>Net gains/(losses) on loans and receivables</b>	<b>194</b>	<b>112</b>
<b>Net gains on financial assets</b>	<b>194</b>	<b>112</b>

### Note 5.3: Fair Value Measurement

The following tables provide an analysis of assets and liabilities that are measured at fair value. The remaining assets and liabilities disclosed in the statement of financial position do not apply the fair value hierarchy.

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.

#### Accounting Policy

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.

#### Note 5.3A: Fair Value Measurement

##### Fair value measurements at the end of the reporting period

	2018 \$'000	2017 \$'000	Category (Level 1, 2 or 3)	Validation technique(s) and inputs used
<b>Non-financial assets<sup>1</sup></b>				
Infrastructure, plant and equipment	2,182	2,593	2	Market approach. Market replacement cost less estimate of written down value of asset used.

1. There were no non-financial assets where the highest and best use differed from its current use during the reporting period.

2. The remaining assets and liabilities reported by the Commission are not measured at fair value in the Statement of Financial Position.

## Appendix 1:

# Outcomes and indicators

### Purpose

As Australia's national human rights institution our purpose is to fulfil our statutory functions so that Australians have access to effective, independent complaint handling and public inquiry processes on human rights and discrimination matters, and benefit from our human rights education, advocacy, monitoring and compliance activities.

### Outcomes (PBS criteria)

1. Effective promotion of key human rights issues and engagement with governments, parliament, the courts, business and civil society builds increased awareness and understanding of actions required to comply with Australia's human rights obligations.
2. Effective and timely information assists government, business and the community to comply with discrimination and human rights law. The efficient investigation and conciliation of complaints resolves disputes in a timely manner, impartially, and ensures access to justice.

### Indicators (\*asterisk denotes PBS targets)

- |  |   |
|--|---|
| <p><b>1a</b> Leadership, promotion and advocacy that facilitates positive discourse, increases awareness of human rights issues and contributes to positive action by stakeholders and decision makers.</p> <p><b>1b*</b> Effective reach among identified audiences, through the provision of relevant and useful information about human rights with increased reach demonstrated by web and social media analytics that exceed the previous year's benchmark by 5%.</p> <p><b>1c*</b> High rate of acceptance of applications to the courts for leave to appear demonstrates acknowledged expertise on human rights; and citation analysis of court judgements demonstrates that our submissions to the courts have contributed to human rights impacts being considered.</p> <p><b>1d</b> Increased capability among organisations and employers to be diverse, inclusive and respectful workplaces.</p> | <p><b>2a*</b> Efficient and effective information and dispute resolution services meet performance indicators relating to timeliness, effectiveness and service user satisfaction. Including:</p> <ul style="list-style-type: none"><li>• 85% of complaints are finalised in under 12 months</li><li>• 40% of complaints are resolved by conciliation</li><li>• 85% of parties to complaints are satisfied with the service they receive.</li></ul> <p><b>2b*</b> The terms on which disputes are resolved include systemic outcomes that accord with the objectives of the law.</p> <p><b>2c</b> Legal information, resources, guidelines and an effective exemption process help employers and organisations to comply with Australian discrimination and human rights law.</p> |
|--|---|



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**3.** Expert and persuasive research, analysis, advocacy and reporting contribute to preventing human rights breaches and proactively improving compliance with international human rights obligations of laws, proposed laws and the acts or practices of the Commonwealth.

**4.** Human rights education activities increase understanding and build capacity in individuals and organisations about human rights and freedoms.

**3a\*** Parliamentary debates and committee inquiry reports cite and/or reference the work of the Commission, demonstrating that our analysis, submissions and recommendations have contributed to human rights issues being considered.

**3b\*** Major reports and national inquiries are viewed as robust; lead to increased understanding of relevant human rights issues and impact; and increased motivation to take action to address human rights violations.

**3c** Stakeholders use our research, reports and other resources, increasing their capacity to advocate and strategically promote human rights issues.

**4a\*** Education and training programs demonstrate that:

- New resources are engaging, of a satisfactory quality and relevant to target audiences
- Learning objectives have been met for the majority of participants
- The majority of participants are satisfied with the quality and relevance of the training.

**4b** Increased knowledge, attitudes and skills, within the school community and adult training participants, to apply human rights in school, in work and in everyday life.

**4c\*** Participation in the investigation and conciliation process results in increased understanding of rights and responsibilities in the law.

**4d** International technical cooperation activities increase human rights capacity and advance national reform in partner states.

Appendix 2:

# Projects, services and activities

2017–2018 Workplan	Contributes to outcomes			
	1	2	3	4
Wiyi Yani U Thangani Aboriginal and Torres Strait Islander Women and Girls	✓		✓	
Close the Gap Campaign	✓			
National Health Leadership Forum	✓			
Older Australians and Employment	✓		✓	✓
Older Women at Risk of Homelessness	✓			
Elder Abuse Awareness	✓			✓
Promoting Positive Ageing	✓			
Children’s Report 2017 and Report to the UN Committee on the Rights of the Child	✓		✓	
Child Safe Organisations Program	✓		✓	✓
Violence Against People with Disability in Institutional Settings	✓		✓	
Accessible Housing	✓		✓	
Celebrating 25 years of the DDA	✓			
Human Rights and Technology	✓		✓	
Protecting the Human Rights of People Born with Variations in Sex Characteristics in the Context of Medical Interventions			✓	
Optional Protocol to the Convention Against Torture in Australia	✓		✓	
Freedom of Religion	✓		✓	
Annual Kep Enderby Lecture and Student Prize				✓

## 2017–2018 Workplan

	Contributes to outcomes			
	1	2	3	4
National Anti-Racism Partnership and Strategy: <ul style="list-style-type: none"> <li>• Anti-Racism Youth Leadership Initiative Workshop</li> <li>• Seeing the Unseen: A Forum and Workshop on Institutional Racism</li> <li>• Community Service Announcements – Taxi and Elevator</li> <li>• #StandUp Video – Rugby and AFL</li> </ul>	✓			✓
Regional Conversations on Racism and Social Cohesion	✓			
Cultural Diversity and Inclusive Leadership	✓			
Racial Tolerance and Community Harmony	✓			
A National System for Domestic and Family Violence Death Review			✓	
Change the course: national report on sexual assault and sexual harassment at Australian universities	✓		✓	
Collaboration for Cultural Reform in the Australian Defence Force	✓		✓	
Independent Review of Residential Colleges at University of New England	✓		✓	
Guidelines <ul style="list-style-type: none"> <li>• Special Measures Under the Sex Discrimination Act</li> <li>• National guidelines for national sporting organisations on promoting the inclusion and participation of trans, intersex and gender diverse people in sport</li> <li>• National guidelines for golf clubs on promoting equal opportunity for women in golf</li> </ul>		✓		
Immigration Detention and Asylum Seekers <ul style="list-style-type: none"> <li>• Immigration Detention Monitoring visits and reports</li> <li>• Immigration: ‘Legacy Caseload’ project</li> </ul>			✓	
Engagement with United Nations Mechanisms	✓		✓	
Human Rights Scrutiny Program <ul style="list-style-type: none"> <li>• Parliamentary Joint Committee on Human Rights</li> <li>• Submissions to parliamentary inquiries</li> </ul>			✓	

## 2017–2018 Workplan

	Contributes to outcomes			
	1	2	3	4
<b>Business and Human Rights Program</b> <ul style="list-style-type: none"> <li>• 2017 Business and Human Rights Dialogue</li> <li>• Stronger Seasonal Worker programs – Capacity Building Project</li> <li>• ASEAN Intergovernmental Commission on Human Rights Inter-regional dialogue on Business and Human Rights Round table dialogue for National Human Rights Institutions</li> </ul>	✓			✓
<b>International programs</b> <ul style="list-style-type: none"> <li>• 2017-21 China-Australia Human Rights Technical Cooperation Program</li> <li>• 2017–21 Lao PDR-Australia Human Rights Technical Cooperation Program</li> <li>• Access to Public Spaces for People with Disability Cooperation between the Human Rights Commissions of Sri Lanka and Australia</li> </ul>	✓			✓
<b>Human Rights Education and Training:</b> <ul style="list-style-type: none"> <li>• The Story of our Rights and Freedoms School Resource</li> <li>• Bringing Them Home Interactive website and educational resources</li> <li>• Public service training workshops</li> </ul>				✓
<b>National Information Service</b>		✓		
<b>Investigation &amp; Conciliation Service</b>		✓		✓
<b>Legal Services</b>	✓	✓	✓	✓
<b>Communications service</b>	✓			
<b>Human Rights Awards, other major events and launches</b>	✓			

## Appendix 3:

# Major events, reports, publications and education resources

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## Events & launches

Major Commission hosted events throughout 2017–18 include

- Launch of Change the course: national report on sexual assault and sexual harassment at Australian universities
- Human Rights Awards 2017
- 20th Anniversary of Bringing Them Home
- Launch of the Wiyi Yani U Thangani (Women's Voices) project
- Annual Kep Enderby Memorial Lectures
- RightsTalks on topics including child trafficking and human rights and technology.
- Launch of Leading for Change: A blueprint for cultural diversity and inclusive leadership revisited
- 25th Anniversary of the Disability Discrimination Act
- Racism. It Stops With Me Community Service Announcements launch
- Launch of the Children's Rights Report 2017

## 2017–18 Reports, publications, education resources

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

- Close the Gap – 10 Year Review (2017)

### **Australian Defence Forces (Not published)**

#### *Extensive research reports*

- Air Force: Air Force Gender Programs
- Army: Cultural reform in Army Training Establishments
- Navy: Maritime Warfare Officer Project (2018)

#### *Single base research reports*

- Army (2018)
- Army (2018)
- Army (2018)
- Army (2017)

#### *Other*

- Observations on Unacceptable Behaviour (2017)
- Unacceptable Behaviour Review – AHRC Contribution (2017)
- ADF/AHRC Collaboration Evaluation of AHRC Contribution (2017)

### **Australian Human Rights Commission Act Reports**

- CR and CS v Commonwealth of Australia (DIBP) – 116
- MB v Commonwealth of Australia (DIBP) – 117
- Nine Vietnamese men in immigration detention v Commonwealth of Australia (DIBP) – 118
- Ms OR on behalf of Mr OS, Miss OP and Master OQ v Commonwealth of Australia (DIBP) – 119
- DR and DS v Commonwealth of Australia (Department of Home Affairs) – 120
- BE v Suncorp Group Ltd – 121
- AZ v Commonwealth of Australia (Department of Home Affairs) – 122

### **Children**

- Children's Rights Report 2017
- What does the Children's Rights Report 2017 say? Child friendly version, 2017

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## **Disability**

- A Future Without Violence: Quality, safeguarding and oversight to prevent and address violence against people with disability in institutional settings (2018)
- Disability Discrimination Act — 25th Anniversary Easy Read Edition

## **Education and Training**

- Bringing Them Home—Interactive website and two classroom teaching packages for years 6 and 9 (2017)

## **Human Rights**

- OPCAT in Australia: Consultation Paper: Stage 2 and Interim Report (2018)
- Religious exemptions under the Sex Discrimination Act — Information Sheet (2017)
- Statement of Support for an Australian Modern Slavery Act (2017)

## **Immigration Detention and Asylum Seekers**

- Inspection of Yongah Hill Immigration Detention Centre Report (2017)
- Inspection of Villawood Immigration Detention Centre Report (2017)
- Inspection of Melbourne Immigration Transit Accommodation Report (2017)
- Inspection of Maribyrnong Immigration Detention Centre (2017)

## **Race**

- Leading for Change: A Blueprint for Cultural Diversity and Inclusive Leadership Revisited
- Racism. It Stops With Me Community Service Announcements – Elevator and Taxi and Fact Sheet
- Racism. It Stops With Me #StandUp Video – Rugby and AFL

## **Sex**

- Change the course: national report on sexual assault and sexual harassment at Australian universities (2017)
- Unleashing the power of gender equality (2017)

## **Corporate**

- Corporate Plan 2018–19
- Annual Report 2016–17

# Index of Annual Report requirements

The following is an index identifying where the requirements of s 17BE and s 17BF of the *Public Governance, Performance and Accountability Rule 2014* (Cth) and s 516A of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) are to be found.

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Summary of objects and functions of the Australian Human Rights Commission	4
Purposes of the Australian Human Rights Commission	2, 13
Responsible Minister	6
Directions given by the responsible Minister, or other Ministers	N/A
Government Policy Orders of the Australian Government under section 22 of the PGPA Act	N/A
Non-compliance with a direction or order	N/A
Annual Performance Statements	16 – 42
Statement of any significant issue reported to the responsible Minister	N/A
Action that has been taken to remedy any non compliance reported to the Minister	N/A
Information on the Accountable Authority	6
Organisational structure of the Australian Human Rights Commission	3
Location of major activities and facilities	6
Corporate governance practices	2, 12, 46, 53
Decision-making process for related entity transactions	N/A
Number and Value of related entity transactions	N/A
Key activities and changes affecting the authority	N/A
Judicial decisions and administrative tribunals decisions	N/A
Reports on operations by the Auditor-General, a Parliamentary committee, the Commonwealth Ombudsman or the Office of the Australian Information Commissioner	N/A
Obtaining information from subsidiaries	N/A
Indemnities and insurance premiums for officers	N/A
Disclosure requirements for GBEs	N/A
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