



Australian
Human Rights
Commission

Australian Human Rights Commission

ANNUAL REPORT 2013 · 2014



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Cover image Close the Gap: Andrew Illin-Lovett 7 yrs and Willun Thorpe 7 yr at Thornbury Primary School. Photo courtesy of Bonnie Savage/OxfamAUS.



**Australian
Human Rights
Commission**

President

Professor Gillian Triggs

4 March 2015

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

Dear Attorney,

I have pleasure in presenting the Annual Report of the Australian Human Rights Commission for the period ending 30 June 2014. The report has been prepared pursuant to section 45 of the *Australian Human Rights Commission Act 1986* and in accordance with the requirements of section 70 of the *Public Service Act 1999*.

Yours sincerely,

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

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Our vision

Human rights: everyone, everywhere, everyday

Our role

The role of the Australian Human Rights Commission (the Commission) is to see that human rights and fundamental freedoms are understood and respected in law, policy and practice. The Commission is independent from government, with a legislative mandate, and recognised internationally as an 'A status' national human rights institution. We strive to resolve complaints, encourage positive law reform and build a shared awareness and recognition of freedoms and rights throughout Australia.

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 attributes such as age, disability, race, sex, sexuality and gender identity. The Commission also has specific responsibilities under the *Native Title Act 1993* (Cth) and the *Fair Work Act 2009* (Cth). 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.

Much of this work takes place at the policy level, by engaging with the public and the media, and encouraging government, industry and community groups alike to see fundamental rights and freedoms realised. It involves building the case for change on issues such as addressing age discrimination and pregnancy-related discrimination in employment. It involves providing a human rights analysis to the courts and to 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 who are particularly vulnerable to disadvantage.

From addressing individual 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.

Outcome structure

The Commission has one outcome on which it is bound to report: an Australian society in which the human rights of all are respected, protected and promoted.

There is one output for the Commission's outcome: that 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.

Our work

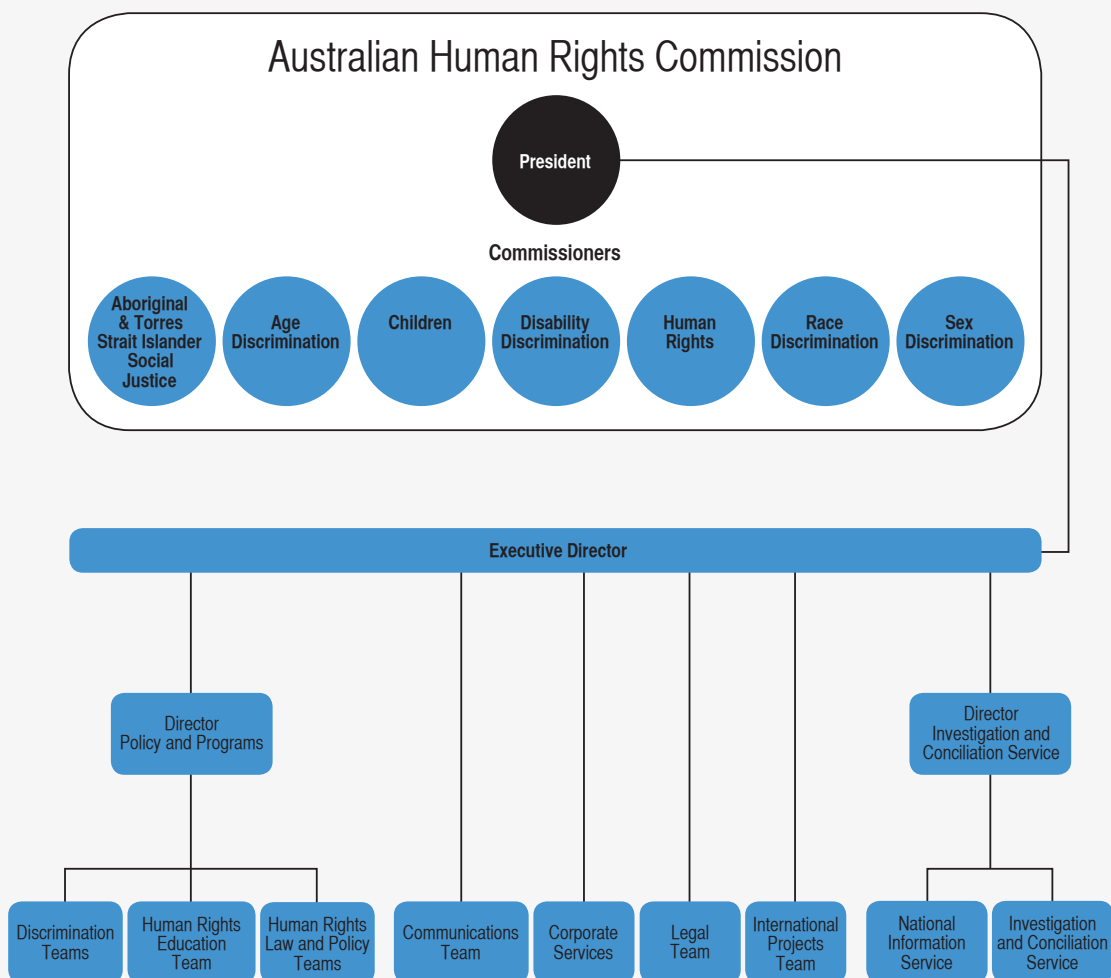
There is no simple way to solve complex human rights issues. The promotion of human rights must address the immediate issues facing individuals, as well as the need for broader, systemic change. That is why the Commission uses a range of integrated approaches, while also focusing on particular areas of discrimination through our specialised Commissioners.

The Commission's major activities and programs for 2013-14 are organised according to the following five themes and two priorities.



Organisational structure

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



Our functions

Legislation

The Commission exercises functions under the following Acts.

Australian Human Rights Commission Act

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*
- *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*

Racial Discrimination Act

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.

Sex Discrimination Act

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

Its main aims are to:

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

Disability Discrimination Act

Its objectives are to:

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

Age Discrimination Act

Its objectives are to:

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

The Commission

We exercise our functions under this federal legislation by:

- investigating and conciliating complaints of discrimination or breaches of human rights
- developing an extensive and accessible website containing research, publications, resources and education programs for young people, teachers, community groups, business, media and the community at large
- working with the media to raise and promote public awareness about important human rights issues
- working with organisations and leaders in the community, government and business sectors to provide education on relevant human rights issues and to support them in their efforts to better protect and promote human rights
- holding public inquiries and consultations to resolve systemic human rights issues of national importance that we have identified
- working closely with the federal government to provide independent advice regarding the development of laws, programs and policies that will better protect and promote human rights
- publishing annual reports on Aboriginal and Torres Strait Islander social justice and native title
- 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 through education focused on legal professionals and 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 and the Sex Discrimination Commissioner have additional responsibilities.

President

The President is the Chief Executive Officer of the Commission, responsible for its financial and administrative affairs. The President is also responsible for the complaint handling function of the Commission.

Aboriginal and Torres Strait Islander Social Justice Commissioner

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

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

Sex Discrimination Commissioner

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

Relationship with the Minister

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

The most significant is:

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

Highlights of the year

Key achievements

Information and Complaints Services

In 2013-14, the Commission assisted 19 688 people and organisations – up 16% on the previous year – by providing information about the law, assisting with problem solving and facilitating referrals to other services. We received 2223 complaints of alleged discrimination and breaches of human rights and finalised 2178 complaints. We facilitated 1444 conciliation processes, of which 1017 complaints (70%) were successfully resolved. This represents successful dispute resolution for more than 2034 people and organisations. 91% of those who responded to our Service Satisfaction Survey said they were satisfied with the service provided and 69% rated the service as ‘very good’ or ‘excellent’.

National inquiry into children in immigration detention

In February 2014, the Commission launched a national inquiry into the mandatory and closed immigration detention of children seeking asylum in Australia. The inquiry will investigate the impact of immigration detention on the health, well-being and development of these children. By 30 June 2014, we had collected evidence through visiting nine immigration detention facilities; interviewing around 1500 individuals in immigration detention; holding the first of five public hearings; and reviewing over 200 submissions provided by individuals and organisations. The ten-year anniversary of the Commission’s 2004 report on children in immigration detention was the catalyst for this current inquiry.

Supporting cultural reform in the Australian Defence Force

During the year, the Sex Discrimination Commissioner released two independent audits that monitored the implementation of recommendations made in her reports into the treatment of women in the Australian Defence Force Academy (ADFA) and the Australian Defence Force (ADF). Both audits found that clear steps had been taken to address unacceptable behaviour and promote gender equality. They also identified areas for future work. The Commission has since entered into a four-year partnership with the ADF to support ongoing cultural reform across the organisation.

Building community support to tackle racism

In October 2013, the Commission released *One Year On*, a report charting the progress of the National Anti-Racism Strategy and the *Racism. It Stops with Me* community education campaign. More than 270 organisations were campaign supporters at 30 June 2014, up from 130 a year ago, with South Australia signing on as the first State Government supporter. A community service announcement featuring Australian of the Year Adam Goodes was filmed in June 2014 and broadcast nationally over a six-week period.

Children’s Rights Report 2013

In December 2013, the inaugural *Children’s Rights Report 2013* was tabled in Parliament. The first of its kind in Australia, the report by the National Children’s Commissioner drew on statistics to show how children and young people are faring and provided a summary of the key issues raised during her Big Banter national consultations. The report also included recommendations to support progress in five priority areas and bolster Australia’s implementation of the *Convention on the Rights of the Child*.

Promoting the contribution of older Australians

In November 2013, the Commission launched the Age Positive website to promote the significant contribution of older Australians to their workplaces and communities. It also features research and publications from Australia and overseas. The website will form the basis of a broader public information campaign, *The Power of Oldness*, in the second half of 2014 to promote positive ageing and counter negative stereotypes about older people.

Declaration Dialogue Series

In August 2013, the Commission and the National Congress of Australia's First Peoples launched the Declaration Dialogue Series to engage Aboriginal and Torres Strait Islander communities in a practical conversation about the *United Nations Declaration on the Rights of Indigenous Peoples*. By 30 June 2014, we had hosted 14 'Declaration dialogues' in nearly every state and territory. We also held discussions with business, industry and government to build a common understanding of the Declaration and how it can be implemented in Australia for shared benefit.

Contributing to the work of Australia's courts

In July 2013, the Full Court of the Family Court delivered its judgment in the case of *Re Jamie*, dealing with court authorisation of special medical procedures for children who have been diagnosed with gender identity disorder. The Commission's submissions to the Court were extensively referenced in the judgment and the Court recognised the importance of human rights principles in resolving the issues between the parties. The Commission was also granted leave by the High Court to intervene in two matters during the year.

Greater protection for people of diverse sexual orientation and gender identity

On 1 August 2013, changes to the Sex Discrimination Act came into effect which protect people against discrimination on the basis of their sexual orientation, gender identity and intersex status. We delivered community education sessions around the country on these changes and also began a major study looking at the key human rights challenges facing lesbian, gay, bisexual, trans, gender diverse and intersex people in Australia. Our work in this area is led by Human Rights Commissioner Tim Wilson, who will also focus on promoting and advancing fundamental human rights and freedoms.

Working internationally to advance human rights

In July 2013, the Australian Embassy in Beijing hosted an event to mark 15 years of the China-Australia Human Rights Technical Cooperation Program, a successful initiative which the Commission has managed since it commenced in 1998. During the year, we continued to coordinate the technical cooperation programs with China and Vietnam. We also contributed to a broad range of regional and international human rights meetings and reviews.

.....
Professor Gillian Triggs

.....
President
.....



President's statement

This year the Commission finalised its strategic vision for the coming four-year period. The Strategic Plan 2014-2018 provides a roadmap for all our activities and meets the Commission's new legal obligations under the *Public Governance, Performance and Accountability Act 2013* (Cth).

Over the next four years the Commission will work on three core priorities: human rights education and promotion; ensuring freedom from violence, harassment and bullying; and engaging with business on human rights.

We have increasingly focused on our engagement with the business community over the past year. We are exploring how we can better assist businesses to meet their legal obligations under federal anti-discrimination laws and encourage innovative approaches to human rights protection.

The Commission is in a position to observe the extent to which businesses are pivotal to achieving practical human rights in Australia. This is because an overwhelming number of the 19 688 enquiries and 2223 complaints received in 2013-14 arose in the area of employment and, to a lesser extent, the delivery of goods and services. While the Commission's complaint process has a necessary focus on individual remedies, it also provides an opportunity to educate about rights and responsibilities and facilitate broader systemic changes. This year we have been working to develop new information about discrimination for employers and the business community and implement strategies to enhance service delivery for small business.

Under the leadership of the new Government, we have continued to work closely with the public sector on a range of activities. Earlier this year we entered into a four-year partnership with the Australian Defence Force to support ongoing cultural change in the military. This partnership builds on Sex Discrimination Commissioner Elizabeth Broderick's Review into the Treatment of Women in the Australian Defence Force. The Commission has also entered into an agreement with the Australian Public Sector Commission to deliver training programs for the Australian public service.

We continue to work with the Government on implementing Australia's Anti-Racism Strategy and the *Racism. It Stops with Me* campaign to promote community understanding of what racism is and how it can be addressed and prevented. Under the leadership of Race Discrimination Commissioner Dr Tim Soutphommasane, the campaign has the support of more than 270 organisations.

Over the last year we have had a national debate termed the 'freedom wars'. The public debate has focused on whether Australia's racial vilification laws place a fair restriction on the right to freedom of speech in a 21st century multicultural and democratic society. The freedoms debate has highlighted how human rights are protected in Australia and the exceptional approach Australia has taken to human rights protection. We live in a country where most people think our freedoms are protected. It is little understood that Australia is unique among comparable legal systems in that we have few constitutional or legislative protections for the freedoms we take for granted.

While we have seen a vibrant public dialogue around freedoms in Australia, the rights and liberties of those asylum seekers held in detention centres in mainland Australia and on Christmas Island have curiously been omitted from the debate. As President, I have continued to raise concerns about the situation of those in mandatory detention, particularly children. Ongoing issues include the numbers of children in detention, the prolonged periods for which some children are detained and the conditions of their detention.

2014 marked ten years since the Commission's landmark report into children in immigration detention. Over the decade we witnessed many positive developments; the high point was the removal of all children from immigration detention by 2006. However, since then, the situation has deteriorated significantly. In April 2013, the numbers of children in closed immigration detention began reaching unprecedented levels (over 1600 on 30 April 2013, reaching 1992 in July 2013). We decided that it was time to reassess the situation.

As President, I launched the National Inquiry into Children in Immigration Detention on 3 February 2014. At 30 June 2014, the inquiry team had visited nine immigration detention facilities and conducted interviews with approximately 1500 individuals, including children, their families and experts such as medical professionals. I also convened the inquiry's first public hearing in Sydney, at which a total of 14 witnesses gave evidence.

As a Commission, we continue to empower individuals to understand and exercise their rights. During the Big Banter consultations, National Children's Commissioner Megan Mitchell met with over 1000 children across Australia to talk about their rights and responsibilities. Similarly, Aboriginal and Torres Strait Islander Social Justice Commissioner Mick Gooda has led a national conversation through a series of dialogues to ensure that the principles and rights outlined in the *United Nations Declaration on the Rights of Indigenous Peoples* are fully integrated into Australian policy and practice.

We have also taken initiatives to ensure that human rights are integrated into everyday language and life. Your Rights at Retirement is just one example of the how the Commission is helping everyday Australians put human rights into practice.

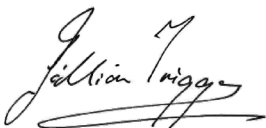
During the year, the Commission warmly welcomed Tim Wilson as Human Rights Commissioner. Since his appointment, Commissioner Wilson has built on our activities on traditional rights and freedoms and has been the spokesperson for our work on lesbian, gay, bisexual, trans, gender diverse and intersex issues.

We said farewell to Disability Discrimination Commissioner Graeme Innes, a passionate advocate with over nine years of service as Disability Discrimination Commissioner and in the portfolios of human rights and race. The Hon Susan Ryan AO has taken on the disability portfolio. Commissioner Ryan's first major initiative as acting Disability Discrimination Commissioner will be to hold a National Disability Forum to bring the disability sector together to identify the key human rights priorities for people with disabilities.

The Commission plays an important role within the Asia Pacific region. Over the last year we continued to contribute technical assistance to advance partnerships for human rights in China and Vietnam. This year marked the 15th anniversary of the China-Australia Human Rights Technical Cooperation Program. During the last 15 years, more than 220 activities have been held under this program in China and Australia, addressing around 35 different human rights topics.

Respect for human rights and fundamental freedoms are the cornerstone of a modern democratic society. As Australia's national human rights institution, the Commission plays a vital role in the promotion and protection of human rights and freedoms in Australia. We look forward to working closely with the community, business, media and government in advancing all rights and freedoms, and ensuring a fair and inclusive society for all.

The Commission's annual report was first submitted to the Attorney on 26 September 2014. On 12 January 2015 the Australian National Audit Office, following an internal Quality Control Review, advised the Commission of the withdrawal of their independent auditor's report issued on 8 September 2014 as the review had identified an error in the financial statements requiring correction. The Commission has amended the financial statements that appear in this report along with a reissued independent auditor's report.



Professor Gillian Triggs
President

Mick Gooda

*Aboriginal and Torres Strait
Islander Social Justice Commissioner*



There have been many issues confronting Aboriginal and Torres Strait Islander Australians in 2013-14, such as the over-representation of our people in the criminal justice and child protection systems, the future of the National Congress of Australia's First Peoples and constitutional recognition of Aboriginal and Torres Strait Islander peoples. However, of all of these concerns, it has been the change of government that has had the most profound impact.

As we entered this year, an election campaign was underway that culminated in change at the federal level. Then Opposition Leader Tony Abbott set out an ambitious agenda for Aboriginal and Torres Strait Islander peoples, including strong statements that he would put Indigenous affairs front and centre of his Government's priorities and that he would take on the role of the Prime Minister for Aboriginal and Torres Strait Islander peoples.

Any change of government brings a mixture of anxiety, uncertainty, anticipation and excitement for the population. This is particularly so for Aboriginal and Torres Strait Islander peoples. The incoming Government brought out all of these responses and, over the last ten months, we have seen a great upheaval in the handling of Aboriginal and Torres Strait Islander peoples' issues.

Two of the largest areas of impact have been the 'machinery of government' changes and the 2014-15 federal Budget.

The machinery of government changes saw the Indigenous Affairs portfolio move into the Department of Prime Minister and Cabinet (DPM&C), along with a dedicated Minister, Senator the Hon Nigel Scullion, and the appointment of a Parliamentary Secretary assisting the Prime Minister in these matters, the Hon Allan Tudge MP.

This meant that the administration of some 150 programs and activities transferred into PM&C. This transfer caused immense anxiety among Aboriginal and Torres Strait Islander communities

because of the uncertainty around which programs would be transferred and which department would administer them. I also saw a high level of anxiety in the public sector because this change saw over 2000 people moved between departments.

Similarly, aspects of the 2014-15 federal Budget generated high levels of anxiety within the Aboriginal and Torres Strait Islander community.

For instance, over the next five years, there will be \$534.4 million cut in Indigenous programs, grants and activities administered by the PM&C and Health portfolios alone. Taken together with the transfer of 150 programs into PM&C mentioned above, I have been informed that these cuts could impact on around 1440 organisations and 3030 funding agreements.

At the time of writing, confusion and uncertainty about ongoing funding arrangements are hampering the work of many people who are committed to addressing issues of over-representation of our people in the criminal justice and child protection systems, the future of the National Congress of Australia's First Peoples and the constitutional recognition of Aboriginal and Torres Strait Islander peoples. It goes without saying that changes of this magnitude cannot be realised by only cutting red tape and promoting administrative efficiencies. Therefore, we must be vigilant to ensure that frontline services are maintained at all costs.

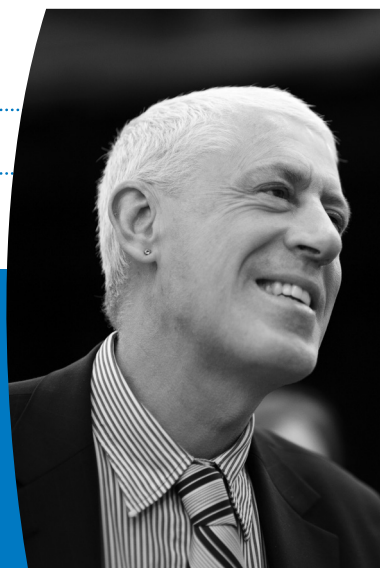
I will continue to monitor this situation closely and work with the Government to ensure that our peoples are as informed as possible about this process so that those issues I mentioned above remain the focus of our attention, rather than matters of administration and funding.

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

Mick Gooda
Aboriginal and Torres Strait Islander
Social Justice Commissioner

Graeme Innes AM

Disability Discrimination Commissioner



My term as Disability Discrimination Commissioner ended on 11 July 2014. This concludes eight and a half years of challenge and change.

In September 2013, Australia appeared before the United Nations Committee on the Rights of Persons with Disabilities. Australia's report was submitted earlier and a coalition of NGOs submitted an excellent shadow report. The Commission also submitted a shadow report.

I worked closely with both the Government (as a member of the delegation) and the NGOs to ensure that Australia was well represented. I made statements at the beginning and end of the dialogue, establishing a process for other national human rights institutions to follow in the future. The Committee's Concluding Observations noted Australia's achievements and set a clear path towards progressive realisation of the Convention in the future.

In February 2014, I launched the *Equality before the law* report which examined the lack of equal access to justice for Australians with disabilities, particularly those with communication challenges and complex support needs. It recognised the particular disadvantage of Aboriginal Australians with disabilities. The report recommended the implementation of a Disability Justice Strategy within each jurisdiction.

Sex Discrimination Commissioner Elizabeth Broderick and I also supported the Stop The Violence Project, examining the experience of violence against women with disabilities. It culminated in comprehensive recommendations to government to include women with disabilities in all aspects of anti-violence strategies.

Significantly lower levels of employment of people with disabilities remain a problem. I worked constructively with employers to address this. However, government does not demonstrate best practice in this area, as levels of employment of people with disabilities remain shamefully low.

Despite significant advocacy by the disability sector and by me, most airlines continue with the 'two wheelchair' policy. This policy significantly disadvantages people with mobility disabilities. Regulation similar to that in the United States and Europe is necessary but government progress on this issue remains glacial.

Government funding for disability sector participation in international activities was used to send a delegation of young people with disabilities to the 2014 Conference of States Parties for the Convention on the Rights of Persons with Disabilities. Leadership succession is vital and the young people who participated demonstrated the availability of talent for the future.

With the support of registered clubs in NSW, a guidance note was developed on the use of mobility scooters in their premises. This provides an excellent template should the Commission be given co-regulatory powers in the future.

I continued to raise awareness of disability issues through the media, social media and presentations, concluding with my National Press Club speech on 2 July 2014. I also worked as a part-time Commissioner on the Australian Law Reform Commission's inquiry examining capacity, equality and disability in Commonwealth laws.

I shared the significant disquiet of the disability sector at the downgrading of the Disability Discrimination Commissioner position to a part-time role, filled by a person without lived experience of disability, at the end of my term. This will have a significant negative impact on disability issues in the future.

A handwritten signature in black ink, appearing to read 'G. Innes', written in a cursive style.

Graeme Innes
Disability Discrimination Commissioner

Elizabeth Broderick

Sex Discrimination Commissioner



In July 2013, I commenced a National Review examining the prevalence, nature and consequences of discrimination in the workplace related to pregnancy, parental leave and return to work after parental leave.

The national telephone survey we conducted, the first of its kind in Australia, revealed the widespread and systemic nature of these forms of discrimination. We also met with more than 430 individuals, employers and representatives from community organisations, unions, business and industry. In addition, around 440 written submissions were received. This process allowed us to hear directly from employees and employers, providing an insight into their experiences and the challenges they face.

The principal finding of the National Review, which I will release in July 2014, is that discrimination relating to pregnancy and return to work is pervasive and has a cost for everyone: the person affected, their family, their workplace, employers and our economy. The report will also document leading practices implemented by employers to prevent discrimination.

In May 2014, I launched *Know Where the Line Is*, a national campaign on sexual harassment in the workplace. A partnership between the Commission, the Australian Council of Trade Unions and the Australian Chamber of Commerce and Industry, the campaign recognises that workplace sexual harassment is an abuse of human rights, has a negative impact on employee safety and security and is costly to business. The Commission also developed a resource for employers on ending workplace sexual harassment, as well as one for employees on recognising and responding to sexual harassment, including taking bystander action.

I continued to work with the Male Champions of Change on our shared goal to improve gender equality and increase the representation of women in leadership. In November 2013, the Male Champions of Change released their report, *Accelerating the advancement of women in leadership*. In order to

make gender equality the norm in our organisations, we must create the conditions and cultures that enable men and women to thrive. Accordingly, their report identified a set of high impact actions that leaders can take to 'change the game'.

This year also saw the conclusion of the Commission's work to review the treatment of women in the Australian Defence Force. The Audit Report of the implementation of the recommendations from the *Report into the Treatment of Women at the Australian Defence Force Academy (ADFA)* was tabled in Parliament in July 2013. We found that ADFA had made good progress to create a more inclusive environment. However, the report identified the need to develop and deliver a robust, evidence-based sexual ethics program. It is pleasing to see that progress has been made on rolling out such a program since the report was tabled.

The Audit Report on the implementation of the recommendations in the *Report on the Review into the Treatment of Women in the Australian Defence Force (ADF)* was tabled in March 2014. It was clear from our investigations that the ADF was moving ahead with a broad cultural reform agenda. However, greater efforts are required to ensure that the case for change is well understood across the ADF, especially among middle and junior rank personnel. Additionally, sexual ethics training should be provided for all bases and a uniform approach developed to ensure that commanding officers are held accountable for the healthy culture of their base or unit.

In a clear indication of its commitment, the ADF will engage the Commission for a further four years to assist it embed cultural reform across the organisation. I look forward to my ongoing collaboration with the ADF and commend it on its strong efforts to date.

A handwritten signature in black ink that reads "E. Broderick".

Elizabeth Broderick
Sex Discrimination Commissioner

Susan Ryan

Age Discrimination Commissioner



This year began with the launch of *Your Rights at Retirement*, a one-stop-shop guide to assist older Australians to understand their rights and entitlements at retirement. The publication attracted extensive interest from government, business, community groups, individuals and the media. It has been distributed nationally through multiple channels, including the electorate offices of federal MPs and Senators, Centrelink, Medicare, the NSW Department of Ageing, community organisations and online. The Commission was successful in obtaining funding from the Department of Immigration and Citizenship to translate the publication into Italian, Greek and Chinese. I look forward to the continuing success of this publication as it reaches more seniors from culturally and linguistically diverse backgrounds.

The Age Stereotyping project is now in its second phase; engaging the media and implementing a communication strategy for the broader community, including young Australians. Following the publication of our milestone research report – *Fact or Fiction? Stereotypes of Older Australians* – we developed the Age Positive website and the communications campaign *The Power of Oldness* to combat negative attitudes and recognise the significant contributions made by older Australians to their communities, the workforce and the national economy.

I have continued my advocacy for greater recruitment and retention of older workers. This year the Australian Government indicated its intention to increase the pension eligibility age from 65 to 70 years by 2035. This planned change reinforces the need to tackle fundamental problems of ageism and workplace discrimination, which continue to prevent older people from obtaining and remaining in paid employment regardless of pension age. To contribute to a better understanding of the relationship between older people, the workplace and pensions, I began planning for the first national prevalence survey on age discrimination in employment.

The protection of human rights for older people is a challenge for all countries. I have worked to support the development of an international Convention on the Rights of Older Persons by convening an Asia Pacific Workshop on the Rights of Older Persons. Co-hosted with the Asia Pacific Forum, the workshop brought together delegates from 16 national human rights institutions, who agreed to form a regional working group on the issue. I was elected as spokesperson for that group.

Throughout the year, I held meetings with representatives from the insurance and financial planning sectors to consider the appropriate and lawful application of the insurance exception in the Age Discrimination Act and to make the case for new products that suit the current and future insurance needs of older Australians.

Our submission to the inquiry by the Senate Standing Committee on Community Affairs into grandparents who take primary responsibility for raising their grandchildren provided an important opportunity to highlight the extensive contribution made by grandparents and the need to better support this crucial work.

Over the next two years, I will continue to work for the elimination of age discrimination in employment and urge the business community to recognise the needs of older consumers in their business plans.

Protection of the rights of older people receiving aged care needs further attention. It also requires more and better training of workers, particularly regarding the rights of older people to respect and choice.

As I commence my recent additional appointment as Acting Disability Discrimination Commissioner, I am meeting with key stakeholders in the disability sector to develop a strategic agenda to further advance the human rights of people with disabilities.

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

Susan Ryan
Age Discrimination Commissioner

Dr Tim Soutphommasane

Race Discrimination Commissioner



I was honoured to commence my term as Race Discrimination Commissioner in August 2013, following the departure of Dr Helen Szoke in January 2013.

Combating racial discrimination remains an important challenge. While Australia is a successful multicultural society, it is not free from prejudice and discrimination.

This past year has given me the opportunity to meet with communities in every state and territory. Many people have raised concerns about the incidence of casual racism in Australia, an issue highlighted by a number of high-profile racist incidents. I have spoken regularly about the need to repudiate acts of casual racism. Even if such acts are not always accompanied by malice, they still inflict harm on their targets. Racism is as much about impact as it is about intention.

I have also heard widespread concerns about the incidence of cyber-racism, particularly among young people. Part of the Commission's response includes support for the Australian Research Council-funded project on cyber-racism and community resilience, which aims to provide evidence about the extent of online racism and support communities in responding to it.

There has, of course, been a high level of public interest in Part IIA of the Racial Discrimination Act, following proposals for its amendment. I have spoken to, and consulted with, a wide range of communities and organisations about the operation of sections 18C and 18D of the Act. Through interviews, speeches and articles, I have contributed to the extensive debate about bigotry and free speech. The past year has provided a unique opportunity to explain how the law works to provide protections against the serious and profound harms of racial vilification, while upholding freedom of expression. It has been heartening to find that a strong commitment to racial tolerance exists across

the country. Australians appreciate that freedom of expression exists alongside freedom from racial discrimination.

I have also met with employers, sporting bodies, universities, local councils and community organisations in my role leading the National Anti-Racism Strategy and the *Racism. It Stops with Me* campaign. The campaign has enjoyed significant growth, with more than 270 organisations signing on as supporters. We have particularly appreciated the support of campaign ambassador Adam Goodes, who was named Australian of the Year in January 2014.

Next year marks the 40th anniversary of the Racial Discrimination Act. This anniversary provides an opportunity for critical reflection on what has been achieved under the Act and for consideration of systemic progress in the future. We will commemorate the anniversary with a series of activities, including a national conference in February 2015. Another priority for the coming year is to continue my advocacy on workplace cultural diversity, particularly on the issue of leadership and representation.

I look forward to working with the Australian community in 2014-15.

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

Dr Tim Soutphommasane
Race Discrimination Commissioner

Megan Mitchell

Children's Commissioner



There are approximately 5.2 million children and young people under 18 in Australia affected by decisions being taken right now that will have implications throughout their lives. While children have their own set of rights under the *Convention on the Rights of the Child*, which Australia ratified 24 years ago, it is sadly the case that few adults, let alone children, are aware of this. Little has been done in a systematic way to realise children's rights in our community.

Looking back on my first full year as Australia's inaugural National Children's Commissioner, these are perhaps the greatest challenges in front of me: to help to raise the profile of children as rights holders; to promote their involvement in decision making; to help their voices to be heard; and to have them treated as active citizens with something important to contribute.

This will not only build their own knowledge, capacity and agency, it will also ensure that we, as adults, get things right more of the time. Despite our nation's relative wealth, it is a tragedy that so many Australian children continue to live in poverty, are subject to abuse, have been taken into care, experience unstable housing or are locked in detention. The parlous circumstances of Aboriginal children, while showing some areas of improvement, remains a wicked, stubborn and intergenerational problem. Sustained investment in their futures must remain a national priority through the Close the Gap Campaign and other initiatives.

Substantiated reports of child abuse and neglect have continued to rise, with a 29 per cent increase since 2011. Today nearly eight in every 1000 children are unable to live with their parents and the rate of Aboriginal and Torres Strait Islander children in care is 10.6 times the rate for non-Indigenous children.

In my first report tabled in Parliament last year, I outlined five key pillars of change to deliver rights to Australia's children: the right to be heard; the right to live free from violence, abuse and neglect; the

right of all children to thrive; engaged citizenship; and action and accountability. These were determined after an extensive national consultation process with children, young people and child advocates called the Big Banter and they will guide my work into the future.

This year I embarked on a project to investigate intentional self-harm among children and young people. This has emerged as a major issue for our young people. In 2012, suicide was the leading cause of death among children and young people aged 15 -24. In the same year, there were over 10 000 hospitalisations of young people related to self-harm incidents. My study will examine what is driving this alarming trend and what can be done to prevent and better respond to intentional self-harm.

Knowing their rights is profoundly empowering for children and young people. It can also act as an important safeguard against the harms others may seek to perpetrate against them. For this reason, it is crucial that Australia accedes to the *Third Optional Protocol to the Convention on the Rights of the Child*. This would allow children to have serious breaches of their rights considered on the international stage.

It has been a wonderful and enlightening year as National Children's Commissioner. I applaud all who fought so hard for the role and who continue to support me in my work. I would also like to acknowledge my colleagues and Commission staff committed to advancing children's rights.

Most of all, thank you to the many children and young people in Australia who have engaged with me and provided me with insight, advice and great ideas.

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

Megan Mitchell
Children's Commissioner

Tim Wilson

Human Rights Commissioner



Since commencing as Australia's sixth Human Rights Commissioner in February 2014, my focus has been on reasserting the primacy of the liberal human rights of freedom of speech, association, movement, worship and property rights.

Across the country, there continues to be discussions about the importance of free speech. As the responsible Commissioner, I have been an active participant in advocating for the full realisation of this important human right in the media and with community groups, the business community and government. The Commission's broader contribution to this discussion has also been incredibly important in informing quality public debate.

To continue the discussion, the Commission is hosting a day-long symposium in August 2014 focusing on contemporary challenges to free speech. This symposium will bring together key stakeholders in business, academia, think tanks and government to discuss the adequacy of current rights to free speech in Australia. A road map of potential reform will be developed to inform future initiatives to remove or minimise restrictions.

Following the symposium, I will undertake a national consultation process to seek the views of people about the rights and freedoms that will guide my future work as Commissioner. The objective of this process is to generate positive and constructive conversations about human rights in Australia and to meet with groups and individuals who may not otherwise engage in discussions about their human rights and associated responsibilities.

Many of the places visited as part of these consultations will be in rural and regional communities. I intend to engage with local community groups, such as welfare agencies, charities, chambers of commerce, service clubs and local councils, as well as individuals through public fora. The focus of the consultations will be on the ways that individuals and communities are advancing rights and respect for others outside of laws and government programs.

I intend to particularly focus on the long-neglected human right of property and how its preservation is central to a market economy and economic development, including for Aboriginal and Torres Strait Islander Australians.

Information gathered from the consultations will be collated into a report that outlines the opportunities for work throughout my term to promote and advance human rights and their contribution to social and economic development. The results from the free speech symposium and the national consultations will also support and inform the Australian Law Reform Commission's inquiry into traditional rights, freedoms and privileges.

Parallel to the human rights consultations, I will be consulting with lesbian, gay, bisexual, trans, gender diverse and intersex (LGBTI) Australians and community groups. Unlike other minority groups, the Commission does not have a dedicated Commissioner to the myriad of issues facing the LGBTI community. Many of the challenges are outside of the law and require the development of programs to foster tolerance and address gaps and issues specific to LGBTI Australians. These consultations will inform a report that will provide a national stocktake of the legislative and non-legislative challenges faced by LGBTI Australians; identify gaps in information, appropriate services and service provision; and set out opportunities for reform.

Importantly, a key theme of my work over the next year will be to re-establish discussions about the role of liberal human rights as the foundation of our liberal democracy. The 800th anniversary of Magna Carta in June 2015 will provide an exciting opportunity to engage the public in these conversations.

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

Tim Wilson
Human Rights Commissioner



LEFT TO RIGHT

Dr Tim Soutphommasane

Race Discrimination Commissioner

Elizabeth Broderick

Sex Discrimination Commissioner

Professor Gillian Triggs

President

Senator the Hon George Brandis QC

Attorney-General

Susan Ryan

Age Discrimination Commissioner

Mick Gooda

Aboriginal and Torres Strait Islander Social Justice Commissioner

Megan Mitchell

Children's Commissioner

Graeme Innes AM

Disability Discrimination Commissioner

Tim Wilson

Human Rights Commissioner (appointed July 2013)



Padma Raman

Executive Director

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Photo courtesy of Penny Ryan

Building understanding and respect for human rights and fundamental freedoms

We all have a responsibility to respect the rights and freedoms of others.

To make this a reality, the Commission works to build greater understanding of human rights and their importance in daily life.

This is one of our two key priorities for 2011-2014.

We work with a broad range of groups across the country, providing community education and training initiatives that aim to show how human rights apply in everyday settings and relationships.

Working with business

Over the past year, the Commission conducted numerous education sessions about the law and the complaint process for potential complainant groups, businesses and government. This included holding workshops in every state and territory to provide information on changes to the Sex Discrimination Act, which protect people against discrimination on the basis of their sexual orientation, gender identity and intersex status.

In 2013-14, our National Information Service and Investigation and Conciliation Service implemented strategies to enhance service delivery for small business. This included providing a dedicated online contact point to enable small business to obtain information about the law and the complaint process, as well as a streamlined option to assist small business to respond to complaints made to the Commission.

In May 2014, the Commission joined with the Australian Chamber of Commerce and Industry (ACCI) and the Australian Council of Trade Unions (ACTU) to launch a major campaign – *Know Where the Line Is* – to counter sexual harassment in workplaces across the country. We also published *Ending workplace sexual harassment: A resource for small, medium and large employers*, which includes practical guidance to assist employers to meet their legal responsibilities, and *Recognising and responding to sexual harassment in the workplace: Information for employees*.



Ged Kearney (ACTU), Kate Carnell (ACCI) and Sex Discrimination Commissioner Elizabeth Broderick at the launch of *Know Where the Line Is*

As part of the National Anti-Racism Strategy and Partnership, the Commission worked with the Diversity Council of Australia to develop a Cultural Diversity Health Check for workplaces. The resource, to be launched in September 2014, will support employers to identify and address potential barriers to diversity within their organisations.

During the year, the Commission began collecting examples of good practice in relation to the recruitment of older workers. Our work in this area – which implements recommendations from the 2013 report of the Australian Law Reform Commission, *Access All Ages: Older Workers and Commonwealth Laws* – will continue in the coming 12 months, with a toolkit of resources to be developed for employers and recruitment agencies.

Working with the vocational training sector

In December 2013, more than 100 people working in aged care, disability, mental health, multicultural and refugee services graduated from a new training course that provides guidance on applying human rights standards and principles to their work.

The Commission developed and trialed the Human Rights Framework in Community Service Practice skill set in partnership with TAFE, through the School of Social and Community Services, Granville College.

An overwhelming majority (87%) of participants said the course had increased their awareness of human rights in the community services sector in practical and tangible ways. Our evaluation also found that the course supports workers to build skills in emerging areas of practice, such as person-centred care; broadens their existing professional skills; and helps them meet operational and compliance requirements.

Based on these outcomes, the Commission has entered into discussions with the Community Services and Health Industry Skills Council about including the human rights skill set in its national training package. Endorsement by the Council would make this skill set accessible to over 320,000 people studying for community sector qualifications.

During the reporting period, the Diploma of National Aboriginal and Torres Strait Islander Legal Advocacy was reaccredited by the Australian Skills Quality Authority for another three years. The Diploma is one of a number of vocational courses developed by the Commission to implement the recommendations of the Royal Commission into Aboriginal Deaths in Custody.

Complaint of disability discrimination in public transport

The complainant, who has a vision impairment, relies on audible announcements to know whether he is on the correct tram and when he has arrived at his destination. He claimed that the respondent public transport provider did not provide reliable audible announcements on its trams. He also claimed that on one occasion a driver verbally abused him when he asked for the stops to be announced.

On being advised of the complaint, the public transport provider and the associated government department indicated a willingness to participate in conciliation.

The complaint was resolved with an agreement that the government department would provide funding to equip trams with the technology to deliver audible 'next stop' announcements. The public transport provider also undertook to trial 'next stop' audible announcement technology for a three-month period and, pending the outcome of the trial, to roll out audible announcements across the entire tram network.

Working with the education sector

In the past year, we continued our efforts to include human rights education in schools across Australia. Applying discussion of rights and responsibilities to practical situations helps young people become informed, active and engaged citizens.

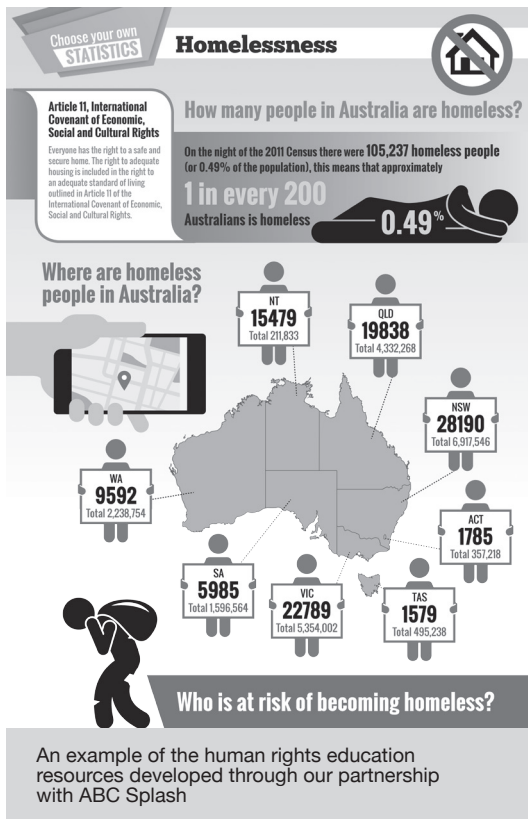
The Commission has developed a strong working relationship with the Australian Curriculum and Reporting Authority (ACARA), providing advice on integrating information about human rights and fundamental freedoms into the new national curriculum.

In 2013-14, we made submissions to ACARA on the Aboriginal and Torres Strait Islander languages framework and the draft curricula for Civics and Citizenship, Business and Economics, and Health and Physical Education.

Case study: Human rights in the maths classroom

During the year, the Commission received funding from ABC Splash – an education initiative of the national broadcaster – to develop a range of infographics and statistic-based teaching resources on topics as diverse as life expectancy, homelessness, respectful relationships and young people in the workforce.

To be launched later in 2014, the joint project – *Choose your own statistics* – will bring discussion of ten contemporary human rights issues into the maths classroom and build understanding of how data is used to inform evidence-based decision making across government.



In February 2014, the Commission launched *Human rights examples for the Australian Curriculum*. The publication provides practical suggestions for teachers to include human rights content in English, History, Geography, Science and Maths for students up to Year 10. As the remaining curricula are finalised, we will undertake further work to identify opportunities for human rights education across these learning areas.

We will also shortly release a suite of curriculum-linked *RightsEd* resources that will engage students in discussing questions around disability, sexual harassment, racism and cultural diversity.

Working with the public sector

During the year, the Commission finalised an agreement with the Australian Public Service Commission to run training programs for the Australian public service. The first course, run in February 2014, focused on applying human rights to law and policy, with 85% of participants reporting a greater understanding of the topic. Future training will cover dispute resolution skills and delivering inclusive services.

We developed the training program based on feedback from an online survey with members of the Australian Public Service Human Rights Network, which was established by the Commission in 2011. Respondents told us that training should focus on improving service delivery, developing laws and policies and administrative decision-making.

The Human Rights Network is a forum for members, which currently numbers more than 650, to discuss emerging issues and share information on how human rights relate to their work in the public sector. The Commission hosted two events for Network members during the year, with presentations on the challenges facing older workers and the recent amendments to the Sex Discrimination Act.

Through the UNDRIP Articles I will be more forthright in my outlook on life; becoming aware of self-determination strengthens my resolve to improve the life of Gunggandji People in Yarrabah.

Participant in the Declaration Dialogue Series, Cairns

Working with Aboriginal and Torres Strait Islander communities

Between August 2013 and June 2014, the Commission and the National Congress of Australia's First Peoples hosted 14 'Declaration dialogues' around the country, involving more than 260 people.

These meetings were an opportunity to talk with a broad range of Aboriginal and Torres Strait Islander communities about their rights under the *United Nations Declaration on the Rights of Indigenous Peoples* and how the Declaration can be a catalyst for positive action to strengthen communities and help them realise their aspirations.

The discussions focused on issues related to self-determination; the right of Aboriginal and Torres Strait Islander people to participate in decisions that affect them; maintaining and strengthening Aboriginal and Torres Strait Islander cultures; and the importance of ensuring equality and non-discrimination in laws and policies, as well as in people's everyday lives.

A suite of community education materials was developed by the Commission and National Congress to build community understanding of the Declaration and its provisions.

The Declaration Dialogue Series has also sought to facilitate constructive discussions with other stakeholders – including government, business and industry – in order to build a common understanding of the Declaration.



Participants and presenters at the Declaration Dialogue held in Darwin, 11 November 2013

The ideas gathered from all groups will shape the development of a National Implementation Strategy on the Declaration, which will be adopted at a National Summit to be held in the coming 12 months.

In parallel with the Declaration Dialogue Series, the Commission and National Congress jointly coordinated community forums on formally recognising Aboriginal and Torres Strait Islander peoples in the Australian Constitution.

The Commission also continued to host the Indigenous Human Rights Network Australia, an online information hub for people with an interest in the rights of Aboriginal and Torres Strait Islander peoples.

Case study: Your rights at retirement

In July 2013, Age Discrimination Commissioner Susan Ryan launched *Your Rights at Retirement*, a one-stop-shop reference guide to help people navigate the complex decisions, services and supports involved in planning and managing their retirement.

The publication includes an overview of the resources and entitlements available to older people, as well as contact details for a range of key service providers.

There has been strong public demand for the publication, with an additional 10,000 copies being printed with funding from Cbus Super and the Commonwealth Department of Human Services.

Funding was also provided by the then Department of Immigration and Citizenship to translate the publication into Italian, Greek and Chinese.



Age Discrimination Commissioner Susan Ryan at the launch of *Your Rights at Retirement*

Contributing to better laws and policies

The Commission has an important role to review laws and policies that raise human rights issues. We provide advice and recommendations to ensure that Australian laws and policies operate fairly and meet our national and international human rights obligations.

During 2013-2014, we presented 26 submissions to parliamentary committees and other inquiry or review bodies, including inquiries examining immigration detention-related matters, the harmful use of alcohol in Aboriginal and Torres Strait Islander communities, promoting online safety for children and supporting grandparents who are primary carers for their grandchildren.

We also made submissions in response to four Issues Papers released by the Royal Commission into Institutional Responses to Child Sexual Abuse.

Informing and engaging with the Australian community

An important goal of the Commission is to engage the Australian community in a discussion on human rights issues that are relevant to them and their daily lives.

Many of our projects and activities over the past year achieved a substantial impact with the groups that we wanted to reach. We also continued to build our presence on social media and communicate with new audiences, especially younger people.



Commission President Gillian Triggs addressing the National Press Club in April 2014.

Website and social media

During 2013-14, the Commission's website received 7 747 609 pageviews. This is an increase of 23% from the previous year and highlights a growing reach into the community. A summary of website statistics, including details on visits to our project-based microsites, is provided at Appendix 4.

To encourage an online dialogue about key human rights issues, including freedom of expression, we added a comments section on key pages across our website.

Social media is now a core element of all our communication, helping us reach a broader audience and allowing us to engage in conversations on human rights-related issues. The Commission's Twitter accounts had a combined following of 26 074 at 30 June 2014. Our combined Facebook pages had 27 259 likes, up 46% from 14 815 likes a year ago.

Our YouTube channel, which features interviews and highlights of key events and projects, attracted 83 291 views during 2013-14. We also began utilising YouTube's free live-streaming service to make our major events accessible to a national audience.

We had 13 059 unique subscribers to our electronic mailing list at 30 June 2014. We distribute an electronic newsletter each fortnight and provide information about key events, issues and projects to our subscribers.



Tarik Abdulhak, a lead prosecution counsel in the trials before the Extraordinary Chambers in the Courts of Cambodia, presenting a *RightsTalk* in April 2014

The media

During 2013-14, the President and Commissioners received 1756 requests for interviews from print, radio, television and online journalists, an increase of 50% on the 1160 requests received in 2012-13.

Our media releases are cross-promoted on Facebook and Twitter. We also feature the Commission's news stories on the homepage of our website to promote current projects, events, publications and other matters of significance.

Publications

Each year the Commission prepares a broad range of materials, from plain-language brochures and community guides to major reports and submissions. These resources are all available in accessible formats on our website and most are published in hard copy format. We also produce DVDs and CDs to reach different groups in the community.

During 2013-14, we distributed 17 891 publications and resources from our warehouse, in response to 222 requests. Additional publications and resources were distributed by Commissioners and staff at community consultations and public events.

Presentations and education

Over the past 12 months, the President and Commissioners addressed a broad range of conferences, seminars and public events. A selection of these speeches is available at: <http://www.humanrights.gov.au/news/speeches>.

Our staff delivered information sessions about current projects, federal human rights and discrimination law and the Commission's complaint process to audiences in all states and territories. These audiences included legal advocacy groups, professional associations, business, government, unions, multicultural organisations and universities.

RightsTalk

We continued to host our *RightsTalk* series in 2013-14, providing a regular forum for the public to engage in discussion on topical human rights issues. Guest speakers during the year included David Malouf (longevity and creativity), Geoff Gallop (mental illness and stigma) and Justice Michael Kirby (human rights in North Korea). The latter seminar attracted so much interest that it had to be moved to a lecture theatre at the University of Sydney to accommodate the more than 500-strong audience.

Other *RightsTalk* presentations featured young women talking about their challenges and inspirations on International Women's Day, a discussion on whether access to the Internet is a fundamental human right and strategies to balance the scales of justice for people with disabilities.



Human Rights Award winner Sister Clare Condon speaking at the Human Rights Awards 2013

WINNER

Human Rights Medal 2013

Sister Clare Condon

Congregational Leader
Sisters of the Good Samaritan
of the Order of St Benedict



Ian Thorpe presenting the 2013 Human Rights Medal to Sister Clare Condon

Recognising Australia's human rights champions

Held on 10 December, Human Rights Day, the Commission's annual Human Rights Awards acknowledge the outstanding contribution made by individuals and groups across the country to build understanding and respect for human rights. A record number of nominations were received for this year's Awards.

The 2013 Human Rights Medal was presented to Sister Clare Condon for her longstanding commitment to human rights, especially her work to provide emergency housing for women and children experiencing domestic violence.

The Young People's Human Rights Medal was awarded to Mariah Kennedy, a Young Ambassador for UNICEF and author of the children's book, *Reaching Out, Messages of Hope*.

Awards were also presented in eight other categories, including law, business, media, community and literature. A full list of Award recipients, commendations and sponsors is available at: <https://hrawards.humanrights.gov.au/winners>.

Tackling violence, harassment and bullying

Everyone has a right to feel safe from all forms of violence, in all parts of their lives.

Each year, however, too many Australians encounter violence, harassment and bullying because of their gender, race, ethnicity, religion, disability, sexual orientation or age.

The Commission understands that discrimination can often be a key factor behind violence in all its forms and that addressing the root causes is essential in building a safer and more inclusive Australia.

Tackling these forms of violence is the second of the Commission's two priority areas of work.

Addressing bullying and harassment through discrimination laws

The Commission's National Information Service provides support, information and referral for people across Australia in response to a range of human rights and discrimination concerns, including harassment and bullying.

Last year, we assisted 19 688 individuals and organisations by providing information about the law and the complaint process, assisting with problem solving and providing referrals to other services.

We also have a role to investigate and resolve complaints alleging unlawful discrimination under federal human rights laws, including those involving sexual harassment, racial hatred, disability harassment and other instances of less favourable treatment, which may be defined as bullying and harassment.

The Commission participates in a cross-government, inter-agency working group on cybersafety, represented by the National Children's Commissioner. This complements our work in responding to individual complaints and our community education initiatives around cyberbullying.

Complaint of racial discrimination in employment

The complainant, who is Aboriginal, was employed with the respondent food production company. The complainant claimed that three of his colleagues referred to him as a 'coon', 'black c**t' and 'nigger' and told offensive jokes about Aboriginal people in the workplace.

On being advised of the complaint, the company indicated a willingness to participate in conciliation.

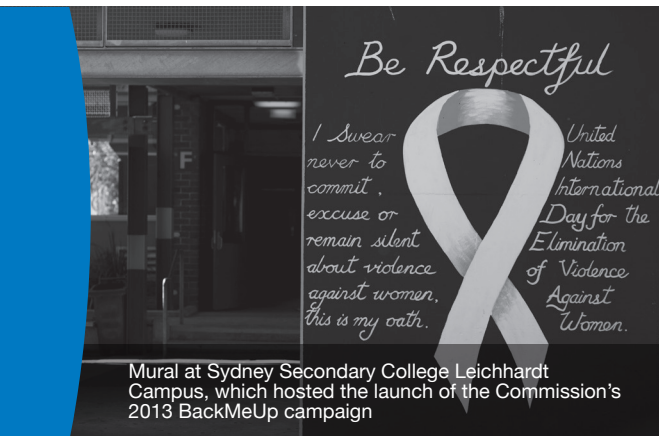
The parties did not wish to continue the employment relationship and the complaint was resolved with an agreement that the company pay the complainant \$20,000 compensation for future loss of income.

Promoting freedom from violence for women and children

Violence against women and children in the home continues to be a significant issue in Australia. An estimated 1.2 million women over the age of 15 have experienced domestic or family violence, usually at the hands of a male partner, with very serious consequences across all parts of their lives.

The Commission continued to promote family and domestic violence as a workplace issue throughout the year. As part of the International Day for the Elimination of Violence against Women, the Commission and the World Bank held a joint event, Gender at Work: A Global Perspective, which focused on women's participation in employment, leadership and economic development.

Sex Discrimination Commissioner Elizabeth Broderick also took part in the subsequent '16 Days' campaign (25 November-10 December 2013) to highlight the importance of strong leadership within workplaces and other settings to support those affected by domestic or family violence.



Mural at Sydney Secondary College Leichhardt Campus, which hosted the launch of the Commission's 2013 BackMeUp campaign

During the year, the Commission convened a number of activities to draw attention to the experiences of different groups of women who are vulnerable to violence.

On 25 October 2013, we hosted the National Symposium of the Stop the Violence Project to discuss the need for targeted measures to address violence against women and girls with disabilities. A communiqué was released following the proceedings and we published a *Podrights* interview with Karin Swift, President of Women With Disabilities Australia, to highlight the key issues raised during the National Symposium.

As part of her participation in the 58th Session of the United Nations Commission on the Status of Women, which she attended in March 2014 as a member of the Australian Government delegation, Commissioner Broderick addressed the issue of violence against women with disabilities in a speech to a forum hosted by the Australian Women Against Violence Alliance.

In May 2014, the Commission organised a *RightsTalk* event on African-Australian women's leadership and human rights issues, which featured community representatives speaking about domestic violence and female genital mutilation.

During the year, the Commission met with the Attorney-General's Department to discuss the draft National Action Plan on Human Trafficking and Slavery. We also hosted the Human Trafficking and Slavery Senior Officials' Meeting in November 2013 and contributed to the work of the Human Trafficking and Slavery Communication and Awareness Working Group.

In February 2014, we took part in a consultation to provide input into the development of the second Action Plan under the National Plan to Reduce Violence against Women and their Children.

Other activities undertaken by the Commission during 2013-14 include:

- participating in the national consultations of the Foundation to Prevent Violence Against Women and their Children, a new non-governmental organisation that will build awareness and engage the Australian community in action to prevent violence against women and their children
- contributing to the 'One Billion Rising' global campaign in February 2014
- providing advice and feedback to the White Ribbon Workplace Reference Group
- presenting a webinar in May 2014 for 1800Respect workers on the right of women to be free from violence.



Female leaders from African Australian communities at the Commission's *RightsTalk* event in May 2014

Identifying and preventing sexual harassment

Sexual harassment continues to be a persistent and pervasive problem in Australian workplaces, with Commission surveys finding almost one in four women experience harassment at work.

Our research indicates that most people who experience sexual harassment do not report it. Further, many people do not even recognise that their experience of unwelcome sexual behaviour at work is against the law.

In partnership with the Australian Council of Trade Unions and the Australian Chamber of Commerce and Industry, we launched a campaign in May 2014 to build greater awareness of sexual harassment in workplaces across the country.

The *Know Where the Line Is* campaign includes videos, posters and fact sheets to help employees identify the difference between acceptable questions, comments or behaviour and workplace sexual harassment. It also provides strategies for bystanders to take action and support others who might be the target of sexual harassment.

Campaign information and resources are available at: <https://knowtheline.humanrights.gov.au/>.

In addition, we developed a toolkit to help employers prevent and respond to sexual harassment. *Ending workplace sexual harassment: A resource for small, medium and large employers* was also published in May 2014.



An example of the campaign resources developed to counter sexual harassment in Australian workplaces

Complaint of sexual harassment in employment

The complainant, aged 18, was employed in a customer service role with the respondent fast food outlet. She alleged that her manager sexually harassed her by asking her to sit on his lap in the workplace, slapping her bottom and asking for a nude photo of her. The complainant said that when she was unable to attend work because of illness, her manager would make comments of a sexual nature about the reasons for her absence. She said she felt she had no option but to resign.

On being advised of the complaint, the respondents indicated a willingness to participate in conciliation.

The complaint was resolved with an agreement that the company would pay the complainant \$10,000, provide her with a Statement of Service and deliver annual staff training on sexual harassment and discrimination. The manager also agreed to attend specialist external training on sexual harassment and discrimination.

Addressing unacceptable sexual behaviour in the Australian Defence Force

In 2011, the Sex Discrimination Commissioner, at the request of the Australian Government, undertook a Review into the treatment of women in the Australian Defence Force Academy (ADFA) and in the Australian Defence Force (ADF).

The Review identified issues of gender-based harassment and violence and, in its two reports, recommended a more robust approach to responding to unacceptable sexual behaviour and attitudes.

Commissioner Broderick released two audit reports during the year to assess the extent to which her recommendations to ADFA and the ADF had been implemented.

Both audits found strong evidence that action had been taken to improve institutional culture and build a more inclusive environment for all members. However, further areas for improvement were identified.

Within ADFA, significant progress had been made to establish the Residential Support Officers program to provide information and better supervision for residential cadets. A comprehensive annual Unacceptable Behaviour Survey had also been developed, which will enable comparisons to be drawn with other recruit and training establishments across the ADF on issues such as sexual harassment, sexual misconduct and bullying.



In addition, the ADFA audit report found that the number of complaints made in 2012 and 2013 had increased, which may suggest a safer environment in which to make a report.

In the second audit report, the Commissioner welcomed the steps taken by the ADF to improve its response to sexual misconduct, which included establishing the Sexual Misconduct and Prevention Office and implementing 'restricted' or confidential reporting. Both were key recommendations of her review.

However, the Commissioner urged the ADF to maintain its commitment to ensuring the safety of women, including by delivering a robust sexual ethics program across the organisation as soon as possible.



Ambassadors Ruby Rose and Todd Nester at the launch of the 2013 BackMeUp campaign

Empowering young people to tackle cyberbullying

With one in ten students in Australia reporting that they have been cyberbullied, the Commission launched a second round of its successful BackMeUp campaign to promote awareness of the positive ways in which bystanders can support people being cyberbullied.

Launched in August 2013 by Ruby Rose, the BackMeUp campaign invited young people aged between 13 and 17 years to create a two-minute video that showed how they would respond – and encourage others to respond – when they witness cyberbullying.

More than 60 entries were submitted to the competition, including examples of animation and claymation, with the five winning entries announced by the National Children’s Commissioner in November 2013.

The Commission conducted a survey of BackMeUp participants to understand whether they felt more confident and better able to intervene in instances of cyberbullying. Young people told us that after participating in the BackMeUp campaign:

- they would be able to tell if someone was being cyberbullied (over 70%)
- they were more aware of how to help someone being cyberbullied (over 90%).

Almost all participants said that they knew where to get help if they became aware that someone was being cyberbullied and almost 70% said this was a result of being involved in the BackMeUp campaign.

Since being posted on the Commission’s social media channels – Something in Common and YouTube – BackMeUp videos and resources were viewed on more than 100 000 occasions.



National Children’s Commissioner Megan Mitchell at the launch of the 2013 BackMeUp campaign



Australian sports administrators endorsed the Anti-Homophobia and Inclusion Framework in April 2014
Photo courtesy of the Bingham Cup Sydney 2014

Tackling homophobia in schools and sport

Around 80% of bullying involving same-sex attracted young people occurs at school, with profound consequences for their education and well-being. Importantly, schools with protective policies in place can make a positive difference for this group of students, with reduced instances of bullying and abuse being reported.

During the year, the Commission finalised an animated video resource to support schools to identify and address homophobic bullying. The resource will be distributed later in 2014, in partnership with the Australian Youth Foundation, as part of the National Safe Schools Framework.

On 9 April 2014, Australia's major sporting codes pledged their support to tackle homophobia in sport.

The heads of the Australian Football League, Australian Rugby Union, National Rugby League, Football Federation of Australia and Cricket Australia signed the Anti-Homophobia and Inclusion Framework, which commits their sports to ensuring a welcoming and safe environment for players, coaches and fans, regardless of sexual orientation.

The Commission helped the Bingham Cup Sydney 2014 to develop the Framework, in partnership with the Australian Sports Commission, the Gay and Lesbian Rights Lobby and the Human Rights Law Centre.



Commission staff took part in Wear it Purple Day, 30 August 2013, which encourages all people to take pride in who they are, regardless of sexual orientation or gender identity

Setting and advancing national agendas



Human Rights Commissioner Tim Wilson

One of the Commission's tasks is to draw national attention to areas in which human rights and fundamental freedoms are not properly recognised or respected.

We undertake research, provide advice, review laws, engage in public inquiry processes and work with groups from across the community to contribute to practical change.

Building understanding of fundamental freedoms

In February 2014, Tim Wilson took up the position of Human Rights Commissioner. His priority is to promote and advance fundamental human rights and freedoms, including freedom of opinion, expression, association, worship and movement.

As part of this focus, Commissioner Wilson will initiate a national dialogue about human rights in contemporary Australia to broaden discussion around freedom of speech issues. The consultation will also assess the adequacy of current rights to freedom of opinion and expression in Australia, consistent with article 19 of the *International Covenant on Civil and Political Rights*.

A high-level symposium on protecting freedom of speech will be held in Sydney in August 2014, followed by community consultations across Australia.

In September 2013, the Commission released a background paper on human rights in cyberspace, addressing issues of freedom of opinion and expression. These were complemented by a series of *RightsTalk* presentations in 2013 that explored questions around access to the Internet and addressing online hate, discrimination and bullying.

rights &
responsibilities 2014



Sex Discrimination Commissioner Elizabeth Broderick with the Male Champions of Change

Promoting women's leadership

In 2010, Sex Discrimination Commissioner Elizabeth Broderick established the Male Champions of Change, a group that now comprises 22 chief executive officers, department heads and non-executive directors from across business, industry and government. This collaboration seeks to identify and promote strategies to bolster the number of women in leadership positions in Australia.

In November 2013, the Male Champions of Change released *Accelerating the advancement of women in leadership: Listening, Learning, Leading*, a report based on 18 months of research and consultation they had undertaken.

Billed as a 'letter to business leaders', the report focused on four key themes for attracting and advancing more women and creating a gender-balanced organisation: stepping up as leaders; creating accountability; disrupting the status quo; and dismantling barriers for carers.

It also featured 12 recommended 'high impact actions', which the Male Champions of Change identified through experience within their own organisations and from consultations across the business sector. Commissioner Broderick told the 400 guests who attended the report launch that these actions had the potential to achieve "significant and sustainable improvements" in the representation of women in leadership.

In March 2014, the Male Champions of Change partnered with Chief Executive Women to launch a new management model – the Leadership Shadow – which supports business leaders to better align their actions and priorities with their commitment to promoting gender equality.



Race Discrimination Commissioner Tim Soutphommasane at the Sports with No Barriers cricket tournament, hosted by Cricket Victoria in October 2013

National Anti-Racism Strategy and Partnership

The National Anti-Racism Strategy, launched by the Commission in August 2012, aims to achieve three key goals over the three years to 2015:

- More Australians will recognise that racism continues to be a serious issue in our community
- More Australians will get involved in practical action to tackle racism, wherever they see it
- Individuals will have the resources they need to address the racism they encounter, to access legal protections and, where necessary, to obtain redress.

A key element of the Strategy is a national public awareness campaign – *Racism. It Stops with Me* – which invites organisations to become campaign supporters and develop their own anti-racism activities.

Over 270 organisations were formal campaign supporters at 30 June 2014, up from 130 a year ago. They include leading companies, national sporting bodies, universities, local councils and community-based organisations. On 10 December 2013, Premier Jay Weatherill signed an agreement that saw South Australia become the first State Government to support the *Racism. It Stops with Me* campaign.

Information about the campaign is available at: <http://itstopswithme.humanrights.gov.au>. The site also provides information and resources on identifying and responding to racism, including people who are bystanders to incidents of racism.

In October 2013, Race Discrimination Commissioner Tim Soutphommasane released the *One Year On* report, which charted the progress of the National Anti-Racism Strategy and the *Racism. It Stops with Me* campaign.

The report drew on data collected from a survey of campaign supporters and an evaluation of our community engagement activities. It identified positive impact across a range of areas, including contributing to constructive media reporting of racism; increasing public understanding about the role of bystanders in responding to racism; and supporting young people to stand up to racism when it is safe to do so.

The National Anti-Racism Strategy is implemented by the Commission, in partnership with the Attorney-General's Department, the Department of Social Services, the Department of the Prime Minister and Cabinet, the Australian Multicultural Council, the Federation of Ethnic Communities' Council of Australia and the National Congress of Australia's First Peoples.



Case study: Australian of the Year leads anti-racism campaign

In June 2014, Australian of the Year Adam Goodes took centre stage in a community service announcement (CSA) filmed at the Sydney Cricket Ground for the *Racism. It Stops with Me* campaign.

“The message I’d like to give to all Australians is this: If you see something, say something,” Mr Goodes said. “Let’s all take a stand against racism.”

The 30 second CSA was aired nationally over a six-week period and published on the campaign website.



Photo courtesy of the Multicultural Development Association

Promoting the contribution of older Australians

In June 2013, the Commission released the research report, *Fact or Fiction? Stereotypes of Older Australians*. The report highlighted entrenched stereotypes about older people in the Australian community, as well as the underrepresentation of older people in media and advertising. These factors can contribute to negative attitudes among employers and influence how older people view themselves.

To address these stereotypes and recognise the diverse contribution of older Australians, the Commission launched the Age Positive website in November 2013. It will form the basis of a broader public information campaign – *The Power of Oldness* – to follow in the second half of 2014.

The Age Positive website promotes positive and active ageing. It features stories on the contribution that older people make to their workplaces and communities, as well as relevant research and publications from Australia and overseas. The website is available at: <https://agepositive.humanrights.gov.au/>.

During the year, Age Discrimination Commissioner Susan Ryan began a program of work to respond to key recommendations in the 2013 inquiry report of the Australian Law Reform Commission (ALRC), *Access All Ages: Older Workers and Commonwealth Laws*. This work focused on:

- collecting examples of guidelines and good practice to support employers and recruitment agencies in the recruitment of older workers
- clarifying the exemption in the Age Discrimination Act that allows insurers to discriminate on the basis of age in offering an insurance policy or in the terms and conditions offered.

Commissioner Ryan, who served as a part-time Commissioner on the ALRC inquiry, also strongly advocated to government and business on the importance of addressing the barriers to employment experienced by older workers, especially given the Australian Government’s intention to increase the pension eligibility age from 65 to 70 years by 2035.



The Prime Minister with the Close the Gap Campaign Co-Chairs, Kirstie Parker and Mick Gooda, at the launch of the *Progress and Priorities Report 2014*

Close the Gap Campaign

The Close the Gap Campaign is Australia's largest public movement for health equality. Established in 2006, the Campaign seeks to achieve equal health outcomes and life expectancy between Aboriginal and Torres Strait Islander peoples and the broader Australian public by 2030. Nearly 200 000 Australians have signed a pledge to support the Campaign's goal.

The Close the Gap Campaign emerged as a response to research on health inequality in the Aboriginal and Torres Strait Islander Social Justice Commissioner's *Social Justice Report 2005*. The Commission currently hosts the Secretariat of the Close the Gap Campaign Steering Committee (CTGSC).

The National Health Leadership Forum (NHLF) comprises Aboriginal and Torres Strait Islander health-related bodies who are members of the CTGSC. The NHLF was established to liaise with government in the development of health policy, including a national plan of action. The Commission also hosts the NHLF Secretariat.

A major achievement during the year was the announcement by the Australian Government in June 2014 that it would develop a strategy to implement the National Aboriginal and Torres Strait Islander Health Plan 2013-2023 by the end of the year.

The Health Plan articulates key priorities to close the life expectancy gap by 2030 and identifies the need for accessible health care systems that are effective, affordable, high quality and culturally safe. It also recognises the central importance of culture to health and well-being.

Other achievements and milestones for the year included:

- more than 150,000 people across Australia participating in a record 1300 events to mark National Close the Gap Day (20 March 2014)
- launching the *Progress and Priorities Report 2014* at an event in Parliament House on 12 February 2014, to coincide with the release of the Prime Minister's *Closing the Gap Report*
- partnering with the National Rugby League for the 'Close the Gap' round in August 2013 to raise public awareness of the campaign for health equality
- convening four meetings of the CTGSC and six meetings of the NHLF

Following the announcement of the 2014 Budget, the Close the Gap Campaign Co-Chair and Aboriginal and Torres Strait Islander Social Justice Commissioner, Mick Gooda, raised concerns about some of the proposed measures – such as introducing a co-payment for general practitioner visits – that would impact negatively on access to health care for Aboriginal and Torres Strait Islander people.

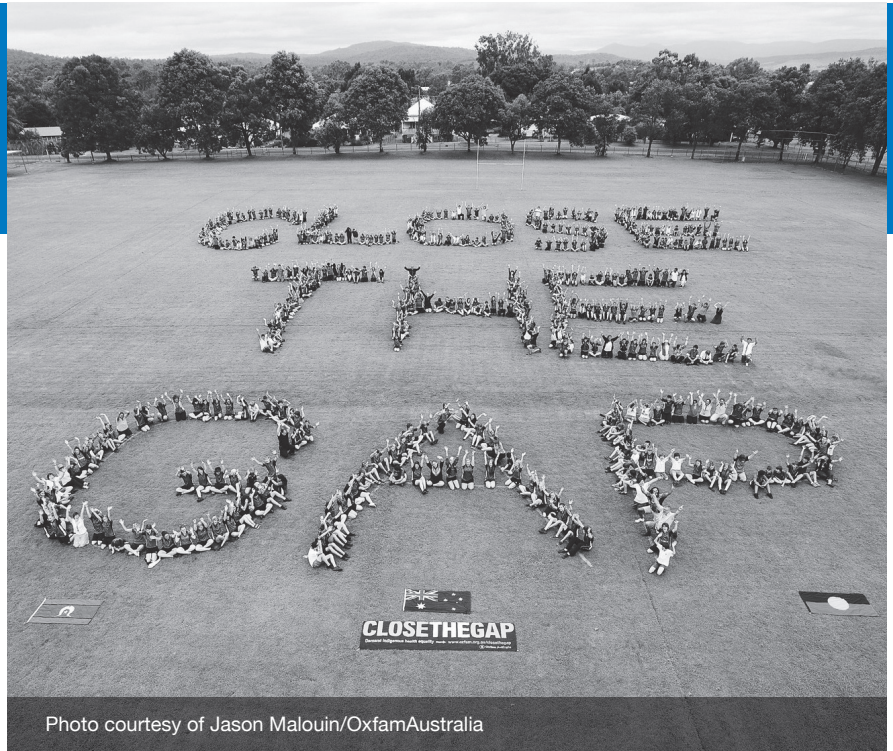


Photo courtesy of Jason Malouin/OxfamAustralia

Case study: Measuring progress to health equality

In May 2014, the COAG Reform Council released a report that measured outcomes of the closing the gap reform agenda since 2008. It found that childhood mortality rates for Aboriginal and Torres Strait Islander people had fallen and that the literacy gap had narrowed. However, unemployment had continued to rise.

The Close the Gap Campaign said the report demonstrated genuine progress towards reducing the life expectancy gap between Aboriginal and Torres Strait Islander people and other Australians. However, the pace of change needed to accelerate in order to achieve the 2030 target of equal life expectancy for all Australians.

Social Justice Commissioner Mick Gooda said it was “heartening” that rates of Aboriginal and Torres Strait Islander child mortality had decreased at over three times the rate experienced by other Australians.

He also noted that investing in the health of Aboriginal and Torres Strait Islander people had a multiplier effect, with improved health contributing to better outcomes in employment and for communities.



Supporting organisational change within the Australian Defence Force

In April 2011, the Commission was requested by the Australian Government to undertake a wide-ranging Review into the treatment of women in the Australian Defence Force Academy (ADFA) and in the Australian Defence Force (ADF).

The Report on the Review of the Treatment of Women in the Australian Defence Force Academy was launched in November 2011. It made 31 recommendations across a number of areas, with the ADF agreeing to implement 30 recommendations in full and one in-principle.

The Report on the Review into the Treatment of Women in the Australian Defence Force was released in August 2012. It made 21 recommendations addressing issues related to diversity of leadership; the participation, recruitment and retention of women; workplace flexibility; harassment, violence and abuse; and the responsibility of ADF leadership to deliver effective reform.

As part of the terms of reference for the Review, the Commission undertook an independent audit to monitor the implementation of recommendations made in both reports and to identify evidence of cultural change.

The audit of the implementation of recommendations by ADFA was released in July 2013. It found that ADFA's senior leadership had made a number of important reforms, including the establishment of the Residential Support Officers program to provide information and better supervision for residential cadets. In addition, ADFA's complaints and incidents registers had been improved, with regular reports provided to the organisation's leadership.

In March 2014, the Commission released its audit of the steps taken by the ADF to support women in the military and to improve gender diversity. It highlighted significant areas of progress, including the establishment of the Sexual Misconduct and Prevention Office and the implementation of a 'restricted' or confidential reporting system.

Progress had also been made in ADF recruitment practices and setting gender targets for recruitment; in developing tools to track progress towards gender equality; in reviewing the process by which the most senior military leaders are selected; and in boosting access to flexible work arrangements for men and women.

Both audits identified areas for ongoing work by ADFA and the ADF. The Commission has since entered into a four-year partnership with the ADF to support the organisation's commitment to cultural reform and to promote the status of women and other minority groups in the military.



Australian
Human Rights
Commission

National Children's Commissioner
examines intentional self-harm and
suicidal behaviour in children



Examining strategies to protect children from self-harm

In April 2014, the National Children's Commissioner Megan Mitchell launched a study into intentional self-harm and suicidal behaviour among children and young people under 18 years.

The issue was raised with Commissioner Mitchell during her Australia-wide listening tour, which ran from May to September 2013. It was also identified by young people who took part in the Commission's BackMeUp competitions on cyberbullying in 2012 and 2013.

In 2012, intentional self-harm was the leading cause of death among Australian children and young people aged 15 to 24 years.

Our study will explore why children engage in intentional-self harm and suicidal behaviour, as well as the barriers that can prevent them from seeking help. It will include a review of current research, targeted consultations and roundtables with experts and hearing directly from children and young people.

The findings will be included in Commissioner Mitchell's second report to Parliament on the human rights of children in Australia.

Resolving discrimination and addressing human rights breaches

Complaints received by Act

Disability Discrimination Act: 38%
Sex Discrimination Act: 21%
Racial Discrimination Act: 17%
Australian Human Rights Commission Act: 16%
Age Discrimination Act: 8%

Providing information and investigating complaints

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

On 1 August 2013, changes to the Sex Discrimination Act came into force that protect people against discrimination on the basis of sexual orientation, gender identity and intersex status.

In 2013-14, the Commission assisted 19 688 people and organisations who contacted our National Information Service by providing information about the law and the complaint process, assisting with problem solving and providing referrals to other services. This represents a 16% increase on the number we assisted in the previous year.

The Commission received 2223 complaints of alleged discrimination and breaches of human rights during 2013-14, which is slightly higher (2%) than the number received in the previous year. One complaint may raise a number of grounds and areas of discrimination and be against one or more respondents. If the Commission counted complaints by respondents, the number of complaints received in 2013-14 would increase to 3004.

If the Commission counted complaints received by grounds and areas of discrimination, the number of complaints received would increase to 4787 and 2579 respectively.

Additional information about complaints received, as well as a comprehensive set of statistics and demographic data for 2013-14, is available at Appendix 3.

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

Resolving complaints through conciliation

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

In 2013-14, the Commission facilitated approximately 1444 conciliation processes, of which 1017 complaints (70%) were successfully resolved. This represents successful dispute resolution for more than 2034 people and organisations involved in complaints before the Commission. The conciliation success rate in 2013-14 is the highest achieved in recent years.

Information on the outcomes of conciliated complaints indicates that 23% included terms that will have benefits for people beyond the individual complainant. They included, for example, agreements to introduce anti-discrimination policies and provide anti-discrimination training in workplaces, as well as agreements to undertake modifications to buildings and services to address potential discriminatory factors.

Our survey data also highlights the education benefits of the Commission's complaint process. For example, in relation to conciliated complaints, 71% of surveyed participants indicated that their involvement in the complaint process had assisted them to better understand their rights and responsibilities under federal human rights and anti-discrimination law.

Complaint of discrimination in employment on the grounds of family and carer responsibilities

The complainant was employed in a customer service role with a large government department. She worked part-time to accommodate the need to care for her children, as well as her mother and sister who have medical conditions. The complainant alleged that the department asked her to increase her hours of work without considering her family and caring responsibilities. She claimed her manager said she would be required to work full-time if she did not agree to the new hours.

On being advised of the complaint, the department indicated a willingness to participate in conciliation.

The complaint was resolved with an agreement that the complainant would work revised part-time hours that accommodated her family and caring responsibilities.

Our performance

People who use the Commission's Investigation and Conciliation Service report high rates of satisfaction with the service they receive. In 2013-14, 91% of surveyed parties reported that they were satisfied with the service and 69% rated the service as 'very good' or 'excellent'. Where complaints were conciliated, 97% of parties reported that they were satisfied with the service and 77% rated the service they received as 'very good' or 'excellent'.

Key Performance Indicators for our Investigation and Conciliation Service, as well as our performance against them during 2013-14, are summarised on pages 68-69.

I was deeply impressed by the quality of service, fairness and integrity of the Commission staff. It was a difficult matter ... but the Commission staff member was patient, reasonable and communicative.

Feedback from a respondent to a complaint

I was treated with respect, dignity and empowered by the process.

Feedback from a complainant

Reporting on human rights breaches

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

If conciliation is unsuccessful or inappropriate and the Commission finds that a breach of human rights or workplace discrimination has occurred, the Commission then reports to the Attorney-General in relation to the complaint. The report, which includes recommendations for action, must be tabled in Parliament.

In 2013-14, the Commission reported on six complaints, four of which included findings of human rights breaches against the Commonwealth (the Department of Immigration and Citizenship and the Department of Immigration and Border Protection, as it has been redesignated). The human rights breaches found against the Commonwealth principally related to the human rights of individuals detained in immigration detention centres, including the right to liberty and to be free from arbitrary detention.

Working with the courts

The Commissioners can, with a Court's leave, appear as *amicus curiae* – or 'friend of the court' – to provide specialist assistance in discrimination cases.

The Commission can also, with a Court's leave, intervene in cases which raise human rights issues. We have clear guidelines that we follow before we make a decision to intervene.

In 2013-14, the Commission was granted leave by the High Court to intervene in two matters.

The Family Court handed down its judgement in one other matter in which the Commission had been granted leave to intervene.

Case study: *Re Jamie* [2013] FamCAFC 110

In July 2013, the Full Court of the Family Court delivered its judgment in the case of *Re Jamie*, dealing with court authorisation of special medical procedures for children who have been diagnosed with gender identity disorder.

The Court had invited the Commission to intervene in the proceedings and the Commission had appeared to make submissions which focused on rights in the *Convention on the Rights of the Child*. In particular, the Commission's submissions emphasised that it is important for children to have input into decisions that affect them, including decisions about medical treatment. If children were competent to make an informed decision about the kind of medical treatment described in the case, then they should be permitted to do so.

The Commission's submissions were extensively referred to in the judgment and the Court recognised the importance of human rights principles in resolving the issues between the parties.

Protections against discrimination on the basis of sexual orientation, gender identity and intersex status

On 1 August 2013, amendments to the Sex Discrimination Act came into force that:

- provide protection against discrimination on the basis of sexual orientation, gender identity and intersex status
- extend the ground of 'marital status' to 'marital or relationship status' to include same-sex couples
- qualify the exemptions for religious organisations to the effect that it does not apply to conduct connected with the provision of Commonwealth-funded aged care services.

The Commission prepared a range of fact sheets for business, employers and individuals about the new provisions. We also presented information workshops during the year in all states and territories.

Building human rights into law and practice

Our goal is to help build a fairer and more inclusive Australia.

To make this happen, we work cooperatively with the Parliament, government, business and at the community level to ensure that human rights and fundamental freedoms are considered when laws, policies and practices are developed or amended.

Contributing to the review of legislation

In April 2014, the Commission made a submission to the Attorney-General's Department on proposed amendments to section 18C of the Racial Discrimination Act (the so-called 'race hate provisions').

Our submission was informed by feedback provided to us by members of the community, including through stakeholder roundtables that we hosted, prior to the release of the exposure draft.

The Commission's submission reflected on three areas of particular expertise relating to the draft Bill:

- how the draft Bill relates to Australia's international human rights obligations
- how the draft Bill would alter the existing level of protection of both freedom of expression and freedom from racial hatred
- the social harm that can result from racial vilification.

The Commission's submission identified a number of areas of concern with the exposure draft, including the narrow definition of vilification and the breadth of exemptions provided. Of particular significance was the removal of the requirement that acts be done reasonably and in good faith.

The Commission recommended that the exposure Bill as drafted should not proceed. Our submission set out general considerations that any future draft Bill would need to appropriately address and expressed our willingness to engage on any future proposal.

The Human Rights Commissioner, while supporting the submission, also provided additional comments on how these provisions should appropriately be balanced with freedom of expression.

Scrutiny of new laws

The Commission has developed an effective working relationship with the Parliamentary Joint Committee on Human Rights. We consider whether any new legislative proposals raise concerns about human rights, or place restrictions on rights and liberties, and then discuss any concerns with the Joint Committee to ensure adequate parliamentary scrutiny.

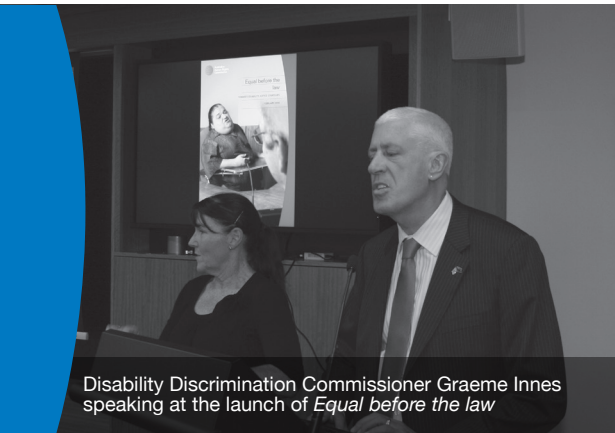
Strengthening access to justice for people with disabilities

In February 2014, the Commission released the report of its consultations regarding the treatment of people with disabilities in the criminal justice system. Our research drew on extensive feedback and information provided by victims of crime, perpetrators, witnesses, disability advocates, policy makers and criminal justice workers.

Equal before the law: towards disability justice strategies identified systemic failures involving people with disabilities who need communication support or who have complex and multiple support needs and who have come in contact with the criminal justice system.

Negative assumptions and attitudes, coupled with a lack of support services, often means that people with disabilities are viewed as being not credible, not capable of giving evidence or unable to participate in legal proceedings. As a result, many people with disabilities are left without effective access to justice.

At the report launch, Disability Discrimination Commissioner Graeme Innes drew attention to the fact that at least 20 people with disabilities were detained in Australian gaols because they had been found unfit to plead.



Disability Discrimination Commissioner Graeme Innes speaking at the launch of *Equal before the law*

He called on all states and territories, as well as the Commonwealth, to introduce a comprehensive disability justice strategy that would improve the lives of people with disabilities and save the community money through diversion and support.

Following the release of the report, a number of state and territory governments have begun to consider how they might develop and implement disability justice strategies in their jurisdictions. The findings from the report were also used to inform the Australian Law Reform Commission's inquiry into barriers facing people with disabilities.

Global business law firm DLA Piper provided pro bono support for the Commission's inquiry, preparing an analysis of evidence laws, policies and guidelines; information on diversion programs; an assessment of capacity in the criminal justice system; and an analysis of violence against people with disabilities in residential care settings.

Promoting and protecting the rights of asylum seekers

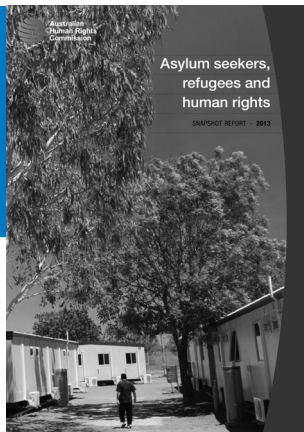
The Commission seeks to ensure that the human rights of all people held in immigration detention in Australia are protected. Our work has focused on the conditions and treatment of asylum seekers, refugees and children because they have specific vulnerabilities and are given special protections under international law.

During 2013-14, the Commission:

- conducted visits to offshore and mainland immigration detention centres
- received and investigated human rights complaints from asylum seekers under the Australian Human Rights Commission Act
- made submissions to parliamentary and other inquiries, including on regional processing arrangements and the incident at the Manus Island Detention Centre in February 2013 that resulted in the death of Reza Berati and the injury of 62 other asylum seekers
- raised concerns about changes to the Migration Act that could see refugees held indefinitely in immigration detention if they receive adverse security assessments.

In October 2013, we released *Asylum seekers, refugees and human rights: Snapshot Report 2013*. The 32-page report provided up-to-date information regarding the number of people in closed immigration detention facilities and provided an overview of the key human rights issues that arise from Australia's approach to asylum seekers and refugees who arrive by boat.

The report also examined questions related to the policies of mandatory immigration detention and third country processing, as well as proposed policy changes to Australia's system for determining refugee status and the re-introduction of temporary protection visas.



An evaluation involving a broad range of stakeholders found that the *Snapshot Report 2013* was seen as credible, informative and objective. A number also highlighted its value as a research tool that would strengthen the ability of individuals and organisations to advocate for the rights of asylum seekers and refugees.

In February 2014, the Commission launched a national inquiry to examine the impact of mandatory and closed immigration detention on the health and well-being of children. The ten-year anniversary of the Commission's 2004 report on children in immigration detention was the catalyst for this current inquiry. It also follows our recent inquiry into the treatment of individuals suspected of people smuggling offences who say that they are children. The national inquiry will consider Australia's obligations under the *Convention on the Rights of the Child* and other international human rights treaties. It is discussed in more detail on page 55.

Addressing pregnancy-related discrimination at work

The significant number of complaints received by the Commission and the Fair Work Commission in recent years indicates that discrimination against pregnant employees and against men and women returning to work after taking parental leave continues to be a problem in Australian workplaces.

During the year, the Commission conducted a national review on the prevalence, nature and consequences of discrimination in relation to pregnancy at work and returning to work after parental leave. The review was funded by the Attorney-General's Department.

The review included an Australia-wide consultation process and two national surveys. Headline data released in April 2014 found that one in two women in Australia reported experiencing discrimination in the workplace as a result of their pregnancy, parental leave or return to work.

Discrimination was commonly reported as occurring when returning to work (35%), when requesting or on parental leave (32%) and during pregnancy (27%). We found that discrimination takes many different forms – ranging from negative attitudes and comments through to dismissal – and that many women experience multiple forms of discrimination.

In addition, more than a quarter (27%) of fathers and partners surveyed said they had experienced discrimination during parental leave or when they returned to work.

The Commission heard from around 430 people at more than 50 group consultations around the country. We also received 447 submissions from individuals, employers, business and industry groups, unions, community organisations and professional and women's associations.

A report will be released in July 2014 that will identify leading practices and strategies for employers and provide recommendations to address the forms of discrimination identified through the review.

Our review has been supported by a reference group, which includes representatives from business, community organisations, unions and academia.



Complaint of pregnancy discrimination in recruitment

The complainant said she applied for a marketing position with the respondent liquor company. She claimed that the company withdrew an offer of employment once it became aware that she was pregnant.

On being advised of the complaint, the company indicated a willingness to participate in conciliation.

The complaint was resolved with an agreement that the company pay the complainant \$15,000 as general damages and write to her expressing regret for any hurt or distress.

Respecting the rights of Aboriginal and Torres Strait Islander peoples

During the year, the Commission hosted a nationwide series of meetings with Aboriginal and Torres Strait Islander communities, government, business and industry to build understanding about the *United Nations Declaration on the Rights of Indigenous Peoples*, which Australia formally supported in 2009.

Conducted in partnership with the National Congress of Australia's First Peoples, the Declaration Dialogue Series will collect ideas and input from a broad range of stakeholders in order to develop a national strategy to guide implementation of the Declaration over the next ten years.

During the year, Aboriginal and Torres Strait Islander Social Justice Commissioner Mick Gooda continued to engage with Reconciliation Australia, Recognise and other groups to support progress towards a referendum for reform of the Australian Constitution so that Aboriginal and Torres Strait Islander peoples are recognised and discrimination is removed.

The Commission provided a submission to the Australian Law Reform Commission's inquiry into specific areas of the *Native Title Act 1993*, as well as to the inquiry of the House of Representatives Standing Committee on Indigenous Affairs into the harmful use of alcohol in Aboriginal and Torres Strait Islander communities.

The Commission also continued to advocate for justice reinvestment approaches to be adopted in relation to Aboriginal and Torres Strait Islander peoples.

During the year, the Social Justice Commissioner and the National Children's Commissioner actively supported efforts by Just Reinvest, the NSW campaign for justice reinvestment for Aboriginal and Torres Strait Islander young people, to establish a justice reinvestment program in Bourke. A proposal was developed and presented to potential philanthropic, corporate and government partners. In March 2014, sufficient funding and in-kind support was received to begin a two-year trial and build a case for the effectiveness of justice investment strategies.

Improving equality and participation for people with disabilities

The highly successful *Twenty Years, Twenty Stories* film project continued to be a focus during the year. Screenings of the films were held around the country, using personal stories to highlight 20 years of the Disability Discrimination Act.

The Commission was also closely involved in a major inquiry examining issues of equality and capacity for people with disabilities in relation to Commonwealth laws.

The inquiry by the Australian Law Reform Commission is considering how Commonwealth laws and legal frameworks can be reformed to provide equal recognition before the law for people with disabilities, especially in relation to their capacity to make decisions about their own lives and to have those decisions respected in practice.

The Disability Discrimination Commissioner was appointed as a part-time Commissioner to the inquiry, which will draw on the principles set out in the *Convention on the Rights of Persons with Disabilities*. It is expected that the inquiry report will be released later in 2014.

During the year, the Commission continued to work with government, the disability sector and other stakeholders to promote equal access to goods and services for people with disabilities.

In June 2014, we released an Advisory Note that provides advice on how people with disabilities who use mobility scooters can do so in clubs throughout NSW. Released under the Disability Discrimination Act, it addresses issues around speed, safety and the arrangements of furniture and fittings in club premises.

The Advisory Note was produced in consultation with clubs and the disability sector and is supported by the RSL & Services Clubs Association, ClubsNSW, Leagues Clubs Australia, Bowls NSW and RSL Victoria.

Complaint of disability discrimination in employment

The complainant was employed as a sales advisor with the respondent company. She said she took time off work to undergo major surgery related to her disability. The complainant claimed that following a business restructure, she was demoted and she said this was done to pressure her to resign.

The company denied discriminating against the complainant but indicated a willingness to try to resolve the complaint.

The complaint was resolved with an agreement that the complainant return to part-time work with the company on a Return to Work Plan. The plan was developed in accordance with medical advice and included support and training for the complainant in her new role.

Collaborating with others

Since 2003, the Commission has worked in partnership with state and territory anti-discrimination and human rights bodies to exchange information, collaborate on issues of common interest and build greater understanding of and respect for human rights across the country. We convened two meetings of the Australian Council of Human Rights Authorities (ACHRA) during the year. Information provided by ACHRA members was also used to compile the 2013 progress report on the implementation of recommendations accepted by the Australian Government following its participation in the Universal Periodic Review in 2011.

The National Children's Commissioner also works closely with her state and territory counterparts through the Australian Children's Commissioners and Guardians. A protocol is in place to guide the work of this group and to ensure that efforts to advocate for children and young people are well coordinated and informed.

Monitoring and reporting on human rights

Some people in Australia are especially vulnerable to discrimination, exclusion and unfair treatment.

The Commission has a particular responsibility to monitor their experiences, identify issues of concern and propose solutions that will lead to better outcomes for them.

2013 Social Justice and Native Title Report

On 11 December 2013, the *2013 Social Justice and Native Title Report* was tabled in Parliament.

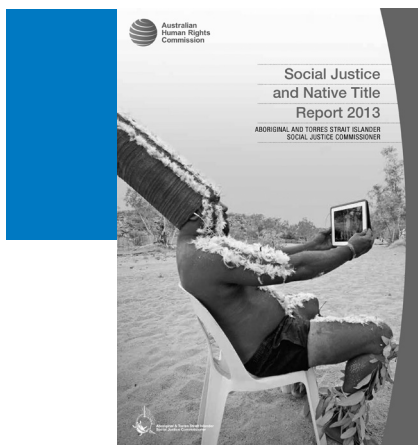
The report, prepared by Aboriginal and Torres Strait Islander Social Justice Commissioner Mick Gooda, assessed a number of key human rights issues and concerns facing Aboriginal and Torres Strait Islander peoples.

It also charted progress on social justice and native title issues since the position of Social Justice Commissioner was established 20 years ago, in response to the findings of the Royal Commission into Aboriginal Deaths in Custody and the National Inquiry into Racist Violence.

In the report, Commissioner Gooda highlighted constitutional reform as a key element of a new agenda to recognise rights and responsibilities and rebuild the relationship between Aboriginal and Torres Strait Islander peoples and the broader Australian community.

He noted that sustainable and long-term improvements in education, health and life expectancy can be achieved “when rights and responsibilities stand side-by-side” and when Aboriginal and Torres Strait Islander peoples meaningfully participate in decisions that affect them.

Constitutional reform to recognise Aboriginal and Torres Strait Islander peoples and genuine implementation of the *United Nations Declaration on the Rights of Indigenous Peoples* could help “re-set the relationship” between Aboriginal and Torres Strait Islander peoples and other Australians, Commissioner Gooda said in the report.

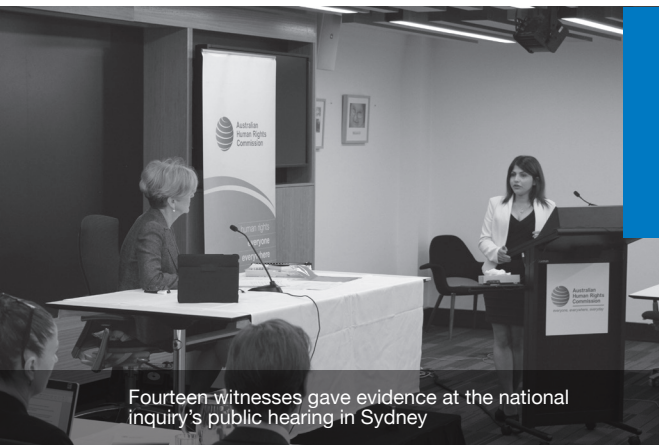


The *2013 Social Justice and Native Title Report* put forward the business case for respecting Aboriginal and Torres Strait Islander human rights and critiqued current approaches to alcohol management in Aboriginal and Torres Strait Islander communities.

The report included 14 recommendations to progress constitutional reform, improve native title processes, ‘close the gap’ on health inequality, foster government engagement with the National Congress of Australia’s First Peoples and provide ongoing support for national anti-racism efforts.

The Commissioner is required to produce a Social Justice Report and a Native Title Report each year, which are presented to the Attorney-General and tabled in Parliament. This is the first time that the two reports have been prepared in a combined format.

An evaluation involving a range of stakeholders found a high level of satisfaction with the new approach to reporting, with 85% of respondents rating all chapters and appendices as ‘valuable’ or ‘very valuable’. A similar proportion of respondents found the report to be user friendly.



Fourteen witnesses gave evidence at the national inquiry's public hearing in Sydney

National inquiry into children in immigration detention

On 3 February 2014, Commission President Gillian Triggs announced that she would lead an inquiry into the mandatory and closed immigration detention of children seeking asylum in Australia.

The Commission's inquiry will investigate the impact of immigration detention on the health, well-being and development of these children.

In 2004, the Commission's landmark report – *A Last Resort? National Inquiry into Children in Immigration Detention* – found that the mandatory immigration detention of children was fundamentally inconsistent with Australia's international human rights obligations and that detention for long periods created a high risk of serious mental harm for children.

The Commission decided that the ten-year anniversary of this report provided an opportunity to revisit the issue in detail.

The current inquiry will measure progress over the past decade and assess the extent to which Australia is meeting its obligations under the *Convention on the Rights of the Child* and other international human rights treaties.

At 30 June 2014, the Commission had:

- undertaken visits to nine immigration detention facilities
- conducted 486 interviews with families or unaccompanied children currently in immigration detention, involving around 1500 individuals
- conducted 38 interviews with asylum seekers who were previously in immigration detention as children or as parents
- held the inquiry's first public hearing in Sydney on 4 April 2014
- received over 200 submissions from individuals and organisations.

The Commission will continue to collect evidence and submissions over the coming months, with the intention of releasing the national inquiry report before the end of 2014.

Children's Rights Report 2013

The critical need to tackle high levels of violence, abuse and neglect in communities was a major theme of the *Children's Rights Report 2013*, which was tabled in Parliament on 11 December 2013.

The first of its kind in Australia, the report by National Children's Commissioner Megan Mitchell drew on statistics to show how children and young people are faring and provided a summary of the key issues raised during her consultations with children, young people and their advocates.

It also examined the provisions of the international human rights treaty on children's rights – the *Convention on the Rights of the Child* – and its implementation in Australia.

The report called for greater attention to be given to prevention and early intervention initiatives, with a particular focus on supporting Aboriginal and Torres Strait Islander children, children in detention, children with disabilities and children in rural areas.



National Children's Commissioner Megan Mitchell talks with students during the Big Banter consultations

It also made recommendations to foster progress in five priority areas identified through the Big Banter national consultations, existing national policy initiatives and the Concluding Observations made to Australia by the United Nations Committee on the Rights of the Child:

- A right to be heard
- Freedom from violence, abuse and neglect
- The opportunity to thrive
- Engaged citizenship
- Action and accountability to protect the well-being and rights of children.

As part of the Big Banter consultations, which ran from May to September 2013, Commissioner Mitchell met face-to-face with over 1000 children across Australia and received feedback from a further 1400 through an online survey and Big Banter postcards.

In April 2014, Commissioner Mitchell released a child-friendly version of the report – *What does the Children's Rights Report 2013 say?* – to give children and young people an understanding of their human rights and the role of the National Children's Commissioner.

Snapshot on sexual orientation and gender identity

In May 2014, the Commission began a research project that will provide a 'state of the nation' snapshot of the key human rights issues for lesbian, gay, bisexual, trans, gender diverse and intersex (LGBTI) people in Australia.

Previous consultations conducted by the Commission have identified serious discrimination, including harassment and violence, against members of Australia's LGBTI community.

The current study will provide a detailed consideration of the relevant international and domestic legal frameworks and outline progress that has been made in promoting and protecting the rights of LGBTI people. It is expected to be released in late 2014.

Human Rights Commissioner Tim Wilson is leading the Commission's work on sexual orientation and gender identity.

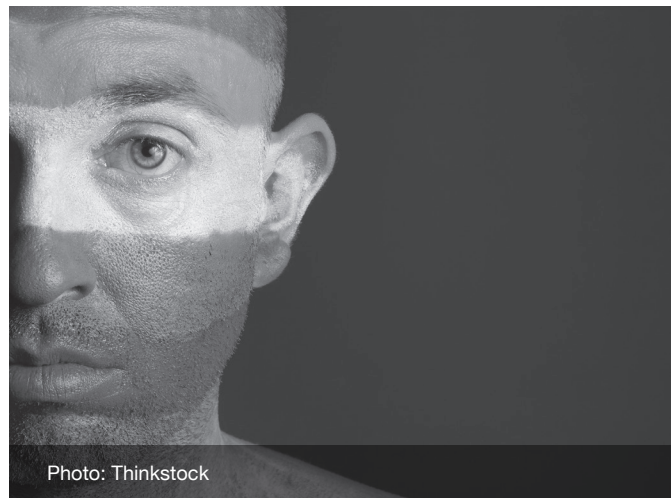


Photo: Thinkstock

Working in the international arena to improve human rights

As Australia's independent national human rights institution (NHRI), we are often invited to share our knowledge and expertise with others in the Asia Pacific region. These partnerships also inform our own work.

In addition, the Commission provides independent reports to the United Nations bodies that monitor Australia's performance in meeting its human rights obligations.

China and Vietnam Human Rights Technical Assistance programs

The Commission's international activities cover a number of different countries and topic areas. The two largest technical cooperation programs are those with China and Vietnam. The Commission's international cooperation work is funded by the Australian Agency for International Development (AusAID), now the Department of Foreign Affairs.

The Commission has managed the China-Australia Human Rights Technical Cooperation Program since it commenced in 1998. In July 2013, an event was held at the Australian Embassy in Beijing to mark 15 years of the program's operation, with a video produced by the Commission to document the program's objectives and achievements.

A significant feature of the 2013-14 program was the continued efforts to address domestic violence, including providing capacity building support for domestic violence crisis intervention centres in China and implementation of domestic violence guidance for courts. There was also a strong focus on the role of non-governmental organisations, as part of efforts to support China's emerging civil society.

A highlight of this year's program was a two-day Model United Nations Conference, held in Guangzhou in November 2013, which brought together 400 students from around 65 universities to simulate a session of the Commission on the Status of Women. Participants were involved in drafting, debating and adopting resolutions on eliminating violence against women and girls.

The Commission has managed the Vietnam-Australia Human Rights Technical Cooperation Program since it commenced in 2006. In 2013-2014, the program included a workshop to advance discussions on establishing an NHRI in Vietnam, support for the establishment of women's legal centres and seminars on reform of the criminal procedure code. Significant planning was also undertaken to develop a suite of programs to be implemented from July 2014.

On 22-24 October 2014, the Commission hosted a delegation of representatives from Indonesian disability organisations, as part of a two-week study visit to Australia. The focus of the program was to provide participants with information on the Australian experience of drafting disability-related laws and submitting parallel reports to the United Nations Committee on the Rights of Persons with Disabilities. The study visit was funded by AusAID under the Australia-Indonesia Partnership for Justice Program (AIPJ).

Working with national human rights institutions

The Commission is accredited as an 'A status' NHRI. This means that we were established and operate in accordance with the *Principles Relating to the Status of National Institutions*, commonly known as the 'Paris Principles'. These set out the minimum international standards required for NHRIs to be considered credible and to operate independently.

The Commission works in partnership with NHRIs in the Asia Pacific region and in different parts of the world. During 2013-14, the Commission contributed to the activities of the:

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



Delegates from national human rights institutions at the Asia Pacific Workshop on the Rights of Older Persons

Case study: Advancing the rights of older people

In May 2013, the Commission and the Asia Pacific Forum of National Human Rights Institutions hosted delegates from 16 other NHRIs at the Asia Pacific Workshop on the Rights of Older Persons.

The meeting considered the main elements that should be included in a possible international human rights treaty to promote and protect the rights of older people.

Participants discussed approaches to eliminating barriers to the inclusion of older people in mainstream society, addressing negative societal attitudes around ageing and developing a culture that promotes intergenerational support and cooperation.

The workshop also examined other practical issues in establishing an international instrument on the rights of older people. These included agreeing on a universal definition of 'older person', the importance of collecting statistics and data and the role of NHRIs in implementing and monitoring such a treaty at the national and international levels.

Age Discrimination Commissioner Susan Ryan will take the outcomes of the Asia Pacific Workshop to the United Nations Open Ended Working Group on Ageing which will ultimately present an overall proposal to the General Assembly.

Through these organisations, we work cooperatively to respond to human rights issues of common concern and share good practice approaches to promoting and protecting human rights. This helps build our own expertise and informs our domestic work.

In May 2014, we signed a memorandum of understanding with the Indonesian National Commission on Human Rights (Komnas HAM) that will see us share information and work cooperatively on human rights issues common to both countries and the Asia Pacific region.

In January 2014, as part of our ongoing capacity development work with agencies in the region, we provided fee-for-service training in investigation and conciliation skills for staff of the Hong Kong Equal Opportunities Commission.

Working with the international human rights system

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

During the year, the Commission participated in meetings and reviews conducted by a range of United Nations bodies, including:

- the 6th Session of the Expert Mechanism on the Rights of Indigenous Peoples (July 2013)
- Australia's review by the Committee on the Rights of Persons with Disabilities (September 2013)
- the 58th Session of the Commission on the Status of Women (March 2014)
- the 13th Session of the Permanent Forum on Indigenous Issues (May 2014).

We also provided a submission to contribute to the development of a General Comment on article 12 of the *Convention on the Rights of Persons with Disabilities*, which provides for equal recognition before the law. The submission was well received and the Committee on the Rights of Persons with Disabilities adopted several of our recommendations.

The Commission supported the participation of national disability organisations to attend Australia's review by the Committee on the Rights of Persons with Disabilities in September 2013. We also supported a delegation of seven young people with disabilities to attend the Conference of States Parties to the Convention on the Rights of Persons with Disabilities in New York in June 2014.

In addition, the Commission supported the participation of indigenous peoples' organisations (IPOs) in the meetings of the Expert Mechanism on the Rights of Indigenous Peoples and the Permanent Forum on Indigenous Issues.

The Commission provided this support through funding from the former Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA).

Monitoring progress under the Universal Periodic Review

Each year, the Commission prepares a status report on the implementation of recommendations accepted by the Australian Government following its participation in the Universal Periodic Review (UPR) in 2011. State and territory anti-discrimination and human rights authorities are consulted in the preparation of the report, which is provided to the United Nations Human Rights Council.

We published the 2013 progress report in December 2013 and prepared a video statement to accompany our report. The video statement was delivered at the 26th Session of the Human Rights Council in June 2014.

Evaluating the impact of our work

Evaluation is a critical component of the Commission's work. It helps us measure our progress and improve the delivery of our services and programs. It also informs our strategic planning.

For many years we have had in place a series of key performance indicators to monitor and evaluate our Investigation and Conciliation Service. Each year we assess our performance against these key measures, which include the timeliness of our service, our conciliation rate, satisfaction with various aspects of our service delivery and the educative impact of involvement in the complaint process. Data for 2013-14 is available at pages 68, 69 and 132.

We also rigorously assess the impact and outcomes of all our major projects by asking:

- What and how much did the project deliver?
- How well was the project implemented?
- What difference did the project make?

The criteria that we use to evaluate our impact will vary according to the nature of each project. It can include, for example, measuring the change in people's knowledge and understanding of an issue; changes in laws, policy and practice that are clearly linked to our activities; and the extent to which our submissions and reports inform the work and advocacy of others.

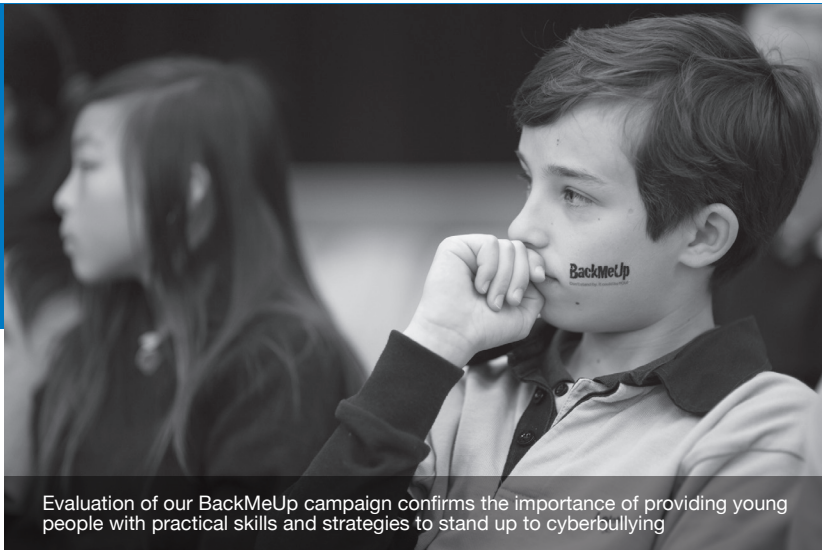
As an organisation, we invest in developing our capacity to evaluate what we do. This has resulted in growing levels of skills and confidence among Commission staff. In 2013, 95% of surveyed staff rated the organisation's commitment to evaluation as 'good' or 'high'.

During the year, we undertook further steps to bolster our capacity to assess the impact of our work. For example, we partnered with the Department of Foreign Affairs to develop new monitoring and evaluation frameworks and strategies for our technical cooperation programs with China and Vietnam, including new reporting and data collection processes.

2013-14 marks the final year of the Commission's current three-year strategic plan.

A number of our projects have demonstrated tangible results in our first priority goal to build greater understanding and respect for human rights; for example, through having human rights education integrated into the national curriculum and developing a new vocational training course to enhance the skills of workers in the community sector.

In 2013-2014, the Commission's website recorded more than 7.7 million pageviews, up 23% on the previous year, indicating a rapidly growing reach into the community. In addition, our constructive engagement with business and employers, including through the Male Champions of Change and the National Anti-Racism Strategy, has delivered positive results in building understanding among Australian employers of the business case for workplace diversity.



Evaluation of our BackMeUp campaign confirms the importance of providing young people with practical skills and strategies to stand up to cyberbullying

We have also taken clear strides in our second priority goal to tackle violence, harassment and bullying. For example, the Sex Discrimination Commissioner's Review into the treatment of women in the Australian Defence Force Academy and in the Australian Defence Force has resulted in genuine cultural change, demonstrated through two independent audits.

Further, our submissions and reports have contributed to community discussion and policy making across a broad range of areas, including family and domestic violence; lateral violence in Aboriginal and Torres Strait islander communities; trafficking in persons; and the involuntary sterilisation of people with disabilities.

We have developed evidence, through our two BackMeUp campaigns, that indicates the critical importance of building skills, strategies and confidence among bystanders in order to support them to take action when they witness cyberbullying.

Our evaluation work also confirms the critical importance of developing partnerships in order to build community understanding of human rights and generate meaningful change. For example, improved health outcomes for Aboriginal and Torres Strait Islander people, documented by independent reviews, can be linked to practical health initiatives proposed and advocated by the Close the Gap Campaign.

I would like to thank the BackMeUp committee for all of their work ...
I have learned so much and gained so much confidence throughout the process.

Participant in 2013 BackMeUp campaign

People and performance

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- Working at the Commission **65**
- Management accountability **67**
- People and performance **68**



Organisational excellence

The Commission is accredited as an 'A status' national human rights institution (NHRI) by the International Coordinating Committee (ICC) of National Institutions for the Promotion and Protection of Human Rights.

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

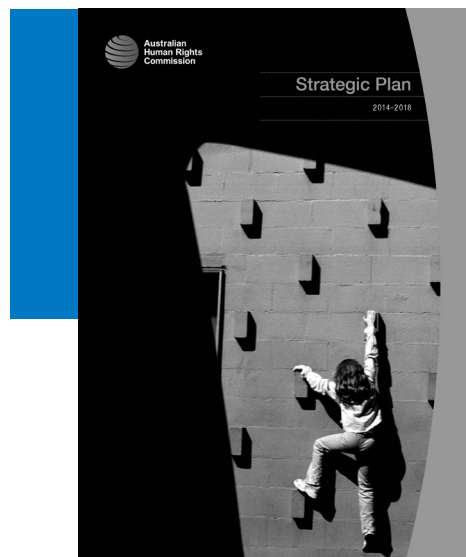
In order to receive 'A status', NHRIs must be established and operate in compliance with the *Principles Relating to the Status of National Institutions*, commonly known as the 'Paris Principles'.

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

New four-year strategic plan

2013-14 marks the final year of the Commission's current three-year strategic plan.

During the year, the Commission prepared its *Strategic Plan 2014-18*. The plan meets the Commission's new legal obligations as an independent corporate entity under the *Public Governance, Performance and Accountability Act 2013* (Cth).



The Act requires the Commission to have a corporate plan that forms the basis of annual reporting of performance and evaluation. We have built on our planning framework to ensure we meet the reporting obligations set out in the legislation.

Our work over the next four years will focus on three priority areas:

- Human rights education and promotion – to build awareness of rights and freedoms in the community
- Engaging with business on human rights – to encourage innovation in promoting human rights, to provide support to prevent workplace discrimination and to assist in resolving disputes
- Ensuring freedom from violence, harassment and bullying – by promoting human rights safeguards.

Working at the Commission

Workplace philosophy

The Commission has a collaborative, innovative and flexible workforce that is representative of the Australian community. Our staff are engaged, respected and encouraged to perform at the highest levels and to maintain an effective work-life balance. We invest in our staff through targeted professional development activities and we listen to our staff to ensure we understand individual needs.

The Commission benchmarks the diversity of its workforce against the Australian Public Service Commission's *State of the Service Report*. We continue to exceed APS targets for all diversity groups.

We introduced a new internship program this year, prioritising applicants from an Aboriginal or Torres Strait Island background and applicants with a disability. We also attracted many interstate candidates to better reflect our role as a national human rights institute.

Staff development and training

During 2013-14, the Commission delivered the following learning and development activities to staff:

- Aboriginal and Torres Strait Islander Cultural Competence
- Australian Privacy Principles
- Career Development Workshops
- Certificate IV in Training and Assessment
- Disability Awareness Workshops
- First Aid
- Giving Effective Feedback
- Leading Successful Projects
- Public Interest Disclosure.

We complemented these externally presented sessions with in-house employment policy information sessions, inductions and workplace health and safety (WHS) sessions.

Performance feedback

The Commission conducts an annual review of staff performance. This enables us to identify key areas for learning and professional growth for the coming year. We also conducted individual discussions with policy staff following a skills audit this year, as part of the transition to our new policy structure.

Health and safety at work

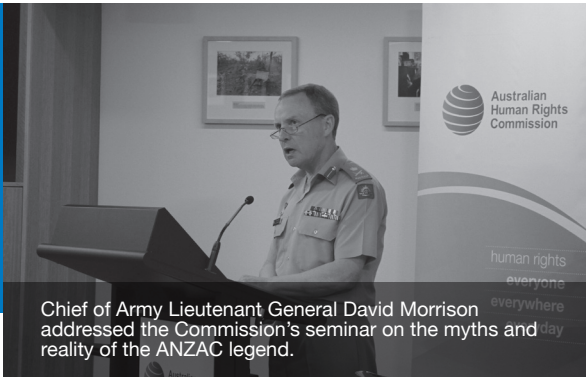
The Commission has a strong and proactive record on WHS issues. We hold regular health and well-being lunchtime sessions and we encourage best practice in workplace safety and risk management. The Commission passed an independent audit of both its Workplace Rehabilitation systems and WHS systems this year. One workers compensation claim was received for the reporting period and no systemic issues of concern were identified.

Workplace relations and employment arrangements

The Commission's current enterprise agreement with staff nominally expired on 30 June 2014. Preliminary discussions are underway to negotiate a new Agreement under the new APS employment bargaining framework. The Commission has three Senior Executive Service employees, each covered by a section 24(1) Determination. During this period, the Commission had six non-SES employees on Individual Flexibility Arrangements. The Commission does not provide performance payments.

Recruitment

The Commission was limited in its recruitment activities during 2013-14, with the Interim Recruitment Arrangements placed on all APS agencies in November 2013. Since that time, all ongoing employment advertising required approval by the Australian Public Service Commissioner and there have been no approvals to advertise beyond current APS employees.



Chief of Army Lieutenant General David Morrison addressed the Commission's seminar on the myths and reality of the ANZAC legend.

Changes to disability reporting in annual reports

Since 1994, Commonwealth departments and agencies have reported on their performance as policy adviser, purchaser, employer, regulator and provider under the Commonwealth Disability Strategy. In 2007-08, reporting on the employer role was transferred to the Australian Public Service Commission's *State of the Service Report* and the *APS Statistical Bulletin*. These reports are available at www.apsc.gov.au. From 2010-11, departments and agencies have no longer been required to report on these functions.

The Commonwealth Disability Strategy has been overtaken by the National Disability Strategy 2010-2020, which sets out a ten-year national policy framework to improve the lives of people with disabilities, promote participation and create a more inclusive society. A high-level, two-yearly report will track progress against each of the six outcome areas of the Strategy and present a picture of how people with disabilities are faring. The first of these reports will be available in late 2014 and can be found at www.dss.gov.au.

Working to make our workplace environmentally sustainable

As an organisation, we seek to make improvements in how we work in order to minimise our environmental impact. These include reducing our printing requirements and paper consumption by publishing all key documents online.

We have also updated a range of our internal processes to utilise electronic rather than paper-based systems.

Promoting staff ethics

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

Our staff

The Commission's average staffing level for the year was 122.35, with a turnover of 15% for ongoing staff. The Commission has a diverse workforce mix, which includes:

- 74% women
- 2.9% Aboriginal and Torres Strait Islander people
- 10.1% people with disabilities
- 23.2% people from culturally and linguistically diverse backgrounds.

The Commission's staffing profile was amplified in 2013-14 due to the continuation of the Australian Defence Force Review and the commencement of the National Inquiry into Children in Immigration Detention.

An overview of the Commission's staffing profile, as at 30 June 2014, is provided at Appendix 5.

Management accountability

Our main corporate governance practices

The Commission, as a legal entity, is constituted by the President and the Commissioners. The President is the senior member of the Commission. The Commission meets every six to eight weeks to make its decisions. All meetings are minuted.

The responsibilities of the Commission include preparing and implementing the strategic plan, ensuring compliance with the APS Code of Conduct, ensuring transparency and accountability for our work and fostering high ethical standards in its execution. The President has specific responsibility for financial management but has delegated some of those functions to the Executive Director.

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

Identifying financial and operational risk

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

Protecting against fraud

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

Audit committee

Consistent with the Australian Stock Exchange principles of good corporate governance and the requirements of the *Financial Management and Accountability Act 1997* (Cth), the Commission maintains an audit committee. The audit committee advises the President on compliance with external reporting requirements and the effectiveness and efficiency of internal control and risk management mechanisms. The audit committee met four times during the reporting period.

People and performance

Key Performance Indicators and standards for our Investigation and Conciliation Service

The Commission has developed Key Performance Indicators (KPIs) and standards which form the basis for ongoing assessment of our complaint service. These indicators, and our performance against them in 2013-14, are summarised below.

- **Timeliness.** Our stated performance standard is for 80% of complaints to be finalised within 12 months of receipt. In 2013-14, 85% of complaints were finalised within six months, 94% within nine months and 97% within 12 months. The average time from lodgement to finalisation of a complaint was approximately 3.4 months. There has been an ongoing improvement in the timeliness of the complaint process over recent years.
- **Conciliation rate.** Our stated performance standard is for 30% of all finalised complaints to be conciliated. In 2013-14, 49% of all finalised complaints were conciliated and 70% of complaints where conciliation was attempted were successfully resolved. The conciliation success rate is the highest achieved in recent years.
- **Service satisfaction.** Our stated performance standard is for 80% of parties to complaints to be satisfied with the service they receive. In 2013-14, 91% of surveyed parties reported that they were satisfied with the service and 69% rated the service as 'very good' or 'excellent'. In recent years, there has been an ongoing increase in the number of participants who rate the service they receive as 'very good' or 'excellent' (58%-69%). Where complaints were conciliated, 97% of parties reported that they were satisfied with the service and 77% rated the service as 'very good' or 'excellent'. Further details of survey results for this reporting year are provided below.

Complaint of age discrimination in employment

The complainant, who is 63 years of age, provided project management and site management services to the respondent mining company as a subcontractor. He claimed that his manager referred to his grey hair during meetings and the company subsequently terminated his engagement without adequate reason. He also claimed another company withdrew an offer of work at the same mine site because his former manager gave him a negative reference.

The complainant's former manager confirmed he used the words 'grey hair' during meetings but claimed they were not specifically directed towards the complainant and were used to acknowledge the level of experience of those in attendance. The company claimed the complainant was one a number of contractors of varying ages whose contracts were terminated due to a genuine business restructure. The manager said he provided a reference which reflected his view that the complainant did not have suitable skills for the particular work on offer.

The complaint was resolved with an agreement that the company pay the complainant \$20 000 and provide him with a Statement of Service, which noted that the original engagement ended due to a business restructure.

Measuring satisfaction with the complaint service

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

In 2013-14, 205 complainants and 258 respondents agreed to participate in the survey. The survey found that:

- 90% of participants (85% of complainants and 95% of respondents) felt that Commission staff explained things in a way that was easy for them to understand
- 93% of participants (89% of complainants and 96% of respondents) felt that forms and correspondence from the Commission were easy to understand
- 81% of participants (77% of complainants and 84% of respondents) felt that the Commission dealt with the complaint in a timely manner
- 85% of participants (80% of complainants and 90% of respondents) felt they were treated fairly.

I have always found staff from the Commission very helpful, honest and fair. They always look to settle the issues, quickly, fairly and honestly. They are the best government body that I have dealt with over the past 14 years.

Feedback from a respondent to a complaint

The service provided was exemplary, with follow up and communication throughout. All of the personnel were able to answer questions with knowledge and care.

Feedback from a complainant

Our Charter of Service

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

In 2013-14 the Commission received two complaints about its service under the complaint process provided in the Charter.

Ensuring accountability for our administrative decisions

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

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

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

In 2013-14, the Federal Circuit Court dismissed one application for review of a Commission decision. One application for judicial review is ongoing.

Merits review: Some decisions of the Commission or its staff (acting under instruments of delegation) are subject to merits review by the Administrative Appeals Tribunal (AAT). These include decisions made under the *Freedom of Information Act 1982* (Cth) and decisions on applications for temporary exemptions under section 44 of the Sex Discrimination Act, section 55 of the Disability Discrimination Act and section 44 of the Age Discrimination Act. In 2013-14, one application for merits review by the AAT was made and this application is ongoing.

Facilitating freedom of information

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

Documents held by the Commission relate to:

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

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

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

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

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

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

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

Consultancy services

We use consultants where there is a need to access skills, expertise or independence that is not available within the organisation.

We engage consultants where we lack specialist expertise or when independent research, review or assessment is required. Consultants are typically engaged to investigate or diagnose a defined issue or problem, carry out defined reviews or evaluations, or provide independent advice, information or creative solutions to assist us in our decision making.

Prior to engaging consultants, we take into account the skills and resources required for the task, the skills available internally, and the cost-effectiveness of engaging external expertise. The decision to engage a consultant is made in accordance with the *Financial Management and Accountability Act 1997* (Cth) and related regulations, including the Commonwealth Procurement Guidelines and relevant internal procurement policies and controls.

During the year under review, six new consultancy arrangements were entered into for a total amount of \$285 172 (including GST). During the reporting period these contracts involved total actual expenditure of \$228 530 (including GST).

Annual reports contain information about actual expenditure on contracts for consultancies.

Information on the value of contracts and consultancies is available on the AusTender website: www.tenders.gov.au.



RightsTalk event marking International Women's Day 2014

Advertising and market research

During the reporting period, the Commission engaged Roy Morgan Research Pty Ltd to undertake research into the prevalence of workplace discrimination related to maternity leave and return to work. The total value of the contract was \$150 354 (including GST) and this contract was fully paid. We paid \$803 (including GST) on non-campaign advertising (recruitment) and \$7351.86 (including GST) on non-campaign advertising (gazetting Discrimination Act exemptions, event notifications and program advertising).

MOU and fee-for-service arrangements

The Commission provided fee-for-service activities and received sponsorship from a number of entities during 2013-14. Approximately \$6.039 million in fees, sponsorship and cost recoveries were earned by the Commission through MOUs and service contracts as set out below.

Service fees or sponsorship from related parties performed under MOU arrangements

Description of services	Client/Sponsor	2013-14 Revenue earned (\$,000)
Provision of shared corporate services including Finance, HR and IT	Office of the Australian Information Commissioner	\$1 065
Provision of sublease at 175 Pitt Street Sydney	Office of the Australian Information Commissioner	\$900
Provision of accommodation	Attorney-General's Department	\$82
Provision of ITC support services	Attorney-General's Department	\$49
Alternative dispute resolution training	Office of the Australian Information Commissioner	\$6
Provision of management services for the human rights technical support arrangements, principally with China and Vietnam	AusAID	\$1 857
Review of treatment of women at the Australian Defence Force Academy	Australian Defence Force	\$1 037
Sponsorship of the Young People's Medal of the 2013 Human Rights Awards	Department of Social Services	\$10
Sponsorship of research into workplace discrimination related to pregnancy, parental leave and return to work	Attorney-General's Department	\$464
Supporting participation of representatives of indigenous peoples' organisations in key international forums on human rights	FaHCSIA	\$7
Development of national curriculum resources	Australian Broadcasting Commission	\$27
Supporting participation of people with disabilities in international forums on human rights	FaHCSIA	\$121
Other	Various	\$16
Total services to related parties		\$5 641

Service fees or sponsorship from unrelated parties performed under contracts

Description of services	Client/Sponsor	2013-14 Revenue earned (\$,000)
Provision of secretariat for Close the Gap Campaign	Various, including Oxfam, Fred Hollows Foundation	\$174
Advice on human rights issues in emerging economies	Cardno Ltd	\$7
Support for publication reprint of <i>Your Rights at Retirement</i>	CBUS	\$10
	NSW Department of Family and Community Services	\$3
Develop materials for the classroom project on <i>20 Years: 20 Stories</i>	Australian Centre for Disability Law	\$11
Development of material for mobility access	Returned Serviceman's League (RSL)	\$10
Provision of shared services	Secretariat of the Asia Pacific Forum of National Human Rights Institutions	\$84
Alternative dispute resolution training	Hong Kong Equal Opportunities Commission	\$16
	SA Employee Ombudsman	\$11
Ticket sales and sponsorship for the 2013 Human Rights Awards	Various	\$45
Research into women's return to work	Westpac	\$20
Other	Various	\$7
Total services to unrelated parties		\$398

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INDEPENDENT AUDITOR'S REPORT

To the Attorney-General

I have audited the accompanying financial statements of the Australian Human Rights Commission for the year ended 30 June 2014, which comprise: a Statement by the Chief Executive and Chief Finance Officer; the Statement of Comprehensive Income; Statement of Financial Position; Statement of Changes in Equity; Cash Flow Statement; Schedule of Commitments; Schedule of Contingencies; Administered Schedule of Comprehensive Income; Administered Schedule of Assets and Liabilities; Administered Reconciliation Schedule; Administered Cash Flow Statement; and Notes to and forming part of the financial statements comprising a Summary of Significant Accounting Policies and other explanatory information.

Chief Executive's Responsibility for the Financial Statements

The Chief Executive of the Australian Human Rights Commission is responsible for the preparation of financial statements that give a true and fair view in accordance with the Finance Minister's Orders made under the *Financial Management and Accountability Act 1997*, including the Australian Accounting Standards, and for such internal control as is necessary to enable the preparation of financial statements that give a true and fair view and are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

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

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the Australian Human Rights Commission's preparation of the financial statements that give a true and fair view 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 Australian Human Rights Commission's internal control. An audit also includes evaluating the appropriateness of the accounting policies used and the reasonableness of accounting estimates made by the Chief Executive of the Australian Human Rights Commission, as well as evaluating the overall presentation of the financial statements.

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

Independence

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

Opinion

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

- (a) have been prepared in accordance with the Finance Minister's Orders made under the *Financial Management and Accountability Act 1997*, including the Australian Accounting Standards; and
- (b) give a true and fair view of the matters required by the Finance Minister's Orders, including the Australian Human Rights Commission's financial position as at 30 June 2014 and its financial performance and cash flows for the year then ended.

Australian National Audit Office



Peter Kerr

Executive Director

Delegate of the Auditor-General

Canberra

12 February 2015

AUSTRALIAN HUMAN RIGHTS COMMISSION

FINANCIAL STATEMENTS
for the period ended 30 June 2014

STATEMENT BY THE CHIEF EXECUTIVE AND CHIEF FINANCE OFFICER

In our opinion, the attached financial statements for the period ended 30 June 2014 are based on properly maintained financial records and give a true and fair view of the matters required by the Finance Minister's Orders made under the *Financial Management and Accountability Act 1997*, as amended.



Professor Gillian Triggs
President and Chief Executive

12 February 2015



David Richards
Chief Finance Officer

12 February 2015

Statement of Comprehensive Income

for the period ended 30 June 2014

	Notes	2014 \$'000	2013 \$'000
Net Cost of Services			
Expenses			
Employee benefits	3A	15,855	16,384
Supplier	3B	8,228	8,547
Depreciation and amortisation	3C	978	905
Write-down and impairment of assets	3D	2	2
Total expenses		25,063	25,838
Own-source income			
Own-source revenue			
Sale of goods and rendering of services	4A	5,140	6,017
Rental income	4B	900	882
Total own-source revenue		6,040	6,899
Gains			
Sale of assets	4C	–	1
Other gains	4D	68	71
Total gains		68	72
Total own-source income		6,108	6,971
Net cost of services		(18,995)	(18,867)
Revenue from Government	4E	18,092	17,979
Deficit attributable to the Australian Government		(863)	(888)
Other Comprehensive Income			
Items not subject to subsequent reclassification to net cost of services			
Changes in asset revaluation surplus		51	287
Total other comprehensive income after income tax		51	287
Total comprehensive loss attributable to the Australian Government		(812)	(601)

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

Statement of Financial Position

as at 30 June 2014

	Notes	2014 \$'000	2013 \$'000
Assets			
Financial Assets			
Cash and cash equivalents	6A	8,835	1,045
Trade and other receivables	6B	681	6,711
Other financial assets	6C	286	–
Total financial assets		9,802	7,756
Non-Financial Assets			
Infrastructure, plant and equipment	7A,B	4,430	5,034
Intangibles	7C,D	804	893
Other non-financial assets	7E	162	100
Total non-financial assets		5,396	6,027
Total assets		15,198	13,783
Liabilities			
Payables			
Suppliers	8A	1,724	1,660
Other payables	8B	5,551	3,093
Total payables		7,275	4,753
Non-interest Bearing Liabilities			
Lease incentives	9A	3,962	4,529
Total non-interest bearing liabilities		3,962	4,529
Provisions			
Employee provisions	10A	3,374	3,804
Other provisions	10B	702	243
Total provisions		4,076	4,047
Total liabilities		15,313	13,329
Net assets		(115)	454
Equity			
Contributed equity		2,134	1,961
Asset revaluation reserve		338	287
Accumulated results		(2,587)	(1,794)
Total equity		(115)	454

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

Statement of Changes in Equity

for the period ended 30 June 2014

	Retained earnings		Asset revaluation reserve		Contributed equity/capital		Total equity	
	2014 \$'000	2013 \$'000	2014 \$'000	2013 \$'000	2014 \$'000	2013 \$'000	2014 \$'000	2013 \$'000
Opening balance								
Balance carried forward from previous period	(1,794)	(906)	287	-	1,961	1,788	454	882
Adjustment for errors and revised estimates	70	-	-	-	-	-	70	-
Adjusted opening balance	(1,724)	(906)	287	-	1,961	1,788	524	882
Comprehensive income								
Deficit for the period	(863)	(888)	-	-	-	-	(863)	(888)
Other comprehensive income	-	-	51	287	-	-	51	287
Total comprehensive income	(863)	(888)	51	287	-	-	(812)	(601)
of which:								
Attributable to the Australian Government	(863)	(888)	51	287	-	-	(812)	(601)
Transactions with owners								
Contributions by owners								
Departmental capital budget	-	-	-	-	173	173	173	173
Sub-total transactions with owners	-	-	-	-	173	173	173	173
Closing balance attributable to the Australian Government	(2,587)	(1,794)	338	287	2,134	1,961	(115)	454

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

Cash Flow Statement

for the period ended 30 June 2014

	Notes	2014 \$'000	2013 \$'000
Operating Activities			
Cash received			
Appropriations		18,092	18,249
Cash transferred from the Official Public Account		11,020	6,256
Sales of goods and rendering of services		8,048	8,205
Net GST received		318	267
Total cash received		37,478	32,977
Cash used			
Employees		(16,279)	(15,533)
Suppliers		(8,602)	(9,587)
Section 31 receipts transferred to Official Public Account		(5,188)	(8,491)
Total cash used		(30,069)	(33,611)
Net cash from (used by) operating activities	11	7,409	(634)
Investing Activities			
Cash used			
Purchase of infrastructure, plant and equipment		(92)	(36)
Purchase of intangibles		(144)	(182)
Total cash used		(236)	(218)
Net cash used by investing activities		(236)	(218)
Financing Activities			
Cash received			
Contributed equity		617	216
Total cash received		617	216
Net increase (decrease) in cash held		7,790	(636)
Cash and cash equivalents at the beginning of the reporting period		1,045	1,681
Cash and cash equivalents at the end of the reporting period	6A	8,835	1,045

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

Schedule of Commitments

as at 30 June 2014

	2014 \$'000	2013 \$'000
BY TYPE		
Commitments receivable		
Sublease rental income	(8,116)	(9,113)
Other commitments	(665)	(1,776)
Net GST recoverable on commitments ¹	(1,705)	(1,831)
Total commitments receivable	(10,486)	(12,720)
Commitments payable		
Capital commitments		
Infrastructure, plant and equipment ²	72	-
Total capital commitments	72	-
Other commitments		
Operating leases ²	27,272	30,893
Other	195	140
Total other commitments	27,467	31,033
Total commitments payable	27,539	31,033
Net commitments by type	17,053	18,313
BY MATURITY		
Commitments receivable		
Operating lease income		
One year or less	(1,034)	(997)
From one to five years	(5,789)	(5,578)
Over five years	(1,293)	(2,538)
Total operating lease income	(8,116)	(9,113)
Other commitments receivable		
One year or less	(862)	(1,865)
From one to five years	(1,233)	(1,201)
Over five years	(275)	(541)
Total other commitments receivable	(2,370)	(3,607)
Total commitments receivable	(10,486)	(12,720)

Schedule of Commitments

as at 30 June 2014

	2014 \$'000	2013 \$'000
Commitments payable		
Capital commitments		
One year or less	72	–
Total capital commitments	72	–
Operating lease commitments		
One year or less	3,593	3,620
From one to five years	19,357	18,786
Over five years	4,322	8,487
Total operating lease commitments	27,272	30,893
Other commitments		
One year or less	195	140
Total other commitments	195	140
Total commitments payable	27,539	31,033
Net commitments by maturity	17,053	18,313

Note: Commitments are GST inclusive where relevant

Nature of Leases/General Description

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

Leases for office accommodation

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

Agreements for the provision of motor vehicles to senior executive officers

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

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

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

Other commitments

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

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

Schedule of Contingencies

as at 30 June 2013

	2014 \$'000	2013 \$'000
Contingent assets	–	–
Total contingent assets	–	–
Contingent liabilities		
Make-good costs	79	79
Total contingent liabilities	79	79
Net contingent liabilities	(79)	(79)

Details of each class of contingent liabilities and contingent assets listed above are disclosed in Note 12, along with information on significant remote contingencies and contingencies that cannot be quantified.

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

Administered Schedule of Comprehensive Income

for the period ended 30 June 2014

	Notes	2014 \$'000	2013 \$'000
Expenses			
Suppliers	17A	144	143
Total expenses administered on behalf of Government		144	143
Net cost of services		144	143
Deficit		(144)	(143)
Total other comprehensive income attributable to the Australian Government		(144)	(143)

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

Administered Schedule of Assets and Liabilities

as at 30 June 2014

	Notes	2014 \$'000	2013 \$'000
Assets			
Financial assets			
Cash and cash equivalents	19A	17	–
Total financial assets		17	–
Total assets administered on behalf of Government		17	–
Liabilities			
Payables			
Suppliers	20A	17	–
Total payables		17	–
Total liabilities administered on behalf of Government		17	–
Net assets		–	–

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

Administered Reconciliation Schedule

	2014 \$'000	2013 \$'000
Opening administered assets less administered liabilities as at 1 July	–	11
Adjustment for errors	–	(11)
Adjusted opening administered assets less administered liabilities	–	–
Surplus (deficit) items:		
Less: Administered expenses (non CAC)	(144)	(143)
Administered transfers to/from Australian Government:		
Appropriation transfers from OPA:		
Annual appropriations for administered expenses (non CAC)	144	143
Closing administered assets less administered liabilities as at 30 June	–	–

This schedule should be read in conjunction with the accompanying notes.

Administered Cash Flow Statement for the period ended 30 June 2014

	Notes	2014 \$'000	2013 \$'000
Operating Activities			
Cash received		–	–
Total cash received		–	–
Cash used			
Suppliers		(127)	(143)
Total cash used		(127)	(143)
Net cash flows used by operating activities		(127)	(143)
Cash and cash equivalents at the beginning of the reporting period		–	–
Cash from Official Public Account for:			
– Appropriations		144	143
Cash and cash equivalents at the end of the reporting period	19A	17	–

This schedule should be read in conjunction with the accompanying notes.

Notes to and forming part of the financial statements

for the period ended 30 June 2014

Note 1: Summary of Significant Accounting Policies

1.1 Objectives of the Australian Human Rights Commission

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

The Commission is structured to meet the following outcome:

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

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

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

The administered activities conducted by the Commission on behalf of the Government relate to the National Anti-Racism Partnership Strategy.

1.2 Basis of Preparation of the Financial Statements

The financial statements are required by section 49 of the *Financial Management and Accountability Act 1997* and are general purpose financial statements.

The Financial Statements have been prepared in accordance with:

- Finance Minister's Orders (or FMO) for reporting periods ending on or after 1 July 2011; and
- Australian Accounting Standards and Interpretations issued by the Australian Accounting Standards Board (AASB) that apply for the reporting period.

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

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

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

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

Note 1: Summary of Significant Accounting Policies (continued)

During 2012-13 additional legal advice was received that indicated there could be breaches of Section 83 of the Constitution under certain circumstances with payments for long service leave, goods and services tax and payments under determinations of the Remuneration Tribunal. The Commission has reviewed its processes and controls over payments for these items to minimise the possibility for future breaches as a result of these payments. The Commission has determined that there is a low risk of the certain circumstances mentioned in the legal advice applying to the Commission. The Commission is not aware of any specific breaches of Section 83 of the Constitution in respect of these items.

The Australian Government continues to have regard to developments in case law, including the High Court's most recent decision on Commonwealth expenditure in *Williams v Commonwealth* [2014] HCA 23, as they contribute to the larger body of law relevant to the development of Commonwealth programs. In accordance with its general practice, the Government will continue to monitor and assess risk and decide on any appropriate actions to respond to risks of expenditure not being consistent with constitutional or other legal requirements.

1.3 Significant Accounting Judgements and Estimates

In the process of applying the accounting policies listed in this note, the Commission has made the following judgements that have significant impact on the amounts recorded in the financial statements:

The fair value of infrastructure, plant and equipment has been taken to be the market value of similar assets as determined by an independent valuer;

The relevant government bond rate has been used to discount non-current liabilities in accordance with the FMOs; and

The liability for long service leave has been estimated as per the FMOs. This takes into account expected salary growth, attrition and future discounting using the government bond.

1.4 New Australian Accounting Standards

Adoption of New Australian Accounting Standard Requirements

The following new standards/revised standards/interpretations/amending standards issued prior to the sign-off date that were applicable to the current reporting period:

AASB 119 *Employee Benefits 2014*

AASB 2011-10 *Australian Accounting Standards arising from AASB 119 (September 2011)*

AASB 13 *Fair Value Measurement 2014*

AASB 2011-8 *Amendments to Australian Accounting Standards arising from AASB 13*

Other new standards, revised standards, interpretations and amending standards that were issued prior to the sign-off date and are applicable to the current reporting period did not have a financial impact, and are not expected to have a future financial impact on the Commission.

Future Australian Accounting Standard Requirements

The following new standard will have a disclosure impact only in future reporting periods:

AASB 1055 – Budgetary Reporting – March 2013 (Principal) – Disclosure impact

1.5 Revenue

Revenue from Government

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

Appropriations receivable are recognised at their nominal amounts.

Notes to and forming part of the financial statements

for the period ended 30 June 2014

Note 1: Summary of Significant Accounting Policies (continued)

Other Types of Revenue

Revenue from the sale of goods is recognised when:

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

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

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

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 reporting period. Allowances are made when collectability of the debt is no longer probable.

1.6 Gains

Resources Received Free of Charge

Resources received free of charge are recognised as gains 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.

Sale of Assets

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

1.7 Transactions with the Government as Owner

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.

Other Distributions to Owners

The FMOs require that distributions to owners be debited to contributed equity unless in the nature of a dividend.

1.8 Employee Benefits

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

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

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

Leave

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

Notes to and forming part of the financial statements for the period ended 30 June 2014

Note 1: Summary of Significant Accounting Policies (continued)

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 as at 30 June 2014. The estimate of the present value of the liability takes into account attrition rates and pay increases through promotion and inflation.

Separation and Redundancy

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

Superannuation

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

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

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

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

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

1.9 Leases

A distinction is made between finance leases and operating leases. Finance leases effectively transfer from the lessor to the lessee substantially all the risks and rewards incidental to ownership of leased assets. An operating lease is a lease that is not a finance lease. In operating leases, the lessor effectively retains substantially all such risks and benefits.

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

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

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

1.10 Fair Value Measurement

The Commission deems transfers between levels of the fair value hierarchy to have occurred at the date of the event or change in circumstances that caused the transfer. There were no transfers in or out of any levels during the reporting period.

Notes to and forming part of the financial statements

for the period ended 30 June 2014

Note 1: Summary of Significant Accounting Policies (continued)

1.11 Cash

Cash and cash equivalents includes cash on hand, cash held with outsiders, demand deposits in bank accounts with an original maturity of 3 months or less that are readily convertible to known amounts of cash and subject to insignificant risk of changes in value. Cash is recognised at its nominal amount.

1.12 Financial Assets

The Commission classifies its financial assets as 'loans and 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.

Loans and Receivables

Trade receivables, loans and other receivables that have fixed or determinable payments that are not quoted in an active market are classified as 'loans and receivables'. Loans and receivables are measured at cost.

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 for loans and receivables the amount of the impairment loss is the difference between the carrying amount of the asset and the present value of the estimated future cash flows discounted at the current market rate for similar assets.

1.13 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.

Other financial liabilities are subsequently measured at amortised cost using the effective interest method, with interest expense recognised on an effective yield basis.

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

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

Notes to and forming part of the financial statements for the period ended 30 June 2014

Note 1: Summary of Significant Accounting Policies (continued)

1.14 Contingent Liabilities and Contingent Assets

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

1.15 Acquisition of Assets

Assets are recorded at cost on acquisition except as stated below. The cost of acquisition includes the fair value of assets transferred in exchange and liabilities undertaken. Financial assets are initially measured at their fair value plus transaction costs where appropriate.

Assets acquired at no cost, or for nominal consideration, are initially recognised as assets and income at their fair value at the date of acquisition, unless acquired as a consequence of restructuring of administrative arrangements. In the latter case, assets are initially recognised as contributions by owners at the amounts at which they were recognised in the transferor agency's accounts immediately prior to the restructuring.

1.16 Infrastructure, Plant and Equipment

Asset Recognition Threshold

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

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

Revaluations

Fair values for each class of asset are determined as shown below:

Asset Class	Fair Value Measured at:
Computer, plant and equipment	Market value
Leasehold improvements	Depreciated replacement cost

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

Revaluation adjustments 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 reverses 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 reverse 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.

Notes to and forming part of the financial statements
for the period ended 30 June 2014

Note 1: Summary of Significant Accounting Policies (continued)

Depreciation

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

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

Depreciation rates applying to each class of depreciable asset are based on the following useful lives:

Asset Class	2014	2013
Computer, plant and equipment	4 to 10 years	4 to 10 years
Leasehold improvements	Lease term	Lease term

Impairment

All assets were assessed for impairment at 30 June 2014. 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 to sell and its value in use. Value in use is the present value of the future cash flows expected to be derived from the asset. Where the future economic benefit of an asset is not primarily dependent on the asset's ability to generate future cash flows, and the asset would be replaced if the Commission were deprived of the asset, its value in use is taken to be its depreciated replacement cost.

Derecognition

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

1.17 Intangibles

The Commission's intangibles comprise internally developed and/or customised software for internal use. These assets are carried at cost less accumulated amortisation and accumulated impairment losses.

Software is amortised on a straight-line basis over its anticipated useful life. The useful lives of the Commission's software are 2 to 5 years (2012-13: 2 to 5 years).

All software assets were assessed for indications of impairment as at 30 June 2014.

1.18 Taxation

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

Revenues, expenses and assets are recognised net of GST except:

- where the amount of GST incurred is not recoverable from the Australian Taxation Office; and
- for receivables and payables.

Notes to and forming part of the financial statements for the period ended 30 June 2014

Note 1: Summary of Significant Accounting Policies (continued)

1.19 Reporting of Administered Activities

Administered revenues, expenses, assets, liabilities and cash flows are disclosed in the administered schedules and related notes.

Except where otherwise stated below, administered items are accounted for on the same basis and using the same policies as for departmental items, including the application of Australian Accounting Standards.

Administered Cash Transfers to and from the Official Public Account

Revenue collected by the entity for use by the Government rather than the entity is administered revenue. Collections are transferred to the Official Public Account (OPA) maintained by the Department of Finance. Conversely, cash is drawn from the OPA to make payments under Parliamentary appropriation on behalf of Government. These transfers to and from the OPA are adjustments to the administered cash held by the entity on behalf of the Government and reported as such in the schedule of administered cash flows and in the administered reconciliation schedule.

Note 2: Events After the Reporting Period

From 1 July 2014 the Commission became a Corporate Commonwealth Entity under the *Public Governance, Performance and Accountability Act 2013* (PGPA). The Commission continues to undertake the necessary arrangements to reflect its status as a Corporate Commonwealth Entity and implement changes brought about by the PGPA.

In the 2014-15 Budget the Government announced that from 1 January 2015, an Office of the Privacy Commissioner will be established as a separate statutory office, exercising statutory privacy functions under the *Privacy Act 1988* and related legislation. These functions are currently performed through the Office of the Australian Information Commissioner. The legislation giving effect to this announcement has not yet been enacted.

Unquantifiable Contingencies

At 12 February 2015 the Commission is appearing as an intervener in one matter before the Family Court of Western Australia.

It is not possible to estimate the amounts of the eventual payments that may be required in relation to the unresolved claims, though it is not common for costs to be awarded against the Commission in these matters.

Reporting of Administered Activities

From 1 July 2014 the Commission became a Commonwealth corporate entity under the *Public Governance, Performance and Accountability Act 2013* and the Commission's administered appropriation funding will no longer be required to be reported separately from its departmental funding.

Notes to and forming part of the financial statements
for the period ended 30 June 2014

Note 3: Expenses

	2014 \$'000	2013 \$'000
Note 3A: Employee Benefits		
Wages and salaries	12,458	12,304
Superannuation:		
Defined contribution plans	1,198	1,152
Defined benefit plans	967	877
Leave and other entitlements	831	1,340
Separation and redundancies	319	635
Other employee expenses	82	76
Total employee benefits	15,855	16,384
Note 3B: Supplier		
Goods and services supplied or rendered		
General property operating expenses	862	859
Insurance	38	38
Office consumables	87	87
Official travel	1,204	1,418
Postage and freight	42	43
Printing and publications	251	336
Professional services and fees	2,462	2,410
Reference materials, subscriptions and licences	344	272
Staff training	101	170
Telecommunications	228	263
Other	308	247
Total goods and services supplied or rendered	5,927	6,143
Goods supplied in connection with		
Related entities	42	11
External parties	790	778
Total goods supplied	832	789
Services rendered in connection with		
Related entities	247	298
External parties	4,848	5,056
Total services rendered	5,095	5,354
Total goods and services supplied or rendered	5,927	6,143

Notes to and forming part of the financial statements
for the period ended 30 June 2014

Note 3: Expenses (continued)

	2014 \$'000	2013 \$'000
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Note 3B: Supplier (continued)

Other supplier expenses

Operating lease rentals in connection with

Related parties

Sublease

118 180

External parties

Minimum lease payments

2,145 2,179

Workers compensation expenses

38 45

Total other supplier expenses

2,301 2,404

Total suppliers

8,228 8,547

Note 3C: Depreciation and Amortisation

Depreciation

Infrastructure, plant and equipment:

 Computer, plant and equipment

153 152

Total depreciation

153 152

Amortisation

Infrastructure, plant and equipment:

 Leasehold improvements

591 558

Intangibles:

 Computer software

234 195

Total amortisation

825 753

Total depreciation and amortisation

978 905

Note 3D: Write-Down and Impairment of Assets

Asset write-downs and impairments from

Financial assets – written off

– 1

Non-financial assets – written off

2 1

Total write-down and impairment of assets

2 2

Notes to and forming part of the financial statements
for the period ended 30 June 2014

Note 4: Income

	2014 \$'000	2013 \$'000
OWN-SOURCE REVENUE		
Note 4A: Sale of Goods and Rendering of Services		
Sale of goods in connection with		
External parties	1	1
Total sale of goods	1	1
Rendering of services in connection with		
Related entities	4,741	5,627
External parties	398	389
Total rendering of services	5,139	6,016
Total sale of goods and rendering of services	5,140	6,017
Note 4B: Rental Income		
Operating lease		
Sub lease rental income	900	882
Total rental income	900	882
GAINS		
Note 4C: Sale of Assets		
Property, plant and equipment		
Proceeds from sale	–	1
Total sale of assets	–	1
Note 4D: Other Gains		
Resources received free of charge	51	50
Gain on reduction of prior year provisions	17	21
Total other gains	68	71
REVENUE FROM GOVERNMENT		
Note 4E: Revenue from Government		
Appropriations		
Departmental appropriations	18,092	17,979
Total revenue from Government	18,092	17,979

Notes to and forming part of the financial statements
for the period ended 30 June 2014

Note 5: Fair Value Measurements

The following tables provide an analysis of assets and liabilities that are measured at fair value. The different levels of the fair value hierarchy are defined below.

Level 1: Quoted prices (unadjusted) in active markets for identical assets or liabilities that the entity can access at measurement date.

Level 2: Inputs other than quoted prices included within Level 1 that are observable for the asset or liability, either directly or indirectly.

Level 3: Unobservable inputs for the asset or liability.

Note 5A: Fair Value Measurements

Fair value measurements at the end of the reporting period by hierarchy for assets in 2014

	Fair value measurements at the end of the reporting period using			
	Fair value \$'000	Level 1 inputs \$'000	Level 2 inputs \$'000	Level 3 inputs \$'000
Non-financial assets				
Infrastructure, plant and equipment	4,430	–	4,430	–
Total non-financial assets	4,430	–	4,430	–
Total fair value measurements of assets in the statement of financial position	4,430	–	4,430	–

Fair value measurements – highest and best use differs from current use for non-financial assets (NFAs)

There were no NFAs where the highest and best use differed from its current use during the reporting period.

Note 5B: Level 1 and Level 2 Transfers for Recurring Fair Value Measurements

The Commission made no transfers between level 1 and level 2 for recurring fair value measurements during the reporting period.

The Commission's policy for determining when transfers between the levels are deemed to have occurred can be found in Note 1.

Notes to and forming part of the financial statements
for the period ended 30 June 2014

Note 5: Fair Value Measurements (continued)

Note 5C: Valuation Techniques and Inputs for Level 2 and Level 3 Fair Value Measurements

	Category (Level 2 or Level 3)	Fair Value \$'000	Valuation Technique	Inputs used
Assets not measured at fair value in the statement of financial position				
Infrastructure, plant and equipment	Level 2	4,430	Market Approach	Market replacement cost less estimate of written down value of asset used

Note 5D: Reconciliation of Recurring Level 3 Fair Value Measurements

The Commission had no recurring Level 3 fair value measurements for assets or liabilities during the reporting period.

The Commission's policy for determining when transfers between the levels are deemed to have occurred can be found in Note 1.

Notes to and forming part of the financial statements
for the period ended 30 June 2014

Note 6: Financial Assets

	2014 \$'000	2013 \$'000
Note 6A: Cash and Cash Equivalents		
Cash on hand or on deposit	8,835	1,045
Total cash and cash equivalents	8,835	1,045
Note 6B: Trade and Other Receivables		
Goods and Services receivables in connection with		
Related entities	513	345
External parties	78	50
Total goods and services receivables	591	395
Appropriations receivables		
Existing programs	–	6,275
Total appropriations receivables	–	6,275
Other receivables:		
GST receivable from the Australian Taxation Office	109	60
Total other receivables	109	60
Total trade and other receivables (gross)	700	6,730
Less impairment allowance account		
Goods and services	(19)	(19)
Total impairment allowance account	(19)	(19)
Total trade and other receivables (net)	681	6,711
Trade and other receivables (net) expected to be recovered		
No more than 12 months	681	6,711
Total trade and other receivables (net)	681	6,711
Trade and other receivables (gross) aged as follows		
Not overdue	635	6,702
Overdue by:		
0 to 30 days	22	7
31 to 60 days	–	–
61 to 90 days	22	–
More than 90 days	21	21
Total receivables (gross)	700	6,730

Notes to and forming part of the financial statements
for the period ended 30 June 2014

Note 6: Financial Assets (continued)

	2014 \$'000	2013 \$'000
Note 6B: Trade and Other Receivables (continued)		
The impairment allowance account is aged as follows:		
Not overdue	-	-
Overdue by:		
0 to 30 days	-	-
31 to 60 days	-	-
61 to 90 days	-	-
More than 90 days	(19)	(19)
Total impairment allowance account	(19)	(19)

Reconciliation of the Impairment Allowance Account:

Movements in relation to 2014

	Goods and services \$'000	Total \$'000
Opening balance	(19)	(19)
Amounts written off	-	-
Amounts recovered and reversed	-	-
Closing balance	(19)	(19)

Movements in relation to 2013

	Goods and services \$'000	Total \$'000
Opening balance	-	-
Amounts written off	(19)	(19)
Closing balance	(19)	(19)

Note 6C: Other Financial Assets

Rent in advance	277	-
Accrued revenue	6	-
Accommodation bond	3	-
Total other financial assets	286	-
Other financial assets expected to be recovered		
No more than 12 months	283	-
More than 12 months	3	-
Total other financial assets	286	-

Notes to and forming part of the financial statements
for the period ended 30 June 2014

Note 7: Non-Financial Assets

	2014 \$'000	2013 \$'000
Note 7A: Infrastructure, Plant and Equipment		
Computer, plant and equipment		
Fair value	305	304
Total computer, plant and equipment	305	304
Leasehold improvements		
Fair value	4,125	4,730
Total leasehold improvements	4,125	4,730
Total infrastructure, plant and equipment	4,430	5,034

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

No property, plant or equipment is expected to be sold or disposed of within the next 12 months.

Revaluations of non-financial assets

All revaluations were conducted in accordance with the revaluation policy stated at Note 1. On 30 June 2014, an independent valuer conducted the revaluations.

A revaluation decrement of \$22,750 for leasehold improvements was debited to the asset revaluation surplus (2013: \$267,160 increment) and \$73,873 for plant and equipment (2013: \$20,173) was credited to the asset revaluation surplus by asset class and included in the equity section of the balance sheet; no increments/decrements were expensed (2013: nil expensed).

Note 7B: Reconciliation of the Opening and Closing Balances of Infrastructure, Plant and Equipment 2014

	Computer, plant and equipment \$'000	Leasehold improvements \$'000	Total \$'000
As at 1 July 2013			
Gross book value	304	4,730	5,034
Accumulated depreciation and impairment	–	–	–
Net book value 1 July 2013	304	4,730	5,034
Additions:			
By purchase	82	9	91
Revaluations recognised in other comprehensive income	74	(23)	51
Depreciation/Amortisation expense	(153)	(591)	(744)
Disposals:			
Other	(2)	–	(2)
Net book value 30 June 2014	305	4,125	4,430
Net book value as of 30 June 2014 represented by:			
Gross book value	305	4,125	4,430
Accumulated depreciation and impairment	–	–	–
	305	4,125	4,430

Notes to and forming part of the financial statements
for the period ended 30 June 2014

Note 7: Non-Financial Assets (continued)

Note 7B: Reconciliation of the Opening and Closing Balances of Infrastructure, Plant and Equipment 2013

	Computer, plant and equipment \$'000	Leasehold improvements \$'000	Total \$'000
As at 1 July 2012			
Gross book value	606	5,577	6,183
Accumulated depreciation and impairment	(201)	(559)	(760)
Net book value 1 July 2012	405	5,018	5,423
Additions:			
By purchase	20	267	287
Revaluations recognised in other comprehensive income	32	3	35
Depreciation/Amortisation expense	(152)	(558)	(710)
Disposals:			
Other	(1)	–	(1)
Net book value 30 June 2013	304	4,730	5,034
Net book value as of 30 June 2013 represented by:			
Gross book value	304	4,730	5,034
Accumulated depreciation and impairment	–	–	–
	304	4,730	5,034

Notes to and forming part of the financial statements
for the period ended 30 June 2014

Note 7: Non-Financial Assets (continued)

	2014 \$'000	2013 \$'000
Note 7C: Intangibles		
Computer software		
Internally customised – in progress	128	–
Internally developed – in use	1,143	1,131
Accumulated amortisation	(472)	(238)
Total computer software	799	893
Other intangibles		
Purchased	5	–
Total other intangibles	5	–
Total intangibles	804	893

No indicators of impairment were found for intangible assets.

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

Note 7D: Reconciliation of the Opening and Closing Balances of Intangibles 2014

	Computer software internally customised – in progress \$'000	Computer software internally developed – in use \$'000	Other intangibles – intellectual property \$'000	Total \$'000
As at 1 July 2013				
Gross book value	–	1,131	–	1,131
Accumulated amortisation and impairment	–	(238)	–	(238)
Net book value 1 July 2013	–	893	–	893
Additions:				
By purchase or internally developed	128	12	5	140
Amortisation	–	(234)	–	(234)
Work-in-progress transfer	–	–	–	–
Net book value 30 June 2014	128	671	5	799
Net book value as of 30 June 2014 represented by:				
Gross book value	128	1,143	5	1,276
Accumulated amortisation and impairment	–	(472)	–	(472)
	128	671	5	804

Notes to and forming part of the financial statements
for the period ended 30 June 2014

Note 7: Non-Financial Assets (continued)

Note 7D: Reconciliation of the Opening and Closing Balances of Intangibles 2013

	Computer software internally customised – in progress \$'000	Computer software internally developed – in use \$'000	Other intangibles – intellectual property \$'000	Total \$'000
As at 1 July 2012				
Gross book value	166	784	–	950
Accumulated amortisation and impairment	–	(43)	–	(43)
Net book value 1 July 2012	166	741	–	907
Additions:				
By purchase or internally customised	–	181	–	181
Amortisation	–	(195)	–	(195)
Work-in-progress transfer	(166)	166	–	–
Net book value 30 June 2013	–	893	–	893
Net book value as of 30 June 2013 represented by:				
Gross book value	–	1,131	–	1,131
Accumulated amortisation and impairment	–	(238)	–	(238)
	–	893	–	893
			2014	2013
			\$'000	\$'000

Note 7E: Other Non-Financial Assets

Prepayments	162	100
Total other non-financial assets	162	100
Total other non-financial assets – are expected to be recovered in:		
No more than 12 months	155	99
More than 12 months	7	1
Total other non-financial assets	162	100

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 2014

Note 8: Payables

	2014 \$'000	2013 \$'000
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Note 8A: Suppliers

Trade creditors and accruals	689	882
Rent payable	1,035	778
Total suppliers payables	1,724	1,660

Suppliers expected to be settled

No more than 12 months	689	882
More than 12 months	1,035	778
Total suppliers	1,724	1,660

Suppliers in connection with

Related entities	57	271
External parties	1,667	1,389
Total suppliers	1,724	1,660

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

	2014 \$'000	2013 \$'000
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Note 8B: Other Payables

Wages and salaries	386	354
Superannuation	54	54
Other employee expenses	24	18
Revenue received in advance	5,087	2,667
Total other payables	5,551	3,093

Other payables expected to be settled

No more than 12 months	5,551	3,093
Total other payables	5,551	3,093

Notes to and forming part of the financial statements
for the period ended 30 June 2014

Note 9: Non-interest Bearing Liabilities

	2014 \$'000	2013 \$'000
Note 9A: Non-interest Bearing Liabilities		
Lease incentives ¹	3,962	4,529
Total non-interest bearing liabilities	3,962	4,529
Non-interest bearing liabilities expected to be settled		
Within one year	566	557
Between one to five years	2,834	2,785
More than five years	562	1,187
Total loans	3,962	4,529

¹ Lease incentive included in property operating lease.

Notes to and forming part of the financial statements
for the period ended 30 June 2014

Note 10: Provisions

	2014 \$'000	2013 \$'000
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Note 10A: Employee Provisions

Leave	3,248	3,317
Separations and redundancies	126	487
Total employee provisions	3,374	3,804

Employee provisions are expected to be settled in

No more than 12 months	2,593	2,963
More than 12 months	781	841
Total employee provisions	3,374	3,804

Note 10B: Other Provisions

Provision for contract obligations	623	164
Provision for restoration obligations	79	79
Total other provisions	702	243

Other provisions are expected to be settled in

No more than 12 months	623	164
More than 12 months	79	79
Total other provisions	702	243

	Provision for contract obligations \$'000	Provision for restoration \$'000	Total \$'000
Carrying amount 1 July 2013	164	79	243
Additional provisions made	639	–	639
Amounts used	(163)	–	(163)
Amounts reversed	(17)	–	(17)
Closing balance 30 June 2014	623	79	702

Notes to and forming part of the financial statements
for the period ended 30 June 2014

Note 11: Cash Flow Reconciliation

	2014 \$'000	2013 \$'000
Reconciliation of cash and cash equivalents as per statement of financial position to cash flow statement		
Cash and cash equivalents as per:		
Cash flow statement	8,835	1,045
Statement of financial position	8,835	1,045
Difference	-	-
Reconciliation of net cost of services to net cash from operating activities:		
Net cost of services	(18,955)	(18,867)
Add revenue from Government	18,092	18,249
Adjustments for non-cash items		
Depreciation/amortisation	978	905
Net write down of financial assets	-	1
Net write down of non-financial assets	2	-
Adjustment for errors and revised estimates	70	-
Unwinding of leasehold fitout incentive	(567)	(566)
Changes in assets/liabilities		
(Increase)/decrease in net receivables	5,588	(885)
(Increase)/decrease in other non-financial assets	(62)	8
Increase/(decrease) in employee provisions	(430)	872
Increase/(decrease) in supplier payables	64	(388)
Increase/(decrease) in other payables	2,171	32
Increase/(decrease) in other provisions	458	5
Net cash from/(used by) operating activities	7,409	(634)

Notes to and forming part of the financial statements
for the period ended 30 June 2014

Note 12: Contingent Assets and Liabilities

Unquantifiable Contingencies

At 30 June 2014 the Commission is appearing as an intervener in one matter before the High Court, a respondent in two proceedings in the Federal Court and a respondent to proceedings before the Administrative Appeals Tribunal.

It is not possible to estimate the amounts of the eventual payments that may be required in relation to the unresolved claims, though it is not common for costs to be awarded against the Commission in these matters.

Please refer to Note 2 of these accounts for events after balance date.

Note 13: Senior Executive Remuneration

	2014	2013
	\$	\$

Note 13A: Senior Executive Remuneration Expenses for the Reporting Period

Short-term employee benefits:

Salary	2,824,752	2,295,182
Other	1,590	1,595
Total short-term employee benefits	2,826,342	2,296,777

Post-employment benefits:

Superannuation	277,054	193,765
Total post-employment benefits	277,054	193,765

Other long-term employee benefits:

Annual leave accrued	19,743	39,499
Long-service leave	65,854	29,921
Total other long-term employee benefits	85,597	69,420

Termination benefits:

Separation and redundancy payments	-	-
Total termination benefits	-	-

Total senior executive remuneration expenses	3,188,993	2,559,962
---	------------------	------------------

Notes:

- Note 13A is prepared on an accrual basis.
- Note 13A excludes acting arrangements and part-year service where total remuneration expensed as a senior executive was less than \$195,000.

Notes to and forming part of the financial statements
for the period ended 30 June 2014

Note 13: Senior Executive Remuneration (continued)

Note 13B: Average Annual Reportable Remuneration Paid to Substantive Senior Executives during the Reporting Period

Average annual reportable remuneration paid to substantive senior executives in 2014:

Average annual reportable remuneration ¹	Substantive senior executives No.	Reportable salary ² \$	Contributed superannuation ³ \$	Reportable allowances ⁴ \$	Bonus paid ⁵ \$	Total reportable remuneration \$
Total reportable remuneration (including part-time arrangements):						
Less than \$195,000	1	105,075	6,153	–	–	111,228
\$195,000 to \$224,999	2	183,492	31,378	–	–	214,870
\$255,000 to \$284,999	1	262,094	15,040	–	–	277,134
\$315,000 to \$344,999	6	300,887	30,253	208	–	331,348
\$405,000 to \$434,999	1	390,350	17,740	343	–	408,433
Total number of substantive senior executives	11					

Average annual reportable remuneration paid to substantive senior executives in 2013:

Average annual reportable remuneration ¹	Substantive senior executives No.	Reportable salary ² \$	Contributed superannuation ³ \$	Reportable allowances ⁴ \$	Bonus paid ⁵ \$	Total reportable remuneration \$
Total reportable remuneration (including part-time arrangements):						
Less than \$195,000	2	77,836	7,391	–	–	85,227
\$195,000 to \$224,999	3	178,737	22,125	–	–	200,862
\$285,000 to \$314,999	4	282,367	20,301	300	–	302,968
\$315,000 to \$344,999	2	314,751	27,843	198	–	342,792
Total number of substantive senior executives	11					

Notes

- This table reports substantive senior executives who received remuneration during the reporting period. Each row is an averaged figure based on headcount for individuals in the band.
- 'Reportable salary' includes the following:
 - gross payments (less any bonuses paid, which are separated out and disclosed in the 'bonus paid' column);
 - reportable fringe benefits (at the net amount prior to 'grossing up' for tax purposes);
 - exempt foreign employment income; and
 - salary sacrificed benefits.
- The 'contributed superannuation' amount is the average cost to the entity for the provision of superannuation benefits to substantive senior executives in that reportable remuneration band during the reporting period.
- 'Reportable allowances' are the average actual allowances paid as per the 'total allowances' line on individuals' payment summaries.
- 'Bonus paid' represents average actual bonuses paid during the reporting period in that reportable remuneration band. The 'bonus paid' within a particular band may vary between financial years due to various factors such as individuals commencing with or leaving the entity during the financial year.

Notes to and forming part of the financial statements
for the period ended 30 June 2014

Note 13: Senior Executive Remuneration (continued)

Note 13C: Average Annual Reportable Remuneration Paid to Other Highly Paid Staff during the Reporting Period

There were no employees whose salary plus performance bonus was \$195,000 or more and did not have a role as a senior executive and are therefore not disclosed as a senior executive in Notes 13A and Note 13B above during the 2014 reporting period. (2013: Nil).

Note 14: Remuneration of Auditors

	2014 \$'000	2013 \$'000
Financial statement audit services were provided free of charge to the Commission by the Australian National Audit Office (ANAO).		
Fair value of the services provided		
Financial statement audit services	51	50
Total	51	50

No other services were provided by the ANAO.

Note 15: Financial Instruments

	2014 \$'000	2013 \$'000
Note 15A: Categories of Financial Instruments		
Financial Assets		
Loans and receivables:		
Cash and cash equivalents	8,835	1,045
Trade receivables	572	376
Other financial assets	286	–
Carrying amount of financial assets	9,693	1,421
Financial Liabilities		
Other liabilities:		
Trade creditors and accruals	1,724	1,660
Lease incentives	3,962	4,529
Revenue received in advance	5,087	2,667
Carrying amount of financial liabilities	10,773	8,856

Notes to and forming part of the financial statements
for the period ended 30 June 2014

Note 15: Financial Instruments (continued)

	Carrying amount 2014 \$'000	Fair value 2014 \$'000	Carrying amount 2013 \$'000	Fair value 2013 \$'000
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Note 15B: Fair Value of Financial Instruments

Financial Assets

Cash and cash equivalents	8,835	8,835	1,045	1,045
Trade receivable	572	572	376	376
Other financial assets	286	286	–	–
Total	9,693	9,693	1,421	1,421

Financial Liabilities

Trade creditors and accruals	1,724	1,724	1,660	1,660
Lease incentives	3,962	3,962	4,529	4,529
Revenue received in advance	5,087	5,087	2,667	2,667
Total	10,773	10,773	8,856	8,856

Note 15C: Credit Risk

The Commission's maximum exposures to credit risk at reporting date in relation to each class of recognised financial asset is the carrying amount of those assets as indicated in the statement of financial position. The Commission has no significant exposures to any concentrations of credit risk nor does it hold any collateral to mitigate against credit risk.

Credit quality of financial instruments not past due or individually determined as impaired:

	Not past due nor impaired 2014 \$'000	Not past due nor impaired 2013 \$'000	Past due or impaired 2014 \$'000	Past due or impaired 2013 \$'000
--	--	--	---	---

Loans and receivables

Cash and cash equivalents	8,835	1,045	–	–
Trade receivables	507	348	65	28
Other financial assets	286	–	–	–
Total	9,628	1,393	65	28

Notes to and forming part of the financial statements
for the period ended 30 June 2014

Note 15: Financial Instruments (continued)

Note 15C: Credit Risk (continued)

Ageing of financial assets that were past due but not impaired for 2014:

	0 to 30 days \$'000	31 to 60 days \$'000	61 to 90 days \$'000	90+ days \$'000	Total \$'000
Trade receivables	22	–	22	21	65
Total	22	–	22	21	65

Ageing of financial assets that were past due but not impaired for 2013:

	0 to 30 days \$'000	31 to 60 days \$'000	61 to 90 days \$'000	90+ days \$'000	Total \$'000
Trade receivables	7	–	–	21	28
Total	7	–	–	21	28

Note 15D: Liquidity Risk

The Commission's financial liabilities are payables, accrued expenses, revenue received in advance and other non-interest bearing liabilities. The exposure to liquidity risk is based on the notion that the Commission will encounter difficulty in meeting its obligations associated with financial liabilities. This is unlikely due to the appropriation funding and mechanisms available to the Commission (e.g. Advance to the Minister for Finance) and internal policies and procedures put in place to ensure there are appropriate resources to meet its financial obligations.

Maturities for non-derivative financial liabilities 2014:

	On demand \$'000	within 1 year \$'000	1 to 2 years \$'000	2 to 5 years \$'000	> 5 years \$'000	Total \$'000
Trade creditors and accruals	–	689	–	–	1,035	1,724
Lease incentives	–	566	1,132	1,698	566	3,962
Revenue received in advance	–	5,087	–	–	–	5,087
Total	–	6,342	1,132	1,698	1,601	10,773

Notes to and forming part of the financial statements
for the period ended 30 June 2014

Note 15: Financial Instruments (continued)

Note 15D: Liquidity Risk (continued)

Maturities for non-derivative financial liabilities 2013:

	On demand \$'000	within 1 year \$'000	1 to 2 years \$'000	2 to 5 years \$'000	> 5 years \$'000	Total \$'000
Trade creditors and accruals	–	1,660	–	–	–	1,660
Lease incentives	–	557	1,114	1,671	1,187	4,529
Revenue received in advance	–	2,667	–	–	–	2,667
Total	–	4,884	1,114	1,671	1,187	8,856

The Commission had no derivative financial liabilities in both the current and prior year.

Note 15E: Market Risk

The Commission holds basic financial instruments that do not expose the Commission to certain market risks. The Commission is not exposed to 'interest rate risk', 'currency risk' or 'other price risk'.

Note 16: Financial Assets Reconciliation

	Notes	2014 \$'000	2013 \$'000
Financial Assets			
Total financial assets as per statement of financial position		9,802	7,756
Less: non-financial instrument components			
GST Receivable from the Australian Taxation Office	6B	109	60
Appropriations receivable	6B	–	6,275
Total non-financial instrument components		109	6,335
Total financial assets as per financial instruments note		9,693	1,421

Notes to and forming part of the financial statements
for the period ended 30 June 2014

Note 17: Administered – Expenses

	2014 \$'000	2013 \$'000
Note 17A: Suppliers		
Goods and services supplied or rendered		
Professional services and fees	114	77
Printing and promotion	11	39
Official travel	14	17
Other	5	10
Total goods and services supplied or rendered	144	143
Goods supplied in connection with		
External parties	11	40
Total goods supplied	11	40
Services rendered in connection with		
Related entities	2	–
External parties	131	103
Total services rendered	133	103
Total goods and services supplied or rendered	144	143

Note 18: Administered – Financial Assets

	2014 \$'000	2013 \$'000
Note 18A: Cash and Cash Equivalents		
Cash on hand or on deposit	17	–
Total cash and cash equivalents	17	–

Notes to and forming part of the financial statements
for the period ended 30 June 2014

Note 19: Administered – Payables

	2014 \$'000	2013 \$'000
Note 19A: Suppliers		
Trade creditors and accruals	17	–
Total suppliers	17	–
Suppliers expected to be settled		
External parties	17	–
Total supplier payables	17	–

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

Note 20: Administered – Cash Flow Reconciliation

	2014 \$'000	2013 \$'000
Reconciliation of cash and cash equivalents as per Administered Schedule of Assets and Liabilities to Administered Cash Flow Statement		
Cash and cash equivalents as per:		
Schedule of administered cash flows	17	–
Schedule of administered assets and liabilities	17	–
Difference	–	–
Reconciliation of net cost of services to net cash from operating activities:		
Net cost of services	(144)	(143)
Changes in assets/liabilities		
Increase/(decrease) in supplier payables	17	–
Net cash used by operating activities	(127)	(143)

Notes to and forming part of the financial statements
for the period ended 30 June 2014

Note 21: Administered – Contingent Assets and Liabilities

The Commission has no administered contingent assets or liabilities.

Note 22: Administered – Financial Instruments

	2014 \$'000	2013 \$'000
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Note 22A: Categories of Financial Instruments

Financial Liabilities

Other liabilities

Trade creditors and accruals	17	–
Carrying amount of financial liabilities	17	–

	Carrying amount 2014 \$'000	Fair value 2014 \$'000	Carrying amount 2013 \$'000	Fair value 2013 \$'000
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Note 22B: Fair Value of Financial Instruments

Financial Liabilities

Trade creditors and accruals	17	17	–	–
Total	17	17	–	–

Note 22C: Credit Risk

The following table illustrates the Commission's gross exposure to credit risk, excluding any collateral or credit.

	2014 \$'000	2013 \$'000
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Financial Liabilities

Trade creditors and accruals	17	–
Total	17	–

In relation to the Commission's gross credit risk the following collateral is held: nil (2013: nil).

Notes to and forming part of the financial statements
for the period ended 30 June 2014

Note 22: Administered – Financial Instruments (continued)

Note 22D: Liquidity Risk

Maturities for non-derivative financial liabilities 2014:

	On demand \$'000	within 1 year \$'000	1 to 2 years \$'000	2 to 5 years \$'000	> 5 years \$'000	Total \$'000
Trade creditors and accruals	–	17	–	–	–	17
Total	–	17	–	–	–	17

Maturities for non-derivative financial liabilities 2013:

	On demand \$'000	within 1 year \$'000	1 to 2 years \$'000	2 to 5 years \$'000	> 5 years \$'000	Total \$'000
Trade creditors and accruals	–	–	–	–	–	–
Total	–	–	–	–	–	–

The Commission had no derivative financial liabilities in both the current and prior financial year.

Note 23: Administered Financial Assets Reconciliation

	2014 \$'000	2013 \$'000
Financial Assets		
Total financial assets as per schedule of administered assets and liabilities:	17	–
Less: non-financial instrument components	–	–
Total non-financial instrument components	–	–
Total financial assets as per financial instruments note	17	–

Notes to and forming part of the financial statements
for the period ended 30 June 2014

Note 24: Appropriations

Table A: Annual Appropriations ('Recoverable GST exclusive')

	2014 Appropriations							Appropriation applied in 2014 (current and prior years) \$'000	Variance ² \$'000
	Appropriation Act		FMA Act				Total appropriation \$'000		
	Annual Appropriation \$'000	Appropriations reduced ¹ \$'000	AFM \$'000	Section 30 \$'000	Section 31 \$'000	Section 32 \$'000			
DEPARTMENTAL									
Ordinary annual services	18,092	-	-	-	7,978	-	26,070	(25,307)	763
Other services	-	-	-	-	-	-	-	-	-
Equity	-	-	-	-	-	-	-	-	-
Loans	-	-	-	-	-	-	-	-	-
Total departmental	18,092	-	-	-	7,978	-	26,070	(25,307)	763
ADMINISTERED									
Ordinary annual services									
Administered items	144	-	-	-	-	-	144	(144)	-
Total administered	144	-	-	-	-	-	144	(144)	-

Notes:

1. Departmental appropriations do not lapse at financial year-end. However, the responsible Minister may decide that part or all of a departmental appropriation is not required and request that the Finance Minister to reduce that appropriation. The reduction in the appropriation is effected by the Finance Minister's determination and is disallowable by Parliament. In 2014, there was no reduction in departmental and non-operating departmental appropriations. As with departmental appropriations, the responsible Minister may decide that part or all of an administered appropriation is not required and request that the Finance Minister reduce that appropriation. For administered appropriations reduced under section 11 of Appropriation Acts (Nos. 1,3&5) 2013-14 and section 12 of Appropriation Acts (Nos. 2,4&6) 2013-14, the appropriation is taken to be reduced to the required amount specified in Note 25D of this note once the annual report is tabled in Parliament. All administered appropriations may be adjusted by a Finance Minister's determination, which is disallowable by Parliament.
2. Variance represents unspent appropriation funding.

Notes to and forming part of the financial statements
for the period ended 30 June 2014

Note 24: Appropriations (continued)

Table A: Annual Appropriations ('Recoverable GST exclusive') (continued)

	2013 Appropriations							Appropriation applied in 2013 (current and prior years) \$'000	Variance ² \$'000
	Appropriation Act		FMA Act				Total appropriation \$'000		
	Annual Appropriation \$'000	Appropriations reduced ¹ \$'000	AFM \$'000	Section 30 \$'000	Section 31 \$'000	Section 32 \$'000			
DEPARTMENTAL									
Ordinary annual services	18,215	-	-	-	7,496	-	25,711	(32,897)	(7,186)
Other services	-	-	-	-	-	-	-	-	-
Equity	-	-	-	-	-	-	-	-	-
Loans	-	-	-	-	-	-	-	-	-
Total departmental	18,215	-	-	-	7,496	-	25,711	(32,897)	(7,186)
ADMINISTERED									
Ordinary annual services									
Administered items	143	-	-	-	-	-	143	(143)	-
Total administered	143	-	-	-	-	-	143	(143)	-

Notes:

1. Departmental appropriations do not lapse at financial year-end. However, the responsible Minister may decide that part or all of a departmental appropriation is not required and request that the Finance Minister to reduce that appropriation. The reduction in the appropriation is effected by the Finance Minister's determination and is disallowable by Parliament. In 2014, there was no reduction in departmental and non-operating departmental appropriations. As with departmental appropriations, the responsible Minister may decide that part or all of an administered appropriation is not required and request that the Finance Minister reduce that appropriation. For administered appropriations reduced under section 11 of Appropriation Acts (Nos. 1,3&5) 2013-14 and section 12 of Appropriation Acts (Nos. 2,4&6) 2013-14, the appropriation is taken to be reduced to the required amount specified in Note 25D of this note once the annual report is tabled in Parliament. All administered appropriations may be adjusted by a Finance Minister's determination, which is disallowable by Parliament.

2. Variance represents utilisation of the Commission's prior year cash balance and appropriations receivable.

Notes to and forming part of the financial statements
for the period ended 30 June 2014

Note 24: Appropriations (continued)

Table B: Departmental and Administered Capital Budgets ('Recoverable GST exclusive')

	2014 Capital Budget Appropriations				Capital Budget Appropriations applied in 2014 (current and prior years)		
	<i>Appropriation Act</i>	<i>FMA Act</i>	Total Capital Budget Appropriations \$'000	Payments for non-financial assets ² \$'000	Payments for other purposes \$'000	Total payments \$'000	Variance ³ \$'000
	Annual Capital Budget \$'000	Appropriations reduced ¹ \$'000					
DEPARTMENTAL Ordinary annual services – Departmental Capital Budget ¹	173	–	173	(236)	–	(236)	(63)

Notes:

1. Departmental and Administered Capital Budgets are appropriated through Appropriation Acts (No.1,3,5). They form part of ordinary annual services, and are not separately identified in the Appropriation Acts. For more information on ordinary annual services appropriations, please see Table A: Annual appropriations.
2. Payments made on non-financial assets include purchases of assets, expenditure on assets which has been capitalised.
3. Variance represents prior year departmental capital budget appropriation drawdown and spent in current period.

	2013 Capital Budget Appropriations				Capital Budget Appropriations applied in 2013 (current and prior years)		
	<i>Appropriation Act</i>	<i>FMA Act</i>	Total Capital Budget Appropriations \$'000	Payments for non-financial assets ² \$'000	Payments for other purposes \$'000	Total payments \$'000	Variance ³ \$'000
	Annual Capital Budget \$'000	Appropriations reduced ¹ \$'000					
DEPARTMENTAL Ordinary annual services – Departmental Capital Budget ¹	173	–	173	(216)	–	(216)	(43)

Notes:

1. Departmental and Administered Capital Budgets are appropriated through Appropriation Acts (No.1,3,5). They form part of ordinary annual services, and are not separately identified in the Appropriation Acts. For more information on ordinary annual services appropriations, please see Table A: Annual appropriations.
2. Payments made on non-financial assets include purchases of assets, expenditure on assets which has been capitalised.
3. Variance represents prior year departmental capital budget appropriation drawdown and spent in the current period.

Notes to and forming part of the financial statements
for the period ended 30 June 2014

Note 24: Appropriations (continued)

Table C: Unspent Annual Appropriations ('Recoverable GST exclusive')

Authority	2014 \$'000	2013 \$'000
DEPARTMENTAL		
Appropriation Act (No. 1) 2012-2013	–	5,895
Capital Budget Bill 1 (DCB) 2011-2012	–	271
Capital Budget Bill 1 (DCB) 2012-2013	–	173
Cash held by the Commission	8,835	1,045
Total	8,835	7,384
ADMINISTERED		
Appropriation Act (No.1) 2013-2014	–	18
Cash held by the Commission	17	–
Total	17	18

Table D: Reduction in Administered Items ('Recoverable GST exclusive')

2014	Amount required ³ – by Appropriation Act			Total amount required ³	Total amount appropriated ⁴	Total reduction ⁵
Ordinary Annual Services	Act (No.1)	Act (No.3)	Act (No.5)			
Outcome 1	\$144,000.00	–	–	\$144,000.00	\$144,000.00	–

Notes:

- Numbers in this section of the table must be disclosed to the cent.
- Administered items for 2014 were reduced to these amounts when these financial statements were tabled in Parliament as part of the entity's 2014 annual report. This reduction will be effective in 2015, but the amounts have been reflected in Table A in the 2014 financial statements in the column 'Appropriations reduced' as they were adjustments to 2014 appropriations.
- Amount required as per Appropriation Act (Act 1 s. 11; Act 2 s. 12).
- Total amount appropriated in 2014.
- Total reduction effective in 2015.

2013	Amount required ³ – by Appropriation Act			Total amount required ³	Total amount appropriated ⁴	Total reduction ⁵
Ordinary Annual Services	Act (No.1)	Act (No.3)	Act (No.5)			
Outcome 1	\$142,956.36	–	–	\$142,956.36	\$143,000.00	(\$43.64)

Notes:

- Numbers in this section of the table must be disclosed to the cent.
- Administered items for 2013 were reduced to these amounts when these financial statements were tabled in Parliament as part of the entity's 2013 annual report. This reduction was effective in 2014, but the amounts were reflected in Table A in the 2013 financial statements in the column 'Appropriations reduced' as they were adjustments to 2013 appropriations.
- Amount required as per Appropriation Act (Act 1 s. 11; Act 2 s. 12).
- Total amount appropriated in 2013.
- Total reduction effective in 2014.

Notes to and forming part of the financial statements for the period ended 30 June 2014

Note 25: Special Accounts and FMA Act Section 39

The Commission has a 'Services for Other Entities and Trust Moneys' special account. The account was established under Section 20 of the Financial Management and Accountability Act 1997 (FMA Act) by the Financial Management and Accountability (Establishment of SOETM Special Account – AHRC) Determination 2012/05. The year ended 30 June 2014 the account had a nil opening balance and there were no transactions debited or credited to it in the 2013-2014 financial year.

The purpose of the 'Services to Other Entities and Trust Moneys' special account was for the expenditure of monies temporarily held on trust or otherwise for the benefit of a person other than the Commonwealth. Any money held in this account is special public money under section 20 of the FMA Act.

The Commission has no investments made under Section 39 of the FMA Act.

Special Accounts and FMA Act Section 39 – Administered

The Commission has no administered special accounts.

The Commission has no administered investments made under Section 39 of the FMA Act.

Note 26: Compensation and Debt Relief

The Commission made no payments for compensation or debt relief during the reporting period.

Compensation and Debt Relief – Administered

The Commission made no administered payments for compensation or debt relief during the reporting period.

Note 27: Reporting of Outcomes

Note 27A: Net Cost of Outcome Delivery

	Outcome 1		Total	
	2014 \$'000	2013 \$'000	2014 \$'000	2013 \$'000
DEPARTMENTAL				
Expenses	25,063	25,838	25,063	25,838
Own-source income	6,108	6,971	6,108	6,971
ADMINISTERED				
Expenses	144	143	144	143
Net cost of outcome delivery	(19,099)	(19,010)	(19,099)	(19,010)

Notes to and forming part of the financial statements
for the period ended 30 June 2014

Note 27: Reporting of Outcomes (continued)

Note 27B: Major Classes of Departmental Expense, Income, Assets and Liabilities by Outcome

	Outcome 1		Total	
	2014 \$'000	2013 \$'000	2014 \$'000	2013 \$'000
Expenses				
Employee benefits	15,855	16,384	15,855	16,384
Supplier	8,228	8,547	8,228	8,547
Depreciation and Amortisation	978	905	978	905
Other	2	2	2	2
Total	25,063	25,838	25,063	25,838
Income				
Sales of goods and services	5,140	6,017	5,140	6,017
Revenue from Government	18,092	17,979	18,092	17,979
Rental income (sub-lease)	900	882	900	882
Other gains	68	71	68	71
Total	24,200	24,949	24,200	24,949
Assets				
Cash and cash equivalents	8,835	1,045	8,835	1,045
Trade and other receivables	681	6,730	681	6,730
Other financial assets	286	–	286	–
Infrastructure, plant and equipment	4,430	5,034	4,430	5,034
Intangibles	804	893	804	893
Other non-financial assets	162	100	162	100
Total	15,198	13,802	15,198	13,802
Liabilities				
Suppliers	1,724	1,660	1,724	1,660
Lease incentives	3,962	4,529	3,962	4,529
Employee provisions	3,374	3,804	3,374	3,804
Other provisions and payables	6,253	3,336	6,253	3,336
Total	15,313	13,329	15,313	13,329

Outcome 1 is described in Note 1.1. Net costs shown included intra-government costs that were eliminated in calculating the actual Budget Outcome. Refer to Outcome 1 Resourcing Table on page 130 of this Annual Report.

Notes to and forming part of the financial statements
for the period ended 30 June 2014

Note 27: Reporting of Outcomes (continued)

Note 27C: Major Classes of Administered Expenses, Income, Assets and Liabilities by Outcome

	Outcome 1		Total	
	2014 \$'000	2013 \$'000	2014 \$'000	2013 \$'000
Expenses				
Supplier	144	143	144	143
Total	144	143	144	143
Income				
Revenue from Government				
Administered	144	143	144	143
Total	144	143	144	143
Assets				
Cash and cash equivalents	17	–	17	–
Total	17	–	17	–
Liabilities				
Suppliers	17	–	17	–
Total	17	–	17	–

Outcome 1 is described in Note 1.1. Net costs shown included intra-government costs that were eliminated in calculating the actual Budget Outcome. Refer to Outcome 1 Resourcing Table on page 130 of this Annual Report.

Note 28: Net Cash Appropriation Arrangements

	2014 \$'000	2013 \$'000
Total comprehensive income (loss) less depreciation/amortisation expenses previously funded through revenue appropriations¹	166	304
Plus: depreciation/amortisation expenses previously funded through revenue appropriation	(978)	(905)
Total comprehensive loss per the Statement of Comprehensive Income	(812)	(601)

1. From 2010-11, the Government introduced net cash appropriation arrangements, where revenue appropriations for depreciation/amortisation expenses ceased. Entities now receive a separate capital budget provided through equity appropriations. Capital budgets are to be appropriated in the period when cash payment for capital expenditure is required.

Appendices

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Photo: © George Doyle

Appendix 1: Agency resource statement

Table 1: Agency resource statement 2013-14

		Actual available appropriation for 2013-14 \$'000	Payments made 2013-14 \$'000	Balance remaining 2013-14 \$'000
		(a)	(b)	(a) – (b)
Ordinary Annual Services¹				
Departmental appropriation ²		35 078	25 733	9 345
Total		35 078	25 733	9 345
Administered Expenses				
Outcome 1		144	144	
Total		144	144	
Total ordinary annual services	A	35 222*	25 877	
Other Services				
Departmental non-operating				
Equity injections		0	0	0
Total		0	0	0
Total other services	B	0	0	
Total Available Annual Appropriations and payments		35 222	25 877	
Total special appropriations	C	0	0	0
Total special accounts	D	0	0	0
Total resourcing and payments				
A+B+C+D		35 222	25 877	
Total net resourcing and payments for the Australian Human Rights Commission		35 222	25 877	

* Full year budget, including any subsequent adjustment made to the 2013–14 Budget.

1 Appropriation Bill (No.1) 2013–14. Includes Prior Year departmental appropriation and section 31 relevant agency receipts.

2 Includes an amount of \$0.173m in 2013–14 for the Departmental Capital Budget. For accounting purposes this amount has been designated as 'contributions by owners'.

Appendix 2: Expense for our outcome

Table 2: Expenses for Outcome 1

Outcome 1 – 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.

	Budget* 2013-14 \$'000	Actual Expenses 2013-14 \$'000	Variation 2013-14 \$'000
	(a)	(b)	(a) – (b)
Programme 1.1: Australians have access to independent human rights complaint handling and public inquiries processes and benefit from human rights education, promotion and monitoring, and reporting on human rights			
Administered expenses			
Ordinary Annual Services (Appropriation Bill No.1)	144	144	0
Departmental expenses			
Departmental appropriation ¹	24 419	24 032	387
Expenses not requiring appropriation in the Budget year	955	1 031	(76)
Total for Programme 1.1	25 518	25 207	311
Outcome 1 Totals by appropriation type			
Administered expenses			
Ordinary Annual Services (Appropriation Bill No.1)	144	144	0
Departmental expenses			
Departmental appropriation ¹	24 419	24 032	387
Expenses not requiring appropriation in the Budget year	955	1 031	(76)
Total expenses for Outcome 1	25 518	25 207	311
	2012-13	2013-14	
Average Staffing Level (number)	134	123	

* Full year budget, including any subsequent adjustment made to the 2013–14 Budget.

1. Departmental Appropriation combines Ordinary annual services (Appropriation Bill No. 1) and Revenue from independent sources (section 31).

Appendix 3: Complaint statistics

Enquiries and complaints received

The Commission received 19 688 enquiries in 2013-14. This is 16% higher than the number received in the previous year. The majority of enquiries (73%) were received via our National Information Hotline. The main issues raised by enquirers in this reporting year related to disability discrimination (18%); general employment matters, including harassment and bullying (17%); discrimination on grounds covered by the Sex Discrimination Act (11%); racial discrimination, including racial hatred (8%); and human rights-related issues, including immigration and immigration detention (7%).

In 2013-14, the Commission received 2223 complaints. One complaint may raise a number of grounds and areas of discrimination and be against one or more respondents. If the Commission counted complaints by respondents, the number of complaints received in 2013-14 would increase to 3004. If the Commission counted complaints received by grounds and areas of discrimination, the number of complaints received would increase to 4787 and 2579 respectively.

The number of complaints received in 2013-14 is slightly higher (2%) than that received in the previous reporting year. In 2013-14:

- 38% of complaints were lodged under the Disability Discrimination Act
- 21% of complaints were lodged under the Sex Discrimination Act
- 17% of complaints were lodged under the Racial Discrimination Act
- 16% of complaints were lodged under the Australian Human Rights Commission Act
- 8% of complaints were lodged under the Age Discrimination Act.

Employment was the main area of complaint under the Sex Discrimination Act (80%), Age Discrimination Act (62%) and the Racial Discrimination Act (37%). The provision of goods, services and facilities was the main area of complaint under the Disability Discrimination Act (39%).

Outcomes of complaints

The Commission finalised 2178 complaints during 2013-14. We conducted approximately 1444 conciliation processes, of which 1017 complaints (70%) were successfully resolved. This represents successful dispute resolution for more than 2034 people and organisations involved in complaints before the Commission. The conciliation success rate in 2013-14 is the highest achieved in recent years.

Information on the outcomes of conciliated complaints indicates that 23% included terms which will have benefits for people beyond the individual complainant. For example, terms included agreements to introduce anti-discrimination policies and provide anti-discrimination training in workplaces, as well as agreements to undertake modifications to buildings and services to address potential discriminatory factors.

Commission survey data also highlights the educative effect of the Commission's complaint process. For example, in relation to conciliated complaints, 71% of surveyed participants indicated that involvement in the complaint process had assisted them to better understand their rights and responsibilities under federal human rights and anti-discrimination law.¹

Data provided to the Commission indicates that, in 2013-14, approximately 4% of finalised complaints regarding unlawful discrimination proceeded to court. The majority of these complaints (93%) were terminated by the Commission on the basis that there was no reasonable prospect of the matter being settled by conciliation.

Timeliness of the complaint process

In 2013-14, 54% of complaints were finalised within three months, 85% within six months, 94% within nine months and 97% within 12 months. The average time from receipt to finalisation of a complaint was approximately 3.4 months. Over recent years, there has been a significant improvement in the timeliness of the complaint process which can be attributed to ongoing innovations in the Commission's complaint process and improved data collection processes.

Demographic data

Information on the geographical location and ethnicity of complainants is provided in Tables 8, 11 and 12.

Demographic data obtained during the complaint process indicates that, in 2013-14, 50% of complaints were lodged by individual males, 47% by individual females and 3% by other categories. Other categories include intersex, sex not specified, joint/multiple complainants and organisations.

Where referral source was identified, 47% of complainants reported that they knew about the Commission prior to lodging their complaint. The other main identified referral sources were private lawyers (14%); the Internet (12%); family members, friends or support people (8%); and specialist advocacy agencies, such as advocacy agencies for people with disabilities, women or Aboriginal and Torres Strait Islander peoples (4%).

The majority of complainants (69%) indicated that their main source of income at the time of the alleged act was from a form of employment. Of this group, 78% indicated they were in full-time or part-time permanent employment, 18% were engaged in casual, contract or outwork and 4% were self-employed.

Approximately 36% of complainants said they were represented at the beginning of the complaint process and 45% of these complainants said they were represented by privately funded solicitors. The level of overall representation is similar to previous years but there is a slight increase in private legal representation, in comparison with the average over the past five years (39%). Other identified forms of representation were family members or friends (19%); other advocacy groups, such as working women's centres or disability advocacy services (16%); community legal centres, including Aboriginal or disability legal services (11%); and trade unions or professional associations (7%).

In 2013-14, the main respondent organisation categories were private enterprise (52%), Commonwealth departments/statutory authorities (22%) and State departments/statutory authorities (12%). These have been the main respondent organisation categories over recent years.

1 Further details of the Commission's Service Satisfaction survey for 2013-14 are provided at page 68.

National Information Service

Table 1: Website enquiries

Webpage views	326 726
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Table 2: Enquiries received by mode of contact

Enquiry type	Number
Telephone	14 429
TTY/NRS	6
Email/Smartform/Webform	4 545
In person	102
Written	606
Total	19 688

Table 3: Enquiries received by State/Territory of enquirer

State of origin	Number	Percentage
New South Wales	4 487	23
Victoria	2 487	13
South Australia	670	3
Western Australia	1 322	7
Queensland	2 025	10
Australian Capital Territory	422	2
Tasmania	247	1
Northern Territory	292	2
Unknown/overseas	7 736	39
Total	19 688	100

Complaints overview

Table 4: Complaints received in 2013-14

	2013-14
Counted by complainants*	2 223
Counted by respondents	3 004
Counted by grounds of discrimination	4 787
Counted by areas of discrimination	2 579

* The Commission counts complaints by complainants. Other State and Territory anti-discrimination bodies may count complaints by respondents and/or by grounds of discrimination and/or by areas of discrimination raised in a complaint.

Table 5: Complaints received and finalised over the past five years

	2009-10	2010-11	2011-12	2012-13	2013-14
Received	2 517	2 152	2 610	2 177	2 223
Finalised	2 426	2 266	2 605	2 500	2 178

Table 6: Outcomes of finalised complaints over the past five years

	2009-10 (%)	2010-11 (%)	2011-12 (%)	2012-13 (%)	2013-14 (%)
Terminated/declined	32	35	31	33	23
Conciliated	50	47	48	45	49
Withdrawn*	13	11	12	13	16
Discontinued**	5	6	8	9	9
Referred for reporting (Australian Human Rights Commission Act only)	–	1	1	–	3

* This category includes where a complainant withdraws due to personal circumstances or where they decide not to proceed after reviewing information from the respondent or being provided with information about the law and/or a preliminary assessment of the complaint.

** A complaint may be discontinued where a complainant does not respond to the Commission's attempts to contact them, including after being provided with an assessment of the complaint.

Table 7: Complaints resolved by conciliation over the past five years

	2009-10 (%)	2010-11 (%)	2011-12 (%)	2012-13 (%)	2013-14 (%)
Complaints successfully resolved	69	64	66	65	70
Complaints unable to be resolved	31	36	34	35	30

Table 8: Complaints received by State/Territory of complainant

State of origin	Number	Percentage
New South Wales	804	36
Victoria	476	22
South Australia	139	6
Western Australia	326	15
Queensland	314	14
Australian Capital Territory	60	3
Tasmania	29	1
Northern Territory	52	2
Unknown/overseas	23	1
Total	2 223	100

Table 9: Complaints received and finalised by Act

Act	Received	Finalised
Racial Discrimination Act	380	443
Sex Discrimination Act	474	451
Disability Discrimination Act	830	796
Age Discrimination Act	184	168
Australian Human Rights Commission Act	355	320
Total	2 223	2 178

Chart 1: Complaints received by Act

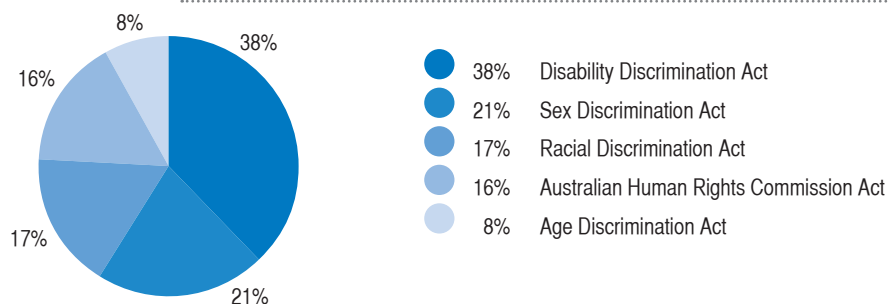


Table 10: Complaints received by Act over the past five years

	2009-10	2010-11	2011-12	2012-13	2013-14
Racial Discrimination Act	550	422	477	500	380
Sex Discrimination Act	532	459	505	417	474
Disability Discrimination Act	1 057	823	955	793	830
Age Discrimination Act	174	175	196	157	184
Australian Human Rights Commission Act	204	273	477	310	355
Total	2 517	2 152	2 610	2 177	2 223

Table 11: Country of birth of complainants

	RDA (%)	SDA (%)	DDA (%)	ADA (%)	AHRCA (%)	Total (%)
Born in Australia	34	23	38	37	18	31
Born outside of Australia	37	11	12	18	57	23
Unknown/ unspecified	29	66	50	45	25	46

Table 12: Aboriginal and Torres Strait Islander status of complainants

	RDA (%)	SDA (%)	DDA (%)	ADA (%)	AHRCA (%)	Total (%)
Aboriginal	36	1	2	0.5	2	9
Torres Strait Islander	–	–	–	–	–	–
Both of the above	1	–	–	0.5	–	–
None of the above/ Unknown	63	99	98	99	98	91

Table 13: Time from receipt to finalisation for finalised complaints

	RDA (%)	SDA (%)	DDA (%)	ADA (%)	AHRCA (%)	Cumulative Total (%)
0-3 months	61	59	51	67	39	54
3-6 months	95	88	85	95	65	85
6-9 months	98	98	96	100	75	94
9-12 months	99	99	99	–	83	97

Racial Discrimination Act

Table 14: Racial Discrimination Act – Complaints received and finalised

Racial Discrimination Act	Total
Received	380
Finalised	443

Table 15: Racial Discrimination Act – Complaints received by ground

Racial Discrimination Act – Grounds	Number	Percentage
Colour	90	9.5
National origin	128	13
Ethnic origin	185	19
Descent	33	4
Race	353	37
Racial hatred	116	12
Immigrant status	10	1
Association	5	1
Victimisation	30	3
Incite unlawful act	4	0.5
Advertisements	2	–
Total*	956	100

* One complaint may raise multiple grounds.

Table 16: Racial Discrimination Act – Complaints received by area

Racial Discrimination Act – Areas	Number	Percentage
Rights to equality before the law	1	–
Access to places and facilities	5	1
Land, housing, other accommodation	7	2
Provision of goods and services	140	29
Right to join trade unions	–	–
Employment	178	37
Education	15	3
Other – section 9	18	4
Racial hatred	116	24
Total*	480	100

* One complaint may relate to more than one area.

Table 17: Racial hatred complaints received by sub-area

Racial hatred sub-areas	Number	Percentage
Media – press/TV/radio	12	10
Disputes between neighbours	8	7
Personal conflict	17	14
Employment	31	27
Racist propaganda	2	2
Internet – email/webpage/chat room	12	10
Entertainment	1	1
Sport	1	1
Public debate	–	–
Provision of goods and services	30	26
Education	2	2
Total	116	100

Table 18: Racial Discrimination Act – Outcomes of finalised complaints

Racial Discrimination Act – Outcomes	Number
Terminated	108
At complainant's request – s.46PE	–
Not unlawful	–
More than 12 months old	4
Trivial, vexatious, frivolous, misconceived, lacking in substance	18
Adequately dealt with already	–
More appropriate remedy available	–
Subject matter of public importance	–
No reasonable prospect of conciliation	86
Discontinued*	41
Withdrawn**	60
Conciliated	209
Administrative closure***	25
Total	443

* A complaint may be discontinued where a complainant does not respond to the Commission's attempts to contact them, including after being provided with an assessment of the complaint.

** This category includes where a complainant withdraws due to personal circumstances or where they decide not to proceed after reviewing information from the respondent or being provided with information about the law and/or a preliminary assessment of the complaint.

*** Includes where complaint is not lodged by or on behalf of an aggrieved person and where a complaint has also been lodged under State or Territory anti-discrimination law.

Chart 2: Racial Discrimination Act – Outcomes of finalised complaints

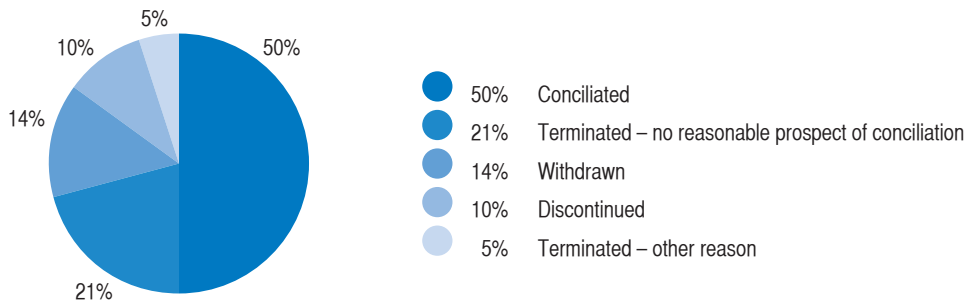
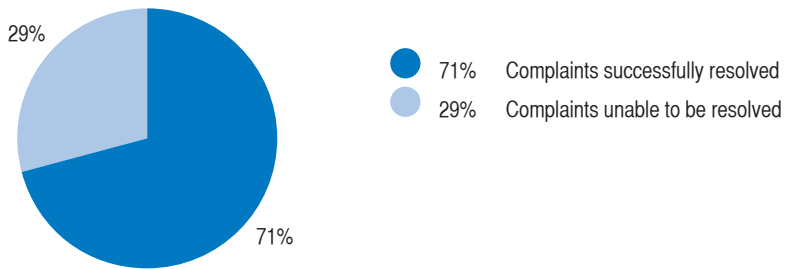


Chart 3: Racial Discrimination Act – Complaints resolved by conciliation



Sex Discrimination Act

Table 19: Sex Discrimination Act – Complaints received and finalised

Sex Discrimination Act	Total
Received	474
Finalised	451

Table 20: Sex Discrimination Act – Complaints received by complainant category

Sex Discrimination Act – Complainant category	Number	Percentage
Female	382	81
Male	90	19
Intersex	2	–
Other category*	–	–
Total	474	100

* Includes sex not specified, joint/multiple complainants and organisations.

Table 21: Sex Discrimination Act – Complaints received by ground

Sex Discrimination Act – Grounds	Number	Percentage
Sex discrimination	572	46
Marital or relationship status	32	3
Pregnancy	159	13
Sexual harassment	222	18
Family responsibilities	77	6
Breastfeeding	13	1
Gender identity	36	3
Intersex	3	–
Sexual orientation	35	3
Victimisation	58	5
Causes, instructs, induces, aids or permits an unlawful act	23	2
Advertisements	1	–
Total*	1 231	100

* One complaint may raise multiple grounds.

Table 22: Sex Discrimination Act – Complaints received by area

Sex Discrimination Act – Areas	Number	Percentage
Employment	398	80
Goods, services and facilities	73	15
Land	–	–
Accommodation	4	1
Superannuation and insurance	4	1
Education	10	2
Clubs	2	–
Administration of Commonwealth laws and programs	7	1
Requests for information	–	–
Registered organisations	–	–
Qualifying bodies	1	–
Total*	499	100

* One complaint may relate to more than one area.

Table 23: Sex Discrimination Act – Outcomes of finalised complaints

Sex Discrimination Act – Outcomes	Number
Terminated	82
At complainant's request – s.46PE	–
Not unlawful	–
More than 12 months old	6
Trivial, vexatious, frivolous, misconceived, lacking in substance	4
Adequately dealt with already	–
More appropriate remedy available	–
Subject matter of public importance	–
No reasonable prospect of conciliation	72
Discontinued*	42
Withdrawn**	46
Conciliated	251
Administrative closure***	30
Total	451

* A complaint may be discontinued where a complainant does not respond to the Commission's attempts to contact them, including after being provided with an assessment of the complaint.

** This category includes where a complainant withdraws due to personal circumstances or where they decide not to proceed after reviewing information from the respondent or being provided with information about the law and/or a preliminary assessment of the complaint.

*** Includes where complaint is not lodged by or on behalf of an aggrieved person and where a complaint has also been lodged under State or Territory anti-discrimination law.

Chart 4: Sex Discrimination Act – Outcomes of finalised complaints

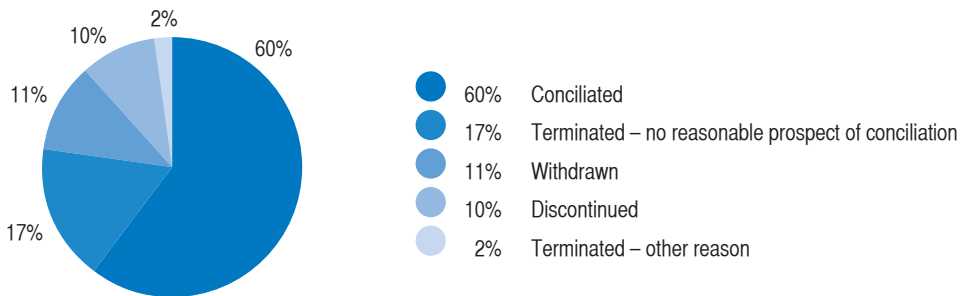
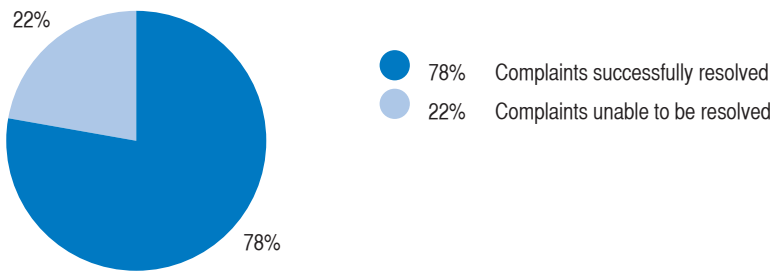


Chart 5: Sex Discrimination Act – Complaints resolved by conciliation



Disability Discrimination Act

Table 24: Disability Discrimination Act – Complaints received and finalised

Disability Discrimination Act	Total
Received	830
Finalised	796

Table 25: Nature of complainant's disability

Disability Discrimination Act – Complainant's disability	Number	Percentage
Physical disability	178	18
A mobility aid is used (eg walking frame or wheelchair)	93	10
Physical disfigurement	13	1
Presence in the body of organisms causing disease (HIV/AIDS)	4	1
Presence in the body of organisms causing disease (other)	16	2
Mental health/psychosocial disability	177	18
Neurological disability (eg epilepsy)	59	6
Intellectual disability	29	3
Learning disability	31	3
Sensory disability (hearing impaired)	30	3
Sensory disability (deaf)	22	2
Sensory disability (vision impaired)	32	3
Sensory disability (blind)	42	4
Work-related injury	29	3
Medical condition (eg diabetes)	73	8
Other	145	15
Total*	973	100

* One complainant may have multiple disabilities.

Table 26: Disability Discrimination Act – Complaints received by ground

Disability Discrimination Act – Grounds	Number	Percentage
Disability of person(s) aggrieved	1 521	80
Associate	88	5
Person assisted by trained animal	30	2
Accompanied by carer or assistant	8	–
Disability aid	56	3
Harassment	17	1
Victimisation	20	1
Causes, instructs, induces, aids or permits an unlawful act	41	2
Incites unlawful act	–	–
Advertisements	–	–
Unlawful to contravene disability standard	109	6
Total*	1 890	100

* One complaint may raise multiple grounds.

Table 27: Disability Discrimination Act – Complaints received by area

Disability Discrimination Act – Areas	Number	Percentage
Employment	337	33
Goods, services and facilities	404	39
Access to premises	83	8
Land	2	–
Accommodation	32	3
Superannuation, insurance	13	1
Education	87	8
Clubs, incorporated associations	25	2
Administration of Commonwealth laws and programs	46	5
Sport	4	–
Requests for information	1	–
Qualifying bodies	5	1
Registered organisations	–	–
Total*	1 039	100

* One complaint may relate to more than one area.

Table 28: Disability Discrimination Act – Outcomes of finalised complaints

Disability Discrimination Act – Outcomes	Number
Terminated	207
At complainant's request – s.46PE	–
Not unlawful	2
More than 12 months old	13
Trivial, vexatious, frivolous, misconceived, lacking in substance	15
Adequately dealt with already	2
More appropriate remedy available	2
Subject matter of public importance	–
No reasonable prospect of conciliation	173
Discontinued*	52
Withdrawn**	109
Conciliated	404
Administrative closure***	24
Total	796

* A complaint may be discontinued where a complainant does not respond to the Commission's attempts to contact them, including after being provided with an assessment of the complaint.

** This category includes where a complainant withdraws due to personal circumstances or where they decide not to proceed after reviewing information from the respondent or being provided with information about the law and/or a preliminary assessment of the complaint.

*** Includes where complaint is not lodged by or on behalf of an aggrieved person and where a complaint has also been lodged under State or Territory anti-discrimination law.

Chart 6: Disability Discrimination Act – Outcomes of finalised complaints

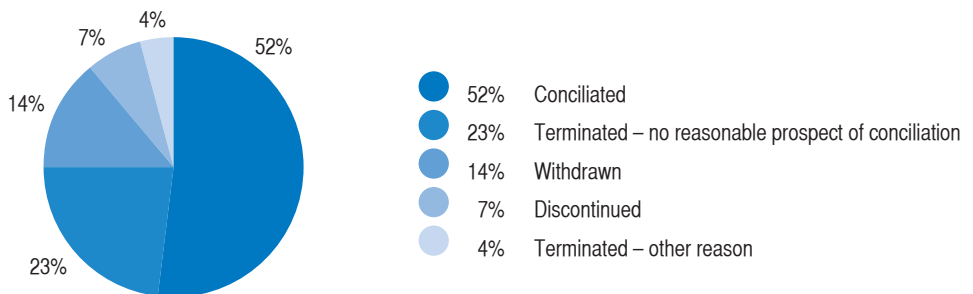
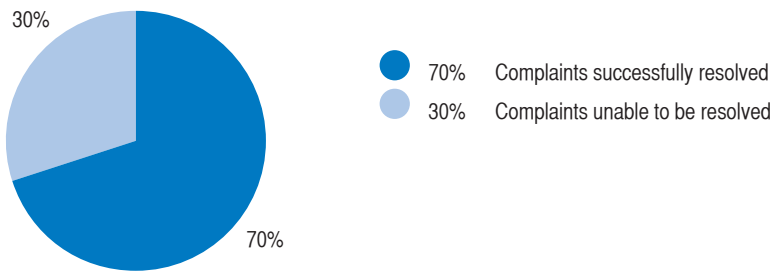


Chart 7: Disability Discrimination Act – Complaints resolved by conciliation



Age Discrimination Act

Table 29: Age Discrimination Act – Complaints received and finalised

Age Discrimination Act	Total
Received	184
Finalised	168

Table 30: Age Discrimination Act – Complaints received by ground

Age Discrimination Act – Grounds	Number	Percentage
Age – direct	175	62
Age – indirect	86	31
Causes, instructs, induces, aids or permits an unlawful act	9	3
Victimisation	5	2
Advertisements	6	2
Total*	281	100

* One complaint may raise multiple grounds.

Table 31: Age Discrimination Act – Age group of complainant

Age Discrimination Act – Complainant age group	Number	Percentage
0-12 years	5	3
13-17 years	5	3
18-24 years	10	6
25-34 years	15	8
35-44 years	17	9
45-54 years	24	13
55-64 years	57	31
65-74 years	32	17
Older than 75 years	19	10
Total	184	100

Table 32: Age Discrimination Act – Complaints received by area

Age Discrimination Act – Areas	Number	Percentage
Employment	128	62
Goods, services and facilities	49	24
Access to premises	5	2
Land	–	–
Accommodation	3	2
Advertisements	–	–
Superannuation, insurance	9	4
Education	2	1
Administration of Commonwealth laws and programs	9	4
Sport	–	–
Requests for information	–	–
Registered organisations	–	–
Qualifying bodies	1	1
Victimisation	–	–
Total*	206	100

* One complaint may relate to more than one area.

Table 33: Age Discrimination Act – Outcomes of finalised complaints

Age Discrimination Act – Outcomes	Number
Terminated	34
At complainant's request – s.46PE	–
Not unlawful	–
More than 12 months old	2
Trivial, vexatious, frivolous, misconceived, lacking in substance	6
Adequately dealt with already	–
More appropriate remedy available	–
Subject matter of public importance	–
No reasonable prospect of conciliation	26
Discontinued*	23
Withdrawn**	34
Conciliated	75
Administrative closure***	2
Total	168

* A complaint may be discontinued where a complainant does not respond to the Commission's attempts to contact them, including after being provided with an assessment of the complaint.

** This category includes where a complainant withdraws due to personal circumstances or where they decide not to proceed after reviewing information from the respondent or being provided with information about the law and/or a preliminary assessment of the complaint.

*** Includes where complaint is not lodged by or on behalf of an aggrieved person and where a complaint has also been lodged under State or Territory anti-discrimination law.

Chart 8: Age Discrimination Act – Outcomes of finalised complaints

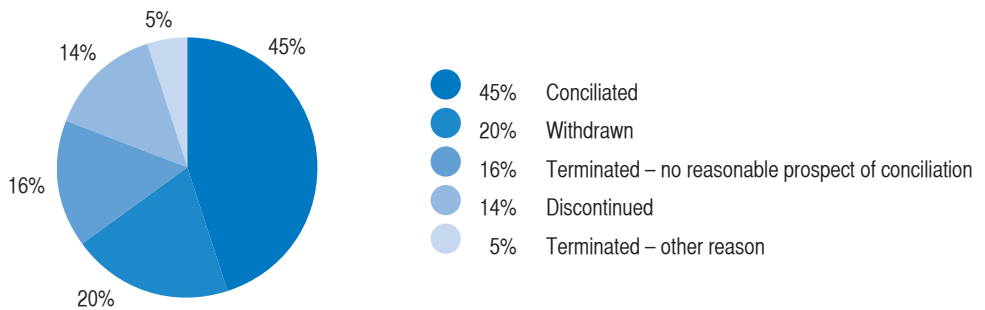
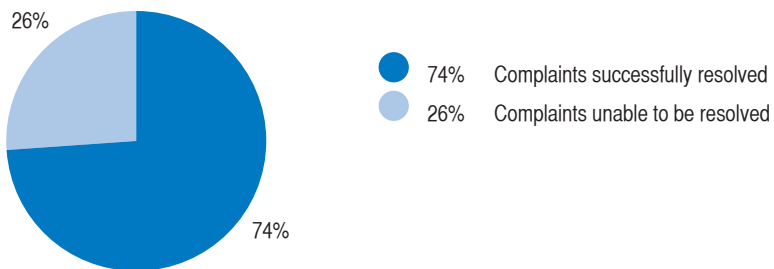


Chart 9: Age Discrimination Act – Complaints resolved by conciliation



Australian Human Rights Commission Act (AHRCA)

Table 34: AHRCA – Complaints received and finalised

Australian Human Rights Commission Act	Total
Received	355
Finalised	320

Table 35: AHRCA – Complaints received by ground

Australian Human Rights Commission Act – Grounds	Number	Percentage
Religion (ILO 111)	24	6
Political opinion (ILO 111)	–	–
Social origin (ILO 111)	–	–
Medical record (ILO 111)	–	–
Criminal record (ILO 111)	68	16
Sexual preference (ILO 111)	3	1
Trade union activity (ILO 111)	6	1
International Covenant on Civil and Political Rights	185	43
Convention on the Rights of the Child	100	23
Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief	1	–
Convention on the Rights of Persons with Disabilities	38	9
Victimisation	4	1
Total*	429	100

* One complaint may raise multiple grounds.

Table 36: AHRCA – Complaints received by area

Australian Human Rights Commission Act – Areas	Number	Percentage
Acts or practices of the Commonwealth	253	71
Employment	101	29
Not act or practice of the Commonwealth (not employment cases)	1	–
Total	355	100

Table 37: AHRCA – Outcomes of finalised complaints

Australian Human Rights Commission Act – Outcomes	Number
Declined	168
Does not constitute discrimination	5
Not inconsistent or contrary to any human right	1
More than 12 months old	2
Trivial, vexatious, frivolous, misconceived, lacking in substance	31
Adequately dealt with already	9
More appropriate remedy available	6
Withdrawn, does not wish to pursue, advised the Commission	89
Withdrawn, does not wish to pursue, settled outside the Commission	5
Discontinued – lost contact	20
Conciliated	78
Referred for reporting*	70
Administrative closure	4
Total	320

* Complaints in this category could not be conciliated and were transferred from the Commission's Investigation and Conciliation Section to the Legal Section for further inquiry and possible reporting.

Chart 10: AHRCA – Outcomes of finalised complaints

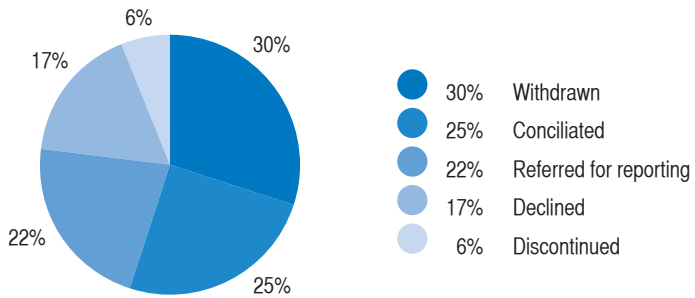
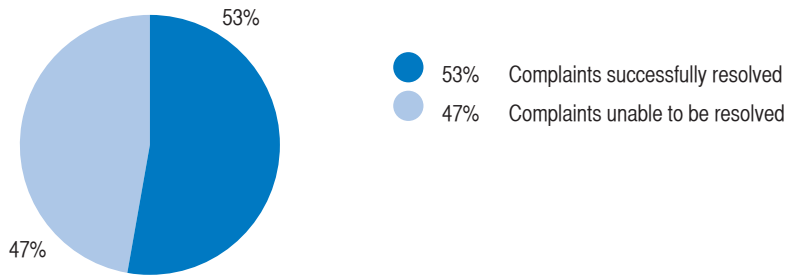


Chart 11: AHRCA – Complaints resolved by conciliation



Appendix 4: Website statistics

Table 38: Website statistics

From 1 July 2013 – 30 June 2014.

Overall	Page views	Visits
Main Commission website	7 138 597	3 614 095
All Commission sub-sites	609 012	285 183
Total	7 747 609	3 899 278
2012-13	5 981 688	2 746 350

Section Breakdown	Page views	Home page of section
Home page	431 631	n/a
About	256 153	60 790
News	671 440	10 930
Complaints	326 726	123 347
Education	161 852	11 923
Get Involved	41 750	8 648
Publications	2 199 142	44 341
Our work – ATSI	37 989	24 381
Our work – Age	32 772	22 328
Our work – Children	33 871	21 040
Our work – Disability	249 648	40 735
Our work – Human Rights Scrutiny/Rights & Freedoms	36 120	25 959
Our work – Race	35 233	24 258
Our work – Sex	104 317	32 042
Our work – Sexuality, Sex & Gender Identity	19 599	14 307
Our work – Legal	158 791	13 329
Our work – International	4 535	4 384
Our work overall	712 875	19 612

Section Breakdown (continued)	Page views	Home page of section
Site search	175 582	n/a
Website information	48 769	n/a
Useful links	73 731	n/a
Events calendar	4 287	n/a

Sub-sites	Page views	Visits
Age Positive	14 543	5 603
Bullying	71 934	48 543
Defence Review	11 902	6 380
Human Rights Awards	41 469	15 319
Know Where the Line Is*	9 887	4 295
Racism. It Stops With Me	276 691	133 919
RightsTalk**	8 158	3 067
Something in Common	111 727	44 888
Tell Me Something I Don't Know	17 404	4 666
Twenty Years Twenty Stories	45 297	18 503

* From 21 May 2014

** From 28 January 2014

Appendix 5: Staffing profile

Table 39: Staffing profile as at 30 June 2014

Classification	Male	Female	Full Time	Part Time	Total Ongoing	Total Non-Ongoing	Total
Statutory Office Holders	4	4	8			8	8
SES Band 2		1	1		1		1
SES Band 1	1	1	2		2		2
Executive Level 2 (\$111 285-130 787)	7	15	18	4	20	2	22
Executive Level 1 (\$92 560-103 493)	7	25	22	10	27	5	32
APS 6 (\$73 998-84 563)	6	26	24	8	26	6	32
APS 5 (\$66 848-73 617)	3	5	7	1	6	2	8
APS 4 (\$59 933-66 351)	3	16	14	5	14	5	19
APS 3 (\$53 775-59 178)	5	9	10	4	4	10	14
APS 2 (\$48 512-53 382)	0	0	0	0	0	0	0
APS 1 (\$41 717-47 010)	0	0	0	0	0	0	0
Total	36	102	106	32	100	38	138
Non-English speaking background	32	(23.2%)					
Aboriginal and/or Torres Strait Islander	4	(2.9%)					

Appendix 6: Submissions

2013

- Declared Places (Mentally Impaired Accused) Bill 2013
Submission to the Disability Services Commission, Western Australia
- Contemporary Community Safeguards Inquiry
Submission to the Australian Communications and Media Authority
- Civics and Citizenship Draft Curriculum Submission to the Australian Curriculum Assessment and Reporting Authority
- Business and Economics Draft Curriculum Submission to the Australian Curriculum Assessment and Reporting Authority
- Aboriginal and Torres Strait Islander Languages Draft Framework
Submission to the Australian Curriculum, Assessment and Reporting Authority
- Issues Paper 1: Working with Children Check
Submission to the Royal Commission on Institutional Responses to Child Sexual Abuse
- Issues Paper 2: 'Towards Healing' Complaints Process
Submission to the Royal Commission on Institutional Responses to Child Sexual Abuse
- Issues Paper 3: Child-Safe Institutions
Submission to the Royal Commission on Institutional Responses to Child Sexual Abuse
- Issues Paper 4: Preventing Sexual Abuse of Children in Out-of-Home Care
Submission to the Royal Commission on Institutional Responses to Child Sexual Abuse
- Judicial Review of Lawfulness of Detention
Submission to the UN Working Group on Arbitrary Detention
- Inquiry into Serious Invasions of Privacy in the Digital Age: Issues Paper
Submission to the Australian Law Reform Commission
- Parliamentary Proceedings Broadcasting Amendment Bill 2013
Submission to Senate Environment and Communications Legislation Committee

2014

- Electoral Reform Amendment Bill 2013
Submission to the Legal Affairs and Community Safety Committee, Queensland Government
- Migration Amendment (Regaining Control Over Australia's Protection Obligations) Bill 2013
Submission to the Senate Legal and Constitutional Affairs Legislation Committee
- Inquiry into Technical and Further Education in Australia
Submission to the Senate Education and Employment References Committee
- Criminal Code (Misrepresentation of Age to a Minor) Bill 2013
Submission to the Senate Legal and Constitutional Affairs Legislation Committee
- Inquiry into Enhancing Online Safety for Children
Submission to the Commonwealth Department of Communications
- Inquiry into Grandparents who Take Primary Responsibility for Raising Their Grandchildren
Submission to the Senate Standing Committees on Community Affairs
- Draft General Comment on article 12 of the *Convention on the Rights of Persons with Disabilities*
Submission to the UN Committee on the Rights of Persons with Disabilities
- Exposure draft to the Freedom of Speech (repeal of s.18C) Bill 2014
Submission to the Commonwealth Attorney-General's Department (a supplementary submission was provided by the Human Rights Commissioner)
- Inquiry into Serious Invasions of Privacy in the Digital Age: Discussion Paper
Submission to the Australian Law Reform Commission
- Inquiry into the Incident at the Manus Island Detention Centre
Submission to the Senate Legal and Constitutional Affairs References Committee
- Inquiry into Specific Areas of the *Native Title Act 1993*
Submission to the Australian Law Reform Commission
- Inquiry into Childcare and Early Childhood Learning
Submission to the Productivity Commission
- Inquiry into the Harmful Use of Alcohol in Aboriginal and Torres Strait Islander Communities
Submission to the House of Representatives Standing Committee on Indigenous Affairs
- Consultation draft of the Native Title Determination 2011
Submission to the Commonwealth Attorney-General's Department

Glossary

A

AAT	Administrative Appeals Tribunal
ACARA	The Australian Curriculum, Assessment and Reporting Authority is the independent authority responsible for the development of a national curriculum, a national assessment program and a national data collection and reporting program.
ACCI	Australian Chamber of Commerce and Industry
ACHRA	Australian Council of Human Rights Authorities
ACT	Australian Capital Territory
ACTU	Australian Council of Trade Unions
ADA	<i>Age Discrimination Act 2004</i>
ADF	The Australian Defence Force consists of the Royal Australian Navy, Australian Army, Royal Australian Air Force and a number of 'tri-service' units.
ADFA	The Australian Defence Force Academy is a tri-service military Academy that provides military and tertiary academic education for junior officers of the Australian Defence Force.
AHRCA	<i>Australian Human Rights Commission Act 1986</i>
ALRC	Australian Law Reform Commission
ANAO	Australian National Audit Office
APF	The Asia Pacific Forum of National Human Rights Institutions is a member-based organisation that supports the establishment and strengthening of independent national human rights institutions in the Asia Pacific region.
APS	Australian Public Service
AusAID	Australian Agency for International Development
Action Plan	A voluntary mechanism for organisations to structure their own compliance efforts.
Amicus curiae	The role of <i>amicus curiae</i> – 'friend of the court' – is to provide special assistance to the court in resolving issues raised by the case and to draw attention to aspects of the case that might otherwise have been overlooked.

B

Braille	A tactile form of reading and writing used by people who are blind or vision impaired, invented by Louis Braille in 1829.
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Glossary

C

CDS	Commonwealth Disability Strategy
CEDAW	<i>Convention on the Elimination of All Forms of Discrimination Against Women</i>
CEO	Chief Executive Officer
COAG	Council of Australian Governments
CTGSC	Close the Gap Campaign Steering Committee. The Close the Gap Campaign is Australia's largest public movement for health equality and seeks to achieve equal health outcomes and life expectancy between Aboriginal and Torres Strait Islander peoples and the broader Australian public by 2030.
Commission on the Status of Women	This United Nations body is responsible for policy-making body on gender equality and the advancement of women and girls.
Commission, the	Australian Human Rights Commission
Concluding Observations	Following the review of a state party report and information from other sources, the relevant United Nations treaty body will issue a set of 'Concluding Observations', containing its collective assessment of the State's record and recommendations for enhanced implementation of the rights in question.
Consultancy contract	A contract that typically defines the nature, purpose and duration of the task to be performed, but not (in any detail) the manner in which the task is to be performed by a consultant. The consultant is usually paid on completion of milestones or in a lump sum.
Consultancy service	A particular type of service delivered under a contract for services, distinguished from other contracts by the nature of the work performed. Consultancy services involve the application of expert professional skills to: investigate or diagnose a defined issue or problem, carry out defined research, reviews or evaluations; or provide independent advice, information or creative solutions to assist the agency in management decision making.
Consultant	An entity (whether an individual, a partnership or a corporation) engaged to provide professional independent and expert advice or services. Consultants are not employees of the department and are not paid wages or other employee entitlements.
Cyberbullying	A form of bullying carried out through an internet service, mobile phone or other electronic device.

D

DDA	<i>Disability Discrimination Act 1992</i>
-----	---

Glossary

E

EL Executive Level

Expert Mechanism on the Rights of Indigenous Peoples Comprised of five independent experts, this United Nations body provides thematic expertise on the rights of indigenous peoples to the Human Rights Council.

F

Fair Work Commission The Fair Work Commission is the national workplace relations tribunal. It is an independent body with power to carry out a range of functions relating to the safety net of minimum wages and employment conditions; enterprise bargaining; industrial action; dispute resolution; termination of employment; and other workplace matters.

FaHCSIA Former Department of Families, Housing, Community Services and Indigenous Affairs

G

GST Goods and Services Tax

General Assembly One of the five principal organs of the United Nations and the only one in which all Member States have equal representation. Its powers are to oversee the budget of the United Nations, appoint the non-permanent members to the Security Council, receive reports from other parts of the United Nations and make recommendations in the form of General Assembly Resolutions.

General Comment Each of the United Nations treaty bodies publishes its interpretation of the provisions of its respective human rights treaty in the form of 'General Comments' or 'General Recommendations'. These cover a wide range of subjects, from the comprehensive interpretation of substantive provisions, such as the right to life, to general guidance on the information that should be submitted in state reports relating to specific articles of the treaties. General comments have also dealt with wider, cross-cutting issues, such as the role of national human rights institutions, violence against women and the rights of minorities.

H

Human Rights Technical Cooperation Program In August 1997, China and Australia initiated a high level dialogue on human rights during the course of which it was agreed that the two countries would undertake a program of technical cooperation. The goal of the Program is to strengthen the administration, promotion and protection of human rights in China.

Glossary

I

ICCPR	The <i>International Covenant on Civil and Political Rights</i> is a multilateral treaty adopted by the United Nations General Assembly on December 16, 1966, and in force from March 23, 1976, which commits its parties to respect the civil and political rights of individuals, including the right to life, freedom of religion, freedom of speech, freedom of assembly, electoral rights and rights to due process and a fair trial.
IFA	Individual flexibility agreement. Under the <i>Fair Work Act</i> , an IFA varies the effect of the Modern Award or Enterprise Agreement so that it can “meet the genuine needs of the employer and that individual employee” in an individual context.
ILO	The International Labour Organization is the world’s only tripartite multilateral agency which is dedicated to bringing decent work and livelihoods, job-related security and better living standards to the people of both poor and rich countries.
IPS	Information Publication Scheme

J

Justice reinvestment	A criminal justice strategy where a portion of public funds that would have been spent on covering the costs of imprisonment are diverted to local communities that have a high concentration of offenders. The money is invested in community programs, services and activities that aim to address the underlying causes of crime in those communities.
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K

Komnas HAM	Indonesian National Commission on Human Rights
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L

LGBTI	Lesbian, gay, bisexual, trans, gender diverse and intersex people.
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N

Native title	A pre-existing property interest, held communally or individually by Aboriginal peoples and Torres Strait Islanders, which is capable of being recognised by Australia’s common law. Native title can exist over land and waters where Aboriginal people or Torres Strait Islanders maintain traditional laws and customs that give them a connection to the specified area. Native title rights are not granted by governments or courts. Native title is not an underlying title but rather a bundle of rights that can be extinguished by inconsistent acts of government.
NGO	non-governmental organisation
NHRI	national human rights institution

Glossary

NHLF	The National Health Leadership Forum of the National Congress of Australia's First Peoples comprises Aboriginal and Torres Strait Islander health-related bodies. It was established to liaise with government in the development of health policy relating to Aboriginal and Torres Strait Islander peoples.
NSW	New South Wales
NT	Northern Territory
O	
Operations	Functions, services and processes performed in pursuing the objectives or discharging the functions of an agency.
Outcomes	The results, impacts or consequence of actions by the Commission on the Australian community.
Outputs	The goods or services produced by agencies on behalf of government for external organisations or individuals. Outputs include goods and services produced for other areas of government external to an agency.
P	
Parliament	The Parliament of Australia
Podrights	A podcast from the Australian Human Rights Commission
Q	
Qld	Queensland
R	
RAP	Reconciliation Action Plan. A self-generated plan that helps organisations build positive relationships between Indigenous and non-Indigenous people, through engagement within their sphere of influence, in the national effort to close the gap in life expectancy between Indigenous and other Australians.
RDA	<i>Racial Discrimination Act 1975</i>
S	
SDA	<i>Sex Discrimination Act 1984</i>
SES	Senior Executive Service
Service charter	Public statements about the service that a department or agency will provide.
SA	South Australia

Glossary

T

Tas Tasmania

TTY Text Telephone or teletypewriter. A special device that lets people who are deaf, hearing impaired, or speech-impaired use the telephone to communicate, by allowing them to type messages back and forth to one another, instead of talking and listening.

U

UN United Nations

UNDRIP United Nations Declaration on the Rights of Indigenous Peoples

UNPFII The United Nations Permanent Forum on Indigenous Issues is an advisory body to the United Nations Economic and Social Council, with a mandate to discuss indigenous issues related to economic and social development, culture, the environment, education, health and human rights.

UPR The Universal Periodic Review is a State-driven process, under the auspices of the Human Rights Council, which involves a review of the human rights records of all 193 Member States once every four years. It provides the opportunity for each State to declare the actions they have taken to improve the human rights situations in their countries and to fulfil their human rights obligations.

Universal Declaration of Human Rights Adopted unanimously by the United Nations on 10 December 1948, it is the foundation on which much international law has been based. It sets out the fundamental rights of all people, including the right to life; freedom from slavery, torture and arbitrary arrest; freedom of thought, opinion and religion; the right to a fair trial and equality before the law; the right to work and education; and the right to participate in the social, political and cultural life of one's country.

V

Vic Victoria

W

WA Western Australia

Workplace diversity The central principle of workplace diversity is the creation of workplaces free from discrimination, harassment and bullying.

WHS Workplace health and safety

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Note – Use of the terms ‘Aboriginal and Torres Strait Islander peoples’ and ‘Indigenous peoples’

The Commission recognises the diversity of the cultures, languages, kinship structures and ways of life of Aboriginal and Torres Strait Islander peoples. Aboriginal and Torres Strait Islander peoples are also referred to as ‘Indigenous peoples’ in this document. This is because the term carries a meaning in international law. In particular, the use of ‘peoples’ with an ‘s’ (and not people singular) reflects the human rights instruments that refer to the collective right of self-determination as one enjoyed by ‘peoples’. For a more detailed explanation on the use of terms, see ‘Note: Terminology’ on the inside back cover of the Aboriginal and Torres Strait Islander Social Justice Commissioner’s *Social Justice and Native Title Report 2013*, Australian Human Rights Commission 2013.

