



Australian
Human Rights
Commission

Australian Human Rights Commission

ANNUAL REPORT
2022–2023



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Annual Report 2022–2023

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25 September 2023

The Hon Mark Dreyfus KC MP
Attorney-General
Parliament House
CANBERRA ACT 2600

Dear Attorney-General,

Letter of Accountable Authority

It is my pleasure to present the Annual Report of the Australian Human Rights Commission for the period ending 30 June 2023. The Report has been prepared in accordance with section 45 of the *Australian Human Rights Commission Act 1986* (Cth) and section 46 of the *Public Governance, Performance and Accountability Act 2013* (Cth).

As the Accountable Authority for the Australian Human Rights Commission, I am responsible for preparing and giving this report to you. I can confirm that our performance in 2022–23 is accurately described in the report, is consistent with the Commission's responsibility and duties, and has contributed towards achieving our purpose.

The Annual Report was prepared under my authority and approved by signing of a memorandum.

Emeritus Professor Rosalind Croucher AM FAAL FRSA FACLM (Hon)
President



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1. About the Commission

1.1 Our Purpose

Our purpose is to ensure that Australians have access to effective, independent complaints handling and public inquiry processes on human rights and discrimination matters, and benefit from our human rights education, advocacy, monitoring and compliance activities.

Portfolio Budget Statement

The Australian Human Rights Commission (Commission) is Australia's national human rights institution. We are an independent statutory organisation, established on a permanent basis by the *Australian Human Rights Commission Act 1986* (Cth) and exercising functions under Australia's four federal discrimination laws. We work to ensure that human rights are respected, protected and promoted in Australia and internationally. The Commission also has specific responsibilities under the *Native Title Act 1993* (Cth) and the *Fair Work Act 2009* (Cth).

As Australia's national human rights institution, we work to promote and protect the human rights of everyone in Australia. Our vision is an Australian society in which human rights are respected, promoted and protected. Where every person is free and equal in dignity and rights.

Our strategic priorities and operations are determined independently of government in line with our [2022–2025 Strategic Plan](#) and internal governance framework.

We are accredited internationally as an 'A status' national human rights institution (NHRI). This

accreditation is regularly reviewed through United Nations sanctioned processes by the Global Alliance of NHRIs (GANHRI). To achieve 'A status', NHRIs must be established and operate in compliance with the United Nations Principles Relating to the Status of National Institutions for the Promotion and Protection of Human Rights – commonly known as the 'Paris Principles'. The Principles require us to operate in a robust, independent manner to provide accountability for human rights in Australia.

Our vision is an Australian society in which human rights are respected, promoted and protected. Where every person is free and equal in dignity and rights. Where the Commission is connected to Australian communities and is a valued national institution having a positive impact on the human rights priorities facing Australia.

Our purpose is to promote and protect the human rights of everyone in Australia. We do this through advising all arms of government and a range of public and private institutions; contributing to stronger law, policy and practice; delivering accessible and effective investigation and conciliation services; engaging inclusively with civil society communities and the private sector; raising

human rights awareness and providing human rights education; and working with partners to build a stronger culture of respect for human rights.

We work with other national human rights institutions and human rights bodies around the world.

1.2 Achieving our Purpose

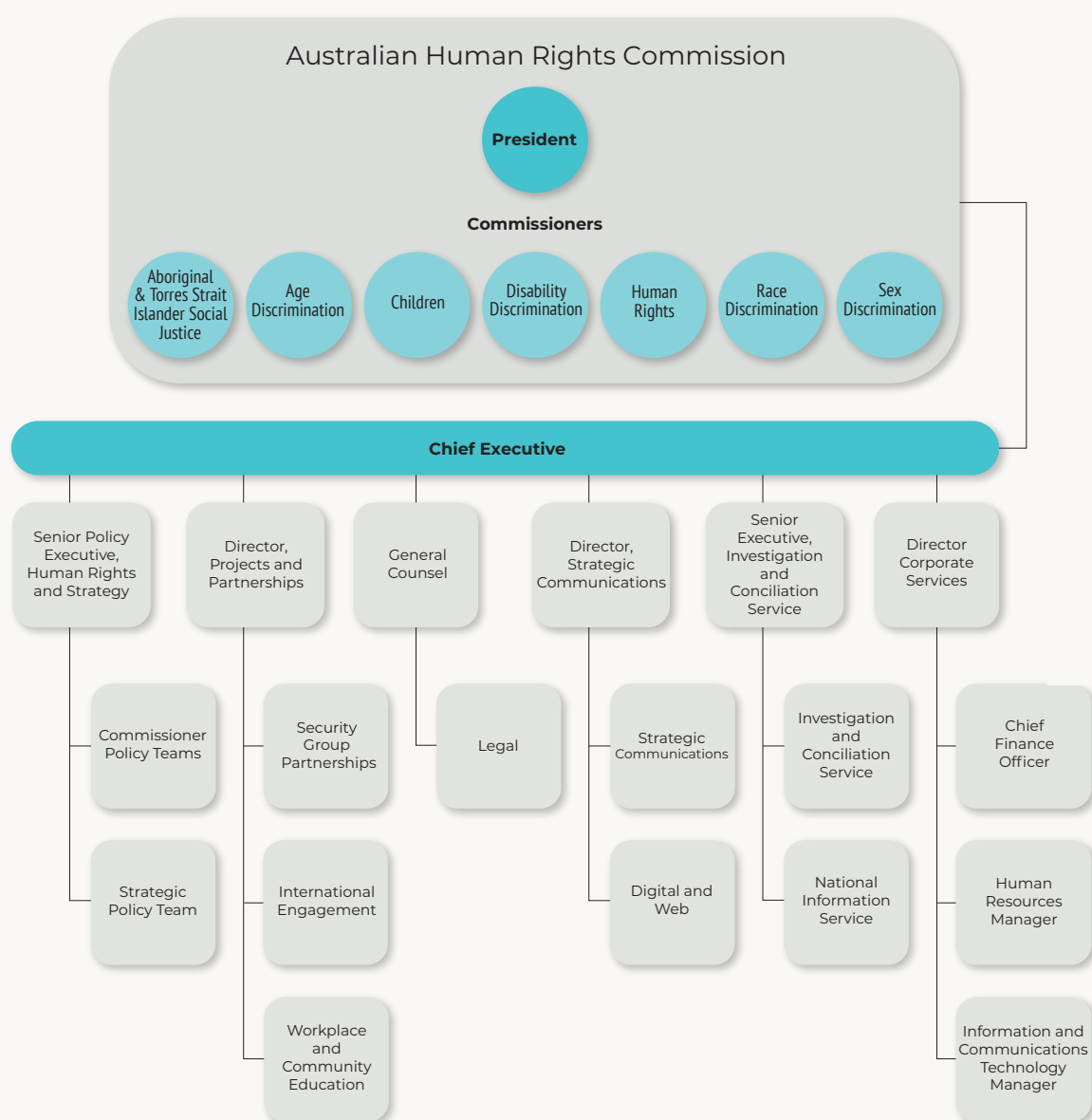
Driving real and systemic change to improve the enjoyment of human rights by all is a complex and long-term endeavour. We do this through

supporting individuals, collaborating with communities and partners, and advocating and supporting the rights-based approach in Australia's institutions, laws and systems.

Our Corporate Plan is the roadmap that guides the Commission's work for the reporting period. The Corporate Plan includes the Commission's performance framework, which links the performance criteria outlined in our 2022–2023 Portfolio Budget Statement to the results in this Annual Report. The Commission's performance measurement framework is detailed in Appendix 1.

2. Our Structure and Governance

2.1 Organisational Structure 2022–23



2.2 President, Commissioners and Chief Executive over the 2022–23 period



The Hon Dr Kay Patterson AO
Age Discrimination Commissioner



June Oscar AO
Aboriginal and Torres Strait
Islander Social Justice
Commissioner



Dr Ben Gauntlett
Disability Discrimination
Commissioner



Anne Hollonds
National Children's
Commissioner



Chin Tan
Race Discrimination
Commissioner



Lorraine Finlay
Human Rights
Commissioner



Leanne Smith
Chief Executive



Kate Jenkins
Sex Discrimination
Commissioner
until April 2023



Emeritus Professor
Rosalind Croucher AM
President

2.3 Location and National Reach

The office location of the Commission is in Sydney. Like other Commonwealth agencies, we have a growing number of staff working remotely from locations across the country.

The Commission conducts its activities nationally, including by maintaining a National Information Service, and conducting consultations, meetings, and events across Australia.

2.4 Governance

The Commission operates under the *Australian Human Rights Commission Act 1986* (Cth) (AHRC Act), the *Public Service Act 1999* (Cth), the *Public Governance, Performance and Accountability Act 2013* (Cth) (PGPA Act), and various instruments made under those Acts. The implementation of these responsibilities is outlined in the Commission's Governance Framework 2022, detailing how the Commission is to be governed and its guiding principles, functions, responsibilities and roles, and operating procedures. The Governance Framework is supported by instructions issued under the PGPA Act and an extensive network of internal policies and procedures which inform officials of their responsibilities and internal processes.

The *Australian Human Rights Commission Act 1986* (Cth) (AHRC Act) creates the Commission which comprises of the President and Commissioners as Commission Members. Commission Members meet formally as the Commission, to which the Chief Executive reports four times a year. These meetings facilitate comprehensive regular reporting of progress against the Commission's Strategic Plan and annual work plan, and the President and Commissioners' term goals, and provide space for

key strategic decision making. Senior management, comprising the Chief Executive, Senior Executives and Directors, provide updates from across the Commission's work.

In line with our Governance Framework the Commission has four governance Sub-Committees: Budget; Partnership and Projects; Organisational Development and Culture; and Strategic Issues and Engagement. Each governance Sub-Committees is chaired by a Commissioner with staff representation in membership. They each meet monthly and report to the quarterly Commission meetings.

Our Governance Framework requires to approve acts such as reports, submissions, interventions in court proceedings, and the granting of temporary exemptions. The Commission obtains appropriate ethics approval for all relevant major activities.

As identified in the Commission's Risk Management Policy and Framework, we adopt a positive risk management culture that promotes an open and proactive approach to managing risk. We achieve this through our governance, risk and compliance mechanisms, such as the Audit and Risk Committee and Governance Framework Sub-Committees. Our strategic and corporate planning processes are conducted at all levels of the organisation and include an assessment of our strengths, weaknesses, opportunities and threats. Our internal and external auditing processes also assess risk.

Our Risk Management Policy and Framework provides a mechanism for proactively identifying and mitigating risks across the organisation, with Commission activities assessed against our documented risk management matrix for alignment with our risk appetite statement.

2.5 Audit and Risk Committee

Audit and Risk Committee has assessed the performance statement contained in this report.

(a) Electronic address of the audit committee charter:

https://humanrights.gov.au/sites/default/files/ahrc_audit_and_risk_committee_charter.pdf

(b) Audit and Risk Committee members in 2022–2023:

- Linda Waugh (Chair)
- Navaka Arachchige
- Clare Bower

(c) Qualifications, knowledge, and experience of committee members:

Linda Waugh is the Chair of the Audit and Risk Committee. She is the Integrity Commissioner for the Queensland Government. Ms Waugh has over 20 years' experience working in public sector integrity and oversight bodies in both the Commonwealth and state governments. She has a breadth of experience across complaints and investigations, risk and governance, policy reform and education, systems reviews, and auditing and legislative reviews. Ms Waugh holds a Bachelor of Arts, a Post Graduate Diploma of Psychology, and a Master of Business Administration.

Navaka Arachchige is an independent external member of the Audit and Risk Committee. He has over 15 years of public sector experience in finance and corporate services including governance, audit, risk, and procurement. Mr Arachchige holds membership of the Association of Certified Chartered Accountants UK and the Chartered

Institute of Management Accountants UK. He also holds a Master of Commerce degree specialising in Management Information Systems from the University of NSW.

Clare Bower is an experienced governance, risk and audit professional with more than 20 years' advising and serving Australian and global organisations, including federal and NSW public sector departments, major ASX listed companies, and the not-for-profit sector. Ms Bower completed her graduate studies in accounting, law and tax at the University of Technology Sydney, was certified as an internal auditor in 2001.

(d) The Audit and Risk Committee held 5 meetings in 2021–2022 on these dates:

- 23 August 2022
- 5 October 2022
- 16 December 2022
- 24 March 2023
- 2 June 2023

All Committee members attended all meetings.

(e) Audit and Risk Committee Member remuneration:

Ms Clare Bower was remunerated \$11,000 in the 2022–23 period. Please note this includes \$5,000 invoice for the 2021–22 period that was invoiced and paid in the 2022–23 period.

No other Committee member received remuneration this reporting period.

3. Our Legislation and Functions

3.1 Legislation

We are a body corporate established by the *Australian Human Rights Commission Act 1986* (Cth) (AHRC Act). As such, under the *Public Governance, Performance and Accountability Act 2013* (Cth), we are a Corporate Commonwealth Entity.

It is our duty under our establishing legislation, the AHRC Act, to ensure that our statutory functions are performed efficiently and with the greatest possible benefit to the people of Australia with regard for the indivisibility and universality of human rights, and the principle that every person is free and equal in dignity and rights.

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

3.2 Functions

The Commission's functions under the AHRC Act include:

- to inquire into, and attempt to conciliate, complaints of unlawful discrimination
- inquire into any act or practice that may be inconsistent with or contrary to any human right, and to give effect to settlement of such matters by way of conciliation where the Commission considers it appropriate to do so
- to deal with complaints made to the Commission under the AHRC Act
- to promote an understanding and acceptance, and the public discussion, of human rights in Australia
- to undertake and coordinate research and educational programs on behalf of the Commonwealth to promote human rights
- to report to the Minister as to the laws that should be made by the Parliament, or action that should be taken by the Commonwealth, on matters relating to human rights
- examine enactments, proposed enactments and or international instruments for determining consistency with human rights and international instruments
- to prepare, and to publish guidelines for the avoidance of acts or practices of a kind in respect of which the Commission has a function
- where the Commission considers it appropriate to do so, with the leave of the court hearing the proceedings and subject to any conditions imposed by the court, to intervene in proceedings that involve human rights issues

- the functions conferred on the Commission by the various Commonwealth Acts concerning discrimination, as set out below.

Racial Discrimination Act 1975 (Cth) (RDA)

The RDA gives effect to Australia's obligations under the *International Convention on the Elimination of All Forms of Racial Discrimination* in Australia. It seeks to:

- promote equality before the law for all persons, regardless of their race, colour, descent 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.

The Commission's functions under the RDA include:

- to promote an understanding and acceptance of, and compliance with the RDA
- to develop, conduct and foster research and educational programs for the purposes of combatting racial discrimination and prejudices that lead to racial discrimination, to promote understanding, tolerance, and friendship among racial and ethnic groups, and to propagate the purposes and principles of the relevant Convention
- to prepare, and to publish in such manner as the Commission considers appropriate, guidelines for the avoidance of infringements within the Act
- where the Commission considers it appropriate to do so, with the leave of the court hearing the proceedings, and subject to any conditions imposed by the court, to intervene in proceedings that involve racial discrimination issues, and

- to inquire into, and make determinations, on matters referred to it by the Race Discrimination Commissioner or the Minister.

Sex Discrimination Act 1984 (Cth) (SDA)

The SDA gives effect to some of Australia's obligations under the *Convention on the Elimination of All Forms of Discrimination Against Women* and other relevant international instruments including the *International Covenant on Civil and Political Rights* in Australia, and further seeks to:

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

The Commission's functions under the SDA include:

- to promote understanding and acceptance of, and compliance with, the SDA
- to undertake research and educational programs on behalf of the Commonwealth for the purpose of promoting the objects of the SDA
- to examine enactments, and proposed enactments to ensure consistency with the SDA and its objects
- to consider grant appropriate exemptions for compliance with the SDA
- to report to the Minister as to the laws that should be made by the Parliament, or action that should be taken by the Commonwealth,

on matters relating to discrimination under the SDA

- to prepare, and to publish in such manner as the Commission considers appropriate, guidelines for the avoidance of discrimination identified under the SDA, and
- where the Commission considers it appropriate to do so, with the leave of the court hearing the proceedings and subject to any conditions imposed by the court, to intervene in proceedings that involve discrimination issues arising from the SDA.

Disability Discrimination Act 1992 (Cth) (DDA)

The DDA seeks 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, and
- ensure as far as practicable that people with disabilities have the same rights to equality before the law as other people in the community.

The Commission's functions under the DDA include:

- to promote an understanding and acceptance of, and compliance with, the DDA
- to report to the Minister on matters relating to the development of disability standards
- to monitor the operation of such standards and report to the Minister the results of such monitoring
- to consider and grant exemptions from compliance with the DDA
- to undertake research and educational programs, and other programs, on behalf

of the Commonwealth for the purpose of promoting the objects of the DDA

- to examine enactments, or proposed enactments, to determine compliance with the objects of the DDA
- to report to the Minister as to the laws that should be made by the Parliament, or action that should be taken by the Commonwealth, on matters relating to discrimination under the DDA
- to prepare, and to publish in such manner as the Commission considers appropriate, guidelines for the avoidance of discrimination on the ground of disability, and
- where the Commission considers it appropriate to do so, with the leave of the court hearing the proceedings and subject to any conditions imposed by the court, to intervene in proceedings that involve discrimination on the ground of disability.

Age Discrimination Act 2004 (Cth) (ADA)

With regard to Australia's international commitment to eliminate age discrimination, the ADA seeks to:

- promote equality before the law for all persons regardless of their age
- eliminate discrimination against persons on the ground of age in many areas of public life, such as employment, education and the provision of goods, services, or facilities
- allow appropriate benefits and assistance to persons of a certain age in recognition of their particular circumstances, and
- promote recognition and acceptance within the community of the principle that people of all ages have the same fundamental rights
- respond to demographic change by changing negative stereotypes about older people,

and removing barriers to older people participating in society.

The Commission's functions under the ADA include:

- to promote understanding and acceptance of, and compliance with, the ADA
- to undertake research and educational programs, and other programs, on behalf of the Commonwealth for the purpose of promoting the objects of the ADA
- to consider and grant exemptions for compliance with the ADA
- to examine enactments, or proposed enactments, to determine compliance with the objects of the ADA
- to report to the Minister as to the laws that should be made by the Parliament, or action that should be taken by the Commonwealth, on matters relating to discrimination on the ground of age
- to prepare, and to publish in the manner the Commission considers appropriate, guidelines for avoiding discrimination on the ground of age, and
- where the Commission thinks it appropriate to do so, with the leave of the court hearing the proceedings and subject to any conditions imposed by the court, to intervene in proceedings that involve issues of discrimination on the ground of age.

The Commission has additional functions arising from the Acts mentioned above, which also prescribe responsibilities on particular Commission Members as set out below.

(a) President

The President is the Commission's Accountable Authority under the *Public Governance, Performance*

and Accountability Rule 2014 (Cth), responsible for its financial and administrative affairs. Information on the Accountable Authority is set out in Appendix 3.

The President is responsible for the complaint-handling function of the Commission and is the Agency Head under the *Public Service Act 1999* (Cth) section 7.

(b) Aboriginal and Torres Strait Islander Social Justice Commissioner

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

This Commissioner may report under the *Native Title Act 1993* (Cth) on the operation of the AHRC 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.

(c) Sex Discrimination Commissioner

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

(d) National Children's Commissioner

Under the *Australian Human Rights Commission Act 1986* (Cth), the National Children's Commissioner may report to the Minister on the enjoyment and exercise of human rights by children in Australia.

3.3 Approach to exercising our Functions

We exercise our statutory functions by:

- promoting understanding, acceptance, and public discussion of human rights in Australia (including through each specialist Commissioner)
- improving access to justice for all by investigating and conciliating complaints of unlawful discrimination, breaches of human rights, or discrimination in employment
- promoting strengthening of, and compliance with, human rights and federal discrimination law (including through the preparation of guidelines, developing and monitoring disability standards, our intervention function and considering applications for exemptions under relevant discrimination laws)
- undertaking research, educational and other programs for promoting human rights, including by reporting to Parliament on the status of enjoyment of human rights by children and Aboriginal and Torres Strait Islander peoples
- conducting inquiries into acts or practices that may be contrary to human rights, report on laws that Parliament should make, or actions that the Commonwealth should take, to meet Australia's international human rights obligations
- examining laws and proposed laws for consistency with human rights.

3.4 Responsible Minister

In this period the Hon Mark Dreyfus KC MP was the Attorney-General responsible for the Commission for the 2022–23 reporting period.

The Attorney-General has various powers under the *Australian Human Rights Commission Act 1986* (Cth).

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adical.



Distinguished Professor Larissa Behrendt AO,
delivering the 2022 Human Rights Oration

4. The year in review



Emeritus Professor Rosalind Croucher
AM FAAL FRSA FACLM(Hon)
President
Australian Human Rights Commission

4.1 From the President

The Australian Human Rights Commission has been through a period of great change this financial year. Dedicated focus on governance enhancements and improving financial management has placed the Commission in a more positive financial position than it has been in recent years. Additional targeted government support has allowed us to make inroads into the human rights and discrimination complaint backlogs. The Commission's longstanding advocacy for a range of significant legal and policy reforms has borne fruit, and our long-term advocacy for a reformed national framework for protecting human rights is under serious consideration by the Parliament. Institutional

reforms to the appointment of Commissioners have now been embedded in legislation and policy guidance, in advance of the Commission's deferred international accreditation hearing in October 2023 and the appointment of four new statutory officer holders in 2023.

The Commission started the year facing uncertainty about its sustainability. Long-term underfunding of the Commission, combined with financial management issues in previous years, had placed the institution in a precarious financial position, unable to afford to fund the core staffing needed to perform statutory functions to the standard expected by the Australian community. We had also seen an historic spike in complaints during the COVID-19 pandemic. This resulted in significant backlogs in complaints for discrimination and human rights matters.

The October budget of the new Government's addressed these issues to some extent, by increasing the Commission's core revenue to a level that enabled us to stabilise our existing staffing profile.

In this financial year, we received significantly fewer COVID-19 complaints than in the prior two years, and the overall number of complaints received has stabilised to a 'high normal' number of 2,562. Notably, in 2022-23, we finalised a high number of COVID-19 'legacy' complaints, which were not amenable to alternative dispute resolution. It is anticipated that with the small remaining number of COVID-19 complaints, and temporary staffing increases funded by government, we will make significant inroads into the backlog in the coming year.

The funding provided in the October budget, while welcome, still falls short of what the Commission requires in terms of staff to acquit our functions fully and independently. As a result, we must

continue to invest in generating external revenue to support the work of our Commissioners and to deliver community awareness, education and outreach on human rights. Fully and sustainably resourcing the Commission will continue to be a topic of conversation with the Government into the foreseeable future.

In terms of new initiatives, the October budget provided project-specific funding for two major bodies of work that the Commission has long advocated for: implementation of the *Respect@Work* report and further development of a National Anti-Racism Framework.

Historic reforms to the *Sex Discrimination Act 1984* (Cth) were introduced in December 2022, following the *Respect@Work* national inquiry. Most notably, organisations and businesses now have a positive duty to eliminate, as far as possible, unlawful behaviour in relation to discrimination on the ground of sex in a work context, sexual harassment in connection with work, sex-based harassment in connection with work, conduct creating a workplace environment that is hostile on the ground of sex, and related acts of victimisation.

The reforms to the Sex Discrimination Act have had an immediate impact on complaints received by the Commission, with a record number of sexual harassment and sex-based harassment complaints, particularly in the employment context.

The Commission has new co-regulatory powers attached to the positive duty that will commence in December 2023. Over this year, the Commission has been engaging with Government, the business sector, unions, community, and legal sectors to prepare guidance on the operation of the positive duty. The *Respect@Work* Information Service was established in 2023, as a national, trauma-informed service that provides information and referrals on sexual harassment and related matters.

The year also saw major reforms implemented following the Commission's *Set the Standard* report, on respectful behaviour in federal parliamentary workplaces; and the further development of workplace culture partnerships with the Australian Defence Forces, Australian Border Force and Australian Federal Police. These reforms reflect the tireless advocacy of former Sex Discrimination Commissioner, Kate Jenkins, who completed her seven-year term in April 2023.

Dedicated funding was also provided to the Commission for the further development of a National Anti-Racism Framework – a major focus of the Race Discrimination Commissioner, Chin Tan, whose term as Commissioner will conclude in October 2023. The proposal is for a long-term, central reference point to guide actions on anti-racism by government, NGOs, business, educators, health professionals, police, other justice authorities, civil society, and the community to provide an inter-governmental framework to eliminate racism in our community. This would be similar to existing national frameworks that prevent violence against women and protect children.

A progress report on community consultations for the proposed National Anti-Racism Framework was released in December 2022. Further consultations with ethnically-diverse communities and Aboriginal and Torres Strait Islander peoples are currently underway, as well as research on existing government approaches to anti-racism and anti-Asian sentiment. These will be finalised in the coming financial year when the proposed National Anti-Racism Framework will be presented to the government.

This year also saw significant national focus on the need for reforms to Australia's national system for protecting human rights. This has been a major focus of the Commission's Free and Equal project

led by me, as President – drawing together all aspects of the Commission’s statutory mandate. In March 2023, the Commission released a position paper *A Human Rights Act for Australia* detailing a model federal Human Rights Act. This is the key missing piece of legislative architecture in Australia to ensure that people’s human rights are fully considered in decision-making processes by Government. Its enactment would improve transparency and accountability for human rights and ensure that all people’s rights matter all of the time.

Immediately following the release of this position paper, the federal Attorney-General established an inquiry into whether Australia needs a new Human Rights Framework and whether such a framework should include a Human Rights Act. The Parliamentary Joint Committee on Human Rights invited submissions in relation to the Commission’s model as a basis for reform. The Parliamentary Joint Committee on Human Rights-led inquiry is due to report in March 2024. The Commission is encouraged by the extremely high degree of support among submissions for our model to take this forward.

In a submission to this inquiry in June 2023, the Commission sets out a comprehensive agenda for a new Human Rights Framework that includes the national Human Rights Act model, as well as measures to improve the effectiveness of federal discrimination laws, Parliamentary oversight on human rights issues, enhanced human rights education measures and a national indicator framework for human rights. The Commission looks forward to working with Government on this in 2024.

This financial year also saw important developments to protect the institutional integrity of the Commission. New legislation was passed in 2022 that requires Commissioner appointments be on the basis of publicly-advertised, merit-based selection processes. In 2023, guidelines were

developed and released for public consultation. These will be finalised in September 2023.

These developments occurred in response to findings of an international review of the Commission’s compliance with international standards for robust, independent national human rights institutions (known as the Paris Principles). In April 2022, the accreditation committee of the Global Alliance of National Human Rights Institutions (GANHRI) deferred considering the Commission’s ‘A status’ or downgrading it to ‘B status’. Such a downgrade would have undermined Australia’s international reputation on human rights and created a significant diplomatic challenge for Australia.

Addressing GANHRI’s concerns has been a major priority for the Commission in this financial year. We are pleased at the priority given to this issue by the Attorney-General and the Government. The Commission will now re-appear for its accreditation review in October 2023.

In addition, our statutory Commissioners continued to lead important projects to better protect the human rights of people in Australia over the course of the past year.

The Age Discrimination Commissioner, the Hon Dr Kay Patterson AO, continued to push for reforms to prevent elder abuse and to harmonise Enduring Powers of Attorney across the country. She conducted innovative research with caring industries on age stereotyping, which showed powerfully how education and awareness raising can significantly shift attitudes towards older persons in care. Dr Patterson’s seven-year term as Commissioner ended in July 2023. Her term culminated with a national art exhibition, 100 Canberra, which is one of the largest inter-generational projects in Australia. The Commissioner partnered on this project, which saw 465 teenagers form friendships and paint portraits of 465 centenarians nation-wide, over several years.

The Aboriginal and Torres Strait Islander Social Justice Commissioner, Ms June Oscar AO, continued her focus on the human rights of Indigenous women and girls. The Wiyi Yani U Thangani (Women's Voices) National Summit was held over three days from 9-11 May 2023, preceded by a one-day Youth Forum on 8 May 2023. The Summit brought together over 800 First Nations women delegates from across Australia, for decision-making, innovation and celebration. The Summit built on an online women's safety forum conducted in November 2022, both contributing to the development of a new National Framework for Action on First Nations Gender Justice and Equality.

The Disability Discrimination Commissioner, Dr Ben Gauntlett, concluded his term as Commissioner on 30 June 2023 to take up an appointment to the new National Anti-Corruption Commission. Dr Gauntlett led the Commission's IncludeAbility project, which aims to increase access to meaningful employment opportunities for people with a disability. The project was funded by the Department of Social Services and the Paul Ramsay Foundation, with engagement from leading employers across Australia in place-based pilots. Preliminary results from the project are very encouraging, with the majority of participants securing ongoing employment at award wages. Stage 2 of the project is currently in development.

The National Children's Commissioner, Ms Anne Hollonds, spotlighted significant problems with the nation's juvenile justice, care and protection systems. In this reporting year, she commenced national consultations on juvenile justice, which will culminate in a National Children's Report to Parliament in 2024. This work is supplemented by national consultations with marginalised and vulnerable children under a range of national frameworks (including the National Frameworks for Protecting Australia's Children, National Plan to End Violence against Women and Children, National Aboriginal and Torres Strait Islander

Early Childhood Strategy) and in partnership with multiple government departments, led by the Department of Social Services. Insights from earlier consultations with vulnerable children were published in the 2022 *Keeping kids safe and well – your voices* report.

The Human Rights Commissioner, Ms Lorraine Finlay, led partnerships with banking and actuarial industries to develop guidance material on the use of artificial intelligence in decision making processes. She continued to advocate for the full and effective implementation of the Optional Protocol to the Convention Against Torture (OPCAT) in Australia. This would see effective oversight of places of detention to ensure people are treated appropriately – be they children in police watchhouses, Aboriginal and Torres Strait Islander peoples in their engagement with justice officials, persons with disability, older persons in secure facilities, or refugees and asylum seekers in immigration detention in Australia and in offshore facilities under the effective control of Australia. The Commissioner also conducted inspections of immigration detention facilities, noting the inappropriateness of the detention of people in Alternative Places of Detentions (APODs) for lengthy time periods.

As a team, the Commissioners and staff delivered a new and innovative annual Human Rights Awards event in December 2022. With a more accessible venue and format, the Awards were shared with over 500 people in person and online. They were a diverse and inclusive celebration of human rights heroes from communities across Australia with awards for young people and children, those working in communities, in the legal profession along with the overarching human rights medal winners.

This is the public facing work of the Commission. Behind the scenes, our leadership team and corporate service areas have worked long and hard

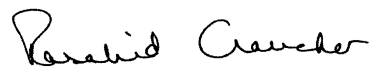
on further tightening our financial management systems and on implementing new governance mechanisms to provide enhanced oversight on finances and budget, project management, organisational culture, and strategic engagement processes.

The next year will focus significantly on rebuilding key infrastructure to support the Commission's work – from our website and internal systems, to a new office location in Sydney. All of these initiatives are part of a significant institutional renewal of the Commission; from its leadership, governance and systems, to building substantive change that better promotes human rights in legislation, policy and practice.

Each chapter in the Commission's history is marked by a strong record of advocacy for human

rights protections and law reform, and to the resolution of human rights disputes for thousands upon thousands of Australians, through effective alternative dispute resolution outside the court system.

I thank all of the staff and Commissioners for their dedicated contributions over this past financial year, and I look forward to achieving further significant protections of human rights for all in Australia in the year to come.



Emeritus Professor Rosalind Croucher AM FAAL
FRSA FACLM(Hon)

President

5. Annual Performance Statement



As the Accountable Authority for the Australian Human Rights Commission,
I present the Commission's 2022–2023 Annual Performance Statement.

The statement has been prepared as required under section 39(1)(a) of the *Public Governance, Performance and Accountability Act 2013* (Cth).

In my opinion, this statement accurately presents the performance of the
Commission in the reporting period and complies with section 39(2) of the *Public Governance Performance and Accountability Act 2013* (Cth).

A handwritten signature in black ink, reading "Rosalind Croucher".

Emeritus Professor Rosalind Croucher AM FAAL FRSA FACLM (Hon)
President

25 September 2023

5.1 Introduction to Results

Measuring our impact (what difference, what benefit), in the context and nature of our work, is important but complex. Progress indicators are mapped to each outcome and provide reasonable evidence of contribution to the outcome. While some measure the direct attributions of the Commission's work, others capture stories and case studies to document our contributions to the relevant outcome. These are often best understood when seen in the context of multi-year programs, advocacy and submissions to the courts.

The Commission draws on a monitoring, evaluation, accountability and learning approach. This includes utilising mixed method approaches of data collection, surveys, interviews, feedback from stakeholders, and stories of change to demonstrate impact across the reporting period against our monitoring and performance measurement framework and theory of change. This is in line with the results-based accountability framework and involves the simple structure of outlining how much did we do, how well did we do it, and what was the change.

The annual performance statement provides both data and narrative to demonstrate how the Commission met outcomes. These outcomes are mapped against an impact matrix that aligns with the performance framework and progress indicators set out in the Commission's Corporate Plan 2022–23.

5.2 Statement Against Outcomes

Outcome 1: Improving enjoyment of human rights by all, supporting access to justice and remedies for people and communities whose rights are breached

1.1 We deliver a fair and effective investigation and conciliation of complaints service.

Indicator

85% of complaints are finalised in under 12 months.

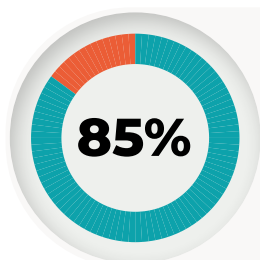
40% of complaints are resolved by conciliation.

85% of parties to complaints are satisfied with the service they receive.

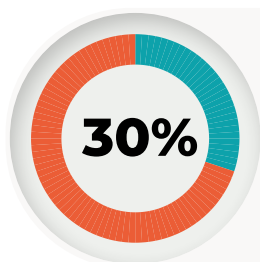
Instances where the terms on which investigation and conciliation disputes are resolved include systemic outcomes that accord with the objectives of the law.

Instances where participation in the investigation and conciliation process results in increased understanding of rights and responsibilities in the law.

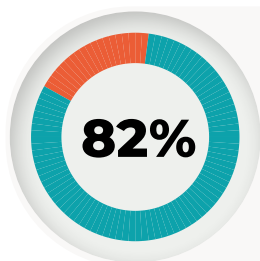
Results



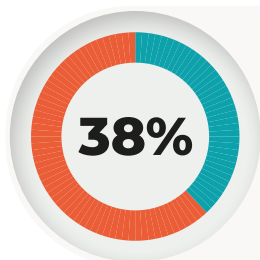
of complaints were finalised in under 12 months (average time 7.6 months).



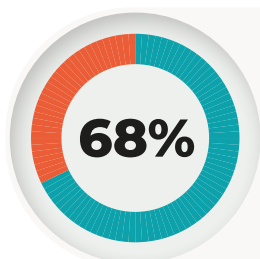
of complaints were resolved by conciliation.



of parties to complaints were satisfied with the service they received.



of conciliated outcomes included systemic outcomes.



of survey participants responded that participation in the conciliation process resulted in increased understanding of the rights and responsibilities in the law.



In 2022–23, one of the three progress indicators was achieved. However, only 30% of complaints were resolved by conciliation, which is 10% below the progress indicator and lower than the average percentage of complaints resolved over the previous 10 years. In addition, 82% of parties to complaints were satisfied with the service they received (lower than the 85% user satisfaction target).

The unprecedented number of complaints received by the Commission in the previous two reporting periods has impacted on the results achieved in 2022–23. In 2020–21 and 2021–22, there were 6,849 complaints received and 5,962 complaints finalised. While this represents a record number of finalised complaints, the 13% discrepancy between complaints received and finalised, combined with a continuing high number of complaints received and finalised, led to a backlog of complaints with negative implications for timeframes and satisfaction ratings.

In October 2023, the Commission received short term, targeted complaint backlog funding to increase the staffing profile within the Investigation and Conciliation Service. It is anticipated that this staffing increase will enable the Commission to significantly reduce the complaint backlog by the end of 2024.

As stated in the year in review, in this financial year, we received significantly fewer COVID-19 complaints than in the prior two years, and the overall number of complaints received has stabilised to a 'high normal' number of 2,562. Notably, in 2022–23, we finalised a high number of COVID-19 'legacy' complaints, which were not amenable to alternative dispute resolution. This has had a negative impact on complaint-handling timeframes and conciliation outcomes.

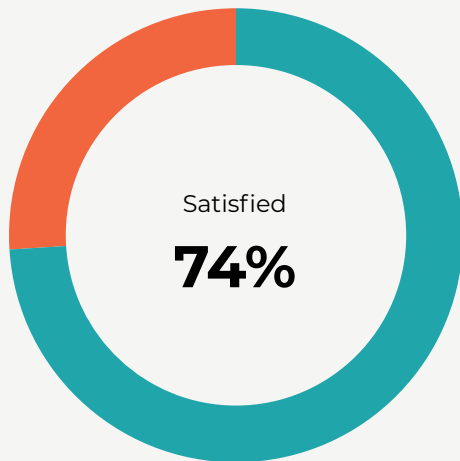
(a) Survey satisfaction

When the Commission finalises a complaint, a voluntary survey is sent to the parties seeking feedback on the service they received. The survey is sent to all parties except where a matter has been withdrawn or discontinued before a respondent is notified, or in circumstances where further contact with the Commission may cause harm (distress) to the relevant parties and/or staff.

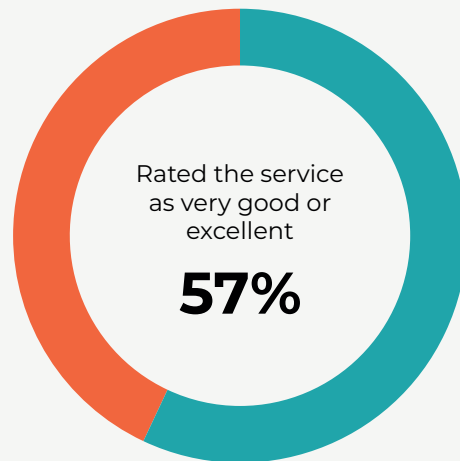
Firstly, I appreciate your understanding and helping. Actually when I was called from your service I was really worried about a complaint. I hadn't had any experience with your service but when I was talking with you I felt comfortable. You gave a lot of information, you explained very well. My English is not mother tongue, you spent extra effort, found alternative methods to solve the issue and made me happy. I felt the smile in your voice on the phone despite dealing with problem, it's also pleasing that there are people like you manage the problem and people well in such stressful job. —**Quote from complainant**

In 2022–23, 316 parties (175 complainants and 141 respondents) participated in the survey. 82% of participants (74% of complainants and 93% of respondents) reported that they were satisfied with the service they received and 65% (57% of complainants and 75% of respondents) rated the service very good or excellent.

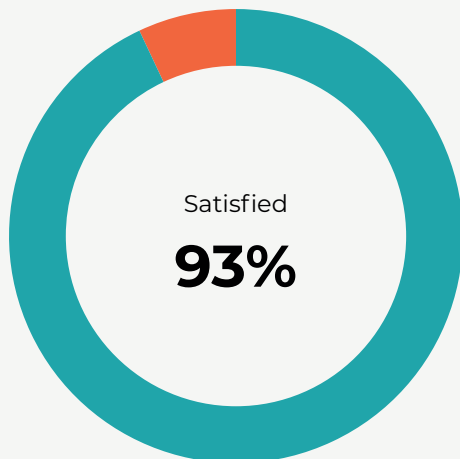
Complainants report that they are satisfied with the service



Complainants rate the service as very good or excellent



Respondents report that they are satisfied with the service



Respondents rate the service as very good or excellent



I am very grateful for your work in relation to this complaint, not least your regular communication, your availability and your good humour throughout, notwithstanding the fact that you no doubt have many other pressing matters demanding your attention. I trust that the AHRC appropriately recognises your skills and dedication and the extent to which your efforts reflect positively on it as a dispute resolution body. —**Quote from respondent**

The survey data also indicates that in relation to conciliated complaints, 68% of survey participants indicated that involvement in the Commission's

complaint process had assisted them to better understand their rights and responsibilities under federal human rights and anti-discrimination laws.

In 2022–23, of conciliated complaints, 38% of the outcomes achieved included outcomes with benefits for people beyond the individual complainant. Examples include: the implementation of anti-discrimination policies and training within workplaces; changes to the built environment to increase accessibility; adjustments in the way services are provided to all customers, and changes to policies that may have had unintended consequences for a particular group of people.

Australian Human Rights Commission / Complaints

Complaints

We investigate and resolve complaints of discrimination and breaches of human rights. You can make a complaint no matter where you live in Australia. Our service is free, impartial and informal.

SHARE

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The Australian Human Rights Commission is an independent third party which investigates complaints about discrimination and human rights breaches. It does not act as an advocate or legal representative for a party to a complaint. The complaint process is simple, free and flexible.

[Make a complaint](#)

[Make an enquiry](#)

[Information for people making complaints](#)

[Information for people responding to complaints](#)

[Conciliation Register](#)

[Publications](#)

[Recent changes to the law](#)

[Translations](#)

[Complaint guides](#)

General ICS performance story

Case Study 1:

Conciliated complaint with systemic outcome

A representative complaint was lodged on behalf of blind or vision impaired organisation members who were eligible to vote in the state of the respondent state government. The complaint alleged that by not providing an internet-based voting platform, the aggrieved persons are unable to vote independently, secretly and verifiably, as others without their disability are.

Upon notification of the complaint the respondent state government advised that due to software being phased out there was insufficient time to update and integrate a new system prior to the election. The respondent also advised that it provided alternative means of voting for vision impaired voters but agreed to participate in a conciliation process facilitated by the Commission.

The complaint was resolved by the Respondent agreeing to undertake a broadscale review into technology-assisted voting (Review), which includes examining the use of internet and other technology-assisted voting, for future elections with a focus on accessible voting and obligations to consult with the disability community, including those who are blind or vision impaired. If a new voting system is approved and funded as result of the Review, people who are blind or vision impaired (along with other relevant disabilities) will be involved in its development, including through user testing and providing feedback.

The parties also agreed to make a joint public statement to acknowledge and explain the current voting options available for people who are blind or vision impaired and to announce the Review, including how people can make submissions to it (please see <https://elections.nsw.gov.au/about-us/media-centre/news-and-media-releases/nswec-commits-to-explore-tav-options> for more information)

This outcome is an excellent example of systemic change that can be achieved through alternative dispute resolution; in this instance enabling potentially wide-ranging positive impact for eligible voters anyone who are blind or vision impaired.

The agreement also adopts the principles of participatory design, with users being involved in the development and testing of assistive technologies.

Both the above align with the Commission goal of promoting and protecting human rights and contribute through the development of policies which improve equality of access to fundamental rights such as voting.

Case Study 2:**Conciliated complaint with an individual and systemic outcome**

The complainant brought forward the complaint in his own right and on behalf of family members, including his son who has an assistance animal to assist with his disabilities of autism and anxiety. The complainant's family sought to dine at the respondent restaurant. The complainant alleged that the staff at the respondent restaurant told the family that they could only dine at an outside table due to the presence of the assistance animal. The complainant alleged that the restaurant staff then told the family they could sit inside but not at the grill because of the presence of the assistance animal.

On being advised of the complaint the respondent was very receptive to participating in an alternative dispute resolution process. The complaint was resolved through a video conciliation conference with an agreement that the respondent restaurant: provide a written apology; update its discrimination policy relating to assistance animals and train staff accordingly; take step to obtain approval to display signage welcoming assistance animals; provide the complainant's family with a free meal at the restaurant; and pay \$5000 in compensation.

The outcomes achieved in conference were meaningful and empowering for the individual and his son and contributed to positive education, through policy change and training, about assistance animal rights and obligations under the DDA for the respondent restaurant staff. In addition, by positively welcoming assistance animals, the restaurant is improving access to meaningful participation in social activities for all persons who rely upon assistance animals in their daily lives.

The Commission's National Information Service (NIS) and Investigation and Conciliation Service (ICS) contribute significantly to the Commission's key function as Australia's National Human Rights Institution, both by providing education about human rights and responsibilities and by providing an accessible, fair and impartial complaint-handling process. In addition, in May 2023 after receiving dedicated funding from the Government, the Commission established the Respect@Work Information Service. This is a national, trauma-informed service that provides information and referrals, including to support services, and is free and confidential.

In contrast to the previous two reporting periods, during 2022–23 the Commission received a relatively small number of COVID-19 complaints (114). However, in this same period over 500 legacy COVID-19 related complaints were finalised. Many of these complaints did not proceed to conciliation or failed to resolve. The overall conciliation rate for COVID-19 matters was under 23%, significantly lower than the overall conciliation rate. This is because the subject matter of COVID-19 complaints was often not amenable to alternative dispute resolution, particularly where the subject matter of the complaint involved actions aligned with state government public health orders.

It is anticipated that the comparatively low number of COVID-19 complaints received (114 in 2022–23) and the positive impact of temporary staffing increases within ICS, will result in a decrease in complaint handling timeframes and an increase in conciliated complaints by the end of 2024, noting that an unforeseen global event could disrupt this expectation.

The Commission received a record number of sexual harassment and sex-based harassment complaints in 2022–23 (a combined total of 371). This was a result of greater protections offered to workers under amendments to the *Sex Discrimination Act* and increasing public awareness about the requirement to provide safe workplaces free from harassment and discrimination.

Despite the challenges faced over the past two years, the ICS and NIS (and newly formed Respect@Work Info Service) provided information, education and conciliation services to people and organisations across Australia. While there has been a decrease in the number of complaints that resolved, there has been an increase in the percentage of resolved complaints that included systemic outcomes, notably outcomes aimed at embedding participatory design principles by involving end users in the design process of new products and services.

Outcome 2: Strengthening Australia's human rights framework, embedding human rights issues at a national level

2.1 The leadership and advocacy of the President and Commissioners on thematic areas or identified human rights issues improves the enjoyment of human rights by affected groups

Research, reporting and advice activities of the Commission:

- are viewed as evidence-based, persuasive and credible by stakeholders
- increase understanding of the human rights issues and impacts raised
- strengthen stakeholder capacity to promote and advocate for the human rights issues raised.

Instances of programs attracting strategic partnerships that advance the priority human rights issues we have advocated for.

Results



29 major reports, publications and resources



28 projects attracting strategic partnerships



9 major events



237 speeches and presentations



87 web news items



235 media interviews



16 opinion pieces



Attendees at the Wiyi Yani U Thangani National Summit May 2023

Wiyi Yani U Thangani (Women's Voices) National Summit

On 9–11 May 2023, Social Justice Commissioner June Oscar AO, in partnership with the National Indigenous Australians Agency, hosted the Wiyi Yani U Thangani (Women's Voices) National Summit, preceded by a one day Youth Forum. The Summit was the first national gathering of its kind, bringing together more than 900 women and girls from across Australia for decision-making, innovation and celebration.

The Summit was a key outcome of Stage 3 of the Wiyi Yani U Thangani project, which has sought to elevate and centre the voices of First Nations women and girls across Australia in decision-making processes. It was a key recommendation of the *Wiyi Yani U Thangani: Securing Our Rights*,

Securing Our Future report (2020), informed by an extensive consultation process gathering the needs, hopes and aspirations of First Nations women and girls.

The Summit presented opportunities for women to share their knowledges, and learn and build on the transformative initiatives and projects taking place across Australia. It was also an opportunity develop strong connections and relationships with others.

The Summit created space for collective generational learning for my mother, my eldest daughter and I. This made me feel immense gratitude and pride to see our future leaders being held and nurtured so they can shine bright. —**Feedback from Summit participant**



The Muyngu Koekaper Dance Team from Saibai Island, Torres Strait perform at the Wiyi Yani U Thangani National Summit, May 2023

Throughout the Summit, delegates engaged with inspiring keynotes, panels, presentations and workshops, showcasing the innovative approaches and initiatives of First Nations women across four thematic areas: Leadership and Decision-Making; Language, Land, Water and Cultural Rights; Societal Healing and Intergenerational Wellbeing; and Economic Justice and Empowerment. Women also expressed aspirations for the future and areas of focus to overcome systemic challenges. These areas include amplifying youth voices; making space for LGBTQ+SG communities; supporting communities from the ground up; and responding to systemic violence, discrimination and marginalisation. This dialogue enabled delegates to gain a better understanding and respect for their rights, and to

use this learning to defend and advocate for their rights within their own context.

Delegates at the Summit also expressed their needs and aspirations for the future, presented in the [Summit Communiqué](#) and [Youth Statement](#), and provided insight for the next stages of the project – the development of the National Framework for Action and a First Nations Gender Justice Institute, hosted at the Australian National University.

The Summit contributed to the broader development and amplification of First Nations gender justice across Australia, strengthening and elevating the rights and voices of First Nations women and girls. Delegates advocated for the Framework and Institute to provide a platform for systemic reform, overcoming inequalities,

marginalisation and discrimination, and to better incorporate First Nations rights, as articulated by the UN Declaration on the Rights of Indigenous peoples throughout national policy, legislation and infrastructure.

2022 Human Rights Awards

Since 1987, the Commission's Human Rights Awards have celebrated the important work of people, businesses, and organisations who have advanced human rights in Australia. The 2022 Awards were delivered in a new, more accessible format and received one of the highest ever number of nominations across four award categories.

Distinguished Professor Larissa Behrendt AO, winner of the 2021 Human Rights Medal, delivered the annual Human Rights Day Oration at the 2022 awards presentations ceremony.

Not-for-profit Mahboba's Promise founded by Mahboba Rawi and Nawid Cina won the prestigious Human Rights Medal for their work supporting women and children fleeing the Taliban in Afghanistan.

I dream for Afghan women to be free and choose what they want to do, to go out without permission, to run their life the way they want, to work equally, to study, go for further education.
—**Mahboba Rawi on accepting the award**

Caroline Cecile Fletcher, won the Young People's Award for her advocacy for young people in the foster care system based on her own lived experience. Scientia Professor Jane McAdam, Professor of Law and Director of the Kaldor Centre for International Refugee law, won the law



Commissioners and Chief Executive with finalists of the 2022 Human Rights Awards



Commissioner Anne Hollonds (left) and Commissioner June Oscar (right) attending Songs for Freedom

award for her contributions to international law and pioneer research into climate related human displacement. Hotel Etico, an innovative social enterprise that provides sustainable employment pathways for young people with disability, won the Community Award.

Youth justice advocacy and stakeholder engagement

Youth justice advocacy and engagement has been a significant area of focus for the Commission, with individual and collective advocacy across Commissioner portfolios for governments to urgently address the youth justice crisis in Australia.

In May 2023, a riot broke out at Banksia Hill Detention Centre (BHDC), at the same time as women from across the country were gathered in Canberra for the Wiyi Yani U Thangani National

Summit. In response, Commissioner Oscar supported the development of a joint [media release](#) and the convening of a press conference, which resulted in widespread national coverage. The group included the Commissioner for Children and Young People WA Jacqueline McGowan-Jones, Acting Northern Territory Children's Commissioner Nicole Hucks, member of the UN Permanent Forum for Indigenous Peoples Associate Professor Hannah McGlade, representatives from Grandmothers of Close Don Dale Now and a number of community advocates.

In a progressive country like Australia, the incarceration of Aboriginal and Torres Strait Islander children is a national crying shame. June's voice and advocacy in her role as Social Justice Commissioner has lent strength to our shared purpose to protect our children's precious futures. —**Grandmothers of Close Don Dale Now**

Release of the Community Guide to the National Anti-Racism Framework Initial Scoping Report

A Community Guide to the National Anti-Racism Framework Scoping Report was developed by the Commission in June 2023. The Guide was translated into seven languages, together with an Easy Read version. Alongside information about the National Anti-Racism Framework project, the Guide includes a compilation of relevant services and complaints information. The Commission developed a community engagement strategy and distributed the Guide widely. This included a social media amplification kit to assist organisations and supporters in promoting the project.

The Community Guide, and social media amplification kit, were distributed via social media channels, stakeholder networks, and the Commission and *Racism. It Stops With Me* e-bulletins.



The Community Guide had high engagement on social media, with an aggregate reach of 87,257 across Commission channels (LinkedIn, Twitter, Facebook and Instagram).

Since distributing the Community Guide, service providers, government departments, agencies, community networks and organisations have reached out to the Race Discrimination Team to commend their work, request further information and seek to participate in the ongoing development of the framework. The inclusion of the content on relevant services and complaints information was welcomed.

The accessibility of the Community Guide allowed the Commission to reach a range of different stakeholders who are not routinely engaged with its work, sparking important conversations and new relationships.

These actions align with a broader strategy to connect policy-making with real people, and their real life aspirations and experiences. The Guide and engagement strategy made the findings of the project more accessible to communities, and contributed to more trusted and reciprocal relationships between the Commission and the communities it serves.

Scoping project for the National Child and Family Investment Strategy

The National Child and Family Investment Strategy (NCFIS) was announced in the 2022–23 Budget and is an initiative under Safe and Supported: The National Framework for Protecting Australia's Children 2022–2032 and the Safe and Supported Aboriginal and Torres Strait Islander First Action Plan 2023–2026.

The aim of the NCFIS is to prevent at-risk children and families from coming into contact with the child protection system and to improve their life outcomes. The NCFIS will support jurisdictions, including the Commonwealth, to reorientate child and family support system funding into more effective, tailored and coordinated early intervention and prevention services and supports.

The Department of Social Services (DSS) commissioned the National Children's Commissioner (NCC) to undertake a 'scoping project' to develop principles and make recommendations to guide and inform the development of the NCFIS.

To achieve this, the Children's Rights Team conducted a literature review and consulted with key stakeholders across all jurisdictions, individually and in roundtables. Stakeholders were asked to reflect on their experience in, and knowledge of, prevention and early intervention and to offer suggestions to guide future investments in improving the outcomes for children and their families.

This investment strategy could be a 'rich opportunity for powerful, healing work'.

—**Feedback from stakeholder**

The initial results of the Australian Child Maltreatment Study (ACMS) published in April 2023 were also used to inform the development of the principles and recommendations.

The Team developed six overarching principles and made 18 recommendations to guide and inform the development of the NCFIS. Stakeholders indicated that their views were accurately reflected in the overarching principles and recommendations made in the Commission's scoping report.

The scoping project report was submitted in June 2023 and will be made public later in the year informing DSS's development of the National Child and Family Investment Strategy. The principles developed as part of this scoping project are reflective of the broader goals of the Commission and of the NCC, including; empowerment, participation and self-determination, collaboration and partnership, sustainability, and the use of a human rights-based approach.

National OPCAT Symposium and Road Map

In September 2022, the Commission partnered with the RMIT University College of Business and Law to hold a [National OPCAT Symposium](#) in Melbourne. The event brought together stakeholders from the Australian, state and territory governments, oversight and statutory bodies and civil society, to take stock of achievements to date, identify what needs to be done to reach full compliance with the *Optional Protocol to the Convention against Torture (OPCAT)* by the extended deadline of 20 January 2023.

The 200 participants included representatives of 43 statutory oversight agencies and commissions of inquiry from across Australia and Aotearoa New Zealand.

Informed by the National Symposium, the [Road Map to OPCAT Compliance](#) was published in October 2022 to provide a clear pathway and recommendations for governments across Australia to meet the deadline for OPCAT compliance. It was distributed to stakeholders including the UN Subcommittee on Prevention of Torture (UN SPT).

Various Australian governments have taken some steps towards fulfilling their obligations under the OPCAT treaty. For example, Queensland passed the *Monitoring of Places of Detention (Optional Protocol to the Convention Against Torture) Bill 2022*; allowing the UN SPT unimpeded access to places of detention within its jurisdictions.

The best practice principles have also influenced the work of oversight bodies within Australia. For example, the Commonwealth Ombudsman has added child rights and disability expertise to its OPCAT advisory board.

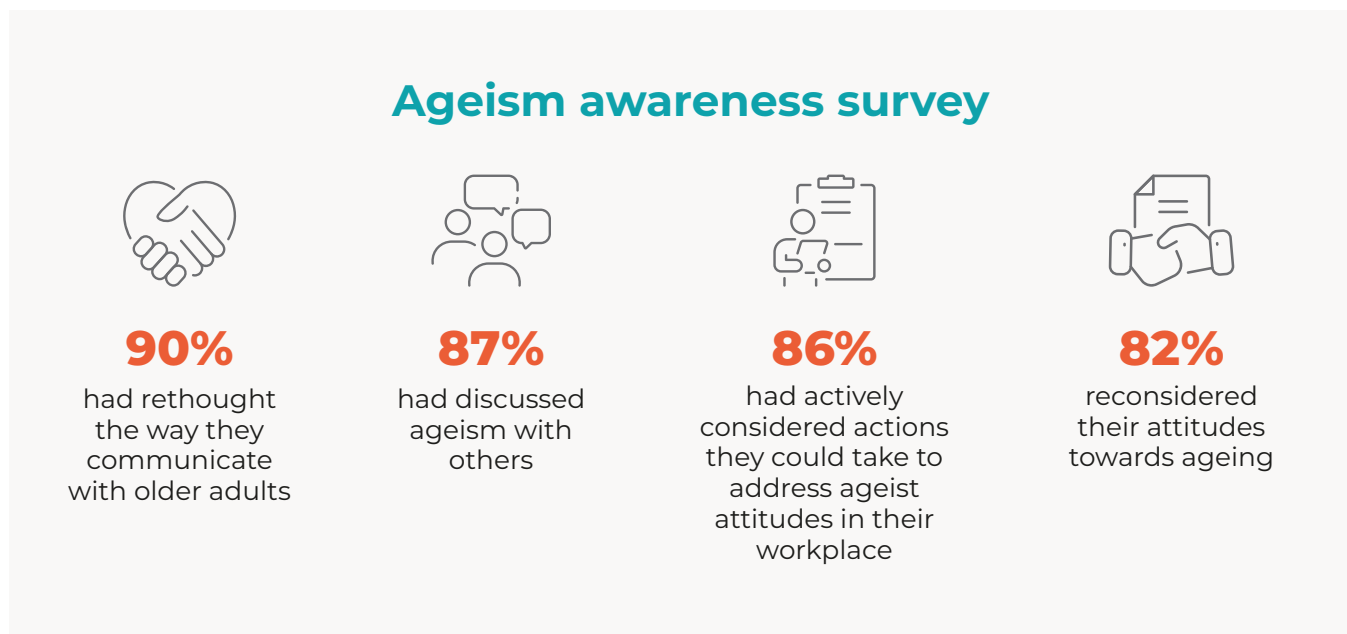
Our Government welcomes the release of the Australian Human Rights Commission Road Map to OPCAT Compliance, which is a comprehensive report outlining activities required to expedite Australia's approach to implementing OPCAT. The road map was informed by and is an outcome of the National OPCAT Symposium. I note Tasmania has already significantly advanced or completed the recommendations made as part of the road map, particularly the recommendations to introduce dedicated OPCAT legislation and sufficiently resource the NPM. —**Mrs Leonie HISCUTT MLC (Leader of the Government in the Tasmanian Legislative Council)**

Changing perspectives: testing an ageism intervention – research report

The *Changing perspectives: testing an ageism intervention* report released in July 2023 presents the findings of an ageism awareness session among workers in aged care and community settings.

A survey showed that most participants reported lower than average levels of overt ageism before the session, but more subtle forms persisted – such as perceptions of older adults as less competent and in need of protection.

Results from participant follow-up survey showed:



Commissioner Kay Patterson (second from right) at the opening of the Centenarian Project in Canberra June, 2023

Following the session, statistically significant improvements were found in participants' attitudes towards older adults and ageing, and remained at follow-up two to three months later. Post-workshop focus group discussions further indicated that participants had taken various actions because of the workshop, such as changing the way they interact with older adults, adopting new work practices or approach, sharing the learnings with others, and calling out ageism in their workplace and community.

These findings demonstrate the potential for brief, one-time educational interventions to generate attitudinal and behaviour changes that may be lasting.

Fifth National Survey on Sexual Harassment in Australian Workplaces

In November 2022, the Commission published the fifth national survey to investigate the prevalence, nature and reporting of sexual harassment in Australian workplaces.

The 2022 National Survey was conducted with over 10,000 people aged 15 years or over, using a sample that is representative of the Australian population in terms of gender, age and geographic location. The Commission conducted and reported on similar sexual harassment surveys in 2003, 2008, 2012 and 2018.

The 2022 National Survey advances a legacy of evidence-informed action on workplace sexual harassment.

Incidence of workplace sexual harassment

In the last 12 months

About
1 in 5
people

(19%) have been sexually harassed at work.

In the last 5 years

About
1 in 3
people



(33%) have been sexually harassed at work (41% of women and 26% of men).

41%



women

26%



men



Commissioner Kate Jenkins (third from left) with members of the ABF partnership

The National Survey was released against the backdrop of sweeping action taken to address workplace sexual harassment, including legislative changes. As employers, regulators and workers across Australia were seeking to understand and address sexual harassment, the 2022 National Survey provided critical information about its prevalence, nature and reporting.

For the first time, the survey asked about workers' views on the actions taken by their employer's to address workplace sexual harassment.

This survey report, *Time for Respect*, provides vital information about the scale of workplace sexual harassment and the need for prevention and response initiatives.

Key findings from the Fifth National Survey on Sexual Harassment in Australian Workplaces

Sexual harassment continues to be an unacceptably common feature of Australian workplaces, with one in three workers saying they had experienced workplace sexual harassment in the last five years.



Most sexual harassment in Australian workplaces is carried out by men

77%



Half

of incidents are repeated and of those, half are ongoing for more than one year



The majority of people harassed

69%

experienced negative mental health impacts



Reporting remains low, with only

18%

of sexual harassment incidents reported



In

One quarter

of reported cases, there were no consequences for the harasser



Only

One third

of Australian workers consider their organisation is doing enough

2.2 Law and policy makers, at all levels, consider and address the human rights impacts we identify through our submissions, inquiries, research, reports and United Nations engagement

High proportion of Committee inquiry reports reflect and cite the Commission's advice.

Instances of improved Federal and state government policy, practice and legislative change reflect our advice.

PBS TARGET

High proportion of Committee inquiry reports reflect and cite the Commission's advice.

Majority of our applications to the courts for leave to appear are accepted.

Instances of our court submissions reflected in the final judgment of the matter.

Results



52

Submissions
to inquiries



317

Citations



1

Application to the
courts for leave to
appear accepted

Passage of Respect@Work Bill

In November 2022, the Anti-Discrimination and Human Rights Legislation Amendment (Respect at Work) Act (Respect@Work Act) was passed. The Respect@Work Act creates an Australia first positive duty requiring employers to implement measures to prevent sexual harassment, sex discrimination, hostile environments, sex-based harassment and victimisation in connection with work. The Act confers new regulatory powers on the Commission.

It is a major achievement that fundamentally changes how Australia protects people from workplace sexual harassment.

The need to strengthen the legal and regulatory frameworks relating to sex discrimination was a key recommendation of the Commission's landmark Respect@Work Report, led by the Sex Discrimination Commissioner, published in March 2020.

The introduction of the positive duty will affect every workplace and every worker in Australia. It is confirmation of the impact of the Commission's Respect@Work Report. The Government has committed to implementing all 55 of the Report's recommendations as a matter of priority.

It changes our setting from being reactive to also being proactive, so that employers are required to take meaningful action to prevent harassment from occurring. It shifts the emphasis from a complaints-based model to one where employers must take action, and continuously assess and evaluate whether they are meeting the requirements of the duty. —**Sex Discrimination Commissioner Kate Jenkins on the passage of the Respect@Work Bill**

The passage of the Act and the introduction of the positive duty will have important flow-on effects. The passage has the potential to inform state and territory government efforts to achieve greater harmonisation of sexual harassment legislation as part of any upcoming legislative reviews.

The positive duty closely ties into the broader goals of the Commission – including our advocacy for a positive duty across all four federal discrimination laws in the position paper released in December 2021: [Free and Equal: A reform agenda for federal discrimination law](#).

Alternatives to Immigration Detention

People are being held in immigration detention for increasingly lengthy periods of time. As of 30 June 2023, the average period of time for people held in immigration detention was 711 days, or approximately two years. The Commission regularly conducts inquiries into complaints by people held in immigration detention who allege that their detention is arbitrary.

Long term immigration detention is a significant human rights issue and has been difficult to resolve, particularly in cases where there are concerns about risk to the community and there is no opportunity for third country resettlement. This is an issue that has been considered in detail by the Commission across a number of legal and policy reports. Below outlines the work the Department of Home Affairs is currently doing, which acknowledges this work and builds on recommendations of the Commission. Those recommendations were aimed at creating a response that better takes into account risk and seeks to effectively manage risk in a way that best promotes both the human rights of members of the Australian community and the human rights of people in immigration detention.

Alternatives to Immigration Detention Advocacy Timeline

The below timeframes demonstrate how the Commission advocates for human rights principles to be applied in immigration detention and works with governments over time.

February 2021 – the Commission published a report of an inquiry into complaints by 11 people who had had their visas cancelled on character grounds and faced the prospect of indefinite detention (*Immigration detention following visa refusal or cancellation under section 501 of the Migration Act 1958* (Cth) [2021] AusHRC 141).

July 2021 – the Status Resolution and Visa Cancellation Division of the Department of Home Affairs commenced a program to explore alternatives to held detention. The Department referred to the Commission's report in its Phase 1 Program Report as informing this work.

July 2022 – the Department of Home Affairs provided a submission to the Minister for Immigration, Citizenship and Multicultural Affairs about a Alternatives to Held Detention program. The Department sought approval for proposals that build on the recommendations of the Commission, including: engaging external expertise to develop a revised risk assessment framework and dynamic risk assessment tools; the establishment of an independent panel to provide advice and recommendations about managing risk; and considering conditions that could be imposed on detainees to mitigate risk that would permit release into the community.

August 2022 – the Department held a briefing about the program with external stakeholders, including the Commission, and commenced Phase 2.

October 2022 – the Department met with the Minister to further discuss this program.

Tickle v Giggle for Girls Pty Ltd

The Sex Discrimination Commissioner was granted leave by the Federal Court to appear as amicus curiae in the proceeding *Tickle v Giggle for Girls Pty Ltd* in June 2023. This is the first case about 'gender identity' discrimination to be heard by the Federal Court since this ground of discrimination was introduced into the *Sex Discrimination Act 1984* (Cth) (Sex Discrimination Act) in 2013.

In the past, the Sex Discrimination Commissioner has sought leave to appear as amicus curiae in cases dealing with the interpretation of key provisions of the Sex Discrimination Act. This has included cases dealing with new grounds of

discrimination when they have been introduced into the Sex Discrimination Act, such as discrimination on the grounds of pregnancy, family responsibilities and marital status.

Roxanne Tickle was refused access to a social networking app described as being 'made for women by women'. Ms Tickle alleges that she was refused access because she is a trans woman, and that this amounts to discrimination on the ground of her gender identity. The Respondents say that Ms Tickle was refused access to the Giggle app because she is a 'male'. They say that this did not amount to discrimination on the ground of 'sex' because the app is a special measure for the

purpose of achieving substantive equality between women and men. The Respondents say that the prohibition against 'gender identity' discrimination is unconstitutional.

The Commissioner's submissions (filed in August 2023, following this reporting period), deal with key statutory interpretation and constitutional issues that arise in the case. The statutory interpretation issues include the meaning of 'sex' and 'gender identity' for the purposes of the Sex Discrimination Act and the interaction between prohibitions against discrimination and special measures to achieve substantive equality. The Commissioner submits that the prohibition against

gender identity discrimination is constitutionally valid and consistent with Australia's international treaty obligations under the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the International Covenant on Civil and Political Rights (ICCPR). The final hearing in the case is listed for April 2024.

The Federal Court has indicated that it values the contribution of the Commissioner by granting leave to appear in this case and by directing that the Commissioner's submissions be filed in advance of those of the other parties so that they have the benefit of those submissions prior to filing their own submissions.



Helena Dalli, EU Commissioner for Equality (front row second from right) with EU Ambassador Gabriel Visentian (bottom left) with President Croucher and Commissioners Lorraine Finlay, Chin Tan, Kate Jenkins and Ben Gauntlett

Foreign Interference through Social Media

Commission recommendations on Foreign Interference through social media

AHRC recommendation 1: The Australian Government should establish a permanent whole-of-government taskforce dedicated to preventing and combating foreign interference by way of cyber-manipulation in Australia. Fully adopted by the Senate Committee in their recommendation 7.

AHRC recommendation 2: The Australian government should establish clear and mandatory requirements, and pathways, for social media organisations to report suspected foreign interference. Such reports should be made to the proposed entity noted above in recommendation 1, whose activities in this area must incorporate robust safeguards to protect freedom of expression. Partly adopted by the Senate Committee in their recommendation 1.

AHRC recommendation 3: There must be greater investment in incorporating digital literacy into the Australian education curriculum, including information about online safety, data privacy, identifying misinformation and disinformation and the role algorithms play in a users' online experience. Partly adopted by the Senate Committee in their recommendation 15.

AHRC recommendation 4: The Australian Government should introduce a public education campaign on digital literacy and develop public online resources. Partly adopted by the Senate Committee in their recommendation 15.

AHRC recommendation 5: The Australian Government should audit the use of social media platforms on government-issued devices within the Australian Public Service, and issue general guidance regarding device security. Fully adopted by the Senate Committee in their recommendation 5, and expanded upon in their recommendation 6.

AHRC recommendation 6: The Australian government should introduce transparent user-data privacy and user-data protection frameworks that apply to all social media and internet companies. Partly adopted by the Senate Committee in their recommendation 1.

AHRC recommendation 7: Social media platforms should be legally required to provide users with greater control over their personal data. A users' data sharing setting should always be switched off by default. Not adopted.

AHRC recommendation 8: The Australian Government should mandate that all social media platforms publicly disclose the content that they censor and make it an offence to censor content that has not been publicly disclosed to users. Fully adopted by the Senate Committee in their recommendation 1.

AHRC recommendation 9: The Australian Government should take a proactive approach to protecting groups that are common targets of foreign interference but are not classified as government institutions. Partly adopted by the Senate Committee in their recommendation 17.

The Commission provided a submission to the Senate Select Committee on Foreign Interference through Social Media in February 2023, noting that social media is an integral aspect of everyday life, as it forms the foundations of many Australia's communications online. The Commission particularly noted concerns about the negative impact that foreign interference through social media can have on democracy and human rights, highlighting particular risks regarding misinformation and disinformation, risk to privacy and increasing censorship.

The Committee adopted eight of the Commission's nine recommendations (in-part or in full), with 27 citations in the final report. This has led to substantive law reform being recommended to better ensure human rights are protected. It also aligns with Commissioner Finlay's term goal to strengthen human rights frameworks and build greater awareness of human rights risks in digital spaces.

Discontinued use of spit hoods in ACT/ AFP Policing

In February 2023, the Commission provided a submission to the Australian Federal Police's (AFP) internal review into the use of spit hoods in AFP and ACT policing.

Following the review, the AFP announced the AFP and ACT police would no longer use spit hoods, and instead the AFP will provide 'alternative equipment and implement procedures to better protect officers from spitting and biting.' The AFP statement noted that spit hoods were not sufficient to prevent transmissible disease and the review found the risk of using spit hoods outweighed the benefits of their use.

The Commission has long held the view that the use of spit hoods poses significant risks of injury and death, and that their use is contrary to human rights. Evidence clearly indicates that the key risk a spit hood is designed to prevent – the transmission of communicable diseases – is very low, making their use a disproportionate response. —**Australia's Human Rights Commissioner Lorraine Finlay**

This outcome aligns with a recommendation made by the United Nation's Committee Against Torture (UN CAT) at Australia's sixth periodic review. This was an issue that Commissioner Finlay personally raised before the committee.



Commissioner Lorraine Finlay (Centre) with representatives from the UNODC Delegation from the Philippines

Representation at the United Nations Conference of State Parties

Article 40 of the Convention on the Rights of Persons with Disabilities (CRPD) provides for a regular Conference of State Parties (COSP). For the first time since the COVID-19 pandemic, COSP was convened in person and the Australian delegation was one of the largest to attend.

The Disability Discrimination Commissioner and Director of the Disability Rights Team represented the Commission at COSP, and supported the participation of civil society delegates.

COSP is a key opportunity for the international disability community to connect and learn about ways to advance the realisation of the CRPD. This was the first year that National Human Rights Institutions (NHRIs) had independent status in COSP.

A side event showcasing Australia's Disability Strategy 2021–31 was co-hosted by the Hon Amanda Rishworth MP (Minister for Social Services),

Dr Ben Gauntlett (Disability Discrimination Commissioner, and Chair of the Australian Disability Strategy Advisory Council), Liz Reid (CEO YouthWorX, and ADS Advisory Council member) and the Department of Social Services.

The Disability Discrimination Commissioner delivered an intervention in the General Assembly, raising key issues in Australia's implementation of the Convention on the Rights of Persons with Disabilities, as well as the need for a federal Human Rights Act.

COSP is a key opportunity for the international disability community to connect and learn about ways to advance the realisation of the CRPD. This was the first year that National Human Rights Institutions (NHRIs) had independent status in COSP.

Participation at COSP ensures the Commission maintains its international standing as a strong NHRI representing human rights in Australia and contributing to human rights advancements globally.



Commissioner Ben Gauntlett at the UN Conference of State Parties

2.3 The national human rights reform agenda proposed in the *Free and Equal: An Australian conversation on human rights* report is considered and addressed by the Parliament, government and the non-government sector

The recommendations and actions in the report generate dialogue and receive public support and commitment from the Attorney-General and the non-government sector.



President Croucher providing a briefing of our proposal for an Australian Human Rights Act to Parliamentarians

[Free & Equal: An Australian Conversation on Human Rights](#) (Free & Equal) seeks to identify what an effective system of human rights protection for 21st century Australia would look like, and what steps Australia needs to take to get there. Free & Equal began with a national conference opened by the UN High Commissioner for Human Rights and the release of an Issues Paper in 2019. The Issues Paper

described the Australia's human rights landscape and asked questions about reform priorities. Three technical Discussion Papers on discrimination law, advancing the positive framing of human rights in Australian legislation, and accountability mechanisms, followed.

In December 2022, the Commission released the second position paper in Free & Equal, *A Human Rights Act for Australia*, which proposes a model for a national Human Rights Act, how it might function and what it could achieve. The Commission's proposed model would create legal protections for the human rights of all Australians, and ways to seek justice if people's rights are breached. It would increase the responsibility that governments have to consider how their laws, policies, and actions might affect people's human rights. It would also provide options for people to challenge decisions that breach their human rights, and opportunities to go to court if their issues can't be resolved through conciliation.

In March 2023, the Attorney-General referred to the Parliamentary Joint Committee on Human Rights an inquiry into Australia's Human Rights Framework, which has focused substantially on the Commission's position paper.

In May, the Commission lodged its first submission, providing an analysis of the current framework, recommendations on what a national human rights framework should look like, and a summary of the Commission's two Position Papers from the Free and Equal project – *A Human Rights Act for Australia* and *A Reform Agenda for Federal Discrimination Law Reform*. The President, Senior Policy Executive and Deputy General Counsel then appeared before the parliamentary committee.

The Commission will continue socialisation and advocacy of the recommendations and model for a Human Rights Act working with our human rights partners, civil society and stakeholders.

Outcome 3: Better understanding of, and respect for, human rights so people and communities take action to defend human rights in their own context

3.1 Our education activities increase capability among individuals, communities and organisations to promote and protect human rights and address discrimination

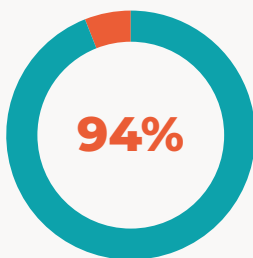
Most participants in our adult training programs report:

- satisfaction with the quality and relevance of the training
- increased understanding, expertise, reframed attitudes.

Instances of organisations working with the Commission to develop human rights education/ training activities.

Results

e-learning and training sessions



94% of e-learning participants surveyed either agreed (**60%**) or tended to agree (**34%**) that they benefited from the course, with only **7%** either disagreeing (**2%**) or tending to disagree (**4%**) with that statement.



2,125

individuals completed the survey.



48

training sessions

48 training sessions were held either face-to-face or online in real-time with **1,009** participants across **38** workplaces.

Training was delivered by the Workplace and Community Education Team, Information, Conciliation and Complaints Service, Age Discrimination Team and Race Discrimination Team.

In the 2022–2023 financial year, the Commission developed and delivered workplace training packages on topics including *Contact Officer training*, *Addressing workplace sexual harassment*, and *Upholding the rights of people with disability*. Client agencies included Commonwealth, state, and local government agencies, as well as educational and corporate agencies. We had repeat business from a number of satisfied clients.

The Workplace and Community Education Team also developed and launched three e-learning modules on *Appropriate workplace behaviour*, *Anti-racism*, and *Understanding workplace sexual harassment*.

Demand for e-learning was high: over 8000 e-learning places were purchased in 2022–23.

As well as delivering standard workshops and e-learning courses, the Workplace and Community Education Team partnered with a number of state government agencies to develop tailored content to meet their specific needs. This involved tailoring the case studies and imagery of e-learning and workshop packages, including for staff with limited English reading proficiency. The team developed an industry-specific e-learning module (*Understanding and addressing workplace sexual harassment for retail and hospitality managers*), and delivered a train-the-trainer package.

Throughout the year, training content was eagerly demanded by Australian workplaces. Despite very limited core funding for these educational activities, through course fees the team has been able to grow and will expand further in 2023–24.

3.2 Our information resources, services, events and campaigns reach, inform and influence users and audiences

Targeted audiences are reached, access our information resources and services, and participate in our events and campaigns.

- an average engagement rate of 2% or higher for Commission social media posts about our education and information activities
- high rates of participants find our events and campaigns engaging and relevant.

Results

Social media engagement

Our average social media engagement rate for the period 1 July 2022 to 30 June was

4.4%

This included:



4.17%

Facebook



2.6%

Twitter



5.06%

LinkedIn



5.9%

Instagram

Digital engagement



66

YouTube videos



8,390

YouTube subscribers



6,814,732

Website visits



10,882,830

Website pageviews



110,609

Facebook followers
(Commission only)



107,009

Twitter followers
(Combined Commission/
Commissioner)



Commissioner Tan speaking at the inaugural Anti-Racism Symposium

Racism. It Stops with me – Campaign Refresh

In July 2022, the Race Discrimination Team (RDT) launched a new iteration of the *Racism. It Stops With Me* campaign.

The aim of this refresh was to align the campaign with contemporary conversations on race and racism and support more Australians to strengthen their understanding of, and take action against, racism.

In consultations regarding the new campaign, the team heard extensively of the need to address the systemic nature of racism, centre the experiences of First Nations peoples and reflect on intersectional experiences of harm.

The team worked with stakeholders and consultation participants to ground the campaign in the expertise of First Nations people and others from negatively racialised communities, who have led anti-racism advocacy in Australia throughout our history. Centring their knowledge and perspective was invaluable and enabled the team to produce campaign content that supports Australians to develop a strengthened understanding of racism.

64% of evaluation survey respondents agreed or strongly agreed that the campaign **increased their capacity to engage in anti-racism action.**

73% of respondents agreed or strongly agreed with the statement, 'The Racism. It Stops With Me' campaign has **increased their awareness and understanding of the nature of racism and the different ways it operates.**

—Supporter Survey Results

The Commission is committed to strengthening relationships with communities and those with lived experience of racism and expertise in effective anti-racism initiatives.

Campaign metrics*

Racism Campaign Metrics*



2000+

individuals signed up as campaign supporters



90+

organisations signed up as campaign supporters



136

new users of the Workforce Cultural Diversity Tool



44,450

visits to the new *Racism. It Stops with Me* website



2,000

visits to the Resource Hub



Coverage in

18 newspapers and
5 television programs



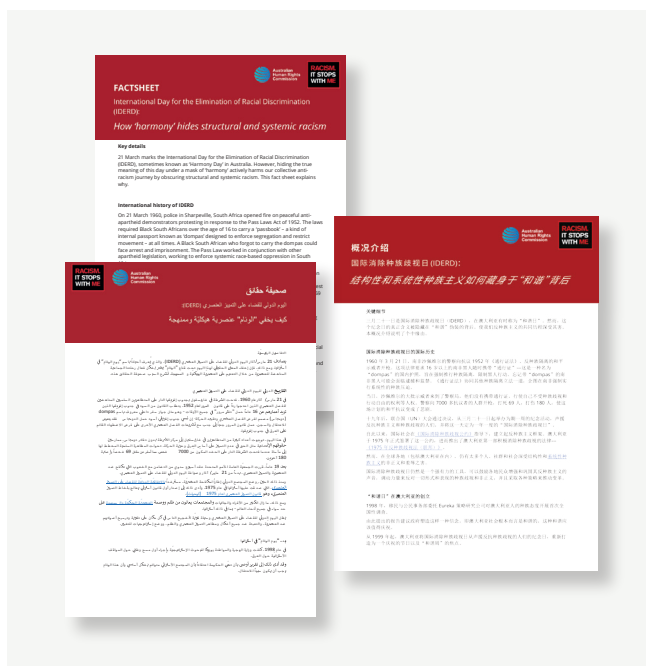
Media coverage on

9 radio stations/ podcasts

*Please note the campaign metrics reflect the first six weeks of the campaign.

International Day for the Elimination of Racial Discrimination factsheet

In March 2023, the Strategic Communications Team and Race Discrimination Team produced a factsheet and digital and social media amplification kit to provide information on the International Day for the Elimination of Racial Discrimination (IDERD).



While the RDT creates content for IDERD annually, a key difference this year was the valuable input of the Strategic Communications Team.

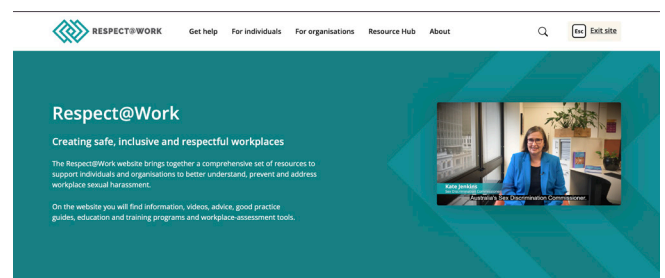
Additional time and resourcing allowed the Commission to produce targeted messaging on the history and significance of IDERD and the harms associated with the rebranding of IDERD as 'Harmony Day'. This was provided to stakeholders and supporters to help them promote anti-racist action.

This content, combined with targeted media engagement, enabled the Commission garner unprecedented reach around IDERD.

This outcome demonstrates the success and significance of ensuring appropriate allocation of resources to Commission initiatives and leveraging days of significance to support public awareness goals. It also demonstrates the efficacy of cross-Commission collaboration.

Respect@Work Website Launch

The National Inquiry into Sexual Harassment in Australian Workplaces, and the subsequent Respect@Work Report, highlighted a clear need for Australian employers and workers to improve the way they prevent and respond to workplace sexual harassment.



Respect@Work | Respect@Work (respectatwork.gov.au)

The National Inquiry recommended the development and implementation of a [Respect@Work website](https://respectatwork.gov.au) to deliver practical guidance and resources.

The National Inquiry found that:

- many workers were not aware of their rights and responsibilities related to workplace sexual harassment
- a lack of understanding of workplace sexual harassment and the cultural and systemic drivers were risk factors contributing to higher prevalence of workplace sexual harassment incidents
- although many employers agreed that sexual harassment has no place in Australian workplaces, and that it was damaging for workers and business, they found it challenging to address.

The Respect@Work website provides a single platform with relevant information related to workplace sexual harassment, including:

- the rights and responsibilities of employers and workers
- understanding workplace sexual harassment
- good practice approaches to prevent and address workplace sexual harassment.

Launched in November 2022, the Respect@Work website delivered much has facilitated increased awareness and guidance for workers and businesses of all sizes. It provides free and easy access to good-practice guides, training programs, workplace assessment tools, information, resources, videos and advice, related to preventing and responding to workplace sexual harassment.

58,000 people visited the website in the 2022–2023 financial year.

The uptake of the Respect@Work website is confirmation of the success of the Commission's Respect@Work Report. The Government has committed to implementing all 55 recommendations of the report as a matter of priority.

The Respect@Work website progresses the Commission's work on sexual harassment and gender equality. It also aligns with the Commission's mandate to promote and raise awareness of human rights in Australia, including through education and training and digital resources.

“Let’s talk about...” videos from our ClickView partnership

In November 2022 the Commission launched the “Let’s talk about...” videos from our ClickView partnership. The videos are aimed at primary school children and include videos, teachers’ notes, student activities and answer sheets across a range of human rights topics.



Teacher resources

This video is made for students in mid-late primary school and is accompanied by:

- [Teacher notes](#)
- [Student activities](#)
- [Answer sheets](#)



Teacher resources

This video is made for students in mid-late primary school and is accompanied by:

- [Teacher notes](#)
- [Student activities](#)
- [Answer sheets](#)

[Let's talk about racism](#) | [Let's talk about bodies, identity and sexuality](#) | [Let's talk about disability](#) | [Let's talk about equality and equity](#) | [Let's talk about refugees](#) | [Let's talk about education](#)

Outcome 4: Maintaining our international standing as a strong human rights institution representing human rights in Australia and contributing to human rights advancement globally

4.1 Our activities increase the capacity of vulnerable groups, communities and their advocates to understand and advocate for their rights

Instances of participants and stakeholders in our consultations and research activities reporting participation experiences that are beneficial and empowering

4.2 Our activities increase the capacity of governments, organisations, other groups and services to understand and address the human rights impact of their actions, particularly when working with vulnerable groups and communities

Instances of stakeholders in our activities with organisations reporting that our work has contributed to increased understanding of the impact of their systems and operations on human rights.

Instances of stakeholders in our activities with organisations making changes to organisational policy and practice, to respect, protect and promote human rights in their context.

Results

IncludeAbility pilot employment program

IncludeAbility advances the fundamental human right of people with disability to work in open employment on an equal basis with others, under Article 27 of the *United Nations Convention on the Rights of Persons with Disabilities*. IncludeAbility Employer Network member Woolworths and Disability Employment Service Good Sammy participated in the employment pilot program. The pilot supported 15 young people with intellectual disability to transition from an Australian Disability Enterprise (ADE) into open employment at Woolworths, at full award wages.

The program aligns with the former Disability Discrimination Commissioner's term goal to increase access to meaningful employment opportunities for people with disability. It also relates to the Commission's strategic goal of improved enjoyment of human rights by all.

Case Study:

Participant in IncludeAbility

Neil, who had been working at Good Sammy for 15 years, participated in the IncludeAbility employment pilot. He has Down Syndrome and does not use many words.

Neil quickly became a valued member of the Woolworths team by contributing to store operations and doing tasks such as arranging products on shelves, working the cardboard crusher and the pallets. His co-workers talk about how cheeky he is and how much they enjoy having him as part of the team.

Neil loves working at Woolworths. Neil's parents say that since he started working at Woolworths there has been an increase in his confidence, social skills, independence and mental health.

Being paid at full award wages has enabled Neil to socialise outside of his family home. He and his aunt regularly go to the football and recently, for the first time Neil was able to pay for food and buy himself a scarf. Neil's dad now looks forward to Neil buying him a beer.

Woolworths offered Neil continued employment at the end of the 12-week pilot period. Neil is one of many participants in the IncludeAbility pilots who have gained continued employment, at or above award wages, beyond the IncludeAbility pilot employment period.



Q Menu ≡



Resources for
employers



Resources for
people with
disability

The pilots are one of the four pillars in the innovative IncludeAbility model for successful disability employment. The Commission will publish the findings from IncludeAbility in October 2023, including policy and practice recommendations for the model to be scaled and replicated.

Constructive dialogue with the NDIS Quality and Safeguards Commission

The Disability Rights Team is engaging in an open dialogue with the NDIS Quality and Safeguards Commission (NDIS Commission), helping to operationalise its new Strategic Plan.

The Commission has hosted workshops and briefings on human rights frameworks that can be applied in the NDIS' Commission's regulatory functions. Through this constructive dialogue, the two Commissions have fostered an open and collaborative relationship to advance human rights protections for NDIS participants.

The partnership contributes to advancing the fundamental human rights under Articles 16 and 19 of the *Convention on the Rights of Persons with Disabilities*.

The Commission welcomes the NDIS Commission's commitment to human rights and will continue to provide support for a robust NDIS safeguarding system.

Wiyi Yani U Thangani First Nations Women's Safety

The Wiyi Yani U Thangani First Nations Women's Safety Policy Forum was held virtually on 12 September 2022. It brought over 150 participants together, including First Nations community members, practitioners, researchers, specialist experts and government participants to consider how to address the root causes and drivers of violence, as the government prepares to deliver on its commitment to develop a standalone

National Plan to End Violence against First Nations Women and Children (standalone National Plan).

The Forum is a major milestone in the third stage of the Wiyi Yani U Thangani (Women's Voices) multiyear project.

In designing the Forum, First Nations women came together to provide expert advice and determine the priorities and themes for the Forum. This advice informed two Forum panels; 'Vision for the First Nations National Plan', and 'Addressing the continuum of violence'. The panels heard from leading First Nations family violence experts and practitioners. They spoke to priorities for the standalone National Plan and what it should build on, and how the intersectional systemic drivers of violence must be addressed. Both panels discussed the need for systems reform, investment in holistic community-controlled models, and the importance of guaranteeing First Nations women's voices and expertise in forming national policy, legislation and programs to effectively respond to and end violence.

We have committed to delivering a dedicated National Plan for First Nations people to end violence against women and family violence ... As a government, we are absolutely committed to putting the voices and aspirations of First Nations women and girls at the centre of plans to improve family safety. —**Minister for Indigenous Australians, the Hon Linda Burney MP**

The Policy Forum created a self-determining space where First Nations women could speak on their own terms, drawing on their expertise and lived experience around the issues of violence against First Nations women, and to inform a pathway forward to guarantee that their voices are central to developing national plans to end violence.

Following the Forum, delegates released a [Delegate Statement](#), calling on governments to listen and respond.

In collaboration with Policy Forum panellists and expert advisers, the Australian Human Rights Commission published the [Policy Forum Outcomes Report](#), bringing together related evidence and literature and the voices of Policy Forum delegates to recommend a pathway forward – a starting point to create the processes and mechanisms that will guarantee that First Nations women and children in all their diversity are active participants with governments to work on the policies and approaches that will end violence in their lives.

The Outcomes Report outlines the priority areas raised by Forum delegates and recommends next steps for the Australian Government to effectively progress the standalone National Plan.

Elevating the voices of First Nations women and girls on the issues, policies and practices that impact their lives is central to the Commissioner's goals.

We, the delegates, call on all Australian governments to take urgent and ongoing action to invest in the solutions of First Nations women to end violence, and ensure commitment to our human rights. It is the responsibility of all levels of government to ensure our rights are protected by listening and acting on the solutions put forward by First Nations women, victim-survivors and specialist community-controlled organisations. —**Excerpt from the Forum Delegates Statement**

The Wiyi Yani U Thangani (Women's Voices) Project, led by Commissioner June Oscar AO, highlights the significant opportunities of recognising and investing in women and girls' strengths, and including their voices in policy design that can drive systemic change and break cycles of disadvantage.

It created create self-determining spaces for First Nations women to gather, share knowledge and elevate their solutions, in dialogue with governments and decision-makers.

Ending violence is at the centre of the Wiyi Yani U Thangani Project. The Policy Forum was key to building on the evidence and major themes of Wiyi Yani U Thangani to address the drivers of violence and create conditions for intergenerational wellbeing and safety, and to put these forwards to inform the development of plans at the national level.

Supporting Quality Engagement with Children (SQE)

The Supporting Quality Engagement with Children (SQE) comprises consultation activities across five Key Commonwealth Strategies (across 2023–2025):

- Safe and Supported: The National Framework for Protecting Australia's Children 2021–2031 (DSS).
- National Plan to End Violence against Women and Children 2022–2032 (DSS)
- Australia's Disability Strategy 2021–2031 (DSS).
- National Strategy to Prevent and Respond to Child Sexual Abuse 2021–2030 (AGD).
- National Aboriginal and Torres Strait Islander Early Childhood Strategy (NIAA).

In this first year, the project has focused on the National Strategy to Prevent and Respond to Child Sexual Abuse 2021–2030, drawing on the lived experiences and views of children, young people, and their families, contributing to the evidence base informing the design and implementation of Australian Government policies affecting them.

The Department of Social Services (DSS) has funded the Commission, for the National Children's Commissioner (NCC) to undertake this consultation project over three years (2023–2025).

The NCC developed a consultation approach based on a literature review of international best practice. This was tested with an expert reference group, and concept tested and piloted with a range of young people.

The project is really valuable, timely and will play an important part in informing national work.

—**Feedback from reference group member**

In May 2023, the NCC convened a meeting of the academic expert reference group to discuss approaches to the consultations. The group welcomed the robust discussion and collaboration on how to work with children and young people.

Feedback from concept testing highlighted that young people feel empowered when their lived experience is valued. They told us they are very interested in the impact of their views and want to know what happens with the information they share with us.

‘Our students they said they thoroughly enjoyed the conversation and felt really empowered throughout the whole consultation.’

‘Participants “loved” the session and wanted to do it again, the kids had “such a joyful reaction”’.

—**Feedback from teachers in the pilot testing**

Preliminary feedback suggests participation in this project is empowering children and young people to be active agents in matters which impact on them, which is in line with the broader goals of the Commission.

The purpose of the project is to embed the voice of children and young people in policy-making, a clear step towards the NCC goal of recognition that children and young people are a national priority in Australia.

Youth Justice and Child Wellbeing Reform project

In May 2023, the National Children’s Commissioner announced a national project on Youth Justice and Child Wellbeing Reform. The results of this project will be a Statutory Report to the Commonwealth Attorney-General for tabling in Parliament in 2024.

‘How open and honest we all were, and how the staff made sure we were comfortable’.

‘Being able to express any opinion’.

‘Not being judged’. —**Feedback from children and young people in response to the question ‘what was the best thing about the consultation?’**

The aim of the project is to investigate opportunities for reform of youth justice and related systems across Australia, based on evidence and the protection of human rights. While Australia has made some reforms to youth justice systems, there remain laws, policies and practices that impact negatively on the rights and well-being of children and young people, and fail to serve the wider public interest.

‘Thank you ... friendly communication ... great team ... I like this meeting ... good job ...’. —**Feedback from young people in the consultations**

Targeted consultations with children, young people and families are at the centre of the project. The National Children’s Commissioner and Children’s Rights Team have been consulting across Australia to seek their views and ideas about youth justice and child wellbeing.

The project is also gathering information through a range of other processes, including desktop

research, submissions and a series of stakeholder interviews and roundtables.

Initial consultations have been positive with children, young people, and families who have had contact with the youth justice. Under the *UN Convention on the Rights of the Child*, children have a right to express their views and have those views taken into account in decisions that affect them.

Children and young people facing disadvantage, including those in contact with youth justice, face barriers to being heard, especially with regards to national policy. Listening to the views and ideas of children and young people not only improves policy-making but can also empower the children and young people themselves.

‘It was a productive and enjoyable day overall ... thank you so very much for making the time to do this as it was important our young people’s voices be heard by people in your position.’

‘The girls thoroughly enjoyed the session – they are still talking about it! They appreciated being asked and listened to about issues important to them.’ —**Feedback from organisations**

initial consultations

Continuing to increase awareness of elder abuse and available support

The Commission continued advocacy, stakeholder engagement and public awareness of elder abuse and available support through the work of the Age Discrimination Commissioner and Age Discrimination Team.

The team also commissioned an evaluation report to demonstrate the impact of the work over time. The activities included delivering and partnering with others to promote public awareness campaigns, media engagement, and developing and distributing resources.

78% of stakeholders who discussed elder abuse in their interview recognised an **increase in the awareness and understanding** of the issue over the past seven years in the general community.

—**ADC evaluation report**

The Commission’s three Elder Abuse Awareness Videos have had more than 3.8 million views, with free radio and television broadcast worth over \$1.9 million. The World Health Organization (WHO) and Red Cross Serbia have requested use of the content. The videos are also used in training modules at the other government agencies across Australia.

‘I think [the Commissioner]’s contribution to [elder abuse awareness] has been phenomenal, pushing it in the media.’ —**Stakeholder from evaluation interview**

Stakeholders acknowledged progress in awareness about elder abuse in culturally and linguistically diverse (CALD) communities as a result of the Commission’s work. This is primarily a result of providing translated bookmarks (see Case study: Elder abuse bookmarks), direct community consultation and disseminating information through multicultural media.

‘These videos give people information that gets them comfortable with what they are seeing then gives them somewhere to go.’

‘[The Commissioner] is really good at reaching out to the CALD community and shedding light on the community as underrepresented.’

‘I think the translated bookmarks have been particularly important in opening a lot of doors.’
—**Stakeholders from evaluation interview**

National OPCAT Symposium and Road Map

In September 2023, the Commission, through the Human Rights Scrutiny team and Human Rights Commissioner, partnered with the RMIT University College of Business and Law to hold a National OPCAT Symposium in Melbourne. The Symposium’s aim was to provide an opportunity to bring together relevant stakeholders from the Australian, state and territory governments, oversight and statutory bodies and civil society, to take stock of what has been achieved to date, identify any existing barriers to progress and work out what needs to be done to reach full compliance with the Optional Protocol to the Convention against Torture (OPCAT) by the extended deadline of January 20, 2023.

The Symposium successfully brought together just under 200 people from government departments, civil society, and academia. In attendance were also representatives of 43 statutory oversight agencies and commissions of enquiry from across Australia and Aotearoa New Zealand.

Informed by the National Symposium, the [Road Map to OPCAT Compliance](#) was published in October 2022 to provide a clear pathway for governments across Australia to meet the deadline for OPCAT compliance.

The report contains key information and principles as well as five recommendations to help guide the implementation process. A copy of the report was sent to the UN Subcommittee on Prevention of Torture (UN SPT) as well as individuals, agencies, departments and organisations in Australia which

are involved with the OPCAT implementation process.

The release of the report coincided with the visit to Australia by a UN SPT delegation from 16–27 October 2022.

Since the National Symposium and Road Map, various Australian governments have taken some steps towards fulfilling their obligations under the OPCAT treaty. For example, Queensland passed the Monitoring of Places of Detention (Optional Protocol to the Convention Against Torture) Bill 2022, allowing the UN SPT unimpeded access to places of detention within its jurisdictions.

Our Government welcomes the release of the Australian Human Rights Commission Road Map to OPCAT Compliance, which is a comprehensive report outlining activities required to expedite Australia's approach to implementing OPCAT. The road map was informed by and is an outcome of the National OPCAT Symposium.
—**Mrs Leonie HISCUTT MLC (Leader of the Government in the Tasmanian Legislative Council)**

The best practice principles have also influenced the work of oversight bodies within Australia. For example, the Commonwealth Ombudsman has added child rights and disability expertise to its OPCAT advisory board.

Collaborative partnership with the Australian HR Institute on older worker employment surveys

The Age Discrimination Team has partnered with the Australian Human Resources Institute (AHRI) over multiple years (2012, 2014, 2018, 2021, 2023) on surveys to examine employment trends and practices in the recruitment and retention of older workers.

The collaborative partnership with AHRI was seen as beneficial to both parties and helped maintain coverage in the media. The longitudinal aspect of the surveys enables the collection of useful data that can track changes over several years. With an ageing population that is likely to be working longer, this issue will continue to be pertinent to the Age Discrimination Team.

Findings from the [2023 Older Workers Survey](#) were used to maintain traction on the issue in the media as well as inform practical recommendations for HR professionals.

‘The Commissioner has a particular profile. Research that goes out jointly under the Commission and AHRI has a greater reach.’

‘The research is practical, it’s different to academic research...It gives employers benchmarking to use to make business cases for diversity programs and use for training in workplaces.’ —**Stakeholder quote from ADC evaluation**

Diving Clean Project

The Royal Australian Navy asked the Commission to help an elite Navy team to examine and improve its workplace culture. By assisting that team to identify its ideal values and behaviours, and developing strategies to achieve these goals, the Navy hoped the Commission could optimise the team’s operational performance and ability to work effectively with other parts of Defence.

In 2022, the Navy endorsed all of the Commission’s recommendations and agreed to implement significant changes to the team’s leadership, communication, and diversity and inclusion practices. Early feedback suggests these changes are making positive differences to the working experience of personnel and improving the team’s operational effectiveness.

The Commission designed and delivered this project in collaboration with the Navy team. This consultative approach ensured the Commission was able to maximise the team’s support for the project while also ensuring that the cultural change strategies developed were effective and fit for purpose.

Safeguarding People at Higher Risk of Harm (SPAHHOH) project

In 2022, Defence asked the Commission to develop a standardised approach to govern the interaction of Defence APS and ADF personnel with people who are considered to be ‘vulnerable’.

In response to that request, the Commission developed a model safeguarding framework for Defence which reflects good practice from Australia and overseas.

This framework established a unifying set of guidelines to safeguard the human rights of people at higher risk of harm that Defence interacts with in a variety of contexts. This includes day-to-day work, on deployment and humanitarian missions, and through recruitment and community engagement activities.

The design of the model safeguarding framework was informed by a human rights approach. Using this approach, the Commission has ensured that people at higher risk of harm are provided with equal rights to protection by embedding safeguarding principles in Defence governance practices.

Australia-Lao PDR Human Rights Technical co-operation

In 2022–2023, the Commission, together with Office of the High Commissioner for Human Rights (OHCHR), supported the Government of Laos to disseminate its Universal Periodic Review (UPR) Action Plan, under the Laos-Australia Human

Rights Technical Cooperation Program. A four-day dissemination workshop was attended by both government and civil society representatives, providing critical information to increase stakeholder knowledge and set the context for more proactive, independent and meaningful engagement by CSO participants in subsequent UPR processes.

By bringing together government officials from various government ministries who have responsibilities for implementing the

recommendations outlined in the UPR Action Plan, participants' awareness and understanding of the UPR process was increased and their capacity to implement and monitor the UPR Action Plan was strengthened.

An independent evaluation of the program found increased momentum, knowledge and experience of the Lao Government in working towards its UPR obligations and to the broader ecosystem of commitment to other human rights UN Treaty Body reporting processes.

6. Financial Statements

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Independent Auditor's Report



INDEPENDENT AUDITOR'S REPORT

To the Attorney-General

Opinion

In my opinion, the financial statements of the Australian Human Rights Commission (the Entity) for the year ended 30 June 2023:

- (a) comply with Australian Accounting Standards – Simplified Disclosures and the Public Governance, Performance and Accountability (Financial Reporting) Rule 2015; and
- (b) present fairly the financial position of the Entity as at 30 June 2023 and its financial performance and cash flows for the year then ended.

The financial statements of the Entity, which I have audited, comprise the following as at 30 June 2023 and for the year then ended:

- Statement by the Accountable Authority, Chief Executive and Chief Financial Officer;
- Statement of Comprehensive Income;
- Statement of Financial Position;
- Statement of Changes in Equity;
- Cash Flow Statement; and
- Notes to the financial statements, comprising a summary of significant accounting policies and other explanatory information.

Basis for opinion

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

Accountable Authority's responsibility for the financial statements

As the Accountable Authority of the Entity, the President is responsible under the *Public Governance, Performance and Accountability Act 2013* (the Act) for the preparation and fair presentation of annual financial statements that comply with Australian Accounting Standards – Simplified Disclosures and the rules made under the Act. The Accountable Authority is also responsible for such internal control as the Accountable Authority determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

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

Independent Auditor's Report (continued)

Auditor's responsibilities for the audit of the financial statements

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

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

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

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

Australian National Audit Office



Ben Nicholls
Audit Principal

Delegate of the Auditor-General

Canberra

15 September 2023

Statement by the Accountable Authority, Chief Executive and Chief Financial Officer



STATEMENT BY THE ACCOUNTABLE AUTHORITY, CHIEF EXECUTIVE AND CHIEF FINANCIAL OFFICER

In our opinion, the attached financial statements for the year ended 30 June 2023 comply with subsection 42(2) of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act), and are based on properly maintained financial records as per subsection 41(2) of the PGPA Act.

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

Handwritten signature of Rosalind Croucher in black ink.

Emeritus Professor Rosalind Croucher AM
President and Accountable Authority

15 September 2023

Handwritten signature of Leanne Smith in black ink.

Leanne Smith
Chief Executive

15 September 2023

Handwritten signature of Maria Moore in black ink.

Maria Moore
Chief Financial Officer

15 September 2023

Statement of Comprehensive Income for the year ended 30 June 2023

	Notes	2023 \$'000	2022 \$'000	Original Budget \$'000
NET COST OF SERVICES				
Expenses				
Employee benefits	1.1A	20,837	21,478	26,408
Suppliers	1.1B	8,101	4,573	5,803
Depreciation and amortisation	2.2A	3,494	3,690	3,513
Finance costs	1.1C	7	12	12
Write-down and impairment of other assets	1.1D	-	8	-
Total expenses		32,439	29,761	35,736
Own-source income				
Own-source revenue				
Revenue from contracts with customers	1.2A	10,969	7,054	9,090
Interest	1.2B	483	5	50
Other Revenue	1.2C	58	46	-
Total own-source revenue		11,510	7,105	9,140
Gains				
Other Gains	1.2D	14	36	46
Total gains		14	36	46
Total own-source income		11,524	7,141	9,186
Net (cost of) services		(20,915)	(22,620)	(26,550)
Revenue from Government	1.2E	26,549	21,646	26,549
Surplus/(Deficit) attributable to the Australian Government		5,634	(974)	(1)
OTHER COMPREHENSIVE INCOME				
Items not subject to subsequent reclassification to net cost of services				
Changes in asset revaluation surplus		-	147	-
Total comprehensive income/(loss)		5,634	(827)	-

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

Budget Variances Commentary

Statement of Comprehensive Income for Not-for-Profit Reporting Entities

Employee benefits were lower than budget due to delays in recruitment of suitable staff for new measures approved in the October 2022 Budget. The measures relate to the implementation of the Respect At Work Report recommendations, the development of a National Anti-Racism Strategy and additional temporary resources to address the Complaints backlog.

Supplier expenses are higher than budgeted due to costs associated with hosting the Women's Voices Summit in Canberra in May 2023 (the scope of which was not confirmed when the October budget was set). The higher than budgeted costs for the Summit are offset by an increase in own-source sponsorship revenue to support the Summit.

Interest revenue is higher than budget due to higher than expected interest rates.

Statement of Financial Position

as at 30 June 2023

	Notes	2023 \$'000	2022 \$'000	Original Budget \$'000
ASSETS				
Financial assets				
Cash and cash equivalents	2.1A	26,407	15,958	16,649
Trade and other receivables	2.1B	1,083	798	798
Total financial assets		27,490	16,756	17,447
Non-financial assets¹				
Property subject to operating leases	2.2A	2,500	5,001	2,505
Infrastructure, plant and equipment	2.2A	918	1,766	1,273
Intangibles	2.2A	187	459	261
Other non-financial assets	2.2B	377	613	613
Total non-financial assets		3,982	7,839	4,652
Total assets		31,472	24,595	22,099
LIABILITIES				
Payables				
Suppliers	2.3A	1,555	865	858
Other Payables	2.3B	9,600	6,388	6,730
Total payables		11,155	7,253	7,588
Interest bearing liabilities				
Leases	2.4A	2,605	5,104	2,609
Total interest bearing liabilities		2,605	5,104	2,609
Provisions				
Employee provisions	3.1A	4,118	4,228	4,361
Other provisions	2.5A	511	561	561
Total provisions		4,629	4,789	4,922
Total liabilities		18,389	17,146	15,119
Net assets		13,083	7,449	6,980
EQUITY				
Contributed equity		18,561	18,561	18,561
Reserves		2,599	2,599	2,599
Accumulated losses		(8,077)	(13,711)	(14,180)
Total equity		13,083	7,449	6,980

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

1. Right-of-use assets are included in the 'property subject to operating leases' line item.

Statement of Financial Position (continued)

as at 30 June 2023

Budget Variances Commentary

Statement of Financial Position for Not-for-Profit Reporting Entities

ASSETS

Total assets as at 30 June 2023 are higher than budget as a result of the surplus operating result for 2022–23 as well as cash received in advance for new partnership agreements entered into since the Budget was set. The cash was received in May 2023 for services the Commission must provide up to 30 June 2025. There is a corresponding increase in the balance of 'other payables' as a result of this contract.

LIABILITIES

Supplier payables are higher than budget due to timing differences between when invoices for 2022–23 were received and when the payments were made. All supplier payables are within the agreed payment terms. As noted above the balance of 'other payables' is higher than budget due to the receipt of cash in advance of services to be delivered by the Commission by 30 June 2025.

EQUITY

The increase in Total equity compared to budget is as a result of the surplus operating result for 2022–23.

Statement of Changes in Equity

for the year ended 30 June 2023

	Notes	2023 \$'000	2022 \$'000	Original Budget \$'000
CONTRIBUTED EQUITY				
Opening balance				
Balance carried forward from previous period		18,561	2,511	18,561
Contributions by owners				
Equity injection		-	16,050	-
Closing balance as at 30 June		18,561	18,561	18,561
ACCUMULATED LOSSES				
Opening balance				
Balance carried forward from previous period		(13,711)	(12,737)	(14,179)
Comprehensive income				
Surplus/(Deficit) for the period		5,634	(974)	(1)
Closing balance as at 30 June		(8,077)	(13,711)	(14,180)
ASSET REVALUATION RESERVE				
Opening balance				
Balance carried forward from previous period		2,599	2,452	2,599
Comprehensive income				
Other comprehensive income		-	147	-
Total comprehensive income		-	147	-
Closing balance as at 30 June		2,599	2,599	2,599
TOTAL EQUITY				
Opening balance				
Balance carried forward from previous period		7,449	(7,774)	6,981
Adjusted opening balance		7,449	(7,774)	6,981
Comprehensive income				
Surplus/(Deficit) for the period		5,634	(974)	(1)
Other comprehensive income		-	147	-
Total comprehensive income		5,634	(827)	(1)
Contributions by owners				
Equity injection		-	16,050	-
Total transactions with owners		-	16,050	-
Closing balance as at 30 June		13,083	7,449	6,980

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

Statement of Changes in Equity (continued)

for the year ended 30 June 2023

Accounting Policy

Equity Injections

Amounts appropriated which are designated as 'equity injections' for a year (less any formal reductions) are recognised directly in contributed equity in that year.

Budget Variances Commentary

Statement of Changes in Equity for Not-for-Profit Reporting Entities

Total equity as at 30 June 2023 is higher than budget as a result of the surplus operating result for 2022–23. The 2022–23 operating surplus is higher than budget due to delays in recruitment of suitable staff for new measures approved in the October 2022 Budget. The measures relate to the implementation of the Respect At Work Report recommendations, the development of a National Anti-Racism Strategy and additional temporary resources to address the Complaints backlog.

Cash Flow Statement

for the year ended 30 June 2023

	Notes	2023 \$'000	2022 \$'000	Original Budget \$'000
OPERATING ACTIVITIES				
Cash received				
Receipts from Government		26,549	21,646	26,549
Sale of goods and rendering of services		15,491	6,181	9,090
Interest		443	–	50
GST received		1,018	325	403
Other		14	–	–
Total cash received		43,515	28,152	36,092
Cash used				
Employees		(20,718)	(22,056)	(26,408)
Suppliers		(9,048)	(5,884)	(5,757)
Interest payments on lease liabilities		(7)	(12)	(12)
GST paid		(752)	(950)	(403)
Total cash used		(30,525)	(28,902)	(32,580)
Net cash from/(used by) operating activities		12,990	(750)	3,512
INVESTING ACTIVITIES				
Cash received				
Proceeds from sales of property, plant and equipment		–	14	–
Total cash received		–	14	–
Cash used				
Purchase of property, plant and equipment		(42)	(63)	–
Purchase of intangibles		–	(251)	326
Total cash used		(42)	(314)	(326)
Net cash (used by) investing activities		(42)	(300)	(326)
FINANCING ACTIVITIES				
Cash received				
Contributed equity		–	16,050	–
Total cash received		–	16,050	–
Cash used				
Principal payments of lease liabilities		(2,499)	(2,398)	(2,495)
Total cash used		(2,499)	(2,398)	(2,495)
Net cash from/(used by) financing activities		(2,499)	13,652	(2,495)
Net increase in cash held		10,449	12,602	691
Cash and cash equivalents at the beginning of the reporting period		15,958	3,356	15,958
Cash and cash equivalents at the end of the reporting period	2.1A	26,407	15,958	16,649

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

Cash Flow Statement (continued)

for the year ended 30 June 2023

Budget Variances Commentary

Cash Flow Statement for Not-for-Profit Reporting Entities

Cash received from sales of services is higher than budget due to new partnership agreements entered into since the Budget was set. Cash received from interest is higher than budget due to higher than expected interest rates. The higher than budget receipts from sales resulted in an increase in GST paid to the Australian Taxation Office (ATO).

Cash used for payments to employees is lower than budget due to delays in recruitment of suitable staff for new measures approved in the October 2022 Budget. The measures relate to the implementation of the Respect At Work Report recommendations, the development of a National Anti-Racism Strategy and additional temporary resources to address the Complaints backlog.

Cash used for payments to suppliers is higher than budget due to payments associated with hosting the Women's Voices Summit in Canberra in May 2023 (the scope of which was not confirmed when the October Budget was set). The higher than budgeted supplier payments for the Summit are offset by an increase in cash received for sponsorship of the Summit. The higher payments to suppliers resulted in an increase in GST receipts from the ATO.

Overview

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

The Commission is structured to meet the following outcome:

An Australian society in which human rights are respected, protected and promoted through independent investigation and resolution of complaints, contributions to law and policy reforms, research, education, partnerships, and monitoring and reporting on human rights.

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

The Commission activities contributing toward these outcomes are classified as departmental. Departmental activities involve the use of assets, liabilities, income and expenses controlled or incurred by the entity in its own right.

The Basis of Preparation

The financial statements are required by:

- a) section 42 of the *Public Governance, Performance and Accountability Act 2013*

The financial statements have been prepared in accordance with:

- a) *Public Governance, Performance and Accountability (Financial Reporting) Rule 2015* (FRR); and
- b) Australian Accounting Standards and Interpretations – including simplified disclosures for Tier 2 Entities under AASB 1060 issued by the Australian Accounting Standards Board (AASB) that apply for the reporting period.

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

New Accounting Standards

Adoption of New Australian Accounting Standard Requirements

Two amending standards (AASB 2021-2 and AASB 2021-6) were adopted earlier than the application date as stated in the standard. This amending standards have been adopted for the 2022–23 reporting period.

The following amending standards which were issued prior to the signing of the statement by the Accountable Authority, Chief Executive and Chief Financial Officer, were applicable to the current reporting period and had no material effect on the entity's financial statements:

Standard/ Interpretation	Nature of change in accounting policy, transitional provisions, and adjustment to financial statements
AASB 2021-2 <i>Amendments to Australian Accounting Standards – Disclosure of Accounting Policies and Definition of Accounting Estimates</i> (AASB 2021-2) and	AASB 2021-2 amends AASB 7, AASB 101, AASB 108, AASB 134 and AASB Practice Statement 2. The amending standard requires the disclosure of material, rather than significant, accounting policies, and clarifies what is considered a change in accounting policy compared to a change in accounting estimate.
AASB 2021-6 <i>Amendments to Australian Accounting Standards – Disclosure of Accounting Policies: Tier 2 and Other Australian Accounting Standards</i> (AASB 2021-6)	AASB 2021-6 amends the Tier 2 reporting requirements set out in AASB 1049, AASB 1054 and AASB 1060 to reflect the changes made by AASB 2021-2. There have been no changes in accounting policies in the current financial year. This amending standard is not expected to have a material impact on the entity's financial statements for the current reporting period or future reporting periods.

Taxation

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

Events After the Reporting Period

The Commission is not aware of any significant events that have occurred since balance date that warrant disclosure in these financial statements.

Financial Performance

This section analyses the financial performance of Australian Human Rights Commission for the year ended 2023.

1.1 Expenses

	2023 \$'000	2022 \$'000
1.1A: Employee benefits		
Wages and salaries	16,071	16,612
Superannuation		
Defined contribution plans	1,991	2,001
Defined benefit plans	566	655
Leave and other entitlements	2,002	1,039
Separation and redundancies	-	937
Other employee expenses	207	234
Total employee benefits	20,837	21,478
Accounting Policy		
Accounting policies for employee related expenses is contained in the People and relationships section.		
1.1B: Suppliers		
Goods and services supplied or rendered		
Insurance	49	46
Office consumables	67	23
Official Travel ¹	1,812	179
Postage and freight	4	10
Printing and publications	410	251
Professional services and fees ¹	2,771	1,724
Property related outgoings	877	841
Reference materials, subscriptions and licenses	794	864
Staff training	157	117
Telecommunications	84	104
Summit venue hire and other costs	764	1
Other	150	244
Total goods and services supplied or rendered	7,939	4,404
Goods supplied	477	274
Services rendered	7,462	4,130
Total goods and services supplied or rendered	7,939	4,404
Other suppliers		
Workers compensation expenses	39	33
Low value leases	123	136
Total other suppliers	162	169
Total suppliers	8,101	4,573

1. 2022-23 balances are abnormally high due to increased costs associated with hosting the Women's Voices Summit in Canberra in May 2023.

The above lease disclosures should be read in conjunction with the accompanying notes 1.1C, 1.1D, 1.2A and 2.4A.

Financial Performance (continued)

Accounting Policy

Short-term leases and leases of low-value assets

The Commission has elected not to recognise right-of-use assets and lease liabilities for short-term leases of assets that have a lease term of 12 months or less and leases of low-value assets (less than \$10,000). The Commission recognises the lease payments associated with these leases as an expense on a straight-line basis over the lease term.

	2023 \$'000	2022 \$'000
1.1C: Finance costs		
Interest on lease liabilities	7	12
Total finance costs	7	12

The above lease disclosures should be read in conjunction with the accompanying notes 1.1C, 1.1D, 1.2A and 2.4A.

Accounting Policy

All borrowing costs are expensed as incurred.

1.1D: Write-down and impairment of other assets

Impairment of property, plant and equipment	-	8
Total write-down and impairment of other assets	-	8

Financial Performance (continued)

1.2 Own-Source Revenue and Gains

	2023 \$'000	2022 \$'000
OWN-SOURCE REVENUE		
1.2A: Revenue from contracts with customers		
Rendering of services	10,969	7,054
Total revenue from contracts with customers	10,969	7,054
Major product / service line:		
Service delivery	10,969	7,054
	10,969	7,054
Type of customer:		
Australian Government entities (related parties)	7,966	5,860
State and Territory Governments	298	8
Non-government entities	2,705	1,186
	10,969	7,054
Timing of transfer of goods and services:		
Over time	9,595	6,266
Point in time	1,374	778
	10,969	7,054

Accounting Policy

Revenue from the rendering of services is recognised when performance of specific service obligations, that are required and enforceable under a contract or agreement made between the Commission and the customer, sufficiently allow the Commission to determine when they have been satisfied.

The principal activities from which the Commission generates its revenue include, service fees and direct cost recoveries from the supply of domestic and international human rights technical assistance programs, development of education resources and delivery of training services and interest earned on short-term bank deposits.

The Commission predominantly provides services to its customers under agreed terms and conditions contained in contracts or agreements made between the two parties. The nature, timing of satisfaction of performance obligations, and any significant payment terms are specified in the agreed terms and conditions, milestones and payment schedules.

The transaction price is the total amount of consideration to which the Commission expects to be entitled in exchange for transferring promised services to a customer. The consideration promised in a contract with a customer may include fixed amounts, variable amounts, or both. No consideration from contracts is excluded in the transaction price. In the event that a change is required to any of the terms and conditions contained in a contract or agreement, including transaction price, a Contract Variation is agreed between the parties. The Commission has a right to consideration from a customer in an amount that corresponds directly with the value to the customer of the Commission's performance completed to date under the original contract or subsequent variations to the contract.

Where performance obligations are satisfied over time, revenue is recognised monthly in arrears following a review of costs incurred for the delivery of service obligations for the project(s) and activities related to the customer contract. Costs incurred are primarily recurring in nature, and the customer simultaneously receives and effectively gains control of the services as the Commission performs its obligations.

Revenue for performance obligations satisfied at a point in time is recognised in accordance with specified milestones for the performance of obligations in the contract, for example "acceptance of a final report by the customer". Customer contracts with performance obligations satisfied at a point in time are short-term and include agreed dates for completion of milestones and transferral of any deliverable(s), this also indicates when a customer obtains control of outputs from the promised services. Milestone completion is confirmed with relevant contract manager prior to revenue recognition.

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

Financial Performance (continued)

1.2 Own-Source Revenue and Gains (continued)

	2023 \$'000	2022 \$'000
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1.2B: Interest

Deposits	483	5
Total interest	483	5

Accounting Policy

Interest revenue is recognised using the effective interest method.

1.2C: Other Revenue

Resources received free of charge

Remuneration of auditors	46	46
Other	12	–
Total other revenue	58	46

Accounting Policy

Resources Received Free of Charge

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

GAINS

1.2D: Other Gains

Other – Sale of assets	–	14
Other	14	22
Total other gains	14	36

The above lease disclosure should be read in conjunction with the accompanying notes 1.1B, 1.1D and 1.2E.

Accounting Policy

Sale of Assets

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

Other Gains

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

1.2E: Revenue from Government

Attorney-General's Department:

Corporate Commonwealth entity payment item	26,549	21,646
Total revenue from Government	26,549	21,646

Accounting Policy

Revenue from Government

Funding received from the Attorney-General's Department (received by the Commission as a corporate Commonwealth entity) is recognised as Revenue from Government unless the funding is in the nature of an equity injection or a loan.

Financial Position

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

2.1 Financial Assets

	2023 \$'000	2022 \$'000
2.1A: Cash and cash equivalents		
Cash on hand and at bank	26,407	15,958
Total cash and cash equivalents	26,407	15,958

Accounting Policy

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

- a) cash on hand;
- b) demand deposits in bank accounts with an original maturity of 3 months or less that are readily convertible to known amounts of cash and subject to insignificant risk of changes in value. At the reporting date the Commission did not hold any term deposits with a maturity greater than three months.

2.1B: Trade and other receivables

Goods and services receivables

Goods and services	878	698
Total goods and services receivables	878	698

Other receivables

Interest	45	5
GST Receivable from the Australian Taxation Office	160	95
Total other receivables	205	100
Total trade and other receivables (gross)	1,083	798
Total trade and other receivables (net)	1,083	798

Trade and other receivables (net) expected to be recovered

No more than 12 months	1,083	798
Total trade and other receivables (net)	1,083	798

Accounting Policy

Receivables

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

Financial Position (continued)

2.2 Non-Financial Assets

2.2A: Reconciliation of the Opening and Closing Balances of Property, Plant and Equipment and Intangibles

Reconciliation of the opening and closing balances of property, plant and equipment for 2023

	Property Subject to Operating Leases \$'000	Lease Improvements \$'000	Computer, Plant and Equipment \$'000	Computer, Plant and Equipment – Work in Progress \$'000	Intangibles \$'000	Intangibles – Work in Progress \$'000	Total \$'000
As at 1 July 2022							
Gross book value	7,502	1,797	76	63	2,572	169	12,179
Accumulated depreciation, amortisation and impairment	(2,501)	(170)	–	–	(2,282)	–	(4,953)
Total as at 1 July 2022	5,001	1,627	76	63	290	169	7,226
Adjusted total as at 1 July 2022	5,001	1,627	76	63	290	169	7,226
Additions							
Purchase	–	–	19	23	–	–	42
Work in progress transfer	–	–	86	(86)	–	(169)	(169)
Depreciation and amortisation	–	(813)	(77)	–	(103)	–	(993)
Depreciation on right-of-use assets	(2,501)	–	–	–	–	–	(2,501)
Total as at 30 June 2023	2,500	814	104	–	187	–	3,605
Total as at 30 June 2023 represented by							
Gross book value	7,502	1,797	163	–	2,394	–	11,856
Accumulated depreciation, amortisation and impairment	(5,002)	(983)	(59)	–	(2,207)	–	(8,251)
Total as at 30 June 2023	2,500	814	104	–	187	–	3,605
Carrying amount of right-of-use assets	2,500	–	–	–	–	–	2,500

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

No infrastructure, plant and equipment and intangibles are expected to be sold or disposed of within the next 12 months.

Revaluations of non-financial assets

All revaluations were conducted in accordance with the revaluation policy stated at Note 2.2. On 30 June 2023, an independent valuer conducted the revaluations. The independent valuation was not materially different to the carrying value of assets, therefore no adjustments were made to carrying value. Assets are being held at the lower value.

Financial Position (continued)

2.2 Non-Financial Assets (continued)

Accounting Policy

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

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

Asset Recognition Threshold

Purchases of property, plant and equipment are recognised initially at cost in the statement of financial position, except for purchases costing less than \$5,000, which are expensed in the year of acquisition (other than where they form part of a group of similar items which are significant in total).

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

Lease Right of Use (ROU) Assets

Leased ROU assets are capitalised at the commencement date of the lease and comprise of the initial lease liability amount, initial direct costs incurred when entering into the lease less any lease incentives received. These assets are accounted for by Commonwealth lessees as separate asset classes to corresponding assets owned outright, but included in the same column as where the corresponding underlying assets would be presented if they were owned.

On initial adoption of AASB 16 the Commission has adjusted the ROU assets at the date of initial application by the amount of any provision for onerous leases recognised immediately before the date of initial application. Following initial application, an impairment review is undertaken for any right of use lease asset that shows indicators of impairment and an impairment loss is recognised against any right of use lease asset that is impaired. Lease ROU assets continue to be measured at cost after initial recognition in Commonwealth agency, General Government Sector (GGS) and Whole of Government financial statements.

Revaluations

Following initial recognition at cost, property, plant and equipment (excluding ROU assets) are carried at fair value (or an amount not materially different from fair value) less subsequent accumulated depreciation and accumulated impairment losses. Valuations are conducted with sufficient frequency to ensure that the carrying amounts of assets did not differ materially from the assets' fair values as at the reporting date. The regularity of independent valuations depended upon the volatility of movements in market values for the relevant assets.

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

Revaluation decrements for a class of assets are recognised directly in the surplus/deficit except to the extent that they reversed a previous revaluation increment for that class.

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

Depreciation

Depreciable property, 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:

	2023	2022
Leasehold improvements	Lease term	Lease term
Plant and equipment	4 to 10 years	4 to 10 years

The depreciation rates for ROU assets are based on the commencement date to the earlier of the end of the useful life of the ROU asset or the end of the lease term.

Financial Position (continued)

2.2 Non-Financial Assets (continued)

Impairment

All assets were assessed for impairment at 30 June 2023. Where indications of impairment exist, the asset's recoverable amount is estimated and an impairment adjustment made if the asset's recoverable amount is less than its carrying amount.

The recoverable amount of an asset is the higher of its fair value less costs of disposal and its value in use. Value in use is the present value of the future cash flows expected to be derived from the asset. Where the future economic benefit of an asset is not primarily dependent on the asset's ability to generate future cash flows, and the asset would be replaced if the entity were deprived of the asset, its value in use is taken to be its depreciated replacement cost.

Derecognition

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

Intangibles

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

Software is amortised on a straight-line basis over its anticipated useful life. The useful lives of the Commission's software are 2 to 5 years (2022: 2 to 5 years).

All software assets were assessed for indications of impairment as at 30 June 2023, and no indicators were noted.

Accounting Judgements and Estimates

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

	2023 \$'000	2022 \$'000
2.2B: Other Non-Financial Assets		
Prepayments	377	613
Total other non-financial assets	377	613
Other non-financial assets expected to be recovered		
No more than 12 months	359	573
More than 12 months	18	40
Total other non-financial assets	377	613

No indicators of impairment were found for other non-financial assets.

Financial Position (continued)

2.3 Payables

	2023 \$'000	2022 \$'000
2.3A: Suppliers		
Trade creditors and accruals	1,555	865
Total suppliers	1,555	865
Suppliers expected to be settled		
No more than 12 months	1,555	865
Total suppliers	1,555	865
2.3B: Other Payables		
Salaries and wages	582	313
Superannuation	94	78
Other employee expenses	79	133
Revenue received in advance	8,843	4,893
Refund liability	-	971
GST payable to the Australian Taxation Office	2	-
Total other payables	9,600	6,388
Other payables to be settled		
No more than 12 months	8,993	6,388
More than 12 months	607	-
Total other payables	9,600	6,388

Financial Position (continued)

2.4 Interest Bearing Liabilities

	2023 \$'000	2022 \$'000
2.4A: Leases		
Lease Liabilities	2,605	5,104
Total leases	2,605	5,104
Maturity analysis – contractual undiscounted cash flows		
Within 1 year	2,607	2,507
Between 1 to 5 years	-	2,607
Total leases	2,607	5,114

Total cash outflow for leases for the year ended 30 June 2023 was \$2.499m (2022: \$2.398m)

Accounting Policy

Lease Right of Use (ROU) Assets

Leased ROU assets are capitalised at the commencement date of the lease and comprise the initial lease liability amount, initial direct costs incurred when entering into the lease less any lease incentives received. These assets are accounted for by Commonwealth lessees as separate asset classes to corresponding assets owned outright, but included in the same column as where the corresponding underlying assets would be presented if they were owned.

2.5 Other Provisions

2.5A: Other provisions

	Provision for legal costs \$'000	Provision for restoration ¹ \$'000	Total \$'000
As at 1 July 2022	50	511	561
Amounts used	(40)	-	(40)
Amounts reversed	(10)	-	(10)
Total other non-financial assets	-	511	511

1. Make good provision for leasehold improvements for property lease which expires 30 June 2024.

People and relationships

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

3.1 Employee Provisions

	2023 \$'000	2022 \$'000
3.1A: Employee provisions		
Leave	4,118	3,892
Separations and redundancies	-	336
Total employee provisions	4,118	4,228
Employee provisions expected to be settled		
No more than 12 months	1,685	2,414
More than 12 months	2,433	1,814
Total employee provisions	4,118	4,228

Accounting policy

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

Leave

The liability for employee benefits includes provision for annual leave and long service leave.

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

The liability for long service leave has been determined by reference to the work of an actuary as at 30 June 2023. 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 entity recognises a provision for termination when it has developed a detailed formal plan for the terminations and has informed those employees affected that it will carry out the terminations.

Superannuation

The Commission's staff are members of the Commonwealth Superannuation Scheme (CSS), the Public Sector Superannuation Scheme (PSS), or the PSS accumulation plan (PSSap), or other superannuation funds held outside the Australian Government.

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

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

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

The liability for superannuation recognised as at 30 June represents outstanding contributions.

Accounting Judgements and Estimates

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

3.2 Key Management Personnel Remuneration

Key management personnel are those persons having authority and responsibility for planning, directing and controlling the activities of the Commission. The Commission has determined the key management personnel to be the President, Commissioners and Chief Executive.

	2023 \$'000	2022 \$'000
Short-term employee benefits	3,228	3,083
Post-employment benefits	252	250
Other long-term employee benefits	91	14
Total key management personnel remuneration expenses¹	3,571	3,347

The total number of key management personnel that are included in the above table are 9 (2022: 12).
One KMP was for part of the year only.

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

3.3 Related Party Disclosures

Related party relationships:

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

Transactions with related parties:

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

Significant transactions with related parties can include:

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

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

Managing Uncertainties

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

4.1A Contingent Assets and Liabilities

Quantifiable Contingencies

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

Unquantifiable Contingencies

At 30 June 2023 the Commission was a respondent to three judicial review applications. In each of these proceedings, the Commission has or intends to file a submitting notice and there are other parties on the record acting as a contradictor. It is not usual for any costs order to be made against the Commission in these kinds of proceedings and we do not expect there to be any financial impact on the Commission (2022: nil).

Accounting Policy

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

4.2 Financial Instruments

	2023 \$'000	2022 \$'000
4.2A: Categories of financial instruments		
Financial assets at amortised cost		
Cash on hand and at bank	26,407	15,958
Trade and other receivables	878	698
Total financial assets at amortised cost	27,285	16,656

Financial Liabilities

Financial liabilities measured at amortised cost

Trade creditors and accruals	1,555	865
Total financial liabilities measured at amortised cost	1,555	865

Accounting Policy

Financial assets

In accordance with AASB 9 *Financial Instruments*, the Commission classifies its financial assets in the following categories:

- financial assets at fair value through profit or loss;
- financial assets at fair value through other comprehensive income; and
- financial assets measured at amortised cost.

The classification depends on both the Commission's business model for managing the financial assets and contractual cash flow characteristics at the time of initial recognition. Financial assets are recognised when the entity becomes a party to the contract and, as a consequence, has a legal right to receive or a legal obligation to pay cash and derecognised when the contractual rights to the cash flows from the financial asset expire or are transferred upon trade date.

Effective Interest Method

Income is recognised on an effective interest rate basis for financial assets that are recognised at amortised cost.

Impairment of Financial Assets

Financial assets are assessed for impairment at the end of each reporting period based on Expected Credit Losses, using the general approach which measures the loss allowance based on an amount equal to *lifetime expected credit losses* where risk has significantly increased, or an amount equal to *12-month expected credit losses* if risk has not increased.

The simplified approach for trade, contract and lease receivables is used. This approach always measures the loss allowance as the amount equal to the lifetime expected credit losses.

A write-off constitutes a derecognition event where the write-off directly reduces the gross carrying amount of the financial asset.

Financial Assets at Amortised Cost

Financial assets included in this category need to meet two criteria:

- the financial asset is held in order to collect the contractual cash flows; and
- the cash flows are solely payments of principal and interest (SPPI) on the principal outstanding amount.

Amortised cost is determined using the effective interest method.

Financial liabilities

Financial liabilities are classified as either financial liabilities 'at fair value through profit or loss' or other financial liabilities. Financial liabilities are recognised and derecognised upon 'trade date'.

Financial Liabilities at Amortised Cost

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

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

Managing Uncertainties (continued)

	2023 \$'000	2022 \$'000
4.2B: Net gains or losses on financial assets		
Financial assets at amortised cost		
Interest revenue	483	5
Net gains on financial assets at amortised cost	483	5

Managing Uncertainties (continued)

5.1 Fair Value Measurement

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

The different levels of the fair value hierarchy are defined below.

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

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

Level 3: Unobservable inputs for the asset or liability.

Accounting Policy

The Commission considers the fair value hierarchy levels at the end of the reporting period. There were no transfers in or out of any levels during the reporting period.

Fair value measurements at the end of the reporting period				
	2023 \$'000	2022 \$'000	Category (Level 1, 2 or 3)	Valuation Technique(s) and Inputs Used
Non-financial assets				
Infrastructure, plant and equipment	982	1,766	2	Market approach. Market replacement cost less estimate of written down value of asset used. Valuation determined to not be materially different to carrying value, so no adjustment was made.

1. There were no non-financial assets where the highest and best use differed from its current use during the reporting period.
2. The remaining assets and liabilities reported by the Commission are not measured at fair value in the Statement of Financial Position.

Other Information

6.1 Current/non-current distinction for assets and liabilities

	2023 \$'000	2022 \$'000
6.1A: Current/non-current distinction for assets and liabilities		
Assets expected to be recovered in:		
No more than 12 months		
Cash and cash equivalents	26,407	15,958
Trade and other receivables	1,083	798
Prepayments	359	573
Total no more than 12 months	27,849	17,329
More than 12 months		
Property subject to operating leases	2,500	5,001
Leasehold improvements	814	1,627
Computer, plant and equipment	104	139
Intangibles	187	459
Prepayments	18	40
Total more than 12 months	3,623	7,266
Total assets	31,472	24,595
Liabilities expected to be settled in:		
No more than 12 months		
Suppliers	1,555	865
Other payables	8,993	6,388
Leases	2,605	-
Employee provisions	1,685	2,414
Total no more than 12 months	14,838	9,667
More than 12 months		
Other payables	607	-
Leases	-	5,104
Employee provisions	2,433	1,814
Other provisions	511	561
Total more than 12 months	3,551	7,479
Total liabilities	18,389	17,146

7. Executive Remuneration

7.1 Introduction

This section contains information about the remuneration of the Australian Human Rights Commission (the Commission) Key Management Personnel, Senior Executive Service (SES) and other highly paid staff.

7.2 Remuneration Policies and Practices

Remuneration for the President and Commissioners is set by the Remuneration Tribunal. The Remuneration Tribunal also determines increases to remuneration and allowances.

The Commission's remuneration for SES and other highly paid staff is determined by the President under section 24(1) of the *Public Service Act 1999* (Cth). When determining SES and other highly paid staff remuneration, the President has regard to the Australian Public Service Remuneration Report and comparable agencies.

SES determinations set out salary on commencement and provide for increments of salary, in line with percentage increases awarded to the Commissioners by the Remuneration Tribunal.

Remuneration of Key Management Personnel

	Position title	Base salary	Bonuses	Other benefits and allowances	Superannuation contributions	Long service leave	Other long-term benefits	Termination benefits	Total remunerations
Rosalind Croucher	President	468,383			25,292	32,217			525,892
June Oscar	Aboriginal and Torres Strait Islander Social Justice Commissioner	341,512		16,444	25,292	13,418			396,666
Kay Patterson	Age Discrimination Commissioner	340,334			25,292	11,647			377,273
Ben Gauntlett	Disability Discrimination Commissioner	321,940			27,108	8,849			357,897
Lorraine Finlay	Human Rights Commissioner	358,426		28,769	25,292	3,936			416,423
Anne Hollonds	National Children's Commissioner	363,774			25,292	8,753			397,819
Chin Tan	Race Discrimination Commissioner	354,841		25,079	27,108	9,174			416,202
Kate Jenkins	Sex Discrimination Commissioner (ceased 6 April 2023)	296,968		42,172	21,401	–			360,541
Leanne Smith	Chief Executive	269,036			49,585	3,167			321,788
		\$3,115,214	\$–	\$112,164	\$251,662	\$91,161	\$–	\$–	\$3,570,201

Remuneration for senior executives

Remuneration Band	Number of senior executives	Average Base salary	Average bonuses	Average other benefits and allowances	Average superannuation contributions	Average long service leave	Average other long-term benefits	Average termination benefits	Average total remuneration
\$234,501 – \$237,000	2	209,632	–	–	35,419	17,155	–	–	\$262,208

8. Other Reporting Requirements

8.1 Environment Statement

The Commission uses energy saving methods in its operations and it endeavours to make the best use of resources while also reducing its environmental impact through appropriate recycling schemes.

In 2022–2023 we continued to mitigate our impact on the environment by:

- maintaining our commitment to an Electronic Document Record Management System (EDRMS), facilitating digital recordkeeping
- using Microsoft Teams facilities to reduce air and road travel
- powering down all non-essential electronic equipment (including multi-use devices and non-essential air conditioning units) during the Christmas to New Year closedown, and other sustained office shutdown periods
- providing opportunities for staff to cycle and walk to work and to participate in our building's sustainable waste management system which promotes recycling.

Looking forward, the Commission will seek to strengthen the metrics of our environmental impact and increase our focus on human rights principles and how they impact the environment.

The APS Net Zero unit has worked with teams from the following Whole of Government Arrangements to source data. Please see below the Commission emissions outputs for the 2022–23 reporting period.

Emission Source	Scope 1 kg CO2-e	Scope 2 kg CO2-e	Scope 3 kg CO2-e	Total kg CO2-e
Electricity (Location Based Approach)		176,226	14,485	190,711
Natural Gas	–	N/A	–	–
Fleet Vehicles	–	N/A	–	–
Domestic Flights	N/A	N/A	315,125	315,125
Other Energy	–	N/A	–	–
Total kg CO2-e	–	176,226	329,610	505,836

The electricity emissions reported above are calculated using the location-based approach. When applying the market-based method, which accounts for activities such as Greenpower, purchased LGCs and/or being located in the ACT, the total emissions for electricity, are below:

Emission Source	Scope 1 kg CO2-e	Scope 2 kg CO2-e	Scope 3 kg CO2-e	Total kg CO2-e
Electricity (Market Based Approach)	N/A	165,319	21,880	187,199
Natural Gas	–	N/A	–	–
Fleet Vehicles	–	N/A	–	–
Domestic Flights	N/A	N/A	315,125	315,125
Other Energy	–	N/A	–	–
Total kg CO2-e	–	165,319	337,006	502,324

8.2 Workplace Health and Safety

In July 2022, following extensive staff consultation, the Commission successfully launched its Hybrid Work and Workplace Flexibility Policy and Procedure. The Hybrid Work Arrangements encourage the establishment of 'in office' attendance arrangements, that support each staff members personal situation and preference whilst ensuring high performance and productivity. In-office attendance of forty per cent of an employee's work week was set as a baseline, with further flexibility available to tailor specific circumstances.

Remote Work Agreements were introduced with the Hybrid Work and Workplace Flexibility Policy and Procedure to ensure staff who adopted a hybrid approach to work considered health and safety risks in their remote workspaces. Ergonomic workstation assessments continued to be offered to support suitable workstations to enhance the health, safety and wellbeing of staff.

The elimination of psychosocial hazards has been a key focus this reporting period, with Vicarious Trauma Training offered to staff. This course was originally offered to those working in the Commission's Investigation and Conciliation Services Team in the first quarter of 2023. Positive response from the training has resulted in the program being offered periodically throughout the next year.

The Commission has continued to support wellbeing initiatives through the reimbursement of costs for Flu vaccinations and the Healthy Lifestyle allowances.

Throughout the reporting period, the Protective Security Committee and the Workplace Health and Safety Committee met quarterly. The Protective Security Committee revised visitor sign-in procedures in the last quarter of 2022, and in December 2022 all Commission officials were notified of the revised visitor sign-in and emergency procedures. The Commission also successfully participated in fire alarm drills hosted by its landlord for the building, with nominated fire wardens having attended periodic fire evacuation training.

Additionally, in this reporting period,

- the Commission has not been made aware of any notifiable incidents that arose out of the Commission's conduct or undertakings
- there have been nil workers compensation claims
- there have been no investigations that relate to businesses or undertakings
- no notices have been received under Part 10 of the *Work, Health and Safety Act 2011* (Cth)
- there are no other matters required by guidelines to be reported.

8.3 Payments to advertising, market research, and other designated organisations

The Commission made the following payments valued at \$14,300 (inclusive GST) or more to advertising agencies, market research organisations, polling organisations, media advertising organisations and direct mail organisations in the reporting period.

Name of Organisation	Type of Organisation	Purpose	Payment \$ (inc of GST)
QMR	Market Research	External research on National Age Beliefs in aged care intervention	76,010
IPSO Limited	Market Research	As above	69,311
Roy Morgan Research Ltd.	Market Research	External research on the nature, prevalence and reporting of inappropriate behaviours and sexual harassment in an organisational setting	307,424
Qualtrics	Market Research	As above	17,968
Common Cause Australia	Market research	Human Rights Act research project	16,423
Media Heads Pty Ltd	Advertising	Production of community service announcement video for Elder abuse campaign	44,440
The Lote Agency	Advertising	Planning ahead for later life campaign	76,875

9. Appendices

Appendix 1: Performance measurement framework table 2022–23

Measuring our impact (what difference, what benefit), in the context and nature of our work, is important but complex. In our framework, progress indicators are mapped to each of the outcomes. They are designed to provide reasonable evidence of contribution to the outcome, and include output, process and outcome measures. They are, in turn, supported by data from monitoring and evaluation strategies implemented across the Commission’s programs and services.

While some indicators measure the direct attributions of the Commission’s work, others are to capture the stories and case studies of the Commission to document our contributions to the outcomes, noting that these are often best understood when seen in the context of multi-year programs, advocacy and submissions.

These strategies range from the basic capture of outputs to more comprehensive mixed-method evaluations. The Commission utilises a monitoring, evaluation, accountability and learning approach to our work.

Goal	Outcome	Performance expectation	Progress indicator (and PBS target)
1 Improving enjoyment of human rights by all, supporting access to justice and remedies for people and communities whose rights are breached.	1.1 We deliver a fair and effective investigation and conciliation of complaints service. PBS CRITERION	Our investigation and conciliation of complaints and dispute resolution meet performance indicators on timeliness, efficiency and service user satisfaction. Our investigation and conciliation of complaints and dispute resolution processes have systemic and educational outcomes.	85% of complaints are finalised in under 12 months.
			40% of complaints are resolved by conciliation.
			85% of parties to complaints are satisfied with the service they receive. PBS TARGET
			Instances where the terms on which investigation and conciliation disputes are resolved include systemic outcomes that accord with the objectives of the law. PBS TARGET
			Instances where participation in the investigation and conciliation process results in increased understanding of rights and responsibilities in the law. PBS TARGET

Goal	Outcome	Performance expectation	Progress indicator (and PBS target)
2 Strengthening Australia's human rights framework, embedding human rights issues at a national level.	2.1 The leadership and advocacy of the President and Commissioners on thematic areas or identified human rights issues, improves the enjoyment of human rights by affected groups.	Our research, reporting and advice influences and builds capacity in decision makers and other stakeholders to take action to address the identified human rights issues.	Research, reporting and advice activities of the Commission: - are viewed as evidenced, persuasive and credible by stakeholders - increase understanding of the human rights issues and impacts raised - strengthen stakeholder capacity to promote and advocate for the human rights issues raised. Instances of programs attracting strategic partnerships that advance the priority human rights issues we have advocated for. Instances of improved Federal and state government policy, practice and legislative change that reflect our advice. High proportion of Committee inquiry reports reflect and cite the Commission's advice. PBS TARGET
	2.2 Law and policy makers, at all levels, consider and address the human rights impacts we identify through our submissions, inquiries, research, reports and United Nations engagement.	Parliamentary committee inquiry reports reflect the human rights issues raised in our submissions and recommendations. UN treaty body concluding observations and UPR recommendations are adopted by Government and implemented.	High proportion of Committee inquiry reports reflect and cite the Commission's advice. PBS TARGET
	PBS CRITERION	Arguments presented in our submissions to courts influence outcomes in a way that is consistent with human rights.	Instances of our recommendations to UN mechanisms being reflected in treaty body concluding observations and other reports. Majority of our applications to the courts for leave to appear are accepted. PBS TARGET
			Instances of our court submissions reflected in the final judgment of the matter. PBS TARGET

Goal	Outcome	Performance expectation	Progress indicator (and PBS target)
2 Strengthening Australia's human rights framework, embedding human rights issues at a national level (continued)	2.3 The national human rights reform agenda proposed in the <i>Free & Equal: An Australian conversation on human rights</i> report is considered and addressed by the Parliament, government and the non-government sector.	Recommendations and actions in the report are addressed by the Attorney-General and Federal Parliament. The recommendations and actions in the Report receive public support and commitment from the Attorney-General and the non-government sector.	The recommendations and actions in the report generate dialogue and receive public support and commitment from the Attorney-General and the non-government sector.
3 Better understanding of, and respect for, human rights so people and communities take action to defend human rights in their own context.	3.1 Our education activities increase capability among individuals, communities and organisations to promote and protect human rights and address discrimination. PBS CRITERION	Participants in education activities benefit through achieving the intended human rights learning and capability objectives. Most participants in our adult training programs report: • satisfaction with the quality and relevance of the training • increased understanding, expertise, reframed attitudes. PBS TARGET	Most participants in our adult training programs report: • satisfaction with the quality and relevance of the training • increased understanding, expertise, reframed attitudes. PBS TARGET Instances of organisations working with the Commission to develop human rights education/ training activities.
	3.2 Our education activities increase capability among individuals, communities and organisations to promote and protect human rights and address discrimination. PBS CRITERION	Our activities with stakeholder organisations lead to systemic and sustained action, including changes to organisational policy and practice, to respect, protect and promote human rights in their context. Our regional technical cooperation activities increase stakeholder capacity to advance national reform in partner states.	Instances of organisations working with the Commission to develop human rights education/ training activities. Instances of stakeholders in our activities with organisations making changes to organisational policy and practice, to respect, protect and promote human rights in their context. PBS TARGET Instances of partners': • increased knowledge and application of human rights frameworks, principles, and practices to advance human rights reform • practice/policy reform relating to human rights principles, which are reviewed or developed because of technical cooperation activities.

Goal	Outcome	Performance expectation	Progress indicator (and PBS target)
4 Maintaining our international standing as a strong human rights institution representing human rights in Australia and contributing to human rights advancement globally.	4.1 Our activities increase the capacity of vulnerable groups, communities and their advocates to understand and advocate for their rights. PBS CRITERION	Participants and stakeholders, in our consultations, research and education and informing activities experience participation, empowerment and benefit.	Instances of participants and stakeholders in our consultations and research activities report participation experiences that are beneficial and empowering. PBS TARGET
	4.2 Our activities increase the capacity of governments, organisations, other groups and services to understand and address the human rights impact of their actions, particularly when working with vulnerable groups and communities. PBS CRITERION	Our activities with stakeholder organisations lead to systemic and sustained action, including changes to organisational policy and practice, to respect, protect and promote human rights in their context.	Instances of stakeholders in our activities with organisations reporting that our work has contributed to increased understanding of the impact of their systems and operations on human rights. PBS TARGET Instances of stakeholders in our activities with organisations making changes to organisational policy and practice, to respect, protect and promote human rights in their context. PBS TARGET
		Our regional technical cooperation activities increase stakeholder capacity to advance national reform in partner states.	Instances of partners': - increased knowledge and application of human rights frameworks, principles, and practices to advance human rights reform - practice/policy reform relating to human rights principles, which are reviewed or developed because of technical cooperation activities.
	4.3 The Commission is compliant with the Paris Principles (Principles Relating to the Status of National Human Rights Institutions) and is assessed as an independent and effective national human rights institution.	The Commission maintains its 'A status' as assessed by the Global Alliance of National Human Rights Institutions (GANHRI).	Compliance with the Paris Principles and/or remediation actions in train e.g. <i>Australian Human Rights Commission Legislation Amendment (Selection and Appointment) Act</i> .

Goal	Outcome	Performance expectation	Progress indicator (and PBS target)
5 Ensuring that the Commission is sustainable into the future and able to strategically implement its statutory mandate.	5.1 The Commission has a clear strategic direction and confidently implements its mandate with secure and sustainable funding that is transparently and accountably managed.	The Commission maintains its compliance with the <i>Australian Human Rights Commission Act 1986</i> , the <i>Public Governance, Performance and Accountability (PGFA) Act 2013</i> .	Completion of all requirements under the PGPA including corporate accountability, Annual Reports and Financial compliance. Implementation of appropriate governance and financial structures including number of recommendations adopted from the external reviews.

Appendix 2: Employee statistics

Ongoing

	Man/ Male – Full time	Man/ Male – Part time	Man/ Male – Total	Woman/ Female – Full time	Woman/ Female – Part time	Woman/ Female – Total	Non- binary – Full time	Non- binary – Part time	Non- binary – Total	Prefers not to answer – Full time	Prefers not to answer – Part time	Prefers not to answer – Total	Uses a different term – Full time	Uses a different term – Part time	Uses a different term – Total	Total
NSW	16	1	17	41	18	59										76
QLD			-		1	1										1
SA		1	1			-										1
TAS			-			-										-
VIC	1		1	2		2										3
WA			-	1		1										1
ACT			-	1		1										1
NT			-			-										-
External			-			-										-
Overseas			-			-										-
Total	17	2	19	45	19	64										83

Non-Ongoing

	Man/Male – Full time	Man/Male – Part time	Man/ Male – Total	Woman/ Female – Full time	Woman/ Female – Part time	Woman/ Female – Total	Non-binary – Full time	Non- binary – Part time	Non- binary – Total	Prefers not to answer – Full time	Prefers not to answer – Part time	Prefers not to answer – Total	Uses a different term – Full time	Uses a different term – Part time	Uses a different term – Total	Total
NSW	6	1	7	57	29	86	-	-	-	-	-	-	-	-	-	93
QLD	-	-	-	-	1	1	-	-	-	-	-	-	-	-	-	1
SA			-	1	2	3	-	-	-	-	-	-	-	-	-	3
TAS			-		1	1	-	-	-	-	-	-	-	-	-	1
VIC	1		1	1	3	4	-	-	-	-	-	-	-	-	-	5
WA			-	2		2	-	-	-	-	-	-	-	-	-	2
ACT				5	3	8	-	-	-	-	-	-	-	-	-	8
NT				1		1	-	-	-	-	-	-	-	-	-	1
External																
Overseas																
Total	7	1	8	67	39	106										114

Appendix 3: Information on the Accountable Authority

Name	Qualifications of the Accountable Authority	Experience of the Accountable Authority	Position Title/ Position held	Commencement	Cessation	Number of meetings of accountable authority attended
Emeritus Professor Rosalind Croucher AM	LLD (Honoris causa), Macquarie University, 2020 LLD (Honoris causa), University of New South Wales, 2018 PhD, University of New South Wales, 1994 LLB University of Sydney, 1980 BA (Hons) University of Sydney, 1977 AMusA AMEB (Oboe), 1977	Member, AICD Director, Australian Academy of Law, 2013–2018 President, ALRC, August 2009–July 2017 Governor, Ascham School, 1996–2005 Governor, St Andrews College, University of Sydney, 1999–2002 Board member, Sydney Philharmonia, 1999–2000 Dean, Macquarie Law School, November 1999–February 2007 Dean, Sydney Law School, 1997–March 1998 Admitted as legal practitioner, December 1980	Australian Human Rights Commission President	30 July 2017	–	N/A

Appendix 4: Key activities, program areas and services 2022–2023

President: Emeritus Professor Rosalind Croucher AM

Free+Equal: A conversation on human rights.

Investigation and Conciliation and National Information Services

Human Rights Education and Training

Australia-Lao PDR Human Rights Technical co-operation

Australia-Vietnam Human Rights Technical Cooperation Program

International Engagement

Human Rights Scrutiny

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

Wiyi Yani U Thangani (Women's Voices) project stage 3

Native Title Report

Age Discrimination Commissioner: The Hon Dr Kay Patterson AO

Older Australians and employment program

Elder Abuse awareness program

Older women risk of homelessness

Supporting and promoting positive ageing

Planning Ahead for later life Project

Disability Discrimination Commissioner: Dr Ben Gauntlett

IncludeAbility

Accessible Housing Project

Partnership with the Australian Public Services Commission

Policy and law reform engagement

Supporting people with disability and organisations to attend international human rights forum

Human Rights Commissioner: Lorraine Finlay

Effective oversight of places of detention through implementation and operationalization of OPCAT

Asylum seeker, refugee and immigration detention program

Business and Human Rights Program

Human Rights and Technology

National Children's Commissioner: Anne Hollonds

Child Rights Impact Assessment Tool

Transforming Approaches to Protecting Australia's Children

National Child and Family Investment Strategy

Supporting quality engagement for children and families
Statutory Reporting to Parliament on a human rights-based approach to youth justice
National Survey of secondary students about their understanding and experiences of consent education
Race Discrimination Commissioner: Chin Tan
National Anti-Racism Framework
Racism. It Stops with Me Campaign
International Student Principles
Spectator Racism Guidelines Project
Sex Discrimination Commissioner: Kate Jenkins
Respect@Work Implementation
Defence Collaboration
Australian Federal Police Partnerships
Australian Border Force Partnership
Organisational
Legal Services (incl. legal interventions)
Public Engagement (including communications, media, digital engagement, major events and launches)

Appendix 5: Major events, reports, publications and resources

Aboriginal and Torres Strait Islander Social Justice	Wiyi Yani U Thangani First Nations women's safety policy forum
	Wiyi Yani U Thangani First Nations Women's Safety Policy Forum Outcomes Report 2022
	Wiyi Yani U Thangani, Women's and Girls Voices Summit, 2023
	Wiyi Yani U Thangani Summit Communiqué, 2023
	Wiyi Yani U Thangani Youth Statement, 2023
Age	Elder Abuse Awareness Video Campaign and Launch, 2022
	Employing and Retaining Older Workers Report, 2023
	Changing perspectives: Testing and aging intervention
	Talking About My Generation, 2023
	Have you thought about later life? Campaign and education resources
Human Rights Reports	Mr Vakhabov v Commonwealth of Australia (Department of Home Affairs), 2022
	Ms RC v Commonwealth (Department of Home Affairs), 2022
	Mr Andrwas v The Commonwealth of Australia (Department of Home Affairs), 2023
Business and Human Rights	Migrant Workers and Their Rights in Australia 2022
	Modern Slavery Review consultations
	Responsible Business Conduct and the Tourism Industry in Vietnam: Guidance for Companies, 2022
Technology and Human Rights	Guidance Resource: Artificial Intelligence and Discrimination in Insurance, 2022
Children	'Mental health shapes my life': COVID-19 & Kids' Wellbeing, 2022
Corporate	Corporate Plan 2022–23
	Annual Report 2021–22
	Strategic Plan 2022–25
Disability Rights	Guidelines for the Targeted Recruitment of people with Disability, 2022
	IncludeAbility Illawarra Disability Trust Employer Pilot Program Launch
	IncludeAbility Senior Leadership Forum
Education and Training	Understanding Workplace Sexual Harassment e-learning update
	Appropriate Workplace Behaviour
	National Anti-Racism Scoping Report Community Guide
	2-page resource on A Human Rights Act for Australia
	Let's Talk About... clickview guides (Let's Talk about Racism, Let's talk about bodies, identity and sexuality, Let's talk about disability, Let's talk about equality and equity, Let's talk about refugees, Let's talk about education)

Human Rights	A National Human Rights Act for Australia (report and launch), 2023
	National OPCAT Symposium, 2022
	Roadmap to OPCAT Compliance
	Australian Human Rights Awards
Immigration Detention and Asylum Seekers	The Use of Hotels as Alternative Places of Detention Report, 2023
Race	National Anti-Racism Framework Scoping Report, 2022
	Kep Enderby Memorial Lecture
	Fact Sheet – International Day for the Elimination of Racial Discrimination
	<i>Racism. It Stops with Me</i> Campaign Refresh
Sex and Gender	Time for Respect: Fifth National Survey on Sexual Harassment in Australian Workplaces
	Respect@Work Portal and Website Launch

List of Annual Report requirements

Below is the table set out in Schedule 2A of the PGPA Rule. Section 17BE(u) requires this table be included in entities' annual reports.

PGPA Rule Reference	Part of Report	Description	Requirement
17BE	<i>Contents of annual report</i>		
17BE(a)	3.1	Details of the legislation establishing the body	Mandatory
17BE(b)(i)	3.2	A summary of the objects and functions of the entity as set out in legislation	Mandatory
17BE(b)(ii)	1.1	The purposes of the entity as included in the entity's corporate plan for the reporting period	Mandatory
17BE(c)	3.4	The names of the persons holding the position of responsible Minister or responsible Ministers during the reporting period, and the titles of those responsible Ministers	Mandatory
17BE(d)	Not applicable	Directions given to the entity by the Minister under an Act or instrument during the reporting period	If applicable, mandatory
17BE(e)	Not applicable	Any government policy order that applied in relation to the entity during the reporting period under section 22 of the Act	If applicable, mandatory
17BE(f)	Not applicable	Particulars of non-compliance with: (a) a direction given to the entity by the Minister under an Act or instrument during the reporting period; or (b) a government policy order that applied in relation to the entity during the reporting period under section 22 of the Act	If applicable, mandatory
17BE(g)	5, 5.2, Appendix 1	Annual performance statements in accordance with paragraph 39(1)(b) of the Act and section 16F of the rule	Mandatory
17BE(h), 17BE(i)	Not applicable	A statement of significant issues reported to the Minister under paragraph 19(1)(e) of the Act that relates to (a) non-compliance with finance law and action taken to (b) remedy non-compliance	If applicable, mandatory
17BE(j)	Appendix 3	Information on the accountable authority, or each member of the accountable authority, of the entity during the reporting period	Mandatory
17BE(k)	2.1, 2.2	Outline of the organisational structure of the entity (including any subsidiaries of the entity)	Mandatory
17BE(ka)	Appendix 2	Statistics on the entity's employees on an ongoing and non-ongoing basis, including the following: (a) statistics on full-time employees (b) statistics on part-time employees (c) statistics on gender (d) statistics on staff location.	Mandatory
17BE(l)	2.3	Outline of the location (whether or not in Australia) of major activities or facilities of the entity	Mandatory

PGPA Rule Reference	Part of Report	Description	Requirement
17BE(m)	2.4	Information relating to the main corporate governance practices used by the entity during the reporting period	Mandatory
17BE(n), 17BE(o)	Not applicable	For transactions with a related Commonwealth entity or related company where the value of the transaction, or if there is more than one transaction, the aggregate of those transactions, is more than \$10,000 (inclusive of GST): (a) the decision-making process undertaken by the accountable authority to approve the entity paying for a good or service from, or providing a grant to, the related Commonwealth entity or related company; and (b) the value of the transaction, or if there is more than one transaction, the number of transactions and the (c) aggregate of value of the transactions.	If applicable, mandatory
17BE(p)	4.1	Any significant activities and changes that affected the operation or structure of the entity during the reporting period	If applicable, mandatory
17BE(q)	Not applicable	Particulars of judicial decisions or decisions of administrative tribunals that may have a significant effect on the operations of the entity	If applicable, mandatory
17BE(r)	Not applicable	Particulars of any reports on the entity given by: (a) the Auditor-General (other than a report under section 43 of the Act); or (b) a Parliamentary Committee; or (c) the Commonwealth Ombudsman; or (d) the Office of the Australian Information Commissioner.	If applicable, mandatory
17BE(s)	Not applicable	An explanation of information not obtained from a subsidiary of the entity and the effect of not having the information on the annual report	If applicable, mandatory
17BE(t)	Not applicable	Details of any indemnity that applied during the reporting period to the accountable authority, any member of the accountable authority or officer of the entity against a liability (including premiums paid, or agreed to be paid, for insurance against the authority, member or officer's liability for legal costs)	If applicable, mandatory
17BE(taa)	2.5	The following information about the audit committee for the entity: (a) a direct electronic address of the charter determining the functions of the audit committee (b) the name of each member of the audit committee (c) the qualifications, knowledge, skills or experience of each member of the audit committee (d) information about each member's attendance at meetings of the audit committee (e) the remuneration of each member of the audit committee.	Mandatory
17BE(ta)	7.2	Information about executive remuneration	Mandatory

PGPA Rule Reference	Part of Report	Description	Requirement
17BF	<i>Disclosure requirements for government business enterprises</i>		
17BF(1)(a)(i)	Not applicable	An assessment of significant changes in the entity's overall financial structure and financial conditions	If applicable, mandatory
17BF(1)(a)(ii)	Not applicable	An assessment of any events or risks that could cause financial information that is reported not to be indicative of future operations or financial conditions	If applicable, mandatory
17BF(1)(b)	Not applicable	Information on dividends paid or recommended	If applicable, mandatory
17BF(1)(c)	Not applicable	Details of any community service obligations the government business enterprise has including: (a) an outline of actions taken to fulfil those obligations; and (b) an assessment of the cost of fulfilling those obligations A statement regarding the exclusion of information on the grounds that the information is commercially sensitive and would be likely to result in unreasonable commercial prejudice to the government business enterprise	If applicable, mandatory
17BF(2)	Not applicable		If applicable, mandatory

Further Information

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