



Australian  
Human Rights  
Commission

# Australian Human Rights Commission

ANNUAL REPORT AND  
NON-FINANCIAL STATEMENT  
2018 • 2019



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Communications Unit, Australian Human Rights Commission, GPO Box 5218, SYDNEY NSW 2001  
Telephone: (02) 9284 9600,  
email: [communications@humanrights.gov.au](mailto:communications@humanrights.gov.au),  
website: [www.humanrights.gov.au](http://www.humanrights.gov.au).

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Cover photo: By Matt Syres: Joint winners of the 2018 Human Rights Medal Chrissie Foster and the Hon Peter McClellan AM QC. Mrs Foster and Justice McLellan received the 2018 Human Rights Medals in recognition of their significant contributions to achieving justice for survivors of institutional child sexual abuse.



**Australian  
Human Rights  
Commission**

**President**

Emeritus Professore Rosalind Croucher AM

20 September 2019

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

Dear Attorney,

I am pleased to present the Annual Report of the Australian Human Rights Commission for the period ending 30 June 2019. The report has been prepared pursuant to section 45 of the *Australian Human Rights Commission Act 1986* (Cth) and in accordance with the requirements of section 46 of the *Public Governance, Performance and Accountability Act 2013* (Cth).

As the Accountable Authority of the Australian Human Rights Commission, I am responsible for the preparation and contents of the Annual Report of Operations. I approved the Annual Report 2018–19 on 20 September 2018 by signing a memorandum.

Yours sincerely,

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

**Emeritus Professor Rosalind Croucher AM**  
President

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Australian Human  
Rights Commission  
ABN 47 996 232 602

Level 3  
175 Pitt Street  
Sydney NSW 2000

GPO Box 5218  
Sydney NSW 2001

General enquiries  
Complaints infoline  
TTY

1300 369 711  
1300 656 419  
1800 620 241

[www.humanrights.gov.au](http://www.humanrights.gov.au)

# About the Commission

## Our purpose

The Australian Human Rights Commission (the Commission) is Australia's national human rights institution.

We operate under the *Australian Human Rights Commission Act 1986* (Cth) as well as federal laws that seek to ensure freedom from discrimination on the basis of age, disability, race, sex, sexual orientation, intersex status and gender identity. The Commission also has specific responsibilities under the *Native Title Act 1993* (Cth) and the *Fair Work Act 2009* (Cth).

We operate as a Corporate Commonwealth Entity under the *Public Governance, Performance and Accountability Act 2013* (Cth). Our operations are determined independently of the government through our President and Commissioners.

Our job is to work towards an Australia in which human rights are respected, protected and promoted, finding practical solutions to issues of concern, advocating for systemic change and raising awareness across the community.

We provide direct services to the Australian community, in particular by assisting people to resolve disputes about discrimination and breaches of human rights. Much of our work is also at the policy level—encouraging government, industry and community groups alike to see fundamental rights and freedoms realised. It involves building the case for change on issues ranging from age discrimination in employment to constitutional recognition of Aboriginal and Torres Strait Islander peoples. It involves providing a human rights analysis to the courts and parliamentary inquiries, conducting research and contributing to partnerships.

Our work also involves exchanging ideas with equivalent bodies around the world, while closer to home we monitor and report on the experiences of those particularly vulnerable to disadvantage.

From addressing complaints of discrimination, to engaging with government on policy issues, the Commission's task is both to apply those rights that are currently recognised in our laws, and to aspire for greater recognition and protection of those that are not yet.

Our vision is for an Australia where human rights are enjoyed by **everyone, everywhere, everyday**.

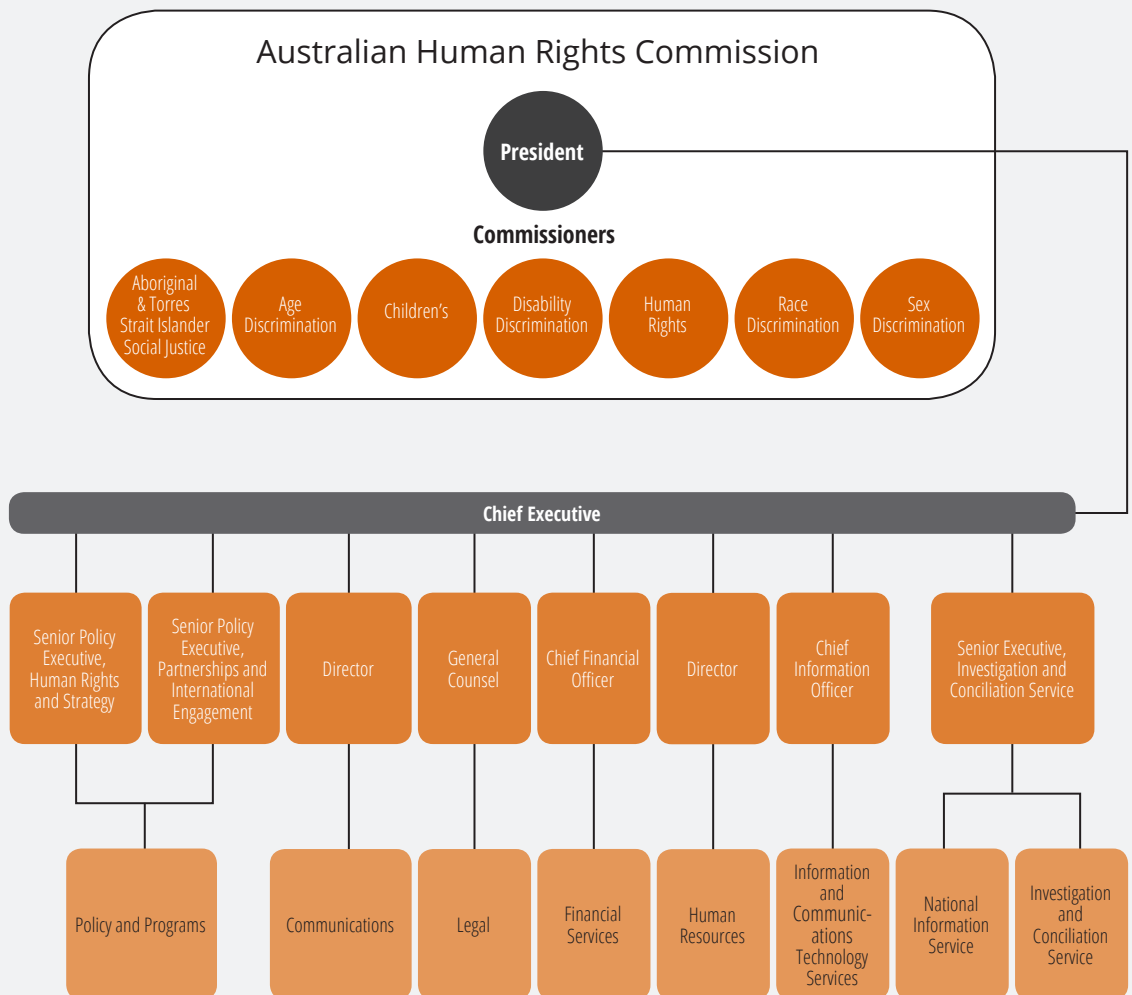
## Achieving our purpose

There is no simple way to solve complex human rights issues. From the challenges that face a person with a disability seeking to live independently, to ensuring that Australia's immigration detention policies meet our human rights obligations and treat people with dignity, the promotion of human rights must address issues for individuals as well as the need for broader, systemic change.

Our Corporate Plan is the roadmap that guides the Commission's work for the reporting period. The plan contains the Commission's performance framework, which links the performance criteria outlined in our 2018–19 Portfolio Budget Statement to the results in this Annual Report. The Commission's performance is measured against four outcomes, which are detailed in Appendix 1.

## Organisational structure

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



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

# Our functions

## Legislation

The Commission exercises functions under the following Acts:

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

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Establishes the Commission and outlines its powers and functions.

It defines human rights by reference to the following international instruments:

- *International Covenant on Civil and Political Rights*
- *Convention on the Rights of the Child*
- *Declaration on the Rights of the Child*
- *Convention on the Rights of Persons with Disabilities*
- *Declaration on the Rights of Disabled Persons*
- *Declaration on the Rights of Mentally Retarded Persons*
- *Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief*
- *Convention Concerning Discrimination in Respect of Employment and Occupation.*

---

### *Racial Discrimination Act 1975 (Cth)*

---

Gives effect to Australia's obligations under the International Convention on the Elimination of All Forms of Racial Discrimination.

Its main aims are to:

- promote equality before the law for all persons, regardless of their race, colour or national or ethnic origin
- make discrimination on the basis of race, colour, descent or national or ethnic origin, unlawful
- provide protection against racial hatred.

---

### *Sex Discrimination Act 1984 (Cth)*

---

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

Its main aims are to:

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

---

## *Disability Discrimination Act 1992 (Cth)*

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Its main aims are to:

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

---

## *Age Discrimination Act 2004 (Cth)*

---

Its main aims are to:

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

### **The Commission**

We exercise our functions under this federal legislation by:

- investigating and conciliating complaints of discrimination or breaches of human rights
- developing an extensive and accessible website containing research, publications, resources and education programs for young people, teachers, community groups, business, media and the community at large
- working with the media to raise and promote public awareness about important human rights issues
- working with organisations and leaders in the community, government and business sectors to provide education on relevant human rights issues and to support them in their efforts to better protect and promote human rights
- holding public inquiries and consultations to resolve systemic human rights issues of national importance that we have identified
- working closely with the federal government to provide independent advice regarding the development of laws, programs and policies that will better protect and promote human rights
- publishing reports on Aboriginal and Torres Strait Islander social justice and native title and children's rights
- making submissions to parliamentary and other inquiries in order to identify human rights issues which may arise in proposed or existing laws and policies
- working in the legal system by appearing as an intervener or as *amicus curiae* in cases that involve human rights

- working with other national human rights institutions, particularly through the Asia Pacific Forum of National Human Rights Institutions.

The President, the Aboriginal and Torres Strait Islander Social Justice Commissioner, the National Children's Commissioner and the Sex Discrimination Commissioner have additional responsibilities.

### **President**

The President is the Accountable Authority of the Commission, responsible for its financial and administrative affairs. The President is also responsible for the complaint-handling function of the Commission.

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

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

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

### **Sex Discrimination Commissioner**

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

### **National Children's Commissioner**

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

## **Responsible Minister**

The Hon Christian Porter MP, Attorney-General, is the Minister in Parliament responsible for the Commission. The Attorney-General has a number of powers under the *Australian Human Rights Commission Act 1986* (Cth).

## **Location**

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



# President and Commissioners

PRESIDENT AND COMMISSIONERS OVER THE 2018–19 PERIOD



**Emeritus Professor  
Rosalind Croucher AM  
President**



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



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



**Alastair McEwin  
Disability Discrimination Commissioner**  
(Term finished 3 April 2019)



**Dr Ben Gauntlett  
Disability Discrimination Commissioner**  
(Term commenced 7 May 2019)



**Edward Santow  
Human Rights Commissioner**



**Megan Mitchell  
National Children's Commissioner**



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



**Chin Tan  
Race Discrimination Commissioner**  
(Term commenced 8 October 2018)



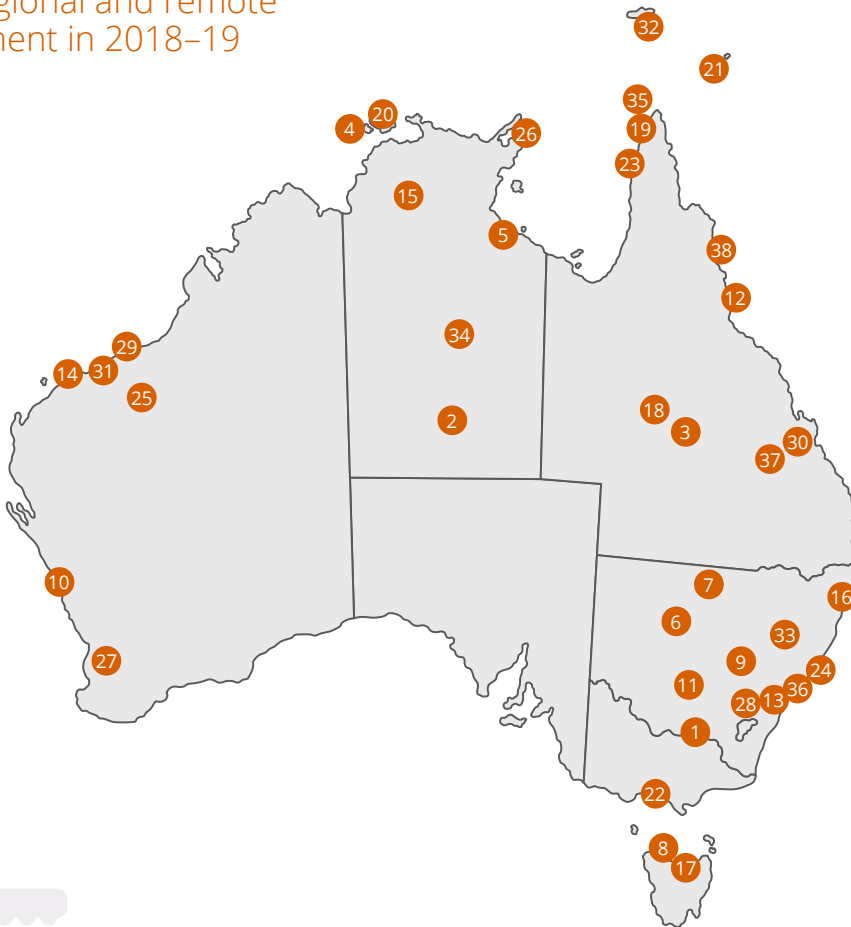
**Kate Jenkins  
Sex Discrimination Commissioner**

# Achieving a national reach

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

We build consideration of rural, regional and, where possible, remote activity into our planning processes. We have also started to track the geographic range of our activities in these areas. These can vary from consultation and engagement events, conducting training and workshops, commissioned research and Commissioner engagements. In this reporting period the Commission has had engagements in every state and territory—this map only depicts those engagements which fell outside of a major capital city.

## Rural, regional and remote engagement in 2018–19



- |                      |                            |                      |                        |
|----------------------|----------------------------|----------------------|------------------------|
| 1 Albury-Wodonga VIC | 12 Hinchinbrook QLD        | 23 Napranum QLD      | 34 Tennant Creek NT    |
| 2 Alice Springs NT   | 13 Kangaroo Valley NSW     | 24 Newcastle, NSW    | 35 Thursday Island QLD |
| 3 Barcardine QLD     | 14 Karratha WA             | 25 Newman WA         | 36 Wollongong NSW      |
| 4 Bathurst Island NT | 15 Katherine NT            | 26 Nhulunbuy NT      | 37 Woorabinda QLD      |
| 5 Borroloola NT      | 16 Kempsey NSW             | 27 Northam WA        | 38 Yarrabah QLD        |
| 6 Bourke, NSW        | 17 Launceston, TAS         | 28 Nowra, NSW        |                        |
| 7 Brewarrina NSW     | 18 Longreach QLD           | 29 Port Hedland WA   |                        |
| 8 Burnie TAS         | 19 Mapoon QLD              | 30 Rockhampton QLD   |                        |
| 9 Dubbo NSW          | 20 Melville Island NT      | 31 Roebourne WA      |                        |
| 10 Geraldton, WA     | 21 Mer (Murray) Island QLD | 32 Saibai Island QLD |                        |
| 11 Griffith NSW      | 22 Mornington VIC          | 33 Tamworth, NSW     |                        |

# The year in review

This Annual Report sets out the performance of the Australian Human Rights Commission in the 2018–19 financial year.

There have been three main trends in the Commission's work over this period.

First, the Commission has undertaken a range of projects of national significance that have put the spotlight on emerging human rights challenges.

The human rights and technology conference kicked off the financial year, putting the spotlight on the emerging challenges to human rights from new technologies. How do we harness the potential of artificial intelligence while not entrenching existing disadvantage or replicating bias? How do we ensure a high-tech future is accessible to all? How do we effectively protect individuals in a rapidly evolving world, in which traditional forms of regulation are not agile or adaptive enough?

These and other questions were addressed at the conference as well as in an Issues Paper and White Paper released for public consultation by the Human Rights Commissioner. After an extensive public consultation phase, the Commission will move to releasing a discussion paper and draft reform proposals in late 2019 for the next phase of this project.

Throughout the year, the Social Justice Commissioner conducted consultations nationally with Indigenous women and girls through the Wiyi Yani U Thangani (Women's Voices) project. The project, the first of its kind in twenty years, has achieved much public interest and elevated the voice of Indigenous women and girls. This was demonstrated by the focus of NAIDOC in July 2018 based on the theme, 'Because of her, we can'.

The National Inquiry into Sexual Harassment in Australian Workplaces (National Inquiry) has offered a platform for challenging this most intractable human rights problem. Prevalence data released by the Commission provided detailed industry-level data and identified high levels of experiences of sexual harassment in workplaces.

The National Inquiry has held consultations across the country and engaged widely with business, employee organisations and the community to consider reforms to prevent and more effectively deal with harassment into the future. The final report of the National Inquiry will be released in 2019–20.

This year saw the introduction of Modern Slavery legislation by the Australian Government and the New South Wales Government. These laws ask large businesses to report annually on their efforts to identify and address modern slavery in their operations and supply chains. The Commission was involved in supporting a range of government processes which led to the introduction of these laws and continues to support both government and business on their implementation. The Commission has also built effective partnerships in order to achieve practical pathways for dealing with longstanding, difficult issues.

The National Children's Commissioner has led the development of national 'child safety principles', as well as practical guidance for organisations to implement them.

These principles form a key response of all institutions across the community to the findings of the Royal Commission into institutional abuse of children. They aim to make institutions 'child safe' into the future—designed to prevent child abuse and other forms of harm from occurring within institutional settings, while also equipping institutions, parents and children better to identify and respond to abuse when it does occur.

The national child safety principles were endorsed by the Australian Government and state and territory governments in February 2019 and will play a key role in securing a positive future for children for generations to come.

The Age Discrimination Commissioner has undertaken a range of activities to advance the national response to elder abuse. This work builds on an earlier report by the Australian Law Reform Commission, with the Commissioner playing a key role in the finalisation of the 'National Plan on Elder Abuse'.

The Commission has issued several guidelines under discrimination laws to provide greater clarity and certainty to industry. This includes guidelines on 'special measures' under the Sex Discrimination Act, on the treatment of women in golf (a project conducted in partnership with Golf Australia) and the involvement of transgender people in sport (in partnership with several major sporting codes across Australia).

While the above activities have achieved high public attention, the Commission has continued to undertake its core, business-as-usual activities to protect human rights in Australia. This includes conciliating complaints under discrimination laws, handling human rights complaints, engaging with the courts, engaging with the Parliament in the scrutiny of legislation, and engaging in the international arena as Australia's national human rights institution.

In 2018–19 the Commission resolved 1,010 complaints through conciliation. This represents successful dispute resolution for over 2,020 individuals and organisations and embodies the Commission's commitment to assisting complainants and respondents to achieve cost effective, practical complaints outcomes that can provide significant benefits for the parties to the complaint as well as the community at large.

2019–20 is shaping up to be a stellar year for the Commission with the major projects discussed above reaching their final reporting stage.


In December 2018, I also launched a major new project, 'Free and Equal—An Australian conversation on human rights' (the Free and Equal project). This project aims to identify a national reform agenda for human rights for the next decade.

Almost everything the Commission does will feed into this project as we set out our vision for the full protection of human rights in Australia. In the next year the project will see the release of a series of discussion papers, the holding of technical workshops, a national conference and NGO Summit, as well as the release of a final report setting out the priorities for reform at the national level.

The Commission has already reshaped its strategic goals around the broader vision of the Free and Equal project, and our future work program will be heavily influenced by the priorities that are identified through the project in the coming year.

Finally, the terms of two of our Commissioners ended during this financial year. Dr Tim Soutphommasane's five-year term as Race Discrimination Commissioner ended in 2018, with Mr Chin Tan commencing as Commissioner in late 2018. Mr Alastair McEwin resigned after almost three years as Disability Discrimination Commissioner in order to take a position as a Royal Commissioner into violence, abuse, neglect and exploitation of people with disability, with Dr Ben Gauntlett commencing as Commissioner in early 2019.

I acknowledge and thank Tim and Alastair for their commitment to human rights and for their enthusiasm and actions as Commissioners. I also warmly welcome Chin and Ben to the Commission to carry forward our work in protecting and promoting the human rights of everyone, everywhere, everyday.



**Emeritus Professor Rosalind Croucher AM**  
President

# Annual performance statement for non-financial outcomes

AUSTRALIAN HUMAN RIGHTS COMMISSION

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## INTRODUCTORY STATEMENT

As the Accountable Authority of the Australian Human Rights Commission, I present the 2018–2019 annual performance statement of the Commission. This is required under section 39(1)(a) of the *Public Governance, Performance and Accountability Act 2013* (Cth). In my opinion, these annual performance statements are based on properly maintained records, accurately reflect the performance of the entity and comply with section 39(2) of the Act.



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

20 September 2019

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## Purpose

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

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## Results

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### Introduction

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

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

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

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

# Annual performance statement for non-financial outcomes

Our work priorities are set through an annual planning process framed by the four outcomes in our 2018–19 Corporate Plan. In addition, the Commission ensures its work helps achieve the outcome articulated in its Portfolio Budget Statement, being:

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

the sole program of which, Program 1.1, is:

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

## Performance criteria

The performance statement on pages 20–34 of this report highlights the ways in which the Commission has met its purpose through activities that are monitored and evaluated. These results are reported in relation to the Commission’s four outcomes and 15 indicators provided in the 2018–19 Corporate Plan. The four outcomes correspond to the performance criteria in the Commission’s Portfolio Budget Statement (PBS). Two indicators under each outcome also correspond to the targets in our PBS and this relationship is indicated in the statement. In this way, a clear line of sight is maintained between our PBS, work plan and results.

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

**Under the PGPA Rule requirement (subsection 17(2)(b)), our audit committee has assessed this performance statement, reviewing the performance information, systems and framework and the completeness and appropriateness of our performance reporting.**

## Appendices

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

Appendix 2 lists the Commission’s 2018–19 projects, services and activities against the four outcomes.

Appendix 3 lists the Commission’s major events, reports, publications and education resources completed in 2018–19.



# Snapshot of Commission activity

The following provides an overview of the Commission's key outputs in 2018-19.

## Key outputs in 2018-19

	<b>Public presence</b>	<ul style="list-style-type: none"> <li>• 6 major events</li> <li>• 138 web news stories</li> <li>• 653 media enquiries</li> <li>• 386 interviews</li> <li>• 8 opinion pieces</li> </ul>
	<b>National Information Service</b>	<p>Answered 13,989 enquiries from people seeking information about discrimination and human rights</p>
	<b>Investigation and Conciliation Service</b>	<ul style="list-style-type: none"> <li>• 2,037 complaints about discrimination and breaches of human rights received</li> <li>• 1,396 conciliation processes conducted, 72% of these complaints successfully resolved.</li> </ul>
	<b>Reports and resources</b>	<ul style="list-style-type: none"> <li>• 26 research/investigation reports/papers</li> <li>• 11 information resources/guidelines</li> <li>• 1 school teaching packages</li> <li>• 3 training resources</li> </ul>
<b>Aa</b>	<b>Human rights education and training</b>	<ul style="list-style-type: none"> <li>• 10 information sessions reaching over 290 attendees</li> <li>• 30 interactive training workshops with 727 participants</li> </ul>
	<b>Legal expertise and investigation</b>	<ul style="list-style-type: none"> <li>• 39 submissions to public inquiries with 10 appearances at public hearings</li> <li>• 3 interventions in Court proceedings</li> </ul>
	<b>Digital engagement</b>	<ul style="list-style-type: none"> <li>• 82 Youtube videos</li> <li>• 9,999,096 page views</li> <li>• 5,744,534 website visits</li> <li>• 120,089 Facebook likes</li> <li>• 131,327 Twitter followers</li> </ul>

Outcome 1:

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

## **Performance indicator 1a:**

### **Leadership**

#### **Free and Equal: An Australian conversation on human rights**

Announced by President Croucher in December 2018, this initiative aims to build a conversation about the key priorities for human rights reform at the national level in order to guide actions over the next decade.

The purpose of the Free and Equal project is to:

- promote awareness of the importance of human rights to 21st century Australia
- identify current limitations and barriers to improve human rights protections
- identify what key principles should underpin the reform of human rights in Australia
- build agreement across the Parliament, government and the community about what we can do collectively to better promote, protect and fulfil human rights.

During the reporting period, the Commission released an Issues Paper providing an overview of the project and Australia's human rights obligations. The Issues Paper commenced the public consultation phase of the project, with the inaugural consultation workshops for the project held in Perth in this period. A public submissions process also began.

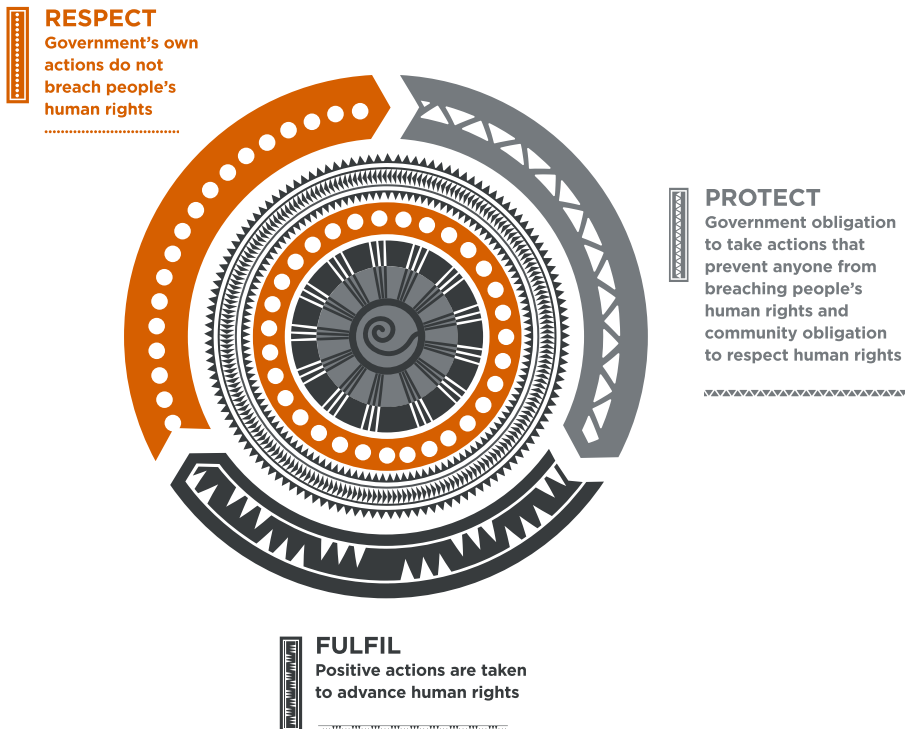
Research was also conducted, which will be released in the 2019–20 year, identifying priorities for federal discrimination law reform, implementation of human rights through law, policy and practice, human rights education and national accountability frameworks for human rights. This research will be supplemented by a series of technical workshops with experts from business, government, the legal profession, community sector and general community.

In late 2019, the Commission will convene a national conference with the involvement of national and international human rights experts, including the UN High Commissioner for Human Rights, Dr Michelle Bachelet.

The project will culminate in mid-2020 with a report to government setting out a roadmap for human rights reform.

The Free and Equal project is built around the ‘respect, protect, fulfil’ framework for implementing human rights (see figure below). This framework acknowledges that there is no one way of implementing human rights, with multiple actions required across each of these domains.

## The respect, protect, fulfil human rights framework



# Annual performance statement for non-financial outcomes

## Outcome 1

### Human Rights and Technology

Commissioner Santow launched this multiphase, multiyear initiative to examine the challenges and opportunities presented to human rights by emerging technologies. The aim is to ensure that human rights are central considerations in the design, development and governance of emerging technologies such as artificial intelligence. The project is supported by four major partners—Australian Government Department of Foreign Affairs and Trade, Herbert Smith Freehills, LexisNexis, the University of Technology Sydney—and an Expert Reference Group.

The project was launched with a conference and Issues Paper in July 2018. The conference attracted a diverse audience of national and international stakeholders representing over 250 organisations.

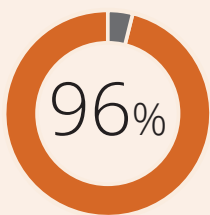
The objective was to engage participants and to increase awareness of the issues and relevance of human rights in the discourse, design and regulation of new technologies.

The 2018–19 evaluation strategy was to assess the foundational outcomes from the conference and to monitor the activities and traction of the consultation phase that followed. The conference evaluation found these outcomes (among participants):

- a reframing of the new technology discourse to include human rights
- new learning and increased understanding of the issues
- an appetite for action to tackle the issues.

Figure 1:

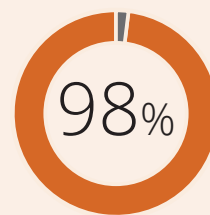
### Snapshot of conference feedback from survey respondents



Found the conference was **worthwhile**



Experienced **new learning**



Felt that it is important to address the **potential impact** of new technologies

“ I had not really understood how important this would be going forward and how quickly we, as a society, need to get our heads around some fundamental issues as to the intersection of human rights and technology...so it has had a profound impact on me. ”

“ I am very motivated to engage with the question of the implications of new technologies for the protection and promotion of human rights. ”

Following the conference, the project's consultation phase provided a sustained opportunity to build recognition and understanding of the issues with a growing audience. In this phase, the Commission:

- received 119 written submissions to the Issues Paper
- conducted face-to-face consultation roundtables with 380 stakeholders and 36 speaking engagements reaching an audience of more than 8,000
- partnered with the World Economic Forum to develop a White Paper (for consultation on good leadership and governance in respect of artificial intelligence or AI) garnering 63 responses.

The Commission's leadership on these issues is gaining global attention with Commissioner Santow invited to present at human rights and technology events at the G7 meeting on AI in Canada, at a major summit on AI at Stanford University, California, and the Consumers International AI Summit in Singapore.

In the coming year the project will move to advancing national human rights policy initiatives in relation to new and emerging technologies. Activities will focus on consultations on the preliminary proposals in the project Discussion Paper (to be released in late 2019) and the preparation of a final report with recommendations across government, industry and the community.

## **National Inquiry into Sexual Harassment in Australian Workplaces**

In June 2018, Commissioner Jenkins announced the National Inquiry into Sexual Harassment in Australian Workplaces. This National Inquiry is an Australian and world-first initiative in addressing the issue of workplace sexual harassment.

The focus of the National Inquiry is on the nature and prevalence of workplace sexual harassment, its drivers and impacts, the current legal framework and measures to address this harassment. Through the National Inquiry, the Commission aims to make a significant contribution to reducing workplace sexual harassment, and helping to ensure safer, respectful and more productive Australian workplaces.

In this period Commissioner Jenkins and the National Inquiry team:

- released the results of the Commission's fourth national survey of workplace sexual harassment
- conducted 59 public community and targeted consultations nationally, across all capital cities and some regional cities
- held three expert roundtables and numerous meetings with key stakeholders
- engaged with more than 600 attendees through consultations
- received 448 submissions from individuals, employers and business groups, community organisations, government agencies, and academics and legal experts
- established a website for people to find information about the National Inquiry and subscribe for updates
- developed resources including the 'Have your Say—Conversation Toolkit' and an Inquiry newsletter keeping stakeholders informed.

The results of this year's national survey were more detailed and robust than in previous years, with an expanded sample of more than 10,000 Australians surveyed. For the first time, this year's survey was also able to report in detail about the prevalence and characteristics of experiences of sexual harassment within particular industries, across 21 industry groups.

# Annual performance statement for non-financial outcomes

## Outcome 1

Consistent with the findings of the national survey, the Commission heard in consultations and submissions that sexual harassment is pervasive and affects all workplaces and all industries in Australia, with stakeholders seeking change in three key areas:

- education in the community to address attitudes and culture, and increase awareness
- improving coordination, coverage and consistency of existing legal frameworks
- more effective action by employers.

The National Inquiry has received widespread support from government, unions, employers and the community. The consultation and submission process ensured that the Commission heard about individual experiences to inform its understanding of the systemic issues. The Commission received positive feedback on its leadership in undertaking the National Inquiry and people's experience of the inquiry process:

'Thank you very much for providing me with the opportunity to tell my story ... I am so pleased and proud of our country that this [inquiry] is occurring.'

'I felt validated and respected by the inquiry process ...'

'I thank you Commissioner Kate Jenkins, for giving many of us a voice during this inquiry, and I hope that those of us who have spoken out can find comfort in knowing that no matter how small or large your contribution into this inquiry will bring those changes forward. By speaking out that others will be encouraged to also.'

The National Inquiry has also attracted significant global interest, with Commissioner Jenkins discussing the work of the National Inquiry in China, Brazil and at the 63rd Session of the United Nations Commission on the Status of Women in New York.

In March 2019, the National Inquiry moved to its analysis phase, integrating the quantitative and qualitative data gathered by the Commission and extensive domestic and international research. The Commission will report on the findings and recommendations of the National Inquiry in late 2019.

### **Sharing the stories of Australian Muslims**

The Race Discrimination Commissioner is leading an initiative to listen to and share the stories of Australian Muslims. This project aims to build robust evidence about the experience of Australian Muslims to inform the Australian Human Rights Commission's work in promoting social cohesion. In the aftermath of the tragedy in Christchurch, this project offers a unique opportunity for Australian Muslims to tell a national story about their experiences.

The national face-to-face consultations will be supported by a national online survey of Australian Muslims aimed at collecting data about Islamophobia, racism and related intolerances, as well as social cohesion. The project is in its early stages—this period has seen the development of the survey in close collaboration with community members and the first consultation event in Canberra. In the coming year, 17 further consultations are scheduled in all states and territories.

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

This initiative is led by Commissioner Oscar and is building on the legacy of the last national consultation with Aboriginal and Torres Strait Islander women and girls in the 1986 Women's Business Report. It aims to advance the realisation of human rights for Aboriginal and Torres Strait Islander women and girls in key community-identified focus areas.

The project started in late 2017 and the national consultation phase was completed in December 2018. The consultation reached Aboriginal and Torres Strait Islander women and girls either by direct engagement and community meetings or via an online submission process and survey.

An implementation objective in undertaking the project is to empower communities through meaningful participation, strengths-based engagement and discussion to gather and communicate community voice and issues content. In the consultation period to December 2018, the Commissioner and her team:

- held 105 engagements in 50 locations, including regional, rural, and remote areas
- met with 2,294 women and girls
- received over 100 submissions and over 300 survey responses.

In evaluating this phase, the project sought participants' views on and benefit from taking part in the face-to-face meetings (the interim results were presented in last year's Annual Report).

Figure 2 below summarises the completed evaluation results of this stage. The findings conclude that the Commissioner and her team provided women and girls with meaningful, empowering, inclusive and safe opportunities to have their voices heard.

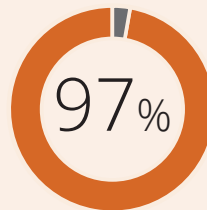
'Write the truth. Listen. Write. Our voices'  
—survey respondent

From January 2019, the project entered a data analysis and report-writing phase. The report will authentically reflect the voices of women and girls from the consultations. It will reflect the complex inter-connection of issues that affect women and girls in their daily lives.

The final report is due to be transmitted to the Attorney-General in late 2019 and will be tabled in the Parliament thereafter.

Figure 2:

## Wiyi Yani U Thangani participation and process evaluation summary

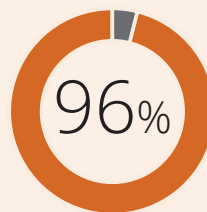


Said participating made a **positive personal difference**



Felt very **included** during the engagement

“ This was so empowering. As a young Indigenous woman at the start of my career, this workshop makes me realise my concerns are warranted, and that I have a voice to make change. ”



Endorsed the initiative believing **it would make a difference**

“ Having our thoughts and ideas delivered to Parliament is a step forward to being heard. I felt safe, empowered, valued. ”

# Annual performance statement for non-financial outcomes

## Outcome 1

The Australian Government announced on 5 March 2019 that, as part of the Fourth Action Plan of the National Plan to Reduce Violence Against Women and their Children, the Commonwealth will fund Stage 2 of the project. This work will be carried out over 2019 and 2020 and will focus on:

- dissemination—significantly increasing access to the report’s findings and recommendations
- additional consultation on critical elements of culture and language which represent key strengths identified by women throughout the national consultations
- community development knowledge exchange—bringing together community members, service providers and government agencies to hear identified success stories and providing detailed guidance on how to create an enabling environment, and support and deliver the successful design, implementation and governance of effective community-led initiatives.

### Elder abuse

In this period, Commissioner Patterson continued her term advocacy program to improve Australia’s recognition and response to elder abuse, building on the findings of the 2017 Australian Law Reform Commission report, ‘Elder Abuse—A National Legal Response’.

This work has contributed to raising the profile of elder abuse as a key federal issue (and which emerged as the third plank of the Attorney-Generals’ first-year agenda).

‘I can assure you she [Commissioner Patterson] left me with no misconception of the vital importance of our work to end elder abuse and the need to stamp out ageism and age discrimination in the workforce.’

—Christian Porter, Attorney General, speech  
at 5<sup>th</sup> Elder Abuse Conference  
—Together Making Change, June 2018

Following the launch of the National Plan to Respond to the Abuse of Older Australians 2019–2023, the Implementation Plan has been endorsed by the Council of Attorneys-General. The Implementation Plan identifies five areas for the Age Discrimination Commissioner to progress.

Under this framework the Commissioner has established the elder abuse information and education project, a multiyear project connecting to older Australians, service providers, educators and other stakeholders.

In 2018–19 the project undertook research to guide the development of user-friendly elder abuse materials and initiated a pilot with Tasmanian stakeholders—such as COTA Tasmania, the Legal Aid Commission and the Department of Communities—to collaboratively develop effective strategies to reach and engage communities with these materials.

In this period Commissioner Patterson has also started to work with stakeholders in the health industries to develop training and awareness materials for use with their workforces.

### Building capacity for child safety

At the request of the Australian Government, the National Children’s Commissioner has led the development of the National Principles for Child Safe Organisations. These principles are based on the ten ‘child safe standards’ recommended by the Royal Commission into Institutional Responses to Child Sexual Abuse and form a key element of the responses of all governments to the Royal Commission.

The National Principles are grounded in a child rights approach, which recognises children and young people as active participants. They aim to address sexual abuse in institutional settings as well as other forms of harm to children.



The national principles were developed in consultation with national sector peak bodies, national advocacy and research organisations, the Australian Government, state and territory governments and with children and young people themselves.

The Council of Australian Government endorsed the Principles in February 2019.

The Commission has also developed a series of resources to assist organisations working with children and young people to ensure the safety and wellbeing of children and young people.

This includes an introductory video to the principles, a self-assessment tool for organisations to consider the adequacy of existing policies and practices, and guidance materials for parents, children and young people. All resources are available at <https://childsafe.humanrights.gov.au/tools-resources>.

Throughout the reporting year, the Commission has developed a series of e learning modules on each of the child safe principles. These will be launched in the second half of 2019.

## National Child Safety Principles



Wheel of Child Safety

# Annual performance statement for non-financial outcomes

## Outcome 1

### **Performance indicator (and PBS target) 1b:**

Effective reach among identified audiences—demonstrated by web analytics that exceed previous year by 5%

### **Web and social media reach**

Social media analytics show growth that meets the 5% target for Facebook. The Commission earned 120,089 Facebook 'likes' during the period, an increase of 5% on last year. The Commission decreased its number of Twitter followers to 131,327, a drop of 17%. The drop in Twitter followers reflects the end of term of Commissioners with large followings on that platform.

The Commission monitors its website reach through page views and visits. In this reporting period, web analytics show a reach of 9,999,096 page views and 5,744,534 website visits. This translates to a growth of 4% and 8% respectively, with visits exceeding the PBS performance benchmark of 5% annual growth.

### **Events and launches**

Our public presence helps us to reach large and diverse audiences and to facilitate informed debate. In this period, we hosted and promoted at least six major events that have engaged substantial audiences and generated significant awareness and debate through positive media coverage:

- Technology and Human Rights Conference, 24 July 2018
- Human Rights Awards, 14 December 2018
- Human Rights Day Oration, 10 December 2018
- Rights Talk: Refugees with Disabilities, 8 April 2019
- Business and Human Rights Event: 'The Financial Sector: A Key Player in the Prevention of Modern Slavery', 10 April 2019
- Rights Talk: Casey Legler, 6 May 2019

### **Human Rights Awards and Human Rights Day Oration**

The 2018 Human Rights Awards ceremony was held on Friday 14 December 2018 and marked the 70th Anniversary of the Universal Declaration of Human Rights and International Day of Human Rights. This year we introduced the Government Award to recognise the contribution of local, state, territory and federal government bodies to the advancement and protection of human rights in Australia.

The ceremony was attended by 580 delegates from the government, legal, business and community sectors. This is the highest number of attendees ever to attend the Human Rights Awards. We received 379 nominations across nine Awards categories. This represents a 25% increase from the previous year. Nominations increased across almost all categories.

On Monday 10 December 2018 the Commission, in partnership with King & Wood Mallesons (KWM), delivered the inaugural Human Rights Day Oration: 'Reflecting on the Northern Territory Royal Commission, one year on'. Hosted by the Commission President and KWM Chief Executive, the oration was delivered by former Aboriginal and Torres Strait Islander Social Justice Commissioner & NT Royal Commissioner, Mick Gooda, and former Queensland Justice & NT Royal Commissioner Margaret White.

The National Children's Commissioner, Megan Mitchell, also provided her reflections on justice for children in the NT and Australia more broadly. The oration was a highly successful event with all tickets filled, the Commission receiving 290 registrations, and was also attended by Race Discrimination Commissioner Chin Tan and Aboriginal and Torres Strait Islander Social Justice Commissioner June Oscar.

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

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

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

Second, the National Health Leadership Forum (NHLF) brings together expertise and senior leadership from representatives across Aboriginal and Torres Strait Islander health peak organisations. As a collective, the NHLF engages with government and senior levels of the bureaucracy to advance collective priorities in Aboriginal and Torres Strait Islander Health.

The NHLF Chair is actively involved in the CTGSC and co-chairs the Implementation Plan Advisory Group with senior executives from the Australian Government Department of Health.

Throughout the 2018–19 financial year, the Commission provided secretariat support for both of these committees. In July 2019, the NHLF established its own separate secretariat housed outside of the Commission. The Commission will continue to provide secretariat support for the CTGSC.

The Campaign released its Annual Report, 'Our Choices, Our Voices' on National Close the Gap Day, 21 March 2019. The report, prepared by the Lowitja Institute, highlights the incredible work being carried out by Aboriginal Community Controlled Organisations (ACCOs) to improve the health and well-being of Aboriginal and Torres Strait Islander peoples, and the need to have genuine and meaningful engagement with Aboriginal and Torres Strait Islander peoples in decision-making processes.

### **Racism. It Stops with Me Campaign**

Further to the Muslim research project reported earlier, work continued on the National Anti-Racism Partnership Strategy and the 'Racism. It Stops with Me' Campaign.

In this period the Commission created the 'Let's talk race: A guide on how to conduct conversations about racism' and tailored website content to complement the international premiere of 'The Final Quarter' documentary at the Sydney Film Festival on 7 June 2019.

This documentary about AFL legend, former Australian of the Year and 'Racism. It Stops with Me' Ambassador, Adam Goodes, was created by Shark Island Productions. It considered the last three years of Goodes' playing career when he became a lightning rod for a heated public debate and widespread media commentary including about racism.

# Annual performance statement for non-financial outcomes

## Outcome 1

In the lead up to the documentary's premiere the Commission participated in workshops with the film makers and other partners such as Reconciliation Australia to create and identify education resources to support organisations, students and young people with conversations about the film and about racism.

### Positive ageing

Our work often involves using our national profile to lend support to other initiatives. For example, under a goal to promote positive ageing, the Age Discrimination Commissioner supports the '100: The Centenarian Portrait Project by Teenagers'. This is a professional community arts project that promotes inter-generational friendships, celebrates elders and fights negative ageing stereotypes.

One hundred centenarians in each participating state or territory sit for portraits created by young artists, largely from local secondary schools. For most of the artists, it is an opportunity to meet a centenarian for the first time; for the centenarians it is a chance to share history. Through the process, both generations are able to develop fresh intergenerational perspectives. In this period, the Commissioner participated in the Sydney campaign. This support will continue in the coming years as the Campaign moves to more states and territories.

The Commissioner also released an updated new edition of 'Your Rights at Retirement'. This popular resource is a guide for older Australians to making decisions and navigating through later life. It covers topics including government services, financial decisions, working, housing and aged care.

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

#### Contribution of expertise on human rights to court processes

The Commission has the power to intervene, with leave of the Court, in proceedings that involve issues of race, sex, age and disability discrimination, human rights issues and equal opportunity in employment. In this period, we made three successful requests to intervene and judgment was handed down in one of the three matters in which we intervened (see the case study below).

In this case study, the Commission was granted leave by the High Court to intervene as *amicus curiae* and make submissions that indefinite immigration detention was unlawful. While the case was ultimately decided against the plaintiff on factual grounds, it is significant the Court continues to value the legal assistance provided by the Commission. The Commission has been active for many years in arguing against indefinite detention on both legal and policy grounds.

## Intervention case study

### Plaintiff M47 v Minister for Home Affairs

The plaintiff is a young man, approximately 30 years old, from northwest Africa, who claims to be stateless. He arrived in Australia on a flight from Europe in January 2010 and has been in immigration detention for nine years. He was refused a protection visa but Australia has been unable to identify a country to which he can be removed.

The plaintiff claimed that there was no prospect of him being removed from Australia in the reasonably foreseeable future. On this basis, he claimed that the *Migration Act 1958* (Cth) no longer authorised his detention. In order to succeed on this argument, it would be necessary to overturn the 2004 judgment of *Al-Kateb v Godwin* in which a majority of the High Court held that indefinite immigration detention was not unlawful. Since 2004, some Justices of the High Court have cast doubt on the correctness of the decision, but it remains the current law.

The Commission argued that *Al-Kateb* had not been correctly decided. In particular, the Commission argued that the power in the Migration Act to detain unlawful non-citizens was limited to detention for the purpose of fulfilling the obligation to remove a non-citizen from Australia as soon as reasonably practicable. If removal was not reasonably practicable in the foreseeable future, detention can no longer reasonably be capable of being seen as necessary for the permitted purpose.

Ultimately, the High Court did not deal with the legal arguments because it was not satisfied that the plaintiff had cooperated fully with the Department of Home Affairs in establishing his identity. As a result, the Court was not prepared to draw the inference that the removal of the plaintiff from Australia was not reasonably practicable in the foreseeable future.

The plaintiff remains in immigration detention. While he was not successful in this case, it remains open to him or to another plaintiff to challenge *Al-Kateb* again in the future if it can be shown that the point has been reached where the person faces the prospect of indefinite immigration detention.

## Performance indicator 1d:

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

### Modern Slavery Program: Business and Human Rights Strategy

Led by President Croucher, the Commission's three-year 'Strategy for Business and Human Rights' seeks to leverage the growing momentum internationally and domestically around the 2011 United Nations Guiding Principles on Business and Human Rights (UNGPs) and other business and human rights (BHR) frameworks.

In particular, it responds to the significant legislative and policy developments with the Australian BHR landscape in 2018. This includes the introduction of the *Modern Slavery Act 2018* (Cth) and the *Modern Slavery Act 2018* (NSW), and the Government's ongoing reforms to the Australian OECD National Contact Point. The next three years present an exciting opportunity to build on these developments and progress the BHR agenda in Australia and the region.

This year a contribution to the program's objective to 'increase capability among Australian businesses to identify, prevent and address modern slavery in their operations and supply chains' was made by the Annual Business and Human Rights Dialogue project (reported below).

# Annual performance statement for non-financial outcomes

## Outcome 1

### Annual Human Rights Dialogue on Business and Human Rights: Beyond modern slavery

For the fifth consecutive year, the Dialogue—Australia’s annual multi-sector, multi-stakeholder forum—brought over 100 stakeholders together to drive the business and human rights agenda forward. The 2018 Dialogue was convened in partnership with the Global Compact Network Australia in November 2018, in Sydney. The theme for the Dialogue was ‘Embedding Human Rights in Global Supply Chains: Modern Slavery and Beyond’.

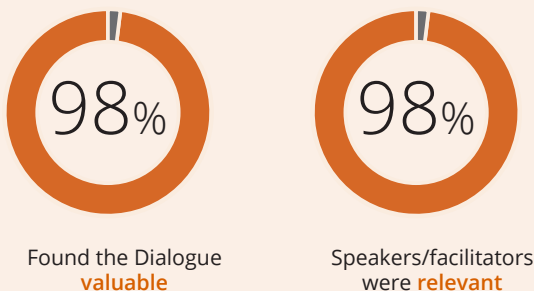
A strength of the 2018 Dialogue was the perspective from a survivor of modern slavery. This set the tone for the day and reminded all participants that modern slavery is not just something that occurs offshore but within Australia. It also reinforced the importance of situating modern slavery efforts within a broader human rights framework.

To build content knowledge and confidence the event was a mix of seminars and interactive discussions designed to engage and inform participants. Figure 3 below is a snapshot of the reach and relevance evaluation results. Overall, the evaluation concluded that the Dialogue is a highly valued event that builds the capacity of participants; as such, it has become an important annual fixture on the calendar of the business and human rights community in Australia.

### Inclusive leadership: Royal Australian Navy

Commissioner Jenkins leads our Defence Cultural Reform Collaboration program. Under this program, the team worked with the Royal Australian Navy to develop three inclusive behaviour modules for early ranks, and three inclusive leadership modules for middle management, to be integrated into the Navy’s overarching training for each cohort.

Figure 3:  
Dialogue relevance and value snapshot



“ The single most useful day of work I have ever spent on this issue.

Really good day discussing critical issues facing business today... there was not a moment where concentration lapsed.

”

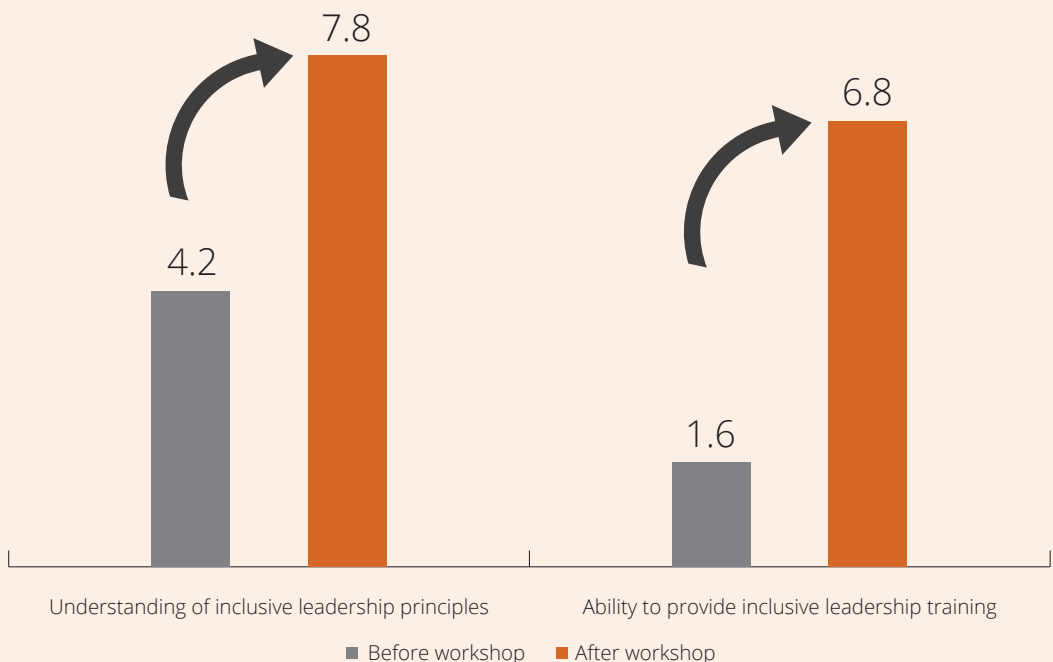
Commissioner Jenkins leads our Defence Cultural Reform Collaboration program. Under this program, the team worked with the Royal Australian Navy to develop three inclusive behaviour modules for early ranks, and three inclusive leadership modules for middle management, to be integrated into the Navy's overarching training for each cohort.

The project supports the Navy's development of a diverse, inclusive and respectful workplace. The modules help participants to reframe attitudes around the value of diversity and inclusion by building individual knowledge of, confidence with, and commitment to, inclusive behaviours.

As part of the review of materials developed, a 'train the trainer' session was convened with a group of Navy facilitators who experienced and evaluated the modules as both trainers and participants. As trainers, real-time feedback was built into the training and this was used to improve the modules. As participants, the evaluation showed that most had personally benefited from the training. For example, Figure 4 below shows the self-reported 'before' to 'after' change in two of the training indicators (using a scale of 1 to 10, where 1 = low and 10 = high).

Figure 4:

### Average increase in knowledge and abilities before and after participation in the train the trainer workshop



# Annual performance statement for non-financial outcomes

## Outcome 1

The content of the modules was then finalised with Navy facilitators. Structured feedback from this session confirmed that the facilitators were confident that the modules would deliver the planned learning outcomes—with all the facilitators agreeing ‘that the modules would deliver increased capacity to understand and implement inclusive behaviours/ inclusive leadership to most participants’. The modules would, as one participant commented, ‘go a long way towards reinforcing thinking in the right direction’.

The workshops will be rolled out in the coming year within several Navy leadership programs.

### **Australia and New Zealand Police Anti-racism & Cultural Diversity Principles**

The Commission worked with the Australia New Zealand Policing Advisory Agency (ANZPAA) to develop anti-racism and cultural diversity principles and training guidelines for police. The Commission was very interested in supporting implementation of these principles and guidelines as it has consistently raised police training on anti-racism and diversity as an important issue over several decades, including in HREOC’s National Inquiry into Racist Violence (1991).

In March 2018, the then Race Discrimination Commissioner addressed the Police Commissioners’ Forum (ANZPCF) in Hobart. The Forum—which includes all federal, state and territory police commissioners—agreed to develop principles as well as guidelines on anti-racism and cultural diversity training for police. On the direction of the commissioners, this was to be coordinated through ANZPAA. ANZPAA agreed to deliver two projects:

- ‘Anti-Racism Principles’
- ‘Education and Training Guidelines’ relating to anti-racism.

These projects were undertaken consecutively, with the first taking place from July–October 2018. The Commission provided expert advice and assistance to ANZPAA on human rights, anti-racism and cultural diversity over the course of the projects.

The aim of the Principles is to support police engagement with racially and culturally diverse communities in Australia and New Zealand (to view the Principles visit the ANZPAA website).

The Education and Training Guidelines have been settled and progressed through the ANZPAA Training and Education Advisory Group and the ANZPAA Police Profession Network. They will be provided to the Australia New Zealand Council of the Police Profession for approval in July 2019.

### **Performance indicator 1e:**

## **Effective engagement with United Nations Mechanisms**

### **Human rights treaty body engagement**

As a national human rights institution, the Commission has a role in engaging with United Nations human rights mechanisms, including the UN Human Rights Council, treaty bodies and special procedures (such as special rapporteurs).

This role is independent of the Government and also independent of non-government organisations.

In 2018–19, the Commission engaged with the UN Committee on the Rights of the Child and the UN Committee on the Rights of Persons with Disabilities. This included through making submissions to the committees setting out the Commission’s views on the current status of implementation of the relevant treaties (as ratified and supported by Australia) and identifying priorities for reform into the future.



In February 2019, the National Children's Commissioner attended consultations in Geneva convened by the UN Committee on the Rights of the Child about Australia's progress in implementing the convention. The full review of Australia will occur in September 2019, alongside Australia's review by the Committee on the Rights of Persons with Disabilities around the same time.

The Commission will also submit information to the Committee Against Torture in 2020, ahead of Australia's next review under that treaty.

## **Engagement as a national human rights institution regionally and globally**

**The President of the Commission is also the Chair of the Asia Pacific Forum of National Human Rights Institutions (the APF). This is the regional body comprised of national human rights institutions across the Asia-Pacific region.**

In her capacity as Chair of the APF, the President also sits as a member of the Bureau of the Global Alliance of NHRIs. This is the collegiate body of NHRIs across the globe. The Bureau is, in effect, the board of the organisation and guides the advocacy, capacity building and UN engagement by GANHRI.

Through these leadership roles the Commission has:

- contributed to the effective, efficient and strategic management of the APF and GANHRI
- strengthened our relationships with NHRIs in the region and globally through information sharing and exchanges of technical knowledge
- advocated for NHRIs within the UN system and encouraged NHRI engagement with the international human rights system.

The Commission has also strengthened its relationship with the ASEAN Inter-Governmental Commission on Human Rights. With the support of the Department of Foreign Affairs and Trade (DFAT), the Commission participated in a number of events including the 2018 AICHR Regional Dialogue on the Mainstreaming of the Rights of Persons with Disabilities, the Third Annual Australia-AICHR Human Rights Dialogue and the 2019 AICHR Interregional Dialogue on Business and Human Rights.

## **Analysis—Outcome 1**

Activities undertaken in the reporting period across this goal speak to the role of the Commission as a thought leader on human rights in Australia, as well as in the international context, in discharging the Commission's statutory mandate.

It also speaks to the importance of the Commission as an independent national human rights institution.

By being strategic and proactive rather than reactive, we are able to achieve substantial policy and public influence from our work. By ensuring that our work involves extensive consultation with the community and detailed, evidence-based inquiry, we can be confident about the credibility of our findings.

As a result, we shine a light on emerging human rights issues that would otherwise not receive the national attention that they deserve.

These activities also have a common element: they are based on partnerships and building consensus. The Commission works with a substantial range of stakeholders to deliver our work. This includes pro-bono support from the corporate sector, as well as advisory support from across industry, employee associations, sporting codes, research institutes, NGOs and Government stakeholders.

# Annual performance statement for non-financial outcomes

## Outcome 1

The importance of this is twofold: it contributes to the robustness of our work; and it builds support and buy-in for implementation so that our work is more likely to contribute to change over the longer term.

The Free and Equal project, in launching an Australian conversation on human rights, has laid the groundwork for the Commission to further strengthen our impact across multiple areas of our work over the coming years. It has set out the vision for a national, integrated framework for human rights protection. It will also draw on the knowledge and findings across all areas of the Commission's work.

The Free and Equal project also has an objective of building consensus on the reform agenda for human rights over the next decade. Evaluation over the next period will focus on how well we enable participation and contribute to consensus building, as well as on the extent to which our work builds community capacity and ultimately influences policy and legislative change.

Outcome 2:

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

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

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

In 2018-19, the Commission assisted over 13,989 people and organisations by providing information about the law and the complaint process, assisting with problem solving and providing referrals to other services.

The Commission provided approximately 24 information/education sessions to stakeholders, professionals, advocates and community groups across Australia.

In 2018-19, the Commission accepted 2,037 complaints of alleged discrimination and breaches of human rights and finalised 2,202 complaints. The Commission conducted approximately 1,396 conciliations processes, of which 1,010 complaints (72%) were successfully resolved.

The Commission website publishes statistics about complaints received and resolved. For more information visit <https://www.humanrights.gov.au/complaints>.

# Annual performance statement for non-financial outcomes

## Outcome 2

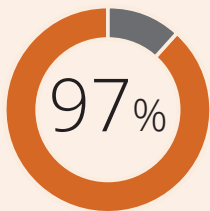
In the 2018–19 period, the Commission exceeded its PBS performance targets as follows:

- Forty-seven per cent of all finalised complaints in the reporting period were conciliated (exceeding our target of 40% by 7%).
- Ninety-eight per cent of complaints were finalised within 12 months (exceeding our target of 85% to be finalised within 12 months of receipt).
- Ninety-four per cent of surveyed parties to complaints reported that they were satisfied with the service provided (exceeding our target of 85%) and 74% rated the service as 'very good' or 'excellent'.
- Ninety-eight per cent of surveyed participants to complaints that were conciliated reported they were satisfied and 83% rated the service as 'very good' or 'excellent'.

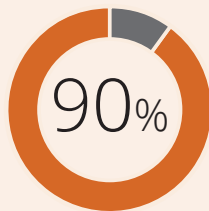
Figure 5:

Levels of satisfaction reported by complainants and respondents in 2018–19

### satisfied



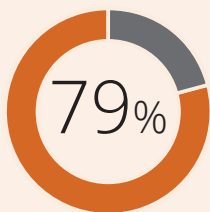
Respondents



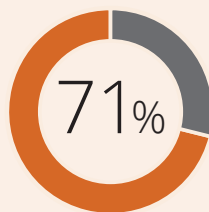
Complainants

“ The service I received on behalf of my son was exceptional. From the time I lodged the complaint to its resolution, the matter was dealt with professionally, promptly and respectfully. Our investigator/mediator was outstanding in her role and I cannot express my gratitude or admiration more highly. ”

### Service was very good or excellent



Respondents



Complainants

“ I was really impressed by the professionalism, knowledge and understanding shown by commission staff. I felt that each side was listened to equally and a great outcome was achieved. ”

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

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

Information on outcomes of unlawful discrimination complaints indicates that, in 2018–19, 30% of conciliation outcomes included terms that benefit the community as well as the individual complainant—noting that a single agreement may contain a number of different terms.

For example, agreements included outcomes such as introducing anti-discrimination policies and providing specialised discrimination training to staff; facilitating participatory design of inaccessible technology; and modifications to the built environment.

## Case studies

### Complaint of disability discrimination under the DDA

The complainant's son is 14 years of age and has autism Spectrum Disorder. He claimed his son was unable to access the respondent aquatic and leisure centre due to consistently high noise levels, which increased his son's anxiety.

On being advised of the complaint, the aquatic and leisure centre indicated a willingness to try to resolve the complaint by conciliation.

The complaint was resolved with an undertaking by the aquatic and leisure centre to trial 'quiet hours' and to publicise these on its website. During quiet hours, the centre would restrict music and announcements, reduce maintenance and operational noise, provide a quiet room for patrons, offer ear plugs for purchase, reduce lighting and not operate water slides/slippery dips. The centre agreed to collect feedback from patrons and staff to assess whether to permanently introduce quiet hours.

### Complaint of sexual orientation discrimination under the SDA

The complainant identifies as homosexual and attended the respondent hotel. He alleged a security guard from the respondent security company, which provides security services for the hotel, required him to leave for no reason and said 'jog on faggot'.

The security guard denied the allegations but both respondents agreed to participate in conciliation to try to resolve the complaint.

The complaint was resolved. In response to the complaint, the hotel and security company revised their policies and training on non-discrimination and complaint handling. The hotel and the security company also undertook to deliver training to staff on non-discrimination in employment and service delivery and to remind staff of potential disciplinary action that could be taken should these expectations be breached.

# Annual performance statement for non-financial outcomes

## Outcome 2

### Performance indicator 2c:

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

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

When the Commission receives a complaint of a breach of human rights or workplace discrimination, we attempt to resolve the complaint through conciliation.

In 2018, following the Commission's investigation into a complaint of discrimination in employment on the basis of criminal record, Redflex Traffic Systems Pty Ltd paid a complainant \$2,500 in compensation and revised its global recruitment and HR policies to better reflect non-discriminatory practice. Jessica Smith had applied for a job with Redflex and was made an offer of employment conditional on her undertaking a criminal history check. Ms Smith told them that the check would return a record of disclosable offences. She was informed by a phone call two months later that the offer had been withdrawn. Ms Smith was convicted of assault occasioning actual bodily harm when she was 19 years old and of possessing marijuana when she was 22 years old. She was 32 years old when she applied for the position with Redflex.

The Commission determined that there was not a sufficient connection between Ms Smith's criminal record and the inherent requirements of the role. Further, it found that Redflex's failure to contact Ms Smith and inquire into the circumstances of the offences, or any subsequent rehabilitation, meant that Redflex did not have the information necessary to undertake a sufficiently comprehensive and individualised assessment of Ms Smith's suitability for the position. Redflex accepted the Commission's recommendations and was commended by the President for its response to the findings of the inquiry.

If conciliation is unsuccessful or inappropriate and we find that there has been a breach of human rights or that a matter amounts to workplace discrimination, then we may prepare a report of the complaint for the Attorney-General. Since April 2017, when reforms to the Commission's legislation came into effect, reports may be tabled at the discretion of the Minister.

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

#### Guidelines

The Commission can issue guidelines under discrimination laws to assist the community to understand the law and provide examples of how to best to comply with it. In this period Commissioner Jenkins released an updated version of the Commission's guidelines for the use of special measures under the *Sex Discrimination Act 1984* (Cth).

In addition, the Commission developed the following two guidelines in partnership with major sporting organisations in Australia.

#### Guidelines for the promotion of equal opportunity for women and girls in golf

Most golf clubs in Australia offer women and girls opportunities to play and compete; however, frequently men are given greater opportunities purely because of their gender. For example, many clubs only hold competitions for women and girls on weekdays or require women to meet criteria that do not apply to men in order to be able to play on a weekend.

The Commission developed 'Guidelines for the promotion of equal opportunity for women and girls in golf' (Golf Guidelines) to assist clubs to ensure they meet their legal obligations and are gender inclusive—a hallmark of Golf Australia's 'Vision 2025: The Future of Women & Girls in Golf' strategy.

The Golf Guidelines were developed through an extensive consultation process that included a series of roundtables in Melbourne and Sydney and individual discussions with interested parties. Those who participated in the consultations included golf club administrators and board members, executives from state golfing peaks and women and men golfers.

Launched in March 2019, the guidelines were rolled out by Golf Australia to 1,600 clubs. The launch generated extensive and positive media coverage, including strong regional coverage, helped by the prominence of golf as a sport in regional Australia.

Many clubs across Australia have since made changes reflecting the Golf Guideline's equal opportunity principles, for example:

'In an attempt to provide equal opportunities for its male and female members, Newcastle Golf Club has voted to adopt a new Club Constitution. This has transformed its membership structure so that all active playing members fall under a full 7-Day membership category which gives the majority of female members increased access to the golf course. The new Club Constitution provides a great framework to govern the Club in a modern and progressive manner.'

—abridged Golf Australia News article, 19 June, [www.golf.org.au](http://www.golf.org.au)

## Guidelines for the inclusion of transgender and gender diverse people in sport

These Guidelines were developed in partnership with Sport Australia and the Coalition of Major Professional and Participation Sports. Members include the Australia Football League, Rugby AU, Cricket Australia, Football Federation Australia, the NRL, Netball Australia and Tennis Australia.

The Guidelines provide information about the operation of the *Sex Discrimination Act 1984* (Cth) in relation to: unlawful and permissible discrimination on the basis of sex and gender identity; sexual harassment and victimisation. They also provide practical guidance for promoting inclusion in line with fundamental human rights-based principles: equality; participation in sport; freedom from discrimination and harassment; and privacy.

The Guidelines for the inclusion of transgender and gender diverse people in sport were developed using a similar process to the Golf Guidelines. Over 100 individuals and organisations were consulted through a series of roundtables and individual discussions. Those who participated in the consultations included national sporting organisations, state sporting organisations, government sports and recreation departments, player associations, non-government organisations, other human rights agencies, academics, legal advisers, medical experts and athletes.

# Annual performance statement for non-financial outcomes

## Outcome 2

### Analysis—Outcome 2

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

The NIS and ICS increase community knowledge and awareness of rights and responsibilities and facilitate a complaint handling process that can lead to systemic outcomes as well as outcomes specific to the needs and interests of individual parties. This is particularly effective where there are ongoing relationships between the parties, as is often the case in employment, education and service-related complaints.

In 2018–19, the ICS has continued to implement the legislative amendments to the *Australian Human Rights Commission Act 1986* (Cth) that came into effect on 13 April 2017. In conjunction with successfully implementing the new legislative requirements, which include a mandatory preliminary consideration as to whether there is an appropriate reason to terminate a complaint without inquiry, the ICS has also been concentrating on streamlining complaint-handling systems. A particular focus of the ICS has been on progressing complaints that are assessed as being appropriate for priority allocation and resolution. Initial success with this approach has contributed to a reduction in overall complaint timeframes from an average of 4.6 months (in 2017–18) to 4.2 months in 2018–19.

In 2018–19, 1,010 complaints were resolved; this represents successful dispute resolution for over 2,020 individuals and organisations. The Commission achieves these outcomes through an investigation and conciliation process which, if successful, avoids the need for lengthy and potentially costly court processes. Information provided to the Commission indicates that only 2% of the complaints alleging unlawful discrimination that were finalised by the Commission in 2018–19 proceeded to court.

Continued improvements to our service delivery have enabled the ICS to consistently exceed PBS targets in terms of timeliness, outcomes and service user satisfaction.



# An environmentally sustainable workplace

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

In 2018–19 we continued to mitigate the effects of our impact on the environment by:

- implementing an Electronic Document Record Management System (EDRMS), allowing the Commission to transition to digital recordkeeping by the end of 2019
- using Skype for Business facilities to reduce air and road travel
- building on the establishment of our paperless record management system for the Investigation and Conciliation Service
- implementing an enterprise resource management system to facilitate paperless management of corporate operations
- participating in Earth Hour
- switching off all non-essential electronic equipment during the Christmas and New Year shutdown and ensuring all non-essential room air conditioning units are timed to switch off when room is not in use
- utilising facilities, through our lease with Dexus, which support staff to ride and walk to work
- participating in our building's sustainable waste management system which promotes recycling.



Outcome 3:

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

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

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

Our human rights scrutiny and parliamentary committee work is led by the Commission's President. We are an active contributor to parliamentary processes, seeking to ensure that our expertise on human rights matters is applied to matters under consideration by the Parliament, and provide a persuasive voice in scrutinising proposed laws and policies with a particular focus on Australia's international human rights obligations.

### **Submissions**

This year, the Commission made 39 submissions to parliamentary committees, government inquiries and United Nations processes—providing specialist, independent policy and legal analysis of the human rights impact of current and proposed laws and on public policy issues. Of these submissions, 24 were made to parliamentary committees and other legislative review processes.

We evaluate the impact the Commission's submission work has on law and policy by monitoring appearances before committees and inquiries and examining the extent to which any recommendations we make are reflected in any reports.

These data help demonstrate the extent to which the Commission's contributions influence public debate on proposed laws and policies and provides valuable input to inquiries into social policy issues. In this period:

- eighty per cent of the available reports cited our submissions
- Commissioners appeared ten times at inquiry hearings, reflecting the value of the Commission's contributions
- the value of the Commission's input to parliamentary committee and other legislative review processes has been publicly noted by a number of those bodies.

For example:

In an appearance before the Senate's Legal and Constitutional Affairs Legislation Committee in February 2019, Committee Chair, Senator Ian Macdonald, noted:

'As always, we very much appreciate the Human Rights Commission. This committee and the Human Rights Commission are almost indivisible at times ... thank you for your help to the committee.'

—Hansard transcript,  
7 February 2019

The Independent National Security Legislation Monitor, Dr James Renwick SC, in a speech at the Lowy Institute in June 2019 discussing his mandate and current inquiries, said that he finds the Commission's contributions to be 'of enormous assistance'. He further wrote that he was

'grateful for the [Commission's] explanation of the relevant principles in relation to Australia's obligations under international human rights law in preparing [his] November 2018 report to the Prime Minister on the prosecution and sentencing of children for terrorism.'

# Annual performance statement for non-financial outcomes

## Outcome 3

### Case study:

### Submission to the Parliamentary Joint Committee on Intelligence and Security review of the Counter-Terrorism (Temporary Exclusion Orders) Bill 2019

Introduced in February 2019, this Bill proposed a new scheme for the making of 'temporary exclusion orders' that could exclude an Australian citizen from entering Australia for a period of up to two years. The scheme would have required the Minister to give a return permit to an affected person if they applied, but this could be subject to onerous conditions—including prohibiting the person's return for another 12 months.

The Commission expressed serious concerns about the Bill's compatibility with a number of fundamental human rights and freedoms, including the rights to enter one's own country, privacy, freedom of movement, as well as upon the best interests of children, in cases where they may be affected.

In both its written submission and in an appearance before the Committee, the Commission raised concerns including:

- the lack of oversight by a court or other independent body
- the lack of a requirement that the Minister notify a person subject to an order—particularly because criminal liability could attach to the violation of an order
- the relatively low threshold for attaching conditions to a permit (i.e. the satisfaction of the Minister, rather than, for example, the civil standard)
- the absence of a requirement for a conviction before the Minister could exercise their powers
- the absence of any periodic review or independent oversight of the application and operation of the powers.

The Commission recommended the Bill not be passed, or, if that were not accepted, that the Bill be amended significantly better to protect human rights.

The Committee adopted many of the Commission's recommendations, incorporating these in its Advisory Report. Among other things, the Committee recommended:

- amending the Bill to require a temporary exclusion order to be issued by an 'issuing authority' (being a judge, retired judge or a senior member of the Administrative Appeals Tribunal)
- amending the Bill so that in any prosecution for a violation of a temporary exclusion order it is proven that the person had knowledge of the existence of the order
- raising the threshold for the making of a temporary exclusion order by limiting the circumstances on which the Minister could make an order on the basis of a reasonable suspicion
- that the Independent National Security Legislation Monitor and the Committee monitor and review the operation of the scheme.

**Performance indicator (and PBS target) 3b:**

**Major reports and national inquiries lead to increased understanding of human rights**

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

**Immigration detention and asylum seeker program**

The Commission undertakes a program of work on issues facing asylum seekers and refugees, led by the Human Rights Commissioner. This involves an annual visit program to immigration detention centres, engagement with Parliament on legislative review of the Migration Act and related laws, and the conduct of thematic research projects on asylum seeker policy.

In addition, the President handles complaints under the AHRC Act relating to the International Covenant on Civil and Political Rights (ICCPR) and Convention on the Rights of the Child (CRC). This regularly includes complaints from people in immigration detention or community detention arrangements.

The Commission maintains regular contact with the Government on these issues, with high-level quarterly meetings with officials from the Department of Home Affairs and the Border Force.

A significant focus of work in 2018–19 has been on procedures relating to the use of force in immigration detention centres and the risk management framework in place for decision-making about people who are in immigration detention.

The Commission's President investigated complaints under the AHRC Act relating to use of force, and the Human Rights Commissioner focused inspection visits to immigration detention facilities on risk management issues.

The Commission will deliver reports on both of these activities in 2019.

**Children's rights: Kids Rights Survey and Children's rights report to the United Nations**

Commissioner Mitchell's goal to elevate the voice and participation children in human rights was exemplified this year in the 2018 Children's Rights Poll (also known as the Kids Rights Survey).

The Poll was developed by the Commission with University of Melbourne and ABC's 'Behind the News' program. A key feature was using co-design principles so that the survey was developed with the input of children themselves. The Commissioner worked with children from two schools using class-based workshops to ensure the survey would reflect how young people want to talk about their rights.

The Poll asked all children and young people—aged 17 and under—how they feel about growing up in Australia, what rights are important to them and how easy it is for them to access necessities like medicine and school. It received an unprecedented response, with 22,700 children aged 6–17 years completing the poll.

The results were released in September 2018 with Commissioner Mitchell returning to the co-design schools to report to them directly on the results.

The results of the poll informed the Commission's engagement with the UN Committee on the Rights of the Child about Australia's progress in meeting its international law obligations.

# Annual performance statement for non-financial outcomes

## Outcome 3

The Commission made a comprehensive submission to the Committee for the forthcoming examination of Australia's periodic review of progress in implementing the treaty. In January 2019, the Children's Commissioner also addressed the Committee in Geneva, including by highlighting the key issues identified by Australia's children.

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

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

#### **Review into residential colleges at the University of New England**

In this period, Commissioner Jenkins released a review into the seven residential colleges at the University of New England (UNE). The Commission was engaged by UNE to undertake an independent review to develop a comprehensive understanding of the culture at each of the seven UNE colleges, specifically attitudes towards women, the factors that contribute to the risk of sexual assault and sexual harassment in UNE colleges, and barriers to reporting.

The review is an indicator of the impact of the Commission's 2017 release of 'Change the course: National report on sexual assault and sexual harassment at Australian universities'—as this report recommended that universities with residential colleges and university residences should commission an independent, expert-led review of the factors which contribute to sexual assault and sexual harassment in these settings.

#### **Employing Older Workers 2018 research report**

One of Commissioner Patterson's term goals is to implement recommendations relating to older workers from the Commission's 2016 'Willing to Work' report.

A major focus in this area is a collaboration with the Australian Human Resources Institute (AHRI) on older worker issues. In this period, the Employing Older Workers research report was published.

This report is based on a survey of over 900 AHRI members conducted July to August 2018. Similar surveys were conducted in 2012 and 2014 by AHRI in association with the Commission, which allows for longitudinal comparisons.

Key findings include that up to 30% of Australian employers were still reluctant to hire workers over a certain age, and for more than two-thirds of this group, that age was over 50. Despite this, the trend overall indicates an increase in respondents reporting 'definitely no' reluctance to employ older workers (28% in 2018, up from 8% in 2014).

Since its release, the report has been cited by media outlets and commentators.

It has increased awareness of discrimination towards older workers in the human resources community as well as in the wider community. AHRI have also advised us that it has had an impact on the practices of human resources professionals.

The Commission is using the results to inform future joint research with AHRI as well as the development of tailored training modules for use by human resources professionals, recruiters and line managers.

## Analysis—Outcome 3

Some of the Commission's major projects in 2018–19 have been discussed under Goal 1 to which they also contribute. For example, in the next year we will release final reports from our National Inquiry into Sexual Harassment in the Workplace, Human Rights and Technology project, Wiyi Yani U Thangani (Women's Voices) and our Free and Equal project.

Each of these projects have received widespread attention in Australia and overseas, with significant interest in our forthcoming findings.

A key element of our work is 'walking the talk' in how we conduct community engagement. Our children's rights work directly engages children, including in the design of key activities, and our engagement with Indigenous women and girls has involved significant advisory support from Indigenous women as well as extensive place-based consultations.

The Commission also ensures that it routinely engages with parliamentary committees and the courts, even on issues that are difficult or highly politicised. We regularly receive feedback about the valuable contribution that we make through this engagement in highlighting the potential human rights impact of legislation in a manner that is apolitical.

This work is particularly important as the pace at which some parliamentary inquiries are conducted means that there can often be only a few human rights-focused submissions received. Many of these are on issues that are complex and yet highly significant in their potential impact on everyday Australians. For example, the Commission is one of few regular submitters of information on national security and counter-terrorism legislation, immigration and asylum seeker legislation and emerging issues such as encryption.

Outcome 4:

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

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

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

Human rights education is one of the Commission's statutory functions. Our human rights education and training strategy is led by President Croucher. This work seeks to increase understanding about human rights, and to lay the foundations for positive change in attitudes and behaviour among students and employers/employees (government and private).

We do this by developing and promoting resources for schools, by developing and delivering training programs and by collaborating with organisations to develop and deliver their own training programs.

## **School Education Resources**

The Commission's approach to school education resources is to ensure they are free, easy to download and meet teachers' needs by being mapped to the Australian curriculum and developed by human rights and teaching experts. This means schools, parents, students, teachers and the broader community can trust the information is factual and clear, while appropriate and engaging for young people.

In this period, we completed and released our suite of school resources, 'The Story of our Rights and Freedoms'. The series is designed to assist students in building a critical understanding of human rights and responsibilities, and to develop the knowledge, attitudes and skills to apply human rights in everyday life.



They are mapped to the Australian Curriculum for History and Civics and Citizenship for years seven through to ten. The resources introduce students to the concept of human rights and explore the important relationship between fundamental rights and personal responsibilities. They comprise a set of videos and more than a hundred lesson plans mapped to curriculum learning objectives for the target years. The resources were launched at the National Future Schools Conference and Expo on 21 March 2019.

A second resource release was the 'Rights and Freedoms Calendar'. The Calendar is designed to connect and compliment the Commission's existing education materials with interactive lessons that are directly linked to the Australian curriculum.

Released in the year that celebrated the 70<sup>th</sup> anniversary of the Universal Declaration of Human Rights, the calendar provides the historical context of the genesis of United Nations' declarations and treaties, how they apply to Australia and how they have been applied in Australia's human rights journey.

### **Public service training programs**

Public servants play a unique role in ensuring that the government exercises its positive duty to protect human rights. Every decision they make—from delivering services to drafting legislation—has the potential to affect the human rights of the general public. For this reason, it is essential that public servants are educated about human rights, and the role they play in protecting them.

In this period, we continued our program to provide targeted face-to-face training for public servants aiming to help government employees to understand and apply human rights frameworks in their day-to-day work.

An example is our collaboration with the NSW Department of Family and Community Service (FACS) to develop and deliver disability awareness training and, more recently, older worker awareness training to FACS staff. Evaluations of both training programs show the Commission is delivering engaging training with the majority of participants experiencing immediate outcomes of increased knowledge, understanding and ability. These outcomes are more likely to be sustained as NSW FACS is undertaking this training as part of a wider NSW government commitment to the National Disability Insurance Scheme and its own NSW Ageing Strategy 2016–2020.

### **Upholding the Rights of People with Disability: NSW FACS graduates**

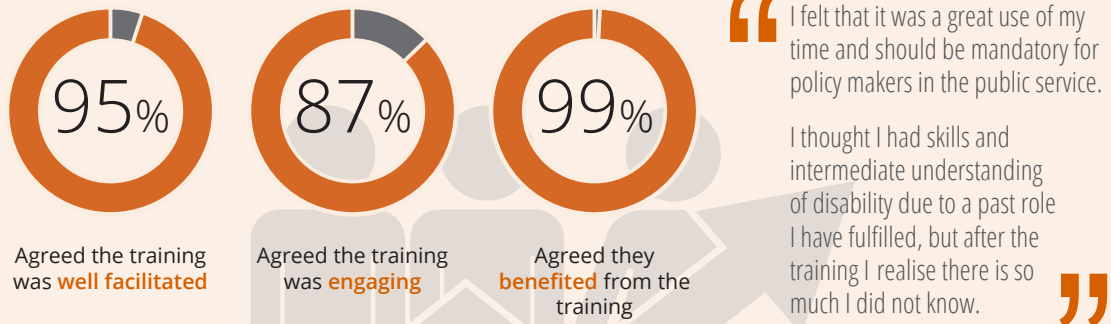
Under this initiative and in this reporting period, the Commission delivered 12 workshops reaching and training 168 graduate participants. 155 participants completed our evaluation survey. Analysis of the feedback indicates that most of the respondents were satisfied with the training quality and developed new knowledge and skills in relation to the learning objectives as Figure 6 illustrates.

Interest in our training is increasing. In this period, we commenced a program with the Sydney Inner West Council, to tailor and deliver training to personnel working in disability and access areas for the council.

# Annual performance statement for non-financial outcomes

## Outcome 4

Figure 6:  
Snapshot of the survey results



### Understanding of the Australian and NSW disability policy frameworks

Before training  
**24%** rated this as high

Afterwards  
**78%** rated this as high

### Ability to plan for access and inclusion in project and policy work

Before training  
**31%** rated this as high

Afterwards  
**86%** rated this as high

### Upholding the rights of older workers: NSW FACS managers training and awareness campaign

This is a newer initiative with FACS, scheduled to deliver ten half-day workshops targeting FACS managers, including three regional workshops. In this period:

- The training package was developed—which included drawing on the attitudinal data from the ‘Employing Older Workers 2018’ research report (see indicator 3b). The first two workshops were also delivered to 26 participants.

- The Commission developed and released an awareness package with FACS: *Multigenerational workforces: a guide to the rights of older workers under the Age Discrimination Act 2004 (Cth)*.

Early results from the participant evaluation survey, indicate that respondents find the training engagingly delivered and effective in building their awareness of what an age friendly workplace is, and that it builds their confidence to contribute to age friendly approaches in their own workplace.

Figure 7:

## Snapshot of the survey respondent feedback from this reporting period



Note: from 1 July 2019, FACS has changed name to the Department of Communities and Justice.

### RightsApp

An increasing focus of our work is to harness information technology to enable more people to access relevant and accessible human rights information.

In this period, we updated our iOS RightsApp and released an Android version. RightsApp is a quick reference tool that supports individuals to know their rights and assists businesses, employers and community groups to check their obligations under international human rights law. Developed in partnership with LexisNexis®, RightsApp is the world’s first mobile application that allows users to quickly and easily search international human rights conventions and declarations by topic and right.

RightsApp provides a guide to international human rights law, containing the full text of the Universal Declaration of Human Rights, ten other major international human rights treaties and agreements, and the corresponding optional protocols. In addition to containing the text of some of the world’s most important international human rights treaties and agreements, it also contains signatory information and relevant UN committees’ general comments.

The information in the app is universal—it has been downloaded from all over the world. As part of the Commission’s education and technical cooperation work in Vietnam, a version of the app is in development in Vietnamese.

# Annual performance statement for non-financial outcomes

## Outcome 3

### **Performance indicator (and PBS target) 4c:**

#### **Participation in the investigation and conciliation process results in increased understanding of rights and responsibilities in the law**

In 2018–19, 80% of surveyed participants in conciliated complaints reported having an increased understanding of human rights and responsibilities.

### **Performance indicator 4d:**

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

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

In this reporting period, the Commission continued human rights technical co-operation programs (HRTCPs) with China and Laos, and developed a program of work in Vietnam focused on building the human rights capacity and knowledge of key actors including public servants, schoolteachers and those in the private sector.

### **China-Australia 2017–21 Human Rights Technical Cooperation Program**

The Australia-China HRTCP was established in 1998 following the first Australia-China Human Rights Dialogue in 1997. Since its commencement, the HRTCP has been implemented through a partnership between DFAT, the Commission and the Government of the People's Republic of China Ministry of Foreign Affairs.

The HRTCP is fundamentally underpinned by the view that by working together, and by exchanging views and approaches, the most effective elements of human rights protection, promotion and administration will develop and prosper. Collaboration, identifying shared priorities, and fostering mutual respect and trust are integral aspects of working towards this purpose. The goal is for Australia and China to collaborate on shared priorities to advance human rights reform in China and apply human rights principles and practices.

The Commission worked with nine implementing partners in China to implement 21 activities over an 18-month period including 2018–19. A range of activities were undertaken including study visits, capacity building workshops, research and policy development. Although the HRTCP has not been designed from a thematic perspective, the priorities of HRTCP partners are highly complementary of each other and naturally fall into three key areas: women's rights, children's rights and access to justice. During this reporting period, the Commission has:

- developed trusting and mutually respectful relationships with Chinese partners
- increased understanding amongst partners of human rights principles and practices

- assisted in the development of research to deepen understanding, inform practice and policy
- increased dialogue and co-operation between Australian officials and officials from a range of Chinese agencies.

In addition, the Commission organised an Annual Reflections Workshop which provided an opportunity for partners to reflect on program implementation and share lessons and learnings with other partners.

### **2017–21 Lao PDR-Australia Human Rights Technical Cooperation Program**

The Lao PDR-Australia HRTCP is designed to improve the Government of Lao-PDR (GoL)'s knowledge of its human rights responsibilities and obligations. In this period, the second year of the HRTCP was completed with the successful implementation of six activities focused on strengthening the GoL's Universal Periodic Review (UPR) process. Activities included training workshops, civil society consultations and the development of technical support resources.

A significant progress indicator is the Commission's relationship with the key implementing partner, the Department of Treaties and Law. This has been strong and positive throughout the 2018–19 year and trust between partners continues to deepen and grow. The activities implemented have been valuable and overall feedback received from all stakeholders has been that the activities have had positive impacts, that are contributing to the program objectives.

### **Analysis—Outcome 4**

A key strategic aim and a pillar of our national conversation project is ensuring that more people understand human rights and are able to protect them.

In recent years we have been growing our internal capability to share our human rights expertise, particularly through conducting training, developing online resources and delivering technical co-operation activities within the Asia-Pacific region.

We maintain a pool of qualified educational trainers (undertaking Certificate IV level qualifications) and have begun implementation of an online learning management system as an accessible electronic portal for our training resources.

We conduct evaluation of all training and technical assistance workshops and programs. The results of this consistently show that we have built capacity and knowledge through our activities, with pre- and post-workshop surveys showing immediate increases in the knowledge and skills of individuals attending.

The challenge is for us to build capacity beyond individual workshop attendees. To this end, we have entered into partnerships with organisations to build capacity across their organisations more broadly by embedding human rights practices into their work. This model is demonstrated by our work with the NSW Department of Family and Community Services and our ongoing collaboration with the Australian Defence Force.

Our main barrier to further effectiveness is resourcing. Without dedicated funding to grow our human rights education program, we focus on ensuring that the resources that we develop for one purpose can be re-purposed for a broader audience, while also ensuring their availability and accessibility.

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## INDEPENDENT AUDITOR'S REPORT

### To the Attorney-General

#### Opinion

In my opinion, the financial statements of the Australian Human Rights Commission ('the Entity') for the year ended 30 June 2019:

- (a) comply with Australian Accounting Standards – Reduced Disclosure Requirements and the *Public Governance, Performance and Accountability (Financial Reporting) Rule 2015*; and
- (b) present fairly the financial position of the Entity as at 30 June 2019 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 statements as at 30 June 2019 and for the year then ended:

- Statement by the Accountable Authority and Chief Finance Officer;
- Statement of Comprehensive Income;
- Statement of Financial Position;
- Statement of Changes in Equity;
- Cash Flow Statement; 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* (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 – Reduced Disclosure Requirements and the rules made under the Act. The President is also responsible for such internal control as the President 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 President 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 President is also responsible for disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the assessment indicates that it is not appropriate.

### **Auditor's responsibilities for the audit of the financial statements**

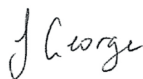
My objective is to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that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

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

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

I communicate with 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



Jodi George

Executive Director

Delegate of the Auditor-General

Canberra

20 September 2019





**Australian  
Human Rights  
Commission**

### STATEMENT BY THE ACCOUNTABLE AUTHORITY AND CHIEF FINANCE OFFICER

In our opinion, the attached financial statements for the year ended 30 June 2019 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.



Emeritus Professor Rosalind Croucher AM  
President and Accountable Authority

20 September 2019



Darrell Yesberg FCPA  
Chief Finance Officer

20 September 2019

# Statement of Comprehensive Income

for the period ended 30 June 2019

	Notes	2019 \$'000	2018 \$'000	Original Budget \$'000
<b>NET COST OF SERVICES</b>				
<b>Expenses</b>				
Employee Benefits	1.1A	19,198	16,518	17,345
Suppliers	1.1B	7,883	7,607	5,629
Depreciation and Amortisation	2.2A	910	820	738
Write-Down and Impairment of Assets	1.1C	2	-	-
<b>Total expenses</b>		<b>27,994</b>	24,945	23,712
<b>Own-Source Income</b>				
<b>Own-source revenue</b>				
Rendering of Services	1.2A	8,683	6,922	4,854
Interest	1.2B	198	194	250
Other Revenue	1.2C,D	1,186	1,098	985
<b>Total own-source revenue</b>		<b>10,067</b>	8,214	6,089
<b>Gains</b>				
Other Gains	1.2E	33	2	46
<b>Total gains</b>		<b>33</b>	2	46
<b>Total own-source income</b>		<b>10,100</b>	8,216	6,135
<b>Net cost of services</b>		<b>(17,894)</b>	(16,729)	(17,577)
Revenue from Government	1.2F	16,709	14,391	16,184
<b>Deficit attributable to the Australian Government</b>		<b>(1,185)</b>	(2,338)	(1,393)
<b>OTHER COMPREHENSIVE INCOME</b>				
<b>Items not subject to subsequent reclassification to net cost of services</b>				
Changes in asset revaluation surplus		-	81	-
<b>Total other comprehensive income</b>		<b>-</b>	81	-

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

## Budget Variances Commentary – Statement of Comprehensive Income

The major variances are primarily the result of new and extended partnership arrangements with other organisations for the delivery of services on joint projects that were not known at the time of original budget preparation. These arrangements generate own-source income from service fees and direct cost recoveries resulting in revenue from the rendering of services and supplier expenditure variances. Increased staffing and operational expenditure can be attributed to the delivery of services under these agreements. Increased depreciation expense is due to major system implementations during the period and fit out modifications. Further commentary is included on the Statement of Financial Position. Commentary on the operating deficit is included on the Statement of Changes in Equity.

# Statement of Financial Position

as at 30 June 2019

	Notes	2019 \$'000	2018 \$'000	Original Budget \$'000
<b>ASSETS</b>				
<b>Financial assets</b>				
Cash	2.1A	6,942	9,435	3,449
Trade and Other Receivables	2.1B	1,541	823	1,512
<b>Total financial assets</b>		<b>8,482</b>	10,258	4,961
<b>Non-financial assets</b>				
Infrastructure, Plant and Equipment	2.2A	1,508	2,182	1,627
Intangibles	2.2A	931	379	373
Other Non-Financial Assets	2.2B	174	245	243
<b>Total non-financial assets</b>		<b>2,613</b>	2,806	2,243
<b>Total assets</b>		<b>11,095</b>	13,064	7,204
<b>LIABILITIES</b>				
<b>Payables</b>				
Suppliers	2.3A	1,410	1,626	1,106
Other Payables	2.3B	3,742	4,117	364
<b>Total payables</b>		<b>5,152</b>	5,743	1,470
<b>Non-interest bearing liabilities</b>				
Lease Incentives	2.4A	1,223	1,768	1,180
<b>Total interest bearing liabilities</b>		<b>1,223</b>	1,768	1,180
<b>Provisions</b>				
Employee Provisions	4.1A	3,677	3,278	3,357
Other Provisions	2.5A	-	48	55
<b>Total provisions</b>		<b>3,677</b>	3,326	3,412
<b>Total liabilities</b>		<b>10,053</b>	10,837	6,062
<b>Net assets</b>		<b>1,042</b>	2,227	1,142
<b>EQUITY</b>				
Contributed equity		2,511	2,511	2,511
Reserves		465	465	385
Accumulated Results		(1,934)	(750)	(1,754)
<b>Total equity</b>		<b>1,042</b>	2,227	1,142

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

## Statement of Financial Position (continued)

as at 30 June 2019

### **Budget Variances Commentary – Statement of Financial Position**

The major variances are cash, intangibles and supplier payables. The increased cash balance reflects the new and extended partnership agreements where full upfront payment is received prior to the delivery of services. Intangibles reflects implementation of the Commission's new Enterprise Resource Planning, Electronic Document Records Management and Learning Management systems. These implementations were not confirmed at the time of the original Budget. Supplier payables can be attributed to the increased operational expenditure under new and extended partnership agreements. Commentary on equity variances is included on the Statement of Changes in Equity.

## Statement of Changes in Equity

for the period ended 30 June 2019

	Notes	2019 \$'000	2018 \$'000	Original Budget \$'000
<b>CONTRIBUTED EQUITY</b>				
<b>Opening balance</b>				
Balance carried forward from previous period		2,511	2,511	2,511
<b>Closing balance as at 30 June</b>		<b>2,511</b>	2,511	2,511
<b>RETAINED EARNINGS</b>				
<b>Opening balance</b>				
Balance carried forward from previous period		(750)	1,588	(361)
<b>Comprehensive income</b>				
Deficit for the period		(1,185)	(2,338)	(1,393)
<b>Total comprehensive income</b>		<b>(1,185)</b>	(2,338)	(1,393)
<b>Closing balance as at 30 June</b>		<b>(1,935)</b>	<b>(750)</b>	<b>(1,754)</b>
<b>ASSET REVALUATION RESERVE</b>				
<b>Opening balance</b>				
Balance carried forward from previous period		466	385	385
<b>Comprehensive income</b>				
Other comprehensive income		-	81	-
<b>Total comprehensive income</b>		<b>-</b>	<b>81</b>	<b>-</b>
<b>Closing balance as at 30 June</b>		<b>466</b>	466	385
<b>TOTAL EQUITY</b>				
<b>Opening balance</b>				
Balance carried forward from previous period		2,227	4,484	2,535
<b>Comprehensive income</b>				
Deficit for the period		(1,185)	(2,338)	(1,393)
Other comprehensive income		-	81	-
<b>Total comprehensive income</b>		<b>(1,185)</b>	<b>(2,257)</b>	<b>(1,393)</b>
<b>Transactions with owners</b>				
Contributions by owners		-	-	-
<b>Total transactions with owners</b>		<b>-</b>	<b>-</b>	<b>-</b>
<b>Closing balance as at 30 June</b>		<b>1,042</b>	<b>2,227</b>	<b>1,142</b>

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

## Statement of Changes in Equity (continued)

for the period ended 30 June 2019

### Accounting Policy

#### *Equity Injections*

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

### Budget Variances Commentary – Statement of Changes in Equity

The major variance is due to a lower than estimated operating deficit for the period. The operating result is a reflection of the increased own-source revenue from new and extended partnership agreements and related operational expenditure that were unknown at the time of preparing the original Budget.

## Cash Flow Statement

for the period ended 30 June 2019

	Notes	2019 \$'000	2018 \$'000	Original Budget \$'000
<b>OPERATING ACTIVITIES</b>				
<b>Cash received</b>				
Appropriations		-	-	16,184
Receipts from Government		16,709	14,391	-
Sales of goods and rendering of services		8,637	8,466	3,790
Interest		198	179	250
GST received		183	326	150
<b>Total cash received</b>		<b>25,727</b>	23,362	20,374
<b>Cash used</b>				
Employees		(18,799)	(16,431)	(17,342)
Suppliers		(8,637)	(8,921)	(6,718)
<b>Total cash used</b>		<b>(27,436)</b>	(25,352)	(24,060)
<b>Net cash from operating activities</b>		<b>(1,709)</b>	(1,990)	(3,686)
<b>INVESTING ACTIVITIES</b>				
<b>Cash used</b>				
Purchase of property, plant and equipment		(99)	(196)	(326)
Purchase of intangibles		(685)	(97)	-
<b>Total cash used</b>		<b>(784)</b>	(293)	(326)
<b>Net cash used by investing activities</b>		<b>(784)</b>	(293)	(326)
<b>Net decrease in cash held</b>		<b>(2,493)</b>	(2,283)	(4,012)
Cash and cash equivalents at the beginning of the reporting period		9,435	11,718	7,461
<b>Cash and cash equivalents at the end of the reporting period</b>	2.1A	<b>6,942</b>	9,435	3,449

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

### Budget Variances Commentary – Cash Flow Statement

The major variances are the result from new and extended partnership agreements and the recognition of own-source revenue and related operational expenditure. These agreements were unknown at the time of preparing the original Budget. Investing activities reflect the systems implementations as outlined on the Statement of Financial Position.

# Notes to and forming part of the financial statements

for the period ended 30 June 2019

## Overview

### Objectives of the Entity

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

The Commission is structured to meet the following outcome:

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

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

### The Basis of Preparation

The financial statements are general purpose financial statements and are required by section 42 of the *Public Governance, Performance and Accountability Act 2013*.

The financial statements have been prepared in accordance with:

- a) *Public Governance, Performance and Accountability (Financial Reporting) Rule 2015* (FRR); and
- b) Australian Accounting Standards and Interpretations – Reduced Disclosure Requirements issued by the Australian Accounting Standards Board (AASB) that apply for the reporting period.

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

### New Accounting Standards

#### *Adoption of New Australian Accounting Standard Requirements*

No accounting standard has been adopted earlier than the application date as stated in the standard.

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



## Notes to and forming part of the financial statements (continued)

for the period ended 30 June 2019

### Overview (continued)

#### Future Australian Accounting Standard Requirements

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

Standard/ Interpretation	Application date for the Commission	Nature of impending change/s in accounting policy and likely impact on initial application
AASB 15 Revenue from Contracts with Customers	1 July 2019	AASB 15 contains a single model that applies to contracts with customers and two approaches to recognising revenue: at a point in time or over time.
AASB 2014-5 Amendments to Australian Accounting Standards arising from AASB 15		The model features a contract-based five-step analysis of transactions to determine whether, how much and when revenue is recognised.
AASB 2015-8 Amendments to Australian Accounting Standards – Effective Date of AASB 15		Depending on the nature of the transaction and the Commission's current policy, the new Standard may have a significant impact on the timing of the recognition of revenue. Final outcome will need to be considered once the related Income for NFP project is completed.
AASB 16 Leases	1 July 2019	<p>AASB 16 removes the classification of leases as either operating leases or finance leases – for the lessee – effectively treating all leases as finance leases. AASB 16 requires a lessee to recognise assets and liabilities for all leases with a term of more than 12 months, unless the underlying asset is of low value. A lessee is required to recognise a right-of-use asset representing its right to use the underlying leased asset and a lease liability representing its obligations to make lease payments.</p> <p>AASB 16 requires enhanced disclosures for both lessees and lessors to improve information disclosed about an entity's exposure to leases.</p> <p>The property lease will create a right of use asset and lease liability for the Commission. The Commission only has one lease that meets the criteria of AASB 16 for the recognition as right of use assets and associated liabilities. This will impact the value of assets and liabilities, and potentially increase expenses and the value of depreciation.</p>

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

#### Taxation

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

#### Events After the Reporting Period

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

# Notes to and forming part of the financial statements (continued)

for the period ended 30 June 2019

## 1. Financial Performance

This section analyses the financial performance of the Australian Human Rights Commission for the period ended 2019.

### 1.1 Expenses

	2019 \$'000	2018 \$'000
<b>1.1A: Employee Benefits</b>		
Wages and salaries	15,029	12,998
Superannuation		
Defined contribution plans	1,627	1,372
Defined benefit plans	702	670
Leave and other entitlements	1,667	1,299
Separation and redundancies	5	16
Other employee expenses	168	163
<b>Total employee benefits</b>	<b>19,198</b>	<b>16,518</b>
<b>Accounting Policy</b>		
Accounting policies for employee related expenses is contained in the People and Relationships section.		
<b>Goods and services supplied or rendered</b>		
General property operating expenses	1,001	941
Insurance	52	38
Office consumables	55	68
Official travel	1,079	1,133
Postage and freight	15	16
Printing and publications	102	84
Professional services and fees	1,967	2,128
Reference materials, subscriptions and licenses	736	474
Staff training	105	83
Telecommunications	97	107
Other	415	375
<b>Total goods and services supplied or rendered</b>	<b>5,623</b>	<b>5,447</b>
Goods supplied	157	152
Services rendered	5,466	5,296
<b>Total goods and services supplied or rendered</b>	<b>5,623</b>	<b>5,447</b>
<b>Other suppliers</b>		
Operating lease rentals in connection with		
Minimum lease payments	2,236	2,132
Workers compensation expenses	25	28
<b>Total other suppliers</b>	<b>2,260</b>	<b>2,160</b>
<b>Total suppliers</b>	<b>7,883</b>	<b>7,607</b>

## Notes to and forming part of the financial statements (continued)

for the period ended 30 June 2019

### 1.1 Expenses (continued)

	2019 \$'000	2018 \$'000
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#### Leasing commitments

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

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

Within 1 year	4,209	4,174
Between 1 to 5 years	4,359	8,520
<b>Total operating lease commitments</b>	<b>8,568</b>	<b>12,694</b>

#### Accounting Policy

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

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

#### 1.1C: Write-Down and Impairment of Assets

Impairment of assets	2	-
<b>Total write-down and impairment of assets</b>	<b>2</b>	<b>-</b>

**Notes to and forming part of the financial statements (continued)**  
for the period ended 30 June 2019

## 1.2 Own-Source Revenue and Gains

	2019 \$'000	2018 \$'000
<b>Own-Source Revenue</b>		
<b>1.2A: Rendering of Services</b>		
Rendering of services	8,683	6,922
<b>Total sale of goods and rendering of services</b>	<b>8,683</b>	<b>6,922</b>
<b>Accounting Policy</b>		
Revenue from rendering of services is recognised by reference to the stage of completion of contracts at the reporting date.		
The stage of completion of contracts at the reporting date is determined by reference to the proportion that costs incurred to date bear to the estimated total costs of the transaction.		
Receivables for goods and services, which have 30 day terms, are recognised at the nominal amounts due less any impairment allowance account. Collectability of debts is reviewed at the end of the reporting period. Allowances are made when collectability of the debt is no longer probable.		
<b>1.2B: Interest</b>		
Deposits	198	194
<b>Total interest</b>	<b>198</b>	<b>194</b>
<b>Accounting Policy</b>		
Interest revenue is recognised using the effective interest method.		
<b>1.2C: Other Revenue</b>		
Operating lease		
Sub lease rental income	1,083	1,052
<b>Total rental income</b>	<b>1,083</b>	<b>1,052</b>
<b>Subleasing rental income commitments</b>		
The Commission in the capacity as lessor: the Commission subleases one floor (part of its operating property lease) to the Office of its Australian Information Commissioner and part of a floor to the Asia Pacific Forum of National Human Rights Institutions.		
<b>Commitments for sublease rental income receivables are as follows:</b>		
Within 1 year	1,246	1,200
Between 1 to 5 years	1,293	2,538
<b>Total sublease rental income commitments</b>	<b>2,539</b>	<b>3,738</b>
<b>1.2D: Other Revenue</b>		
Resources received free of charge		
Remuneration of auditors	46	46
Conference support	50	-
Other	7	-
<b>Total other revenue</b>	<b>103</b>	<b>46</b>
<b>Accounting Policy</b>		
<i>Resources Received Free of Charge</i>		
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.		

**Notes to and forming part of the financial statements (continued)**  
for the period ended 30 June 2019

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

	2019 \$'000	2018 \$'000
<b>Gains</b>		
<b>1.2E: Other Gains</b>		
Gain on reduction of prior year provisions	32	–
Other – Sale of assets	1	2
<b>Total other gains</b>	<b>33</b>	<b>2</b>

### Accounting Policy

#### *Other Gains*

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

#### *Sale of Assets*

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

### 1.2F: Revenue from Government

Attorney-General's Department:

Corporate Commonwealth entity payment item	16,709	14,391
<b>Total revenue from Government</b>	<b>16,709</b>	<b>14,391</b>

### 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.

## Notes to and forming part of the financial statements (continued)

for the period ended 30 June 2019

### 2. Financial Position

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

#### 2.1 Financial Assets

	2019 \$'000	2018 \$'000
<b>2.1A: Cash</b>		
Cash on hand and at bank	6,942	9,435
<b>Total cash and cash equivalents</b>	<b>6,942</b>	<b>9,435</b>

#### Accounting Policy

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

- a) cash on hand;
- b) demand deposits in bank accounts with an original maturity of three months or less that are readily convertible to known amounts of cash and subject to insignificant risk of changes in value. 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	1,537	773
<b>Total goods and services receivables</b>	<b>1,537</b>	<b>773</b>

##### Other receivables

Interest	4	19
GST Receivable from the Australian Taxation Office	-	31
<b>Total other receivables</b>	<b>4</b>	<b>50</b>

<b>Total trade and other receivables (gross)</b>	<b>1,541</b>	<b>823</b>
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<b>Total trade and other receivables (net)</b>	<b>1,541</b>	<b>823</b>
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##### Trade and other receivables (net) expected to be recovered

More than 12 months	1,541	823
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<b>Total trade and other receivables (net)</b>	<b>1,541</b>	<b>823</b>
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#### Accounting Policy

##### Receivables

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

Notes to and forming part of the financial statements (continued)  
for the period ended 30 June 2019

## 2.2 Non-Financial Assets

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

	Leasehold Improvements \$'000	Computer, Plant and Equipment \$'000	Total \$'000
<b>Reconciliation of the opening and closing balances of Infrastructure, plant and equipment for 2019</b>			
<b>As at 1 July 2018</b>			
Gross book value	2,114	68	2,182
Accumulated depreciation, amortisation and impairment	-	-	-
<b>Total as at 1 July 2018</b>	<b>2,114</b>	<b>68</b>	<b>2,182</b>
Additions			
Purchase	99	-	99
Depreciation and amortisation	(722)	(49)	(771)
Disposals	-	(2)	(2)
<b>Total as at 30 June 2019</b>	<b>1,491</b>	<b>17</b>	<b>1,508</b>
<b>Total as at 30 June 2019 represented by</b>			
Gross book value	2,213	66	2,279
Accumulated depreciation, amortisation and impairment	(722)	(49)	(771)
<b>Total as at 30 June 2019</b>	<b>1,491</b>	<b>17</b>	<b>1,508</b>

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

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

#### Revaluations of non-financial assets

As at 30 June 2019 no independent revaluation had been conducted. The Commission extended the useful life of a small number of assets and there was no material impact on asset balances. The last valuation occurred on 30 June 2018.

**Notes to and forming part of the financial statements (continued)**  
for the period ended 30 June 2019

## 2.2 Non-Financial Assets (continued)

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

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



Notes to and forming part of the financial statements (continued)  
for the period ended 30 June 2019

## 2.2 Non-Financial Assets (continued)

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

	Intangibles \$'000	Intangibles – Work in Progress \$'000	Total \$'000
<b>Reconciliation of the opening and closing balances of intangibles for 2019</b>			
<b>As at 1 July 2018</b>			
Gross book value	1,426	24	1,450
Accumulated depreciation, amortisation and impairment	(1,071)	-	(1,071)
<b>Total as at 1 July 2018</b>	<b>355</b>	<b>24</b>	<b>379</b>
Additions	523	168	691
Depreciation and amortisation	(139)	-	(139)
<b>Total as at 30 June 2019</b>	<b>739</b>	<b>192</b>	<b>931</b>
<b>Total as at 30 June 2019 represented by</b>			
Gross book value	1,949	192	2,141
Accumulated depreciation, amortisation and impairment	(1,210)	-	(1,210)
<b>Total as at 30 June 2019 represented by</b>	<b>739</b>	<b>192</b>	<b>931</b>

No indicators of impairment were found for intangibles.

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

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

# Notes to and forming part of the financial statements (continued)

for the period ended 30 June 2019

## 2.2 Non-Financial Assets (continued)

### Accounting Policy

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

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

#### *Asset Recognition Threshold*

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

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

#### *Revaluations*

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

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

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

#### *Depreciation*

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

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

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

	2019	2018
Leasehold improvements	Lease term	Lease term
Computer, plant and equipment	4 to 10 years	4 to 10 years

## Notes to and forming part of the financial statements (continued)

for the period ended 30 June 2019

### Impairment

All assets were assessed for impairment at 30 June 2019. Where indications of impairment exist, the asset's recoverable amount is estimated and an impairment adjustment made if the asset's recoverable amount is less than its carrying amount.

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

### Derecognition

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

### Intangibles

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

Software is amortised on a straight-line basis over its anticipated useful life. The useful lives of the Commission's software are 2 to 5 years (2018: 2 to 5 years).

All software assets were assessed for indications of impairment as at 30 June 2019.

### 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.

	2019 \$'000	2018 \$'000
<b>2.2B: Other Non-Financial Assets</b>		
Prepayments	174	245
<b>Total other non-financial assets</b>	<b>174</b>	<b>245</b>
<b>Other non-financial assets expected to be recovered</b>		
No more than 12 months	174	242
More than 12 months	-	3
<b>Total other non-financial assets</b>	<b>174</b>	<b>245</b>

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

**Notes to and forming part of the financial statements (continued)**  
for the period ended 30 June 2019

## 2.3 Payables

	2019 \$'000	2018 \$'000
<b>2.3A: Suppliers</b>		
Trade creditors and accruals	592	536
Rent Payable	818	1,090
<b>Total suppliers</b>	<b>1,410</b>	<b>1,626</b>
<b>Suppliers expected to be settled</b>		
No more than 12 months	828	763
More than 12 months	582	863
<b>Total suppliers</b>	<b>1,410</b>	<b>1,626</b>
Settlement is generally made in accordance with the terms of the supplier invoice.		
<b>2.3B: Other Payables</b>		
Salaries and wages	122	106
Superannuation	23	20
Other employee expenses	3	7
Revenue received in advance	3,586	3,984
GST payable to the Australian Taxation Office	8	-
<b>Total other payables</b>	<b>3,742</b>	<b>4,117</b>
<b>Other payables to be settled</b>		
No more than 12 months	1,304	2,179
More than 12 months	2,438	1,938
<b>Total other payables</b>	<b>3,742</b>	<b>4,117</b>

Notes to and forming part of the financial statements (continued)  
for the period ended 30 June 2019

## 2.4 Non-Interest Bearing Liabilities

	2019 \$'000	2018 \$'000
<b>2.4A: Non-Interest Bearing Liabilities</b>		
Lease Incentives	1,223	1,768
<b>Total non-interest bearing liabilities</b>	<b>1,223</b>	<b>1,768</b>
<b>Minimum lease payments expected to be settled</b>		
Within 1 year	566	566
Between 1 to 5 years	657	1,202
<b>Total non-interest bearing liabilities</b>	<b>1,223</b>	<b>1,768</b>

### Accounting Policy

Refer to Note 1.1.B

## 2.5 Other Provisions

	Provision for contract obligations \$'000	Provision for restoration \$'000	Total \$'000
<b>2.5A: Other Provisions</b>			
<b>As at 1 July 2018</b>	<b>48</b>	–	<b>48</b>
Amounts used	–	–	–
Amounts reversed	(48)	–	(48)
<b>Total as at 30 June 2019</b>	<b>–</b>	<b>–</b>	<b>–</b>
		<b>2019 \$'000</b>	<b>2018 \$'000</b>
<b>Other provisions expected to be settled</b>			
No more than 12 months		–	48
<b>Total other provisions</b>		<b>–</b>	<b>48</b>

## Notes to and forming part of the financial statements (continued) for the period ended 30 June 2019

### 3. Funding

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

#### 3.1 Corporate Commonwealth Entity Payment

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##### **3.1A: Annual Corporate Commonwealth Entity Payment ('Recoverable GST exclusive')**

###### **Annual Corporate Commonwealth Entity Payment for 2019**

The Commission's funding is received through a grant from the Attorney-General's Department.  
Refer to Note 1.2F.

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# Notes to and forming part of the financial statements (continued)

for the period ended 30 June 2019

## 4. People and Relationships

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

### 4.1 Employee Provisions

	2019 \$'000	2018 \$'000
<b>4.1A: Employee Provisions</b>		
Leave	3,589	3,150
Separations and redundancies	88	128
<b>Total employee provisions</b>	<b>3,677</b>	<b>3,278</b>
<b>Employee provisions expected to be settled</b>		
No more than 12 months	2,885	2,678
More than 12 months	792	600
<b>Total employee provisions</b>	<b>3,677</b>	<b>3,278</b>

#### 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 Commission's employer superannuation contribution rates to the extent that the leave is likely to be taken during service rather than paid out on termination.

The liability for long service leave has been determined by reference to the work of an actuary performed for the Department of Finance (DoF) and summarised in the Standard Parameters for use in 2018–19 Financial Statements published on the DoF website. The estimate of the present value of the liability takes into account attrition rates and pay increases through promotion and inflation.

##### *Separation and Redundancy*

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

##### *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.

## Notes to and forming part of the financial statements (continued)

for the period ended 30 June 2019

### 4.1 Employee Provisions (continued)

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

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

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

#### Accounting Judgements and Estimates

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

### 4.2 Key Management Personnel Remuneration

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

	2019 \$'000	2018 \$'000
Short-term employee benefits	4,013	3,883
Post-employment benefits	399	359
Other long-term employee benefits	88	133
Termination benefits	38	79
<b>Total key management personnel remuneration expenses<sup>1</sup></b>	<b>4,538</b>	<b>4,454</b>

The total number of key management personnel that are included in the above table are 16 (2018: 15). Please note that the group has been broadened this year as a result of the inclusion of other key management personnel additional to Commissioner appointments.

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



## 4.3 Related Party Disclosures

### Related party relationships:

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

### Transactions with related parties:

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

Significant transactions with related parties can include:

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

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

## 4.4 Staffing numbers

	Ongoing FT	Ongoing Part time	Non-ongoing Full time	Non-ongoing Part time
<b>30 June 2019</b>				
Female	49	21	29	8
Male	23	1	10	2
<b>Total</b>				<b>143</b>

	Ongoing FT	Ongoing Part time	Non-ongoing Full time	Non-ongoing Part time
<b>30 June 2018</b>				
Female	39	24	42	9
Male	24	1	8	2
<b>Total</b>				<b>149</b>

## Notes to and forming part of the financial statements (continued)

for the period ended 30 June 2019

### 5. Managing Uncertainties

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

#### 5.1 Contingent Assets and Liabilities

##### Quantifiable Contingencies

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

##### Unquantifiable Contingencies

At the time of signing these financial statements the Commission:

- was a respondent to two applications in the Federal Court for judicial review of the Commission's decisions to terminate complaints. While the Federal Court may award costs in these proceedings it is unlikely as the applications are in our view without merit. The Attorney-General has been joined to the proceedings to act as a contradictor. The Commission has submitted to the jurisdiction of the court in both proceedings.
- was a respondent in proceedings in the Federal Court in which the complainant is seeking an interim injunction under the *Australian Human Rights Commission Act 1986* (Cth). Although the Commission has been named as a respondent, the applicant is not seeking relief against the Commission. Further, in the Commission's view there is no longer a jurisdictional basis for an interim injunction to be granted as the underlying complaint to the Commission has been terminated. In the circumstances, it is unlikely that costs would be awarded against the Commission.
- was a respondent to a second proceeding in the Federal Court in which the complainant is seeking an interim injunction under the *Australian Human Rights Commission Act 1986* (Cth). If these proceedings continue, the Commission will likely invite the Attorney-General to intervene in the proceedings to act as a contradictor. In the circumstances, it is unlikely that costs would be awarded against the Commission.
- was named as a respondent in unlawful discrimination proceedings in the Federal Court. In our view, the Commission is not a proper respondent to this proceeding as the Commission was not a respondent to the unlawful discrimination complaint. We expect that the Commission will seek orders that it be removed as a respondent to the proceeding. It is unlikely that costs would be awarded against the Commission in these proceedings.
- was involved in a proceeding in the Federal Court where it had been granted leave to appear as an *amicus curiae*. Given the Commission's status in that proceeding as a non-party, we do not expect there to be any reasonable prospect of costs being awarded against the Commission.

In addition, an application has been made to add the Commission as a respondent to proceedings in the Federal Court under the *Fair Work Act 2009* (Cth). The applicant requires leave to join the Commission to the proceedings. The respondent to these proceedings is seeking to have the proceedings summarily dismissed.

##### 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.

Notes to and forming part of the financial statements (continued)  
for the period ended 30 June 2019

## 5.2 Financial Instruments

	2019 \$'000	2018 \$'000
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### 5.2A: Categories of Financial Instruments

#### Financial Assets under AASB 139

##### Receivables

Cash on hand and at bank	9,435
Trade and other receivables	792

<b>Total receivables</b>	<b>10,227</b>
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<b>Total financial assets</b>	<b>10,227</b>
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#### Financial Assets under AASB 9

##### Financial assets at amortised cost

Cash on hand and at bank	6,942
Trade and other receivables	1,541

<b>Total financial assets at amortised cost</b>	<b>6,942</b>
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<b>Total financial assets</b>	<b>6,942</b>
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#### Financial Liabilities

##### Financial liabilities measured at amortised cost

Trade Creditors and accruals	592	536
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<b>Total financial liabilities measured at amortised cost</b>	<b>592</b>	<b>536</b>
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<b>Total financial liabilities</b>	<b>592</b>	<b>536</b>
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### Classification of financial assets on the date of initial application of AASB 9

Financial assets class	Note	AASB 139 original classification	AASB 9 new classification	AASB 139 carrying amount at 1 July 2018 \$'000	AASB 9 carrying amount at 1 July 2018 \$'000
Cash and Cash Equivalents	3.1A	Held-to-maturity	Amortised Cost	9,435	9,435
Trade receivables	3.1B	Held-to-maturity	Amortised Cost	792	792
<b>Total financial assets</b>				<b>10,227</b>	<b>10,227</b>

## Notes to and forming part of the financial statements (continued)

for the period ended 30 June 2019

### 5.2 Financial Instruments (continued)

#### Reconciliation of carrying amounts of financial assets on the date of initial application of AASB 9

	AASB 139 carrying amount at 30 June 2018 \$'000	Reclassification \$'000	Remeasurement \$'000	AASB 9 carrying amount at 1 July 2018 \$'000
<b>Financial assets at amortised cost</b>				
Held to maturity				
Cash and Cash Equivalents	9,435	-	-	9,435
Loans and receivables				
Trade and other receivables	792	-	-	792
<b>Total amortised cost</b>	<b>10,227</b>	<b>-</b>	<b>-</b>	<b>10,227</b>

1. There is no change in carryings amount based on measurement under AASB 139 and the transition to AASB 9.

#### Accounting Policy

##### Financial assets

With the implementation of AASB 9 *Financial Instruments* for the first time in 2019, the entity 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 entity'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.

Comparatives have not been restated on initial application.

##### 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.

##### Effective Interest Method

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

##### Financial Assets at Fair Value Through Other Comprehensive Income (FVOCI)

Financial assets measured at fair value through other comprehensive income are held with the objective of both collecting contractual cash flows and selling the financial assets and the cash flows meet the SPPI test.

Any gains or losses as a result of fair value measurement or the recognition of an impairment loss allowance is recognised in other comprehensive income.

# Notes to and forming part of the financial statements (continued)

for the period ended 30 June 2019

## 5.2 Financial Instruments (continued)

### *Financial Assets at Fair Value Through Profit or Loss (FVTPL)*

Financial assets are classified as financial assets at fair value through profit or loss where the financial assets either doesn't meet the criteria of financial assets held at amortised cost or at FVOCI (i.e. mandatorily held at FVTPL) or may be designated.

Financial assets at FVTPL are stated at fair value, with any resultant gain or loss recognised in profit or loss. The net gain or loss recognised in profit or loss incorporates any interest earned on the financial asset.

### *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 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 Fair Value Through Profit or Loss*

Financial liabilities at fair value through profit or loss are initially measured at fair value. Subsequent fair value adjustments are recognised in profit or loss. The net gain or loss recognised in profit or loss incorporates any interest paid on the financial liability.

### *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).

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	2019 \$'000	2018 \$'000
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### **5.2B: Net Gains or Losses on Financial Assets**

#### **Financial assets at amortised cost**

Interest revenue	198	194
<b>Net gains on financial assets</b>	<b>198</b>	<b>194</b>

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## Notes to and forming part of the financial statements (continued)

for the period ended 30 June 2019

### 5.3 Fair Value Measurement

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

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

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

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

Level 3: Unobservable inputs for the asset or liability.

#### Accounting Policy

The Commission 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				
	2019 \$'000	2018 \$'000	Category (Level 1, 2 or 3)	Valuation Technique(s) and Inputs Used
<b>5.3A: Fair Value Measurement</b>				
<b>Non-financial assets<sup>1</sup></b>				
Infrastructure, plant and equipment	1,508	2,182	2	Market approach. Market replacement cost less estimate of written down value of asset used.

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

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

## 6. Other Information

### 6.1 Aggregate Assets and Liabilities

	2019 \$'000	2018 \$'000
<b>6.1A: Aggregate Assets and Liabilities</b>		
<b>Assets expected to be recovered in:</b>		
No more than 12 months	1,715	1,065
More than 12 months	-	3
<b>Total assets</b>	<b>1,715</b>	<b>1,068</b>
<b>Liabilities expected to be settled in:</b>		
No more than 12 months	4,754	5,471
More than 12 months	3,887	3,740
<b>Total liabilities</b>	<b>8,642</b>	<b>9,211</b>

# Outcomes and indicators

## Purpose

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

## Outcomes (PBS criteria)

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

## Indicators (\*asterisk denotes PBS targets)

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



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

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

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

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

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

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

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

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

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

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

# Projects, services and activities

	Contributes to outcomes			
	1	2	3	4
<b>2018–19 Workplan</b>				
<b>President: Rosalind Croucher</b>				
Free and equal: an Australian conversation on human rights	✓		✓	✓
Engagement with United Nations Mechanisms	✓		✓	
International and Human Rights Technical Cooperation Programs	✓			✓
Business and Human Rights Strategy: Modern slavery	✓			✓
Human Rights Education and Training				✓
Human Rights Scrutiny Program			✓	
Investigation & Conciliation Service		✓		✓
National Information Service		✓		
<b>Aboriginal and Torres Strait Islander Social Justice Commissioner: June Oscar</b>				
Wiyi Yani U Thangani Aboriginal and Torres Strait Islander Women and Girls	✓		✓	
Close the Gap Campaign/ National Health Leadership Forum	✓	✓		
<b>Age Discrimination Commissioner: Kay Patterson</b>				
Older Australians and Employment	✓		✓	✓
Older Women at Risk of Homelessness	✓			
Elder Abuse Awareness	✓			✓
Promoting Positive Ageing		✓		
<b>Disability Discrimination Commissioner: Alastair McEwin (2016 to 2019)</b>				
Commissioner McEwin's mid-term report is published on our website				
<b>Human Rights Commissioner: Edward Santow</b>				
Human Rights and Technology	✓		✓	
Immigration Detention and Asylum Seekers Program			✓	

	Contributes to outcomes			
	1	2	3	4
<b>2018–19 Workplan</b>				
Protecting the Human Rights of People Born with Variations in Sex Characteristics in the Context of Medical Interventions			✓	
Optional Protocol to the Convention Against Torture in Australia			✓	
Freedom of Religion	✓		✓	
<b>National Children’s Commissioner: Megan Mitchell</b>				
Children’s Rights Report 2018	✓		✓	
Report to the UN Committee on the Rights of the Child, Kids Rights Survey	✓		✓	
Child Safe Organisations	✓		✓	✓
<b>Race Discrimination Commissioner: Dr Tim Soutphommasane (2013 to 2018)</b>				
Anti-racism in 2018 and Beyond: a report on the activities of the national anti-racism strategy	✓		✓	✓
<b>Race Discrimination Commissioner: Chin Tan</b>				
National Anti-Racism Strategy and Racism. It Stops with Me (inc. Sharing the stories of Australian Muslims)	✓	✓		✓
<b>Sex Discrimination Commissioner: Kate Jenkins</b>				
Violence against women projects (inc. National Inquiry into Sexual Harassment in Australian Workplaces)	✓		✓	
Collaboration for Cultural Reform in the Australian Defence Force	✓			✓
Inclusion and sport	✓	✓		
Women’s economic security projects		✓		
UN Committee on the Elimination of Discrimination against Women: attendance at the Commission on the Status of Women, Session 63	✓			
<b>Organisational</b>				
Legal Services (inc. legal interventions)	✓	✓	✓	
Communications service (inc. public and digital engagement, major events and launches)	✓	✓		✓

# Major events, reports, publications and education resources

## Events & launches

Major Commission hosted events throughout 2018–19 include:

- Technology and Human Rights Conference, 24 July 2018
- Human Rights Awards, 14 December 2018
- Human Rights Day Oration, 10 December 2018
- Rights Talk: Refugees with Disabilities, 8 April 2019
- Business and Human Rights Event: 'The Financial Sector: A Key Player in the Prevention of Modern Slavery', 10 April 2019
- Rights Talk: Casey Legler, 6 May 2019

## 2018–19 Reports, publications, education resources

### Aboriginal and Torres Strait Islander Social Justice

- Close the Gap Annual Report 'Our Choices, Our Voices' (2019)
- A community Guide to participating in Wiyi Yani U Thangani, Women's Voices Securing our Rights, Securing our Futures (2018)

### Age

- Multigenerational workforces: a guide to the rights of older workers under the *Age Discrimination Act 2004* (Cth) (2019)
- Your Rights at Retirement (2019)
- Older Women's Risk of Homelessness: Background Paper (2019)
- Employing Older Workers (2018)

### Australian Human Rights Commission Act Reports

- No. 124 AM v The Commonwealth (Department of Home Affairs) (2018)
- No. 123 AG v Commonwealth (Department of Foreign Affairs and Trade) (2018)
- No. 126 CW v Commonwealth (Department of Home Affairs) (2018)
- No. 125 Ms Jessica Smith v Redflex Traffic Systems Pty Ltd (2018)

### Children

- National Principles for Child Safe Organisations (2019)
- Child Safe Organisations: Tools and Resources (2018)
- Report to the UN Committee on the Rights of the Child (2018)
- Kids Rights Survey Report (2018)

### Defence Cultural Reform Collaboration (Not published)

- Royal Australian Navy: Inclusive Leadership and Inclusive Behaviours Training Modules (2019)

### Disability

- Working towards Equality for People with Disability Mid-Term Report (July 2016 – January 2019)
- A future without violence for people with disability – Easy Read Report (2018)

## Education and Training

- Upholding the rights of older workers training package (2019)
- Rights and Freedoms Calendar (2019)
- The Story of our Rights and Freedoms (2018)
- Upholding the Rights of People with Disability training package (updated 2018)
- RightsApp—Android version
- Guidelines for the promotion of equal opportunity for women and girls in golf (2019)
- Guidelines for the inclusion of transgender and gender diverse people in sport (2019)

## Human Rights

- Artificial Intelligence: governance and leadership whitepaper (2019)
- Human Rights and Technology Issues Paper (2018)
- Protecting the Human Rights of People Born with Variations in Sex Characteristics in the context of Medical Interventions Consultation Paper (2018)

## Immigration Detention and Asylum Seekers

- Risk management in immigration detention (2019)
- Australian Human Rights Commission Inspection of Christmas Island Immigration Detention Centre: Report (2018)
- Australian Human Rights Commission Inspection of Brisbane Immigration Transit Accommodation: Report (2018)
- Australian Human Rights Commission Inspection of Adelaide Immigration Transit Accommodation: Report (2018)
- Australian Human Rights Commission Inspection of Perth Immigration Detention Centre: Report (2018)

## Race

- The Final Quarter documentary
- Let's talk race: A guide on how to conduct conversations about racism (2019)
- Anti-Racism in 2018 and Beyond (2018)

## Rights and freedoms

- Free and equal: an Australian conversation on human rights. Issues Paper (2019)

## Sex

- Independent review of residential colleges at the University of New England (2019)
- Have your Say – Conversation Toolkit (2018)
- Guidelines: Special measures under the *Sex Discrimination Act 1984* (Cth) (2018)
- Everyone's business: Fourth national survey on sexual harassment in Australian workplaces (2018)

## Corporate

- Corporate Plan 2019–20 (2019)
- Annual Report 2017–18 (2018)

# Executive Remuneration

This appendix contains information about the remuneration of the Australian Human Rights Commission (AHRC) key management personnel and Senior Executive Service staff.

## Key Management Personnel

The AHRC has determined that our key management personnel (KMP) are the President, Commissioners and Chief Executive Officer for the duration of the reporting period. The Race and Disability Discrimination Commissioner appointments both changed during the reporting period.

The occupants of key management positions and their terms are summarised below.

Name	Position title	Term As KMP
Rosalind Croucher	President	Full Year
June Oscar	Social Justice Commissioner	Full Year
Kate Jenkins	Sex Discrimination Commissioner	Full Year
Kay Patterson	Age Discrimination Commissioner	Full Year
Edward Santow	Human Rights Commissioner	Full Year
Padma Raman	Chief Executive	Full Year
Megan Mitchell	National Children's Commissioner	Full Year
Alastair McEwin	Disability Discrimination Commissioner	Part Year – Terminated on 3 April 2019
Chin Tan	Race Discrimination Commissioner	Part Year – Appointed 8 October 2018
Ben Gauntlett	Disability Discrimination Commissioner	Part Year – Appointed 7 May 2019
Tim Soutphommasane	Race Discrimination Commissioner	Part Year – Terminated on 19 August 2018

1. The position of Disability Discrimination Commissioner had two occupants during the year.
2. The position of Race Discrimination Commissioner had two occupants during the year.

Details for KMP remuneration are in note 4.2 of the financial statements. Disaggregated information is shown in the table at note 4.5 of the financial statements and is prepared in accordance with *Public Governance, Performance and Accountability Rule 2014* (PGPA Rule) and *Commonwealth Entities Executive Remuneration Reporting Guide for Annual Reports, Resource Management Guide No. 138* (April 2018).

### **Senior Executive Service**

The AHRC has three substantive Senior Executive Service (SES) positions, Chief Executive, Senior Executive Investigation and Conciliation Service and Senior Policy Executive Human Rights and Scrutiny.

The table at note 4.5 of the financial statements is prepared in accordance with the PGPA Rule and RMG 138 and provides the annual reportable remuneration for substantive SES.

### **Other Highly Paid Staff**

The AHRC has three staff that meet the guidelines for other highly paid staff. This information is included in table at note 4.5 of the financial statements.

### **Remuneration Policies and Practices**

Remuneration for the President and Commissioner's is set by the Remuneration Tribunal. The Remuneration Tribunal determines increases to remuneration and allowances.

The AHRC's remuneration for SES and other highly paid staff is determined by the President under s 24(1) of the Public Service Act 1999. 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.

## Appendix 4: Executive Remuneration (continued)

### Key Management Personnel Remuneration

Name	Position title	Short-term benefits		
		Base salary	Bonuses	Other benefits and allowances
Rosalind Croucher	President	465,539.28	-	-
June Oscar	Social Justice Commissioner	356,756.33	-	39,999.96
Kate Jenkins	Sex Discrimination Commissioner	345,746.82	-	39,896.67
Kay Patterson	Age Discrimination Commissioner	337,626.34	-	-
Edward Santow	Human Rights Commissioner	329,974.34	-	-
Padma Raman	Chief Executive	324,175.04	-	-
Megan Mitchell	National Children's Commissioner	291,725.96	-	-
Alastair McEwin	Disability Discrimination Commissioner	235,341.24	-	-
Chin Tan	Race Discrimination Commissioner	234,634.97	-	3,750.00
Ben Gauntlett	Disability Discrimination Commissioner	51,509.06	-	-
Tim Soutphommasane	Race Discrimination Commissioner	14,970.82	-	-
		\$2,988,000.21	-	\$83,646.63



Post-employment benefits	Other long-term benefits		Termination benefits	Total remuneration
Superannuation contributions	Long service leave	Other long-term benefits		
20,530.90	10,587.49	-	-	496,657.67
20,530.90	8,096.19	-	-	425,383.38
20,530.90	8,097.92	-	-	414,272.31
20,530.90	8,096.19	-	-	366,253.43
20,530.90	8,096.19	-	-	358,601.43
42,522.18	7,690.00	-	-	374,387.22
46,854.22	7,631.13	-	-	346,211.31
15,793.00	-	-	7,129.71	258,263.95
24,321.71	5,708.40	-	-	268,415.08
5,120.36	1,183.06	-	-	57,812.48
3,158.60	-	-	30,607.96	48,737.38
<b>\$240,424.57</b>	<b>\$65,186.57</b>	<b>-</b>	<b>\$37,737.67</b>	<b>\$3,414,995.65</b>

## Appendix 4: Executive Remuneration (continued)

### Average SES Remuneration

Total remuneration bands	Number of senior executives	Average base salary	Short-term benefits	
			Average bonuses	Average other benefits and allowances
\$0-\$220,000	1	178,803.03	-	-
\$245,000-\$270,000	1	207,593.26	-	-
	2	\$386,396.29	-	-

### Other Highly Paid Staff

Total remuneration bands	Number of other highly paid staff	Average base salary	Short-term benefits	
			Average bonuses	Average other benefits and allowances
\$0-220,000	1	156,713.20	-	-
\$220,000-\$245,000	1	188,466.51	-	-
\$245,000-\$270,000	1	209,953.14	-	-
	3	\$555,132.85	-	-

<b>Post-employment benefits</b>	<b>Other long-term benefits</b>		<b>Termination benefits</b>	<b>Total remuneration</b>
<b>Average superannuation contributions</b>	<b>Average long service leave</b>	<b>Average other long-term benefits</b>	<b>Average termination benefits</b>	<b>Average total remuneration</b>
25,783.80	4,414.74	-	-	209,001.57
38,176.84	4,894.27	-	-	250,664.37
<b>\$63,960.64</b>	<b>\$9,309.01</b>	<b>-</b>	<b>-</b>	<b>\$459,665.94</b>

<b>Post-employment benefits</b>	<b>Other long-term benefits</b>		<b>Termination benefits</b>	<b>Total remuneration</b>
<b>Average superannuation contributions</b>	<b>Average long service leave</b>	<b>Average other long-term benefits</b>	<b>Average termination benefits</b>	<b>Average total remuneration</b>
28,192.48	4,028.00	-	-	188,933.68
28,873.90	4,558.93	-	-	221,899.34
37,543.26	4,991.10	-	-	252,487.50
<b>\$94,609.64</b>	<b>\$13,578.03</b>	<b>-</b>	<b>-</b>	<b>\$663,320.52</b>

# Index of Annual Report requirements

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

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Responsible Minister	8
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Government Policy Orders of the Australian Government under section 22 of the PGPA Act	N/A
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Indemnities and insurance premiums for officers	N/A
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## Further Information

### Australian Human Rights Commission

Level 3, 175 Pitt Street  
SYDNEY NSW 2000  
GPO Box 5218  
SYDNEY NSW 2001

Telephone: (02) 9284 9600  
Complaints Infoline: 1300 656 419  
General enquiries and publications: 1300 369 711  
TTY: 1800 620 241  
Fax: (02) 9284 9611  
Website: [www.humanrights.gov.au](http://www.humanrights.gov.au)

For detailed and up to date information about the Australian Human Rights Commission visit our website at [www.humanrights.gov.au](http://www.humanrights.gov.au). To order more publications from the Australian Human Rights Commission, download a Publication Order Form at [www.humanrights.gov.au/about/publications/](http://www.humanrights.gov.au/about/publications/), call: (02) 9284 9600, fax: (02) 9284 9611 or email: [publications@humanrights.gov.au](mailto:publications@humanrights.gov.au).

### Note – Use of the terms ‘Aboriginal and Torres Strait Islander peoples’ and ‘Indigenous peoples’

The Commission recognises the diversity of the cultures, languages, kinship structures and ways of life of Aboriginal and Torres Strait Islander peoples. Aboriginal and Torres Strait Islander peoples are also referred to as ‘Indigenous peoples’ in this document. This is because the term carries a meaning in international law. In particular, the use of ‘peoples’ with an ‘s’ (and not people singular) reflects the human rights instruments that refer to the collective right of self-determination as one enjoyed by ‘peoples’. For a more detailed explanation on the use of terms, see ‘Note: Terminology’ on the inside back cover of the Aboriginal and Torres Strait Islander Social Justice Commissioner’s *Social Justice and Native Title Report 2014*, Australian Human Rights Commission 2014.

