



Chapter 5. Future strategies

A major goal of the IsmaU project was to engage members of Arab and Muslim communities, government and non-government organisations in constructive discussion about future strategies to eliminate anti-Arab and anti-Muslim prejudice and discrimination. In each consultation, participants were asked about their understanding of what *is* being done and what more *could* be done to help address prejudice and discrimination against Arab and Muslim Australians.

As set out in Chapter 4 and on the Commission's website,¹ the Commission found a wide range of existing initiatives aimed at dispelling anti-Arab and anti-Muslim prejudice and discrimination. However, in the light of the information provided by participants in the IsmaU project about the nature and extent of problems of discrimination and vilification faced by Arab and Muslim Australians, greater effort is needed to fight anti-Arab and anti-Muslim prejudice and discrimination more effectively.

The following discussion and recommendations may assist government and community organisations to map future directions for eliminating prejudice and discrimination against Arab and Muslim Australians. These recommendations were drafted by the Commission in consultation with the IsmaU project reference group (described in Chapter 1). The reference group assisted the Commission by refining the recommendations ensuring they were practical and feasible, directed to the appropriate agencies and reflective of the broad priorities identified by consultation participants. It is important to note, however, that while the IsmaU reference group provided valuable guidance, the recommendations are those of the Commission alone.

This chapter includes the Commission's recommendations and suggestions for future action in six key areas: improving legal protections; promoting positive public awareness through education; addressing stereotypes and misinformation in public debate; ensuring community safety through law enforcement; encouraging effective community action and fostering public support and solidarity with Arab and Muslim Australians.

5.1 Improving legal protection

5.1.1 Federal legislative reform

5.1.1.1 Overview of current laws that deal with religious discrimination and vilification

The proscription of discrimination and vilification on the basis of religion and belief in Australia is not a new concept. Laws exist in a number of states and territories and, in a limited way at the federal level, to deal with these issues. However, coverage across the states and territories is inconsistent and between those state and territory laws that do provide coverage there is a lack of uniformity. An overview of the current status of the laws across Australia that deal with discrimination and vilification on the basis of religion is as follows (a more detailed discussion can be found in Chapter 1):

- It is unlawful to discriminate against someone because of their religion in the ACT, Western Australia, Queensland, the Northern Territory, Tasmania and Victoria.² Therefore, a person who believes they have been discriminated against solely because of their religion has no legally enforceable rights if the alleged discrimination happened in NSW or South Australia.
- It is unlawful to vilify a person because of their religion in Queensland, Tasmania and Victoria.³ Therefore, a person who believes they have been vilified solely because of their religion has no legally enforceable rights if the alleged vilification happened in the ACT, NSW, South Australia, Western Australia or the Northern Territory.
- In the ACT and Western Australia, the ground used is 'religious conviction'. In Queensland, the Northern Territory, Tasmania and Victoria, the grounds used are 'religious belief or activity' (the Tasmanian legislation also includes religious affiliation). Furthermore, in Queensland⁴ and Victoria,⁵ these grounds are defined as including the absence of religious belief as well as any refusal to participate in religious activity. None of these grounds are defined in the legislation.
- It is not unlawful under federal law to discriminate against someone, or vilify them, on the basis of their religion. However, under the *Human Rights and Equal Opportunity Commission Act 1986* (Cth) (HREOC Act) the Commission has the power to inquire into and attempt to conciliate complaints alleging religious discrimination in employment and occupation, as well as complaints that allege that the Commonwealth has breached a person's human rights in relation to religious belief. However, the HREOC Act does not provide enforceable legal remedies in relation to these types of complaints. If a complaint cannot be resolved

through conciliation and the Commission finds that discrimination or a breach of human rights in relation to religion or belief has occurred within the terms of the Act, the only course open to the Commission is to provide a report to the federal Attorney-General for tabling in the federal Parliament. The findings of the Commission are not legally enforceable and the respondent can ignore them.

5.1.1.2 Issues arising from IsmaU consultations

The lack of consistency in federal, state and territory laws concerning discrimination and vilification on the basis of religion was identified as an important issue in the consultations and survey results carried out during the course of the IsmaU project.

Many consultation participants were critical of the fact that Muslims are not clearly protected from religious discrimination and vilification under federal law. The most vocal critics were from states and territories where discrimination and vilification based on religion are not unlawful.

*When we all migrated to Australia they accepted us by colour, by race, and by religion as well. So how come we can complain about race or colour but not religion? How come this is not connected? ... At the moment I think the best thing that could happen is if someone calls you a 'dirty something' they better call you a 'dirty Arab' than a 'dirty Muslim.'*⁶

*The issue of religion remains one of the most neglected areas in terms of ensuring that people are actually recognised as having rights in terms of the core religion that they have.*⁷

*People will discriminate against religion no matter what the law says, but it should still exist ... I believe that it is helpful to have a law as a basis. One example is that women would not be where they are if it wasn't for the law. The bottom line is if the law is there we can use it but if it's not there we can't.*⁸

Many participants called for federal and state laws to be changed or introduced to provide clear protection for people discriminated against or vilified because of their religion.

*The Racial Discrimination Act should be amended to make it unlawful to discriminate on the ground of religious belief and practice.*⁹

*Federal and state laws need to be amended to include religious vilification of Muslims in order for complaints and the issue to be taken seriously by the Arabic, Islamic and wider community.*¹⁰

Although most cases of vilification against Muslims is based on their cultural and racial traits, I still believe that the Racial Discrimination Act must cover Islam as a specific cultural group which receives a lot of discrimination based on their religious obligations, duties and practices.¹¹

However, some participants cautioned that reform introduced solely to benefit Muslims may promote further backlash. Rather, as religious freedom is a universal value, the failure to protect Muslims should serve as one example of the inadequacy of federal law.

If people think that changes to the law are being brought about purely for the benefit of Muslims then they'll see it as another change caused by outsiders coming in ... it might actually get hard for the Muslim community ... If you make it a group effort on behalf of all religious groups then surely it will be ok. We have to show how it's affecting a large part of the community – not just Muslims.¹²

Not all participants were convinced that extending federal anti-discrimination law will eliminate discrimination and prejudice against Muslim Australians.

In regards to the law, I don't think that having religion in the law is going to really have an effect, because people will go against the law regardless.¹³

However, even those expressing some scepticism were of the view that the symbolic value of legal protection serves an important function in addressing racism. The Islamic Council of NSW has recommended that the law should be amended to cover religious discrimination in NSW and federal law. The Muslim Lawyers Group in Melbourne, Muslim Women's National Network of Australia and the Indonesian Muslim Community of Victoria also agreed that changing the law would send an important symbolic message.¹⁴

It doesn't mean that you're going to get a lot of complaints. But people will know that if they behave in such a manner people can take them to court and say, 'Look, what you did was wrong.'¹⁵

Once you have the legislation, you know that it's enforceable by law ... People will think twice about racist and derogatory remarks about Muslims ... Changing legislation is important, but it's not about changing it to silence people ... it's about controlling how far we go in demeaning and offending a group of people based on ignorance and misunderstanding.¹⁶

Government can only put out a law and it's all they can do. Then if something cropped up, [it's up to you to] take it on and it will be an example. But at least, in the back of your mind, you know that the

*government is not really with the wrong, it's with the right. It's symbolic.*¹⁷

To benefit fully from the symbolic value of legal protection, participants felt any change to the law should be accompanied by a comprehensive launch and public information strategy.

*I think naturally people are afraid of being punished so the law does have an impact. It does give some security. But it has to be launched properly and also reinforced because there is no point to it if it is not reinforced.*¹⁸

5.1.1.3 Previous proposals for a federal law making religious discrimination and vilification unlawful

The Commission has previously considered the lack of enforceable remedies at a federal level in relation to discrimination and vilification on the basis of religion. In 1997 the Commission launched a national inquiry into religious freedom in Australia. This began with the distribution of a discussion paper, *Free to Believe?: the right to freedom of religion and belief in Australia* which reviewed the relevant international human rights law and the legislative and constitutional framework for freedom of religion in Australia. The paper was widely distributed and 255 submissions were received in response. Of those submissions, 147 were from individuals and the remainder from both religious and non-religious organisations including representations from the Anglican, Presbyterian, Methodist, Islamic, Jewish, Coptic, Buddhist and Lutheran faiths. A workshop on religion and human rights was subsequently held by the Commission in early 1998 to obtain advice on a number of core issues including the meaning of 'belief' as distinct from religion, exemptions from the proposed proscription of religious discrimination, and an appropriate model for federal religious vilification legislation. Some 75 religious and non-religious organisations were invited to send a representative and approximately 40 people attended.

In July 1998, as a result of the inquiry, the Commission produced its report *Article 18: Freedom of religion and belief*⁹ (Article 18 report).

A number of particularly contentious issues were highlighted by the organisations and individuals consulted with and were discussed in the Article 18 report, including

- Defining religion and belief
- Freedom of speech arguments

These issues remain relevant for consideration in the current report.

a) Defining religion and belief

The Australian legal system purports to treat Australia's many different religious communities equally. There is no established or state sponsored religion or church and religious laws are not imposed by civil authority. Under the Commonwealth Constitution, section 116 provides that

[T]he Commonwealth shall not make any law for establishing any religion, or for imposing any religious observance, or for prohibiting the free exercise of any religion, and no religious test shall be required as a qualification for any office or public trust under the Commonwealth.

However, the Constitution does not provide a definition of what will constitute a 'religion'. In addition, none of the state and territory anti-discrimination laws that currently make religious discrimination and vilification unlawful provide a definition of religion.

The meaning of religion was considered in a case decided by the High Court.²⁰ In that case, two members of the Court suggested that the following two elements were necessary:

- belief in a supernatural Being, Thing or Principle
- the acceptance of canons of conduct to give effect to that belief²¹

Other members of the Court held that no single characteristic could define a religion and referred to the following as guiding principles:

- a particular collection of ideas and/or practices involving belief in the supernatural
- ideas that relate to the nature and place of humanity in the universe and the relation of humanity to things supernatural
- ideas accepted by adherents requiring or encouraging the observation of particular standards or codes of conduct or participation in specific practices having supernatural significance
- adherents constituting an identifiable group or groups, regardless how loosely knit and varying in beliefs and practices these adherents may be
- adherents themselves seeing the collection of ideas and/or practices as constituting a religion.²²

Under international law, both article 18 of the *International Covenant on Civil and Political Rights* (ICCPR) and article 1(1) of the *Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief* (Religion Declaration) use the expression 'freedom of thought, conscience and religion'

as well as 'belief'. The United Nations Human Rights Committee has adopted a broad interpretation of 'freedom of religion or belief' covering freedom of theistic, non-theistic and atheistic beliefs as well as freedom not to subscribe to any of these beliefs.²³ The Committee has also made it clear that minority and non-mainstream religions are no less entitled to the protection of article 18 than traditional religions.²⁴

If federal legislation were to be enacted that made discrimination and vilification on the basis of religion unlawful, the Parliament may wish to take these matters into account in deciding whether or not a definition of religion should be included in the legislation.

b) Freedom of speech issues

In the consultations leading up to the preparation of the Commission's Article 18 report, numerous submissions were made opposing the introduction of federal religious vilification legislation. The reasons given were numerous, including that such legislation was unnecessary as Australians are already free to believe in the religion of their choice, that the courts may be inundated with petty grievances arising from statements which could turn into lengthy legal battles, and that legislation would hinder the rights of individuals to speak out on moral issues without fear of reprisal.²⁵ Overwhelmingly, however, the submissions that were opposed to the introduction of federal religious vilification legislation expressed a fear that such legislation would constitute an unnecessary incursion into freedom of speech.²⁶

Submissions were also received that supported the introduction of such legislation. These argued that religious vilification, like any vilification, discourages participation in a free and democratic society on an equal basis and that because vilification intimidates its targets and thereby undermines their freedom of speech, it is inappropriate to consider only the right to freedom of speech of the vilifier, but not the vilified.²⁷

Under international human rights law, freedom of expression is a fundamental right which lies at the core of civil and political rights and is recognised in article 19 of the ICCPR.²⁸ However, while international law requires that freedom of opinion be guaranteed without qualification (article 19(1) of the ICCPR), freedom of expression is not an absolute and unqualified right. Article 5 of the ICCPR limits the exercise of all of the rights and freedoms set out in the ICCPR by reference to the rights and freedoms of others.²⁹ In addition, article 19(3) states that the exercise of freedom of expression carries with it 'special duties and responsibilities' and that the state may limit the freedom where necessary to respect the rights and reputations of others and to protect national security, public order, public health and/or public morals. Importantly, another article of the ICCPR, article 20, requires the prohibition by law of certain particularly

harmful expression. Article 20 provides:

1. Any propaganda for war shall be prohibited by law.
2. Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law.

The United Nations Human Rights Committee has commented upon the relationship between articles 19 and 20 by emphasising that the limitations required by article 20 are fully compatible with the right of freedom of expression as contained in article 19, the exercise of which carries with it special duties and responsibilities.³⁰ Australia has expressed its agreement with this interpretation but declined to introduce further legislation to implement article 20. Australia's reservation or statement of interpretation and intention with respect to article 20 states:

Australia interprets the rights provided for by Articles 19, 21 and 22 as consistent with Article 20; accordingly the Commonwealth and the constituent States, having legislated with respect to the subject matter of the Article in matters of practical concern in the interests of public order (ordre public), the right is reserved not to introduce any further legislative provisions on these matters.

In Australian domestic law, the High Court has recognised certain implied rights and freedoms in the Commonwealth Constitution. In particular, the Court has held that, based on the constitutional provisions setting up a system of representative government,³¹ there is to be implied a freedom of communication as to matters of government and politics.³² While these cases did not enunciate a right to free speech per se, they did find that the representative nature of the Australian democracy was reflected in the Commonwealth Constitution and that the protection of political speech and communication was an inherent requirement of that democratic structure.³³ Later High Court decisions clarified that the protected freedom is the freedom to communicate about political or government matters so as to enable people to exercise a free and informed choice as electors. The sections from which that freedom is implied preclude the curtailment of the freedom by legislative or executive power, but they do not confer a personal right to the individual of freedom of speech.³⁴

Australian domestic law also recognises the need to impose limits on freedom of expression (for example, laws relating to defamation, offensive language, contempt of court and film censorship are among those which traditionally and currently limit freedom of expression in Australia). As noted in Chapter 1 of this report (and under paragraph 5.1.1 above), anti-discrimination laws already exist in Australia (including under the RDA) that limit freedom of expression by making it unlawful to vilify a person on the basis of their race, nationality and ethnic origin and already, in some of the states and territories, on the basis of religion.

In relation to the concerns that a federal religious vilification law would prevent opinions critical of religious beliefs being aired in public or prevent debates about particular belief systems being conducted, it is important to note that vilification of the individual (or, adopting the language of article 20 of the ICCPR, advocacy of religious hatred that constitutes incitement of discrimination, hostility or violence against a person because of his or her beliefs) is the proper focus of the proposed legislation rather than critiques of the religion or belief itself. Criticism of the religion itself is borne by the institution which, as a public institution, should be open to questioning of its methods, beliefs and motives. This point was made in a speech by Sir Ronald Wilson, former President of the Commission, in which he stated:

Criticism or even ridicule of a religion is itself I think a conceptually different case from vilification of its adherents or promotion of intolerance against them, although the two may coincide. However genuine the offence which may be caused, I find it difficult to see a violation of human rights in the criticism of religion itself.³⁵

As a result of considering the issues raised during the Article 18 inquiry, the Commission recommended, among other things:

- The enactment of federal legislation containing provisions that make discrimination on the ground of religion and belief unlawful in all areas of public life,³⁶ subject to exemptions for discrimination based on the inherent requirement of a job and in certain circumstances in connection with employment at an institution which is conducted in accordance with the doctrines, tenets or teachings of a particular religion or creed³⁷ and
- The enactment of federal legislation containing provisions that make incitement to hatred (commonly referred to as vilification) on the basis of religion and belief unlawful.³⁸ The report suggested that the proposed provisions should be based on the racial hatred provisions contained in the RDA and recognised that the proposed legislation should make allowances for fair speech and fair reporting to ensure a balance between the competing rights of freedom of expression and the right to be free from vilification on the basis of religion or belief.³⁹ It was therefore suggested that, similar to the exemptions contained in the racial hatred provisions of the RDA, exemptions should be included for acts done reasonably and in good faith in areas including the performance of an artistic work, scientific or academic debate or making a fair and accurate report of a matter in the public interest.⁴⁰

The Article 18 report was tabled in the federal Parliament on 11 November 1998. On 9 February 1999, in response to a question on notice in the House of

Representatives, the then Attorney-General stated that the Government did not intend to implement the recommendation for a Religious Freedom Act.⁴¹

In April 1999, the Minister for Foreign Affairs asked the Joint Standing Committee on Foreign Affairs, Defence and Trade to inquire into Australia's efforts to promote and protect freedom of religion and belief, in particular the extent of violations of religious freedom around the world and the probable causes of those violations; implications for other human rights arising from a lack of religious freedom and religious differences; and the most effective means by which the Australian government and non government organisations can promote freedom of religion in the region and around the world. The report, *Conviction with Compassion: A Report on Freedom of Religion and Belief* was published in November 2000. While the Committee was of the view that federal legislation giving effect to the right of freedom of religion and belief was not necessary (as it was of the view that Australia is a tolerant country and the freedom to believe or not believe is not merely tolerated but accepted as a fact and a right),⁴² it did recommend that the Australian Government table a response to the other recommendations made in the Commission's Article 18 report, including those recommending legislation making discrimination and incitement to hatred on the basis of religion or belief unlawful.⁴³ It also recommended that the Australian Government coordinate a review of Commonwealth, State and Territory legislation to ensure the maximum degree of domestic protection of freedom of religion, with a view to the introduction of a greater degree of uniformity of human rights law and practice in Australia.⁴⁴ A recommendation was also made that the Australian Government continue to encourage and support the Commission's work and ensure that the resources with which it is provided allow it to carry out its work in relation to freedom of religion in timely, efficient, effective and appropriate ways.⁴⁵

The Commission's recommendations in its *Article 18* report have yet to be implemented by the federal Government and nor has a response been tabled in accordance with the recommendation of the Joint Standing Committee on Foreign Affairs, Defence and Trade.

5.1.1.4 Conclusion

Current legal protections against discrimination and vilification on the ground of religion or belief, at federal, state and territory level, lack consistency and uniformity with the result that whether someone can seek redress under anti-discrimination laws for religious discrimination or vilification depends on where the conduct complained of occurred in Australia. A person who believes they have been discriminated against because of their religion has no legally enforceable rights if the alleged vilification happened in NSW or South Australia. A person who believes they have been vilified because of their religion has no

legally enforceable rights if the alleged discrimination happened in the ACT, NSW, South Australia, Western Australia or the Northern Territory.

As the majority of Australian Muslims live in NSW, the current lack of enforceable legal protection for acts of discrimination or vilification based solely on religion is particularly problematic in light of the information provided by consultation participants, survey respondents and interviewees who took part in the IsmaU project.

It remains the case that at the federal level, while the Commission has the power to inquire into and attempt to conciliate complaints that a person has been discriminated against on the basis of their religion in their employment or occupation, or if that their human rights in relation to religious belief have been breached by the Commonwealth, these complaints do not give rise to any enforceable right or remedy. Australia therefore currently falls short of the internationally recognised human rights standards in the ICCPR and the Religion Declaration (set out in Chapter 1).⁴⁶

The Commission is of the view that the enactment of federal legislation that makes unlawful discrimination and vilification on the basis of religion would provide greater consistency and uniformity in this area and would assist in Australia satisfying its international obligations in this regard.

Recommendation:

That a federal law be introduced making unlawful:

- **discrimination on the ground of religion or belief**
Appropriate exemptions, such as those set out in the Article 18 report relating to the inherent requirements of the job and employment by religious institutions, should be considered and
 - **vilification on the ground of religion or belief**
It is acknowledged that the proposed legislation must make allowances for fair speech and fair reporting to ensure a balance between the competing rights of freedom of expression and the right to be free from vilification on the basis of religion or belief. Appropriate exemptions, such as those set out in the Article 18 report, should be considered.
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5.1.2 Improving access to legal protection

Another significant concern raised by consultation participants concerned the burden on the individual of initiating and pursuing a complaint. It may be argued that when an entire community is affected, such as by alleged vilification in the media, it is unfair and unreasonable to expect an individual community member to initiate and pursue a complaint.

They have these laws but for the average person in the street it's trying to access something that is not accessible. Me being confident and being in the organisation I am in, it took me a lot of people who I knew to go to, to get to a point where somebody was prepared to say we will take it on from here. For me not knowing the legal system was quite a frightening thing ... So what can we do to simplify these things so the average person gets a chance to lodge a complaint and see something get done about it? Otherwise people will just give up. It's frightening for those who know the legal system, so how is it for those who don't?⁴⁷

As practicing lawyers, we hate to make complaints because we know what it involves – it's alienating to me ... We advise our clients of the nature and complex process of complaints and they get put off – it's too difficult.⁴⁸

The issue of the ability or 'standing' of organisations, such as community organisations, to make complaints is dealt with in a number of different ways under the anti-discrimination laws around Australia.

5.1.2.1 State and territory laws

In Queensland, the *Anti-Discrimination Act 1991* (Qld) was recently amended⁴⁹ to allow complaints of racial or religious vilification⁵⁰ to be made by 'a body corporate or an unincorporated body, a primary purpose of which is the promotion of the interests or welfare of persons of a particular race, religion, sexuality or gender identity'.⁵¹ If an organisation is able to satisfy certain requirements (such as, that the complaint is made in good faith, the conduct complained of has affected or is likely to affect 'relevant persons' for the body corporate or unincorporated body, and it is in the interests of justice to accept the complaint),⁵² then it will be able to lodge a complaint of racial or religious vilification in its own right.

In NSW, under the *Anti-Discrimination Act 1977* (NSW), complaints of discrimination and vilification on all of the grounds included in the Act can be made by a 'representative body' on behalf of a named person or group of people. A representative body is defined as a body (whether incorporated or unincorporated) which purports to represent a group of people within NSW, whether or not the body is authorised to do so by the group concerned, and has as its primary object the promotion of the interests and welfare of that group.⁵³

Before a complaint can be accepted from a representative body, each person on whose behalf the complaint is lodged must consent to the complaint being lodged and the body must have a sufficient interest in the complaint.⁵⁴ A representative body will have a sufficient interest if the conduct complained of is a matter of genuine concern to it because of the way that conduct could, or does, adversely affect the interests of the body or the interests or welfare of the group of people it represents.⁵⁵

Similar provisions were recently introduced in Victoria by the *Racial and Religious Tolerance Act 2001* (Vic).⁵⁶ One important distinction, however, is that unlike the NSW legislation, the ability of a representative body to make a complaint on behalf of a named person or group of people under the Victorian legislation is limited to complaints alleging racial or religious vilification.⁵⁷

In Tasmania, the *Anti-Discrimination Act 1998* (Tas) provides a broad range of standing provisions, allowing a complaint to be made by a person on behalf of the alleged victim of discrimination or prohibited conduct,⁵⁸ agents⁵⁹ and by 'an organisation'⁶⁰ against which the alleged discrimination or prohibited conduct was directed if the Commissioner is satisfied that a majority of members of that organisation are likely to consent.⁶¹

In the ACT, an 'agent' can make a complaint on behalf of one or more people aggrieved by an alleged act of discrimination.⁶² In Western Australia, representative complaints can be made,⁶³ although the only 'organisation' referred to in that context is a trade union.⁶⁴

In South Australia, a complaint can be made by an aggrieved person or by an aggrieved person on behalf of him or herself and any other person aggrieved by the alleged act of discrimination.⁶⁵ In the Northern Territory, only a person aggrieved by prohibited conduct under the Act, or a person authorised by the Commissioner on behalf of the person aggrieved, can make a complaint under the Act.⁶⁶

5.1.2.2 Federal law

Under the federal HREOC Act, trade unions are the only organisation given specific standing to make a complaint on behalf of one or more other aggrieved persons.⁶⁷ The HREOC Act also provides that a complaint can be made by 'a person ... on behalf of one or more other persons aggrieved by the alleged unlawful discrimination'.⁶⁸ As the definition of 'person' under the *Acts Interpretation Act 1901* (Cth) includes 'a body politic or corporate', it is arguable that an organisation that meets this definition could make a representative complaint on behalf of others who are aggrieved by an alleged act of unlawful discrimination or a breach of the racial hatred provisions of the RDA.⁶⁹ The complaint would need to comply with all of the specific requirements governing representative complaints.⁷⁰ It is also worth noting that a person on whose behalf a representative complaint

has been made is not entitled to lodge a separate complaint about the same issue.⁷¹

However, even if such a complaint were to be made to the Commission and was terminated by the President,⁷² only an 'affected person'⁷³ can proceed with the matter in the Federal Court or Federal Magistrates Service (FMS). An 'affected person' means a person on whose behalf the complaint was lodged.⁷⁴ Therefore, unless an organisation also made a complaint on its own behalf, it would not be able to commence proceedings in the Federal Court or FMS (which is the only way to lead to an enforceable decision). Only a person who was personally aggrieved would be able to do so.⁷⁵

In addition to this, the Federal Court and FMS have different standing (and arguably narrower) provisions for representative complaints which must be complied with.⁷⁶

In light of the differences in the way in which this issue is dealt with under the federal HREOC Act compared with some of the state and territory laws outlined above (in particular, in Qld, NSW and Victoria), consideration should be given to whether legislative amendment at the federal level is appropriate.

5.2 Education

5.2.1 Public Education

Consultation participants believed that education about the religious and cultural diversity of Australians is the most important long term strategy for eliminating anti-Arab and anti-Muslim prejudice. Participants stressed the need for more broad-based public education and for more targeted education campaigns aimed at specific groups such as young people, employers and service providers to help dispel myths and negative stereotypes about Arab and Muslim Australians.

*You are not going to solve anything with punitive measures. You will only solve it with education ...*⁷⁷

*A person who is ignorant of difference and has no idea about others will discriminate ... But an educated person is more likely to show respect for others.*⁷⁸

Participants felt any education campaign to address negative stereotypes about Islam and Arab and Muslim Australians should include the following key messages:

- Australian Muslims are an extremely diverse group and Muslims contribute in positive ways in all sectors of Australian society;

When you talk about Islam we are not talking about one group of people from a particular religion. I mean, just look around the room here: we are all from different backgrounds, ethnic backgrounds, yet we share the same faith. I think it's just easy for them to put us in a box ... It's so misinterpreted and there are so many stereotypes.⁷⁹

- Arab Australians also come from diverse ethnic and religious backgrounds and that Arabs have made many positive contributions to Australian society;

We want the diversity of our background to be expressed. This diversity will make them realise that you can't discriminate against an Arabic person in Australia for the actions of an extremist in the Middle East. You can't punish the entire group of people for the actions of one.⁸⁰

- Islam is a religion of peace;

Islam is peace. Islam has nothing to do with terrorism and never will ...⁸¹

- racial and religious discrimination and vilification is harmful and can be against the law.

I think generally that the general public is not aware that to discriminate actively, verbally, and harass and vilify is against the law and is punishable as a crime ...⁸²

Participants believed that public education about Arab history and culture or about Islamic beliefs and customs was best conducted within a framework of multiculturalism. Many felt that singling out Arab and Muslim Australians in anti-racism education initiatives would only exacerbate prejudice, not promote understanding. Instead, consultation participants felt that the commonalities which Arab and Muslim Australians share with all Australians should be highlighted.

Education and campaigns, no matter how small or large, should focus on similarities not differences between community groups. One message should be that Islam, like all religions, is about tolerance, acceptance and freedom of speech and expression of that religion.⁸³

The concern that I have is that I don't think we should be isolating the Muslims as such and saying 'Look how different they are'. We're getting all this attention and the media is going berserk.⁸⁴

Promotion of multicultural principles such as respect for diversity was seen as an essential foundation of any education program to address anti-Arab and anti-Muslim prejudice. Participants felt there should be greater emphasis on the right of all Australians, Arabs and Muslims included, to express their own culture and

beliefs and to have equality of treatment and opportunity regardless of their race, culture, language, religion, location, gender or place of birth.⁸⁵

*The strategy has to be about Australian multiculturalism and the notion of rights within multiculturalism because this is a reference which can be historically known and transferred to many different groups ...*⁸⁶

*We need to try to broaden the curriculum to make kids understand what multiculturalism's all about - that there's not just one variety of 'proper' Australian. Then you've got to get to the broader population.*⁸⁷

*It's very important [for people to learn more about what Islam is] because we do live in a society of multiculturalism. What we don't know about other people's culture and their religion is going to cause problems.*⁸⁸

As detailed in the previous chapter, the 'Living in Harmony' program is the federal government's main initiative to promote multiculturalism. It includes celebration of 'Harmony Day' on 21 March each year and a grants program for community projects that promote harmony between people from different cultural, racial, religious or social backgrounds. In recent years, some of these grants have facilitated the development of educational resources which help promote positive public awareness of Islam and the Muslim community in Australia or of Arabic culture. For example, in 2002 the Australian Federation of Islamic Councils received a grant to foster a better understanding of Islam and the Muslim community in Australia. As noted previously, one of the outcomes of the project was publication of the information booklet *Appreciating Islam* which provided accessible information about the Muslim faith.⁸⁹ The Australian Arabic Council has received Living in Harmony community grants to produce the documentaries, *'Zero to Zenith: Arabic contributions to Australia'* and *'Tale of Two Peoples: Arabic and Indigenous youth in Australia'*.⁹⁰

Consultation participants, particularly those with direct involvement in 'Living in Harmony' projects were, on the whole, positive about the program and saw its benefits in promoting multiculturalism. However, not all consultation participants were enthusiastic about 'Harmony Day'. Some felt that a focus on food, dancing and cultural exchange was superficial and detracted from the more serious underlying message of anti-racism. Many felt that a one day celebration is not opportunity enough to address the problems of prejudice and intolerance that occur during the other 364 days of the year. Others also felt that the grants distributed under the Living in Harmony program were ad-hoc and too short-term to bring about significant and lasting changes in attitudes towards multiculturalism or racism.⁹¹ Given that in many instances projects are small scale and locally based, most consultation participants were simply unaware of the range of initiatives funded through the 'Living in Harmony' program.

Many consultation participants argued the need for a more dynamic and eye-catching, national public education campaign to promote multiculturalism to a wider audience. To reach this mass audience, some suggested using well known spokespersons (such as sporting or media celebrities) to deliver key messages and to employ more visual forms of communication such as television or billboard posters.⁹² For example, participants suggested erecting billboards outside shopping centres informing people that discrimination is illegal and showing images of Muslim women alongside women from other ethnic or religious backgrounds.⁹³ Others also suggested that bus shelters were an ideal location for posters showing positive images of people from various cultures and ethnic backgrounds. Given that bus stops were a common setting for racist conduct, participants felt it was important to provide some immediate redress in such places.⁹⁴ Many stressed the importance of television as a medium for public education.

What I think we need sometimes is like the advertising campaign about road deaths – strong ads that tell people ‘No’. Instead, what we get is images of food and dance. We don’t get images of multicultural communities contributing.⁹⁵

What is lacking is an effective media and education campaign for the community in general ...⁹⁶

The use of visual formats to communicate key messages is particularly important given that people of ‘white Anglo-Celtic’ background are not the only ones to discriminate against and vilify Arab and Muslim Australians. Information provided during the course of the IsmaU consultations and the UWS survey and interviews suggest that long-established migrants and refugees from non-English speaking backgrounds also do so. People from culturally and linguistically diverse backgrounds for whom English is not a first language or who have low literacy skills may be reached more effectively through visual means such as ethnic radio, television, videos or posters rather than English-language written material.

Other participants argued that encouraging personal contacts is much more effective in overcoming prejudice than expensive advertising campaigns to promote multiculturalism.⁹⁷

We need to show our humanity and take time to sit around a table with people, and then you will get a lot more people on side and saying that they are caring about me as a human being. They understand me as a person and therefore I will listen to what they have to say.⁹⁸

People are educated through their interaction with Muslim people and basically getting a better understanding of who they are and how they live.⁹⁹

Such personal links are being forged around Australia through initiatives such as interfaith dialogues and networks, mosque open days, and inter-school visits involving students from schools with a high proportion of Arab and Muslim students.¹⁰⁰ In Chapter 4 we discuss a range of current initiatives which aim to foster understanding between individuals from different ethnic or religious backgrounds. The proliferation of interfaith networks around Australia in recent years provides a positive example of how many local and community organisations have worked to help eliminate prejudice against Arab and Muslim Australians. Exchange programs and inter-school visits between Muslim and non-Muslim or Christian schools have also fostered interfaith understanding and acceptance amongst young people.

5.2.2 Educating young people

Consultation participants suggested a variety of more detailed strategies to educate specific target groups such as young people, employers and service providers about multiculturalism and Arab culture and the Islamic faith. Educating young people was seen as a particular priority.

Let's also target the children to educate them properly about how to see the similarities in other kids.¹⁰¹

I think people when they are young should be educated about other people and that people believe in different things and they should just appreciate the different cultures and respect them as human beings.¹⁰²

Improving education about racism and multiculturalism in schools is an effective way to reach young people. Schools play a vital role in preparing children and young people for effective participation and responsible citizenship in Australian society. Consultation participants recognised the importance of schools in promoting the values of equality, respect for diversity and in helping tackle racism.

Giving education to the adults is fine. But looking at the long term, within the next 20-25 years, the children will grow up to copy the adults.¹⁰³

Consultation participants identified three main priority areas for improvement in schools: clear and consistent anti-racism policies and programs, ongoing cultural diversity training for teachers and professional staff and review and further development of curriculum that promotes awareness and acceptance of cultural difference.

5.2.2.1 Anti-racism strategies

The goal of creating a 'socially just' schooling environment free of racism is explicitly set out in the *Adelaide Declaration on National Goals for Schooling in the Twenty-First Century* (the Adelaide Declaration) endorsed by state, territory and Commonwealth Ministers of Education in 1999.¹⁰⁴ The Adelaide Declaration, which provides broad directives to guide schools and education authorities to achieve high quality schooling, also encourages schools and education authorities to ensure that 'all students understand and acknowledge the value of cultural and linguistic diversity and possess the knowledge, skills and understanding to contribute to, and benefit from, such diversity in the Australian community and internationally'.¹⁰⁵

Each state and territory education department develops and implements specific anti-racism policies and programs in accordance with these broad national guidelines. All state and territory education departments also have guidelines on grievance procedures for handling complaints about racism in schools.

While anti-racism policies and programs are the responsibility of state and territory education departments, their implementation at a local level is a matter for individual schools. As a result, there is a lack of uniformity in how racism is tackled in different schools. This was noted by several consultation participants.

*It's so inconsistent. You see one school doing some really fantastic work. In the next suburb, with the same amount of NESB (non-English speaking background) kids, another school will be doing nothing and they get away with it. Opportunities for those kids are lessened; those families suffer; everyone's behind the eight ball.*¹⁰⁶

*In schools with good anti-harassment and anti-racism statements, we don't get problems of racism against NESB students. Some schools are problematic even though they only have a 2% NESB population.*¹⁰⁷

Consultation participants felt that anti-racism policies were most effective in schools where the principal and senior staff exercised strong leadership in endorsing and enforcing them.

*There is a very strong anti-racism policy at our high school that came from the principal right down, so when teachers and students see her setting an example they don't take it lightly, rather, they take the issue seriously.*¹⁰⁸

*At my school it's been very good. I have no complaint about discrimination. The teachers have been wonderful ... our school is made up of like 90% NESB and mainly from Arabic background and the principal has been very supportive. He always tells the teachers during the meetings that we have on a weekly basis to be sensitive to Arab students' needs.*¹⁰⁹

To encourage strong, consistent leadership against racism by principals and senior staff in schools, federal, state and territory education authorities could play a greater role in promoting the goals of 'socially just' schooling as set out in the Adelaide Declaration. Specifically, there is scope for federal, state and territory governments to work together to promote the Adelaide Declaration goals of ensuring that school environments are free from discrimination based on factors such as culture, ethnicity and religion (goal 3.1) and that students understand and acknowledge the value of cultural and linguistic diversity (goal 3.5).¹¹⁰

Collaboration between federal and state/territory education authorities to promote more consistent implementation of anti-racism policies could be fostered through the federal Ministerial Council on Education, Employment, Training and Youth Affairs (MCEETYA).¹¹¹ MCEETYA is comprised of State, Territory, Australian Government and New Zealand Ministers with responsibility for the portfolios of education, employment, training and youth affairs. The functions of the Council include coordination of strategic policy at the national level, negotiation and development of national agreements on shared objectives and interests (including principles for Australian Government/State relations) in the Council's areas of responsibility, negotiations on the scope and format of national reporting on areas of responsibility, sharing of information and collaborative use of resources towards agreed objectives and priorities, and coordination of communication with, and collaboration between, related national structures.¹¹² MCEETYA is supported by a number of taskforces convened as needed to meet particular goals such as improving Indigenous education employment and training. Information provided by the MCEETYA Secretariat indicated that issues relating to anti-racism and cultural diversity in schools could be addressed by existing MCEETYA taskforces such as the Student Learning and Support Services Taskforce or the Teacher Quality and Educational Leadership Taskforce (or whatever the new configuration of these taskforces may be after a review currently being undertaken by MCEETYA).

Recommendation:

That MCEETYA consider referring these issues to the relevant taskforce for advice on best practice in implementing anti-racist education policies in schools with a view to ensuring schooling is free from discrimination based on culture, ethnicity, religion or race, and for an action plan to implement that best practice.

5.2.2.2 Training teachers

Most children, young people and parents who participated in consultations felt they had received adequate support from their teachers against prejudice and discrimination. However, some believed that individual teachers were ill-equipped to deal effectively with racism in the classroom and playground. In the few instances where teachers were reported by consultation participants to have acted in a discriminatory way, schools had responded swiftly to discipline the individual teacher. The more common complaint from students and parents was of subtle bias manifested in alleged favouritism of non-Muslim or non-Arab students and in offensive or insensitive language or behaviour used by teachers and lecturers leading class discussions about terrorism, for example, or women in Islam.

With the kids, they get verbal abuse, they spit on them, and sometimes they get physical abuse as well. The kids find it difficult to voice it out because they think nothing is going to happen anyway so why should I say it. They are reported to the teachers but nothing happens.¹¹³

It is necessary to have mandatory training on culture and religious diversity as a teacher because it is the teachers who also do the discrimination, even union members. It's just that these people are in a position of power and these people are imparting their views on to the children, therefore I really think we need mandatory training in different cultures.¹¹⁴

To ensure that teaching professionals are well prepared to administer anti-racism policies and programs and help promote respect for cultural and linguistic diversity, teachers should receive diversity training as part of their ongoing professional development. Currently, many public schools around Australia offer ad-hoc cultural diversity training for teachers. In areas with high concentrations of students from culturally and linguistically diverse backgrounds or in schools with specialist programs for newly arrived migrants and refugees, teacher training in anti-racism and diversity awareness appears to be more commonplace. While in some states and territories, induction programs for new teachers includes diversity awareness and anti-racism training, there appears to be no compulsory on-going training for established teachers.¹¹⁵ The MCEETYA taskforce on Teacher Quality and Educational Leadership (or its new configuration) could develop standards for anti-racism and diversity training aimed at improving the quality of teaching and learning in schools.

Recommendation:

That MCEETYA consider referring the issue of diversity training of teachers to the relevant taskforce for advice on an action plan for implementation, as part of its commitment to enhancing teacher quality.

5.2.2.3 Curriculum

Teachers and educators who participated in the consultations described a variety of multicultural and anti-racism programs currently taught in schools that promote broad public acceptance of cultural difference.¹¹⁶ Programs such as *Racism No Way!*¹¹⁷ offer teachers and students online access to information about racism and racial discrimination. State and territory education authorities have also developed resources that help teachers include multicultural perspectives in teaching subjects ranging from technology courses to studies of society and the environment. The Commission has also developed a range of educational resources that explore the causes and consequences of racial discrimination. These online resources are directly linked to the educational curricula of each Australian state and territory, providing education departments and individual teachers with a clear guide as to how they can be used in the classroom.¹¹⁸ Despite these existing initiatives, many participants felt that anti-racism and multicultural education in schools does not go far enough.¹¹⁹

Participants suggested two main improvements to curriculum: that existing curriculum be assessed with a view to correcting misinformation about Islam and Arab history and culture and that the curriculum in primary and secondary schools be expanded to provide unbiased information about all major world religions, including Islam, and major civilisations, including Arabs.¹²⁰ Some young students were in favour of introducing compulsory study of religion as part of the primary school curriculum.

*It is important to learn about other religions so that people understand each others' religions and treat them nicely.*¹²¹

*I would like to learn about other religions. I want to learn more than about their differences, like I want to learn about all their beliefs and everything and I will respect their beliefs too. And I want them to learn more about Islam so they can respect my beliefs also.*¹²²

While some teachers welcomed the idea of compulsory cross-cultural religious studies, others cautioned against further inflating an already crowded curriculum or warned about the dangers of teaching religion in public schools.¹²³

*We would like people to know more about every religion. On the other hand we fear if there is too much teaching of one religion it becomes indoctrination. So you have to find a balance between, on one hand, where people label it as indoctrination and, on the other, the knowledge of what it is all about and of course as educators we have to be a leveller in between.*¹²⁴

Some participants stressed that education about diversity must be embedded in existing curriculum rather than being hastily 'tacked on' as an optional extra. There is considerable scope for integrating education about cultural and linguistic diversity into existing education frameworks and for more active promotion of such programs by federal, state and territory education authorities. For example, there is scope to integrate a fuller discussion of human rights relating to freedom of religious belief and freedom from racial discrimination, in the 'law and rights' component of the *Discovering Democracy* program developed by the federal government.¹²⁵ This program aims to help young people become responsible citizens by educating students to understand the workings of Australia's political and legal system and the history of Australian democracy. There is also opportunity to further highlight issues like racism and promote respect for cultural and religious diversity in the context of 'Values Education'.¹²⁶ 'Values Education' includes any school based activity to promote student understanding and action based on values such as acceptance of other people's difference, inclusion and trust, respect for others and a commitment to social justice principles. The Commission suggests that federal and state education authorities consider prioritising anti-racism in the future development of values education programs and in civics and citizenship curriculum.

5.2.3 Educating service providers

Many consultation participants reported discrimination in the provision of government services such as policing, public transport, housing, medical care and social security.¹²⁷ To address this, participants recommended diversity training for all government service providers.¹²⁸

*If Australia is to run a migration program, then the institutions of the state have to be prepared to accept, accommodate and service them.*¹²⁹

*As service providers we must be culturally confident. There must be some criteria that say, if you want to be a sergeant, teacher or a police officer, what do you know about cultural issues and how do you demonstrate that confidence...?*¹³⁰

Consultation participants identified diversity training for government employees, particularly police, as vitally important.

*They need to know the people they are policing. There is no point in having an organisation leader or lecturer come and speak because they aren't going to run into him on the street – it's the actual kids that they are going to be working with they need to speak with.*¹³¹

*Education has to start before they get into the force at the academy level – so they can challenge their prejudices earlier.*¹³²

*Make sure that all cops at all levels attend the cultural training.*¹³³

Police in all states and territories receive cultural diversity training as part of basic recruitment.¹³⁴ In 1997, the National Police Ethnic Advisory Bureau (precursor to the Australasian Police Multicultural Advisory Bureau) released a national training standard policy for cultural diversity training of police across states and territories. This integrated approach to cross-cultural awareness training replaced an ad-hoc approach based on stand-alone courses that were usually tacked on to the end of training courses. Police across Australia also have access to the resource *A Practical Reference to Religious Diversity for Operational Police* (2nd edition) which covers information about a range of religions and how the police and emergency services can deliver culturally appropriate services that accommodate different beliefs.¹³⁵

In relation to government services more generally, there is a national policy framework for ensuring that the diverse needs of Australians are met by culturally responsive federal government services. This policy is set out in *The Charter of Public Service in a Culturally Diverse Society* (the Charter).¹³⁶ The Charter was launched in 1998 by the Department of Immigration and Multicultural and Indigenous Affairs (DIMIA) and endorsed by Commonwealth, State and Territory Governments and by the Australian Local Government Associations. It aims to remove barriers to accessing government services for clients from culturally and linguistically diverse backgrounds and recommends provision of cross-cultural awareness training for staff.¹³⁷ DIMIA reports annually on the progress that Commonwealth agencies have made in implementing the Charter, most recently in its 2003 *Access and Equity Annual Report*.¹³⁸

States and territories also have access and equity policies and reporting mechanisms to measure implementation of access and equity standards. For example, public sector agencies in New South Wales are required to have an Ethnic Affairs Priorities Statement (EAPS) which shows how they will deliver appropriate services to a culturally diverse client group, consult effectively and inclusively, provide training for staff on cultural diversity issues and provide language services and information in ways that will reach all clients. Each year the Community Relations Commission for a Multicultural NSW assesses and monitors the performance of public sector agencies, and reports on this performance in an annual *Community Relations Report*.¹³⁹

Many of the community organisations who participated in IsmaU consultations have delivered cross-cultural awareness seminars to service providers from local, state and federal government agencies to assist these agencies in better understanding and serving the needs of culturally and linguistically diverse clients from Arab and Muslim communities. General interest in these seminars has risen significantly over the last two years as has demand for more specifically tailored cross-cultural awareness seminars from government service providers such as Centrelink, TAFE and some local area police commands.¹⁴⁰ Consultation participants stressed the importance of ongoing provision of such training to government service providers.

5.2.4 Employer obligations

Consultation participants and survey respondents, including those who participated in interviews, all identified discrimination in the workplace as a major issue (see Chapter 2). Religious dress, an Arabic or Islamic name or evidence of Arabic language skills were factors which participants felt impacted on their opportunities to find a job, or on their capacity for promotion or job satisfaction once they were already in employment. To address these problems, many consultation participants felt that more could be done to inform employers of their legal responsibility to ensure that workplaces were free from racial or religious discrimination.

*[I want] just to know that he [the employer] knows that by law he's got no right to discriminate against anyone regardless of their physical features or whatever ... If people are aware that there is a law against this and it is enforced, then I believe it would make a difference.*¹⁴¹

Participants felt that small and medium sized employers should be the particular focus of any campaign to increase understanding and implementation of anti-discrimination laws and workplace diversity policies.¹⁴² Consultation participants felt that larger employers were often more aware of anti-discrimination laws and their legal obligations as employers to foster work environments free from discrimination than smaller employers. Some consultation participants also argued that employers should be better informed about how to properly accommodate the religious needs of Muslim workers, particularly regarding prayer at work.¹⁴³

The Commission along with state and territory anti-discrimination agencies have developed a range of educational and training resources that address discrimination issues in employment. For example, the Commission's Complaint Handling Section provides information sessions on the law and training in investigation and resolution of discrimination issues for Commonwealth govern-

ment departments and national employer groups throughout Australia, where appropriate. These presentations and training sessions include provision of information on race discrimination and racial hatred and discussion of relevant case law to assist employers clarify their responsibilities under federal human rights and anti-discrimination law.¹⁴⁴ The development and implementation of educational programs that promote an understanding of anti-discrimination laws is one of the Commission's core functions and it will continue to carry out further educational programs in this area.

5.3 Public language

5.3.1 Public language – media

Throughout the IsmaU project, concerns were consistently raised by the participants about the reporting of issues relating to Arabs and Muslims locally, nationally and internationally. This issue has also been the subject of vigorous public debate and analysis.¹⁴⁵ Consultation participants felt that biased and inaccurate reporting of issues relating to Arabs and Muslims is commonplace among some sections of the media and is extremely damaging. Survey respondents and interviewees also felt that increases in anti-Arab and anti-Muslim prejudice, discrimination and violence were linked to negative media portrayals of Arab and Muslims, especially on commercial television, talkback radio and in the tabloid press.

*The Arabic community are either the victims or the villains. There is no room in the middle ... to show that they are just like everyone else in the community. They are either fighting or they are victim of vilification. The only way we can get into the media is to push the vilification side and that is ridiculous as there are so many good people in the community who are all working together and trying to actively encourage the community to participate.*¹⁴⁶

*If it's not blood and guts and shootings and disaster, they won't show you. They just want to show the very bad disasters about Muslims and if it's not about Muslims they will associate it with Muslims ... They should be more balanced in the way they report things. I am not a Muslim and I get very upset by the media.*¹⁴⁷

*As a citizen, I feel intellectually and emotionally persecuted by a media that refuses to take responsibility for the emotional damage it has inflicted on Australia's Arabic and Muslim communities and bluntly ignores the fact it is causing damage to Australia's social cohesion ...*¹⁴⁸

Many participants felt that there is stereotyping in the media of Arabs and Muslims and that this has immediate and direct negative impacts on individuals or communities, exacerbating tensions and fostering a climate conducive to fear, discrimination and abuse.

All of our kids watch TV all of the time. Muslims, Christians, Hindus, Jews, whatever – they watch TV. There is a news update and straight away they mention 'Muslim terrorists'. So straight away it is stuck in the minds that Muslims are terrorists. So when they go back to school they will be discriminated against because they are 'Bloody Muslims'... I think the media is the main cause because kids are picking on Muslims at school and these kids get it from their parents and their parents get it from the media.¹⁴⁹

I came as a refugee from Bosnia ... I feel inside that at any moment someone will abuse me or say something to me because every day, every time on TV, it's 'Muslim fundamentalist', or 'Muslim terrorists'. Why are they looking at us as fundamentalists and terrorists?¹⁵⁰

Specific concerns raised by consultation participants and interviewees about some sections of the media included the following:

- That media reports the ethnicity and religion of Arab and Muslim criminal suspects and offenders but not uniformly for others. Further, that an offender's ethnicity and/or their religion is presented as if it caused the offending behaviour.¹⁵¹
- That media does not provide balance in coverage of Arab and Muslim communities and fails to promote positive stories about Arab and Muslim Australians.¹⁵²
- That media fail to provide a fair right of reply, for example, by failing to publish letters to the editor critical of an anti-Muslim article.¹⁵³
- That talkback radio permits racial and religious vilification against Arabs or Muslims to go to air as entertainment.¹⁵⁴
- That journalists often get their facts wrong about Islam, Muslims and Arabs.¹⁵⁵
- That journalists tap too narrow and unrepresentative a range of spokespersons from Arab and Muslim communities.¹⁵⁶
- That Muslims are not visible or heard on 'mainstream' issues but only within the narrow confines of Muslim specific issues.¹⁵⁷
- That use of inappropriate or stereotypical images can be used to mislead or reinforce negative stereotypes against Arab and Muslim Australians.¹⁵⁸

Many consultation participants were especially upset about media commentary on the sentencing of several young men of Lebanese background charged in a series of eight group sexual assaults which took place in the Bankstown area of south-west Sydney in 2000. Both consultation participants and representatives of Arab and Muslim communities shared the outrage felt in the broader

community about these crimes. The Australian Arabic Council publicly denounced the crimes and stated that the perpetrators 'deserve to be dealt with by the full strength of the law'.¹⁵⁹ Equally, the Australian Federation of Islamic Councils condemned the perpetrators of the sexual assaults and stated that '[t]here is no doubt that these individuals acted independently of their religious or cultural background'.¹⁶⁰ They offered to the victims their 'condolences and warm words of support for the great courage that they have shown in standing against these sadistic and misguided youth'.¹⁶¹

However, participants also felt that media coverage of the trial in 2001 and conviction and sentencing of the offenders in 2002 led to a perception that all Muslims and all members of the Lebanese community were responsible for the actions of the perpetrators.

*A couple of weeks ago there was a home rape in Newington but they [the media] didn't mention their religion and ethnicity but only bring it up when they were Lebanese or Muslim. In this case the race card wasn't used.*¹⁶²

*The main problem is the media, like the way they portrayed the gang rapes and the calling for the 55 year jail sentence. Why did they have to make it a religious issue, and not encourage the same jail sentence for the priest who raped those children?*¹⁶³

Consultation participants were not alone in expressing concerns about the impact of media coverage of this issue. In March 2004, the New South Wales Court of Criminal Appeal¹⁶⁴ overturned the conviction of one of the offenders (who was tried separately from the other four co-accused), and ordered a retrial on the basis that there had been a miscarriage of justice despite a strong Crown case against the defendant.¹⁶⁵ A majority of the Court found that '[t]he feelings of anger, revulsion and general hostility to young Lebanese men that emanated from the media coverage of the trial would have lingered heavily in the atmosphere of [the accused's] trial. Its fairness and the appearance of its fairness were undermined to an unacceptable degree due to the unnecessary decision to direct back-to-back trials'.¹⁶⁶

Participants also felt that media coverage of refugee and asylum seeker issues contributed to an increase in prejudice against people of Muslim or 'Middle Eastern' background.

*It makes me feel as though the whole world is against me. I don't want to switch on the news ...*¹⁶⁷

*I rang the radio the other day and complained about the language used about boat people. I said they are not 'allegedly' asylum seekers. They are asylum seekers ... The language that is used is used to confuse and to keep the public in the dark.*¹⁶⁸

Concerns were also expressed by consultation participants that media coverage of terrorism and the 'war on terror' had also reinforced negative stereotypes that Muslims are all 'terrorists' or potential terrorists.

*Media are responsible for the worst stereotypes, like Muslims are terrorists, when Islam means peace ... People think that only Muslims can be terrorists. They single out 'terrorist' as equalling to Islam.*¹⁶⁹

This issue was recently acknowledged by the Australian Press Council (APC) in a press release issued in April 2004. The APC urged newspapers and magazines 'to be careful about using in their headlines terms for religious or ethnic groups that could imply that the group as a whole was responsible for the actions of a minority of that group'.¹⁷⁰ Whilst acknowledging difficulties that the use of overly general terms has caused for groups such as Indigenous people and the Australian Jewish community, the focus of the press release was on the Australian Muslim community. It acknowledged that while, in some cases, the linking of words with religious connotations (such as 'Islam', 'Islamic' and 'Muslim') to terrorist groups may be, in the strictest sense, accurate, it is often unfair as 'terrorists may be Muslims, but Muslims are not necessarily terrorists, as some headlines have implied'.¹⁷¹

Some consultation participants also expressed disappointment about what they perceived as inaccurate and biased coverage of conflict in the Middle East. This coverage also has its impacts by creating damaging stereotypes in Australia.

*Just with all the media attention on the Middle East and the buzz around the Middle East, when kids found out I was Palestinian background, my nickname soon became 'terrorist'.*¹⁷²

A Muslim organisation provided details of a complaint submitted to a local television network about bias in reporting of the Israeli-Palestinian conflict.

*For example ... when reporting the confrontation between say a Palestinian and an Israeli, the Palestinian is described as an Islamic terrorist and the Israeli is simply called Israeli or sometimes referred to as a 'settler'.*¹⁷³

The development and implementation of strategies to challenge stereotyping in the media was seen as essential by consultation participants to achieving the broader goal of eliminating prejudice and discrimination against Arab and Muslim Australians. Suggestions for addressing these concerns included:

- media analysis to increase media accountability¹⁷⁴
- greater awareness of minimum legal standards in media codes of practice¹⁷⁵
- development and promotion of positive stories about Arabs and Muslims¹⁷⁶

- more effective engagement between media and community representatives¹⁷⁷
- diversity training for journalists¹⁷⁸
- provision of media training to community spokespeople.¹⁷⁹

5.3.1.1 Media analysis

Allegations of factual inaccuracies and the absence of balance in reporting and commentary are issues of serious concern. The first step towards addressing these issues could be achieved by verifying these allegations through close monitoring of media content. Media analysis could help document whether there are patterns of bias in reporting of issues relating to Arab and Muslim Australians and identify potential breaches in reporting standards and anti-vilification laws.¹⁸⁰ It could also assist in the recognition and encouragement of media that do present Arabic or Islamic issues in a fair and balanced manner.¹⁸¹

Until recently, there was little in the way of such analysis.¹⁸² *The New 'Others': Media and Society Post-September 11*, the November 2003 edition of Griffith University's *Media International Australia* journal contains a thorough and wide-ranging analysis of media representation of people of 'Muslim and Middle Eastern' background in Australia post-September 11.¹⁸³ Several of the articles in the collection use rigorous content analysis of specific newspapers to explore media representations of asylum seekers¹⁸⁴ and Arabs and Muslims in Australia.¹⁸⁵ In *Dog Whistle Politics and Journalism: reporting Arabic and Muslim people in Sydney newspapers*, Peter Manning, (Professor of Journalism at the University of Technology, Sydney, and the former Head of ABC TV News and Current Affairs and Head of Current Affairs at Network 7), analysed representations of Arabs and Muslims in two of Sydney's major daily newspapers in twelve months before and after 11 September 2001. He found that the media portrayal of Arabs and Muslims in these newspapers relied heavily on stereotypical orientalist notions of Arabs and Muslims as 'irrational' and 'violent' and that the newspapers presented the view that Australia is under threat from such people.¹⁸⁶

While scholarly research is an important first step in investigating the nature of media representations and assessing their impacts, community organisations have yet to fully utilise this research as a tool for education or advocacy. Several researchers, including Peter Manning, stressed the need for more assistance to allow greater involvement by community organisations in the process of media monitoring.

*Arab and Muslim organizations (separately) should have media monitoring groups that can react quickly to stereotypes and prejudice and seek redress, correction or, at least, balance. The groups would need to be media-wise, have professional-level spokespeople and research resources to back their side of the story.*¹⁸⁷

*You can empower groups and assist them in those battles. This is just in terms of the media ... It is much better to assist communities to represent their own interests in these media ... I think on the basis of that a group should be funded to actively monitor the way they have been portrayed.*¹⁸⁸

To date, there has been no systematic, ongoing monitoring of media representations of Arab and Muslim Australians by relevant community organisations.¹⁸⁹ The Australian Arabic Council (AAC) conducts media monitoring on an ad-hoc basis distributing information about media bias in specific television or print reports which stereotype or vilify Arabs. The AAC does this through an 'Action Alert' email list-serve to members and associates to encourage mass action to redress particular articles or news stories.¹⁹⁰ The Islamic Council of Victoria and the Forum on Australia's Islamic Relations (FAIR) also conduct ad-hoc media monitoring.¹⁹¹ These and other community organisations who participated in consultations recognised the need for comprehensive and systematic analysis of print and broadcast media. However, community organisations felt they were not adequately resourced to conduct thorough and ongoing monitoring and analysis of media representation of Arabs and Muslims in the Australian media.

5.3.1.2 Targeted information campaigns on media standards and complaint processes

Many consultation participants felt that there were few, if any, constraints or checks on the media in relation to reporting of issues relating to race and religion.¹⁹² However, the media are bound by the racial hatred provisions of the RDA and by racial and religious vilification laws in states and territories discussed previously. These laws must be activated by a complaint from or on behalf of people aggrieved by the reporting or commentary aired or published.

In addition to this, each of the media sectors has its own form of self-regulation which allows members of the public to make complaints about certain issues to the relevant industry body.

For example, the federal *Broadcasting Services Act 1992* (Cth) (*Broadcasting Services Act*) provides for the development of codes of practice by radio and television industry groups in consultation with the Australian Broadcasting Authority (ABA). In developing these codes of practice, s 123 of the *Broadcasting Services Act* requires that community attitudes are to be taken into account regarding:

*... the portrayal in programs of matter that is likely to incite or perpetuate hatred against, or vilifies, any person or group on the basis of ethnicity, nationality, race ...*¹⁹³

Once an industry code of practice has been developed, the ABA must be satisfied of certain matters before registering the code.¹⁹⁴ The ABA has registered codes

of practice for all broadcasting sectors (with the exception of the ABC and SBS which are notified to the ABA) which are publicly available.¹⁹⁵ The April 1999 Commercial Television Industry Code of Practice stipulates, for example:

1.8 A licensee may not broadcast a program, program promotion, station identification or community service announcement which is likely, in all the circumstances, to:

1.8.5 seriously offend the cultural sensitivities of Aboriginal and Torres Strait Islander people or of ethnic groups or racial groups in the Australian community

1.8.6 provoke or perpetuate intense dislike, serious contempt or severe ridicule against a person or group of persons on the grounds of age, colour, gender, national or ethnic origin, disability, race, religion or sexual preference.

1.9 Except for Clause 1.8.3, none of the matters in Clause 1.8 will be contrary to this Section if:

1.9.1 said or done reasonably and in good faith in broad-casting an artistic work (including comedy or satire); or

1.9.2 said or done reasonably and in good faith in the course of any broadcast of a statement, discussion or debate made or held for an academic, artistic or scientific purpose or any other identifiable public interest purpose; or

1.9.3 said or done in broadcasting a fair report of, or a fair comment on, any event or matter of identifiable public interest.¹⁹⁶

A list of the relevant industry groups and their codes of practice are available at: <http://www.aba.gov.au/radio/complaints/industry.htm>

Under the provisions of the *Broadcasting Services Act*, a person who wishes to make a complaint about a program broadcast by a radio or television station that is covered by a code of practice must first make a complaint to that broadcaster.¹⁹⁷ If the person is dissatisfied with the station's response or if the station does not answer the complaint within 60 days, then a complaint may be made to the ABA.¹⁹⁸

These mechanisms are valuable in that they allow members of the public to raise concerns, as a first step, directly with the broadcaster concerned. However, it is noted that as the standards contained in s 123 of the *Broadcasting Services Act* and the racial hatred provisions of the RDA (discussed in Chapter 1) are not the same, a broadcaster that has a complaint made against it under the RDA, and who otherwise complies with the *Broadcasting Services Act* and the relevant code of practice, would also have to meet the standards contained in the RDA.

The Australian Press Council is the self-regulatory body of the print media.¹⁹⁹ It was established in 1976 with two main aims: to help preserve the traditional freedom of the press within Australia and ensure that the free press acts responsibly and ethically. To carry out its latter function, it serves as a forum to which complaints can be made about news reports, articles, editorials, letters and images (including cartoons) in newspapers and magazines and complaints arising out of their publication (including publication on a web site).²⁰⁰ Complaints to the Press Council are treated as being against the publication, not an individual.

The Press Council sets out in its Statement of Principles²⁰¹ those matters which it will have regard to in considering complaints, with the proviso that the Council 'will give first and dominant consideration to what it perceives to be in the public interest'.²⁰² Included in the Principles is the following statement:

*Publications should not place any gratuitous emphasis on the race, religion, nationality, colour, country of origin ... of an individual or group. Nevertheless, where it is relevant and in the public interest, publications may report and express opinions in these areas.*²⁰³

The Press Council also issues reporting guidelines which it describes as amplifications on particular issues arising from the Statement of Principles.²⁰⁴ In 2001, the Press Council issued a revised Guideline on the reporting of 'race'.²⁰⁵ The Guideline stipulates:

The Australian Press Council often receives complaints about the reporting of the race, colour, ethnicity and nationality of individuals or groups, and these raise important questions about the responsibility of the press in our multicultural society.

In the broadest terms, the Council has found that the tone and context of such reporting are usually the crucial elements in deciding whether its principles have been breached ...

The Council is principally concerned about references to race, colour, ethnicity or nationality which promote negative stereotypes in the community. It acknowledges that the question of stereotypes is not cut and dried, and much depends on the context.

The Council in principle condemns gratuitous use of offensive slang terms for minority groups. However, if someone controversially used such expressions, a publication may well be justified in reporting them in direct quotes. The Council also generally believes that the use of such terms is permissible in opinion articles, when it is to make a serious point, and sometimes in humorous articles and satire. But here again the boundaries are usually determined by tone and context.

The Council also accepts that some international situations are extremely difficult to report or comment on without causing offence to different groups in the community. For example, referring to the "Former Yugoslav Republic of Macedonia" might offend some readers. But referring to it simply as "Macedonia" might offend others. The Israeli-Palestinian and Northern Ireland conflicts are other obvious examples where deep-rooted passions among readers from various backgrounds are easily inflamed, even by impartial reporting.

In the Council's view, in general, the press needs to show more sensitivity in reporting issues when minority groups are perceived in the community to be more "different" or when they are the subject of particular public debate.

For reasons similar to those discussed in relation to the *Broadcasting Services Act*, an organisation that has complied with the Statement of Principles and Guidelines issued by the Press Council, could still have a complaint made against it under the RDA.²⁰⁶

In relation to individual journalists, the Australian Journalists' Association Code of Ethics²⁰⁷ forms the basis of a self-regulatory system which binds members of the Australian Journalists' Association of the Media Entertainment and Arts Alliance (Alliance).²⁰⁸ The Code of Ethics includes the following:

*Do not place unnecessary emphasis on personal characteristics, including race, ethnicity, nationality, gender, age, sexual orientation, family relationships, religious belief, or physical or intellectual disability.*²⁰⁹

A complaints process adopted by the Alliance allows complaints to be made by members of the public if they believe that a journalist has acted contrary to the Code of Ethics.²¹⁰

Few consultation participants were aware of these bodies or avenues of complaint. In a written submission to the Commission, Peter Manning suggested that the Commission and state and territory anti-discrimination agencies should assist community organisations and individuals by clarifying existing anti-vilification laws and mechanisms for complaining about alleged vilification by the media.

*Every Arab and Muslim community organization should have a fact sheet that outlines the laws and regulations affecting prejudice/discrimination and what can be done (along with names, addresses and phone numbers). It should also contain bodies that handle complaints (e.g. the Australian Broadcasting Tribunal) and the various ways of submitting complaints. In addition, the fact sheets should contain the names and addresses of legal organizations which provide fast and cheap legal services.*²¹¹

In this regard, it is relevant to note that shortly after the RDA was amended to prohibit offensive behaviour based on racial hatred, the Commission published a guide on the *Racial Hatred Act* for people working in the Australian media.²¹² While these guidelines contain useful information about racial vilification (including case studies) for community groups, its target audience was the media.

Providing communities with better information about the relevant regulatory standards and avenues of complaint may be more appropriately handled by organisations responsible for administering these standards, such as the relevant industry group in relation to television and radio, the Australian Broadcasting Authority and Australian Press Council.

Recommendation:

That the relevant industry groups, the Australian Broadcasting Authority and the Australian Press Council consider undertaking information campaigns in relevant community languages and in a variety of formats to inform Arab and Muslim organisations and community members about their standards and complaint processes.

5.3.1.3 Constructive engagement

Forging good relations between media and Arab and Muslim communities and encouraging media was seen as an important long term strategy.

Participants expressed a strong desire to see more varied and positive images of Arab and Muslim Australians in the Australian media. Despite some scepticism that the media 'can't represent us positively because nobody wants to read good stuff', many participants felt communities themselves should be more pro-active about providing media with positive stories and photo opportunities which show Arab and Muslim Australians contributing in positive ways to Australia.²¹³

*The media portrays a particular image of the Lebanese community. We need to create a more positive image. Why don't we talk about all the positive things we've done and achieved? That's where we should start.*²¹⁴

*I think they also should be showing Muslim Australians and Arab Australians doing what every Australian does and I think they need to be showing people leading ordinary lives, contributing to Australian society like the average Joe Blow.*²¹⁵

In a written submission to the Commission, Peter Manning suggested several strategies to encourage more positive representations of Arabs and Muslims in the Australian media. Manning urged members of Arab and Muslim communities

to move away from the view that the media was a 'problem' and learn to use it as a tool to gain positive outcomes by:

- *Engaging public relations professionals to ensure that media outlets find the many positive stories that exist within the Arab and Muslim communities. 'The media' is not the enemy. A public relations firm would know how to direct such positive stories to the right journalists and producers.*
- *Pitching ideas for new drama or comedy shows that satirise and challenge negative stereotypes to mainstream television networks.*
- *Using alternative media such as on-line documentaries to challenge 'old media' stereotypes.²¹⁶*

Manning also suggested that conferences or seminars could help build better relations between media and community organisations affected by negative or stereotyped media portrayals.

Stereotyping is so pervasive in the media it needs a major community consultation with the editorial managers, editors and personalities that run the various arms of media. The conference would need papers outlining clear discrimination (in journalistic, rather than academic, terms), seminar groups on various topics and a chance for senior media figures to hear the complaints and respond. It would need to go beyond defensiveness on one side and special interest pleading on the other.²¹⁷

Recently, the Muslim Women's National Network of Australia hosted an event which brought together members of Sydney's Muslim community and journalists and editors from the Sydney newspaper, The Daily Telegraph. The aim of the event was to help forge links between media and community members in a friendly, non-hostile environment conducive to mutual exchange.²¹⁸ The event was part of the project *Building Networks & Understanding Between Journalism Students & Muslims* which is funded and supported by DIMIA through the 'Living in Harmony' community grant program.

Consultation participants suggested regular roundtable discussions between media and community members would allow the community to engage the media and explain the impacts of media reporting and commentary.²¹⁹ Other Arab and Muslim community organisations have also tried to create opportunities for liaison between their group and media representatives. For example, the Australian Arabic Communities Council (AACC) sought media participation in a series of monthly dinners they hosted for different members of the press who were invited to come and speak with members of Sydney's Arabic communities.²²⁰ The AACC were ultimately unsuccessful in obtaining media participation and suggested that support from an external third party in opening and securing the lines of communication may have helped in such a process.²²¹

In Chapter 4, we presented an example where external support helped ensure communication between media and community organisations. Following September 11, the Western Australian Premier, Geoff Gallop, initiated a meeting between representatives of the Office of Multicultural Interests (OMI), local television news editors and Muslim community leaders in attempt to dispel myths about Islam. At the meeting there was a positive dialogue focussed on bridging gaps in information and communication. All news directors present were receptive to developing direct relationships with community leaders in an effort to present the news in an unbiased manner. OMI also offered to facilitate opportunities for Muslim community leaders to attend editorial meetings at the West Australian newspaper.²²² Such initiatives are to be commended.

Recommendation:

That government agencies responsible for promoting multiculturalism consider facilitating consultation between media organisations and ethnic and religious community organisations, including Arab and Muslim groups, to improve mutual understanding.

5.3.1.4 Media training

Identifying and training community spokespeople was seen by many consultation participants as vital to challenging media stereotyping.²²³ Participants stressed that it is important for community representatives to learn to speak up and participate more effectively in public debate – not just in specific discussions about religion or world politics, but in matters of general public interest like health care and education.²²⁴

Community leaders who are untrained in the media fall over or try and express themselves in a way that's open to spin and interpretation and it causes more conflict. It whips up media frenzy and puts the whole community under further threat and creates bigger divisions.²²⁵

As soon as the media approaches anybody in the community they need to have training about how the media will edit, in particular, and take what they say on board. A lot of people need to be prepared that if they are going to call up for talkback they are probably going to get somebody pretty rude to talk back to them on the phone and they have got to learn how to handle that. So I think media training for spokespeople is really important.²²⁶

We want to have the capacity to resource some skills to speak for ourselves. Help us through that and when we have the opportunity

*to speak for ourselves that's the most potent form of getting through to people.*²²⁷

Some Muslim community leaders have received media training. For example, in 2002, DIMIA launched a partnership project with the Australian Federation of Islamic Councils (AFIC) entitled, *Towards a Better Understanding of Islam and the Muslim Community in Australia* (see Chapter 4 for more information about this project). The partnership focussed on developing a better understanding of Islam and Muslims in Australia and activities included media training for Muslim community leaders. Approximately forty people received media training through the project initiative. As a result, AFIC believes, 'Muslim community leaders have also developed a better grasp of the situation facing their community and how best to deal with different kinds of media and the general community to address those situations'.²²⁸

While the initiative benefited some community members, consultation participants felt there was an urgent need to offer media training to a wider variety of potential spokespeople to reflect the diversity of Arab and Muslim communities in Australia. The need for women as spokespersons was particularly acute. Some participants argued that the absence or rarity of female spokespersons for Arab and Muslim communities helps reinforce stereotypes about women's oppression, subordination and lack of education.

*There needs to be more Muslim women spokespeople in the media, especially veiled ones, because we're the ones walking around with this great big sign on our heads saying 'I'm a Muslim' ... we need to express ourselves in a positive way because we are perceived as being the symbol of Islam ...*²²⁹

*What happens is that the females just get omitted anyway from the equation, like we're all invisible or something. So there needs to be more outspoken women.*²³⁰

In addition to training community spokespersons to utilise the media more effectively, participants also suggested that media themselves be educated to understand cultural and inter-racial issues as well as reporting standards established by anti-discrimination laws. Some participants suggested that anti-racism induction programs and ongoing staff training be made compulsory in all media organisations and in university journalism and media courses.²³¹ Providing better education about racism and its impacts on specific communities to future journalists is possible and is indeed already happening. As noted in Chapter 4, in 2003 the Muslim Women's National Network of Australia received a Living in Harmony community grant from the federal government to deliver such training to journalism students in NSW universities. The project, *Building Networks & Understanding Between Journalism Students & Muslim*, aims to increase

knowledge about Islam among mainstream media personnel and to aid in the development of professional networks between future journalists and the broader Muslim community. This project is to be commended and the Commission urges continued support from governments and educational institutions for similar initiatives.

5.3.2 Public language – police

Many consultation participants felt that a significant cause of heightened prejudice occurred as a result of the description of criminal suspects and offenders by reference to their presumed ethnicity, 'ethnic appearance' or even religion. Many believed that the media only referred to a suspect or offender's ethnicity if they were Arab, Muslim or of Middle Eastern background.²³²

All state and territory police services, with the exception of NSW Police, use the following four categories to describe alleged criminals, offenders, suspects, victims and missing persons by reference to their race: 'Aboriginal appearance', 'Caucasian appearance', 'Asian appearance' and 'Other appearance (to be specified)':

These four categories were recommended for use among all Australian police services in 1997 by the former National Police Ethnic Advisory Bureau (the Bureau) (now called the Australasian Police Multicultural Advisory Bureau (APMAB)). The Bureau felt that the uniform use of the four categories would replace an ad-hoc approach to ethnic labelling which it considered 'unhelpful, misleading, offensive and counter-productive to sound community relations in Australia.'²³³ The Bureau stressed that these four ethnic descriptors should only be used when relevant, necessary and accurate. Other descriptions such as height, hair colour, distinguishing marks and clothing might be sufficient in most cases.

The NSW Police did not adopt the recommended four descriptors, choosing instead to review their entire policy on descriptions of persons issued by police to the media in consultation with internal and external stakeholders. The review resulted in a revised policy, which includes use of only the following ethnicity-based descriptors: 'Asian appearance', 'Aboriginal appearance', 'Black/African appearance', 'White/European appearance', 'Indian/Pakistani appearance', 'Pacific Islander appearance', 'South American appearance' and 'Middle Eastern/Mediterranean appearance'. In developing these descriptors, the NSW Police consulted with representatives from the then Ethnic Affairs Commission, the Ethnic Communities Council of NSW and various community groups in 1999. They also established policy guidelines to regulate the use of ethnicity based descriptors. These guidelines reflect some of the concerns outlined by the Bureau in 1997 and include the following advice:

- officers are required to consult with the Police Media Unit first before forwarding comments for broadcast or publication as

'some descriptions may be quite inflammatory and/or discriminatory'

- ethnicity-based descriptors can be unreliable because they may reflect an emotive response from a witness or victim as well as their prejudices, and research has shown that people of one ethnic background often have difficulty identifying the characteristics of people of another ethnic background
- care should be taken in issuing descriptions where there is some doubt. Inappropriate use may lead to some community members being unjustly targeted as suspects of crime
- physical characteristics should be emphasised first and then information provided on the relevant ethnic appearance category if it is necessary and has been positively identified
- if a person is of white/European appearance this should be stated in the same way that a person of another background would be described
- once a case has progressed beyond identification, then any media statement should not include information on ethnic appearance as it is unnecessary and may promote racial tensions
- nationality refers to a person's country or nation of origin and is only of relevance where e.g. a foreign national travelling in Australia requires police services or is listed as a missing person
- only the [8] descriptors set out in the guidelines should be used; other descriptors may be offensive.²³⁴

Some consultation participants, particularly those in New South Wales, raised concerns about whether the NSW Police were following these guidelines. Several participants alleged that the police were using ethnic descriptors to describe people they already apprehended not just to identify suspects. The most frequently cited example of this were comments made by NSW Police to media following the arrests of 14 young people for intimidating police, breaching the peace and obstructing traffic at an anti-war protest rally in Sydney in March 2003. Interviewed after the rally, Assistant Commissioner Dick Adams told ABC radio, 'a large group of Middle Eastern males as the television footage will quite clearly show ... were aggressive towards police ... When most of the people had left peaceably, yet again a group of young Middle Eastern males ran amok ...'²³⁵

The second more common concern expressed by consultation participants was not strictly-speaking about use of the descriptor 'Middle Eastern' by NSW Police, but how media and politicians used the label to describe criminals already apprehended, tried and sentenced.

When you have ethnic descriptors and irresponsible media and then ... people of power who are suggesting that terms like Middle Eastern appearance are ok, that criminal activity is somehow inherent in particular ethnicity, they feed each other. Those three areas of police, the media and the government, if they are legitimising what each other is doing, then it builds up.²³⁶

While the issue of ethnic descriptors was of most concern to consultation participants in New South Wales, participants in other states and territories also commented on the perceived negative impacts of using a descriptor like 'Middle-Eastern' in reports and debates about crime by the police, media and politicians. Many felt that the public debates about crime and ethnicity in New South Wales implied that all people of 'Middle Eastern' background are prone to criminality and is leading to greater prejudice, discrimination and vilification against Arabs and Muslims in other states and territories.²³⁷ The peak Arabic organisation in Melbourne, the Australian Arabic Council, has repeatedly expressed serious reservations about the NSW Police use of the descriptor 'Middle Eastern'.

It is fundamental to positive partnerships that ethnic descriptors are eliminated all together, Australia-wide. Terms such as 'Middle Eastern appearance', or 'Middle Eastern looking' suspect, or 'Arab looking' suspect, are not only misleading and inaccurate, but often inadvertently lead to the victimisation of individuals and entire communities ... The description is fundamentally racist. The image of a 'Middle Eastern' person doesn't exist in reality, but rather comes from Hollywood stereotypes of the 'enemy', the 'Arab' villain ... there is no need for subjective ethnic descriptors; as photo-fits and detailed description should be sufficient objective information.²³⁸

The main objection to the use of ethnic descriptors raised by consultation participants was that they were seen as inflaming prejudice against whole communities making them accountable for the actions of individuals. In most examples cited by participants, it was the use of descriptors like 'Middle Eastern' by media and political commentators which aroused most concerns. Police cannot control how the media or politicians use ethnic labels to report and comment on crime. However, some participants have argued that by legitimising the public use of ethnic descriptors like 'Middle Eastern' for one purpose (catching alleged criminals), these terms become more acceptable in broader public debates about ethnicity and crime. These broader debates can inflame prejudice by suggesting there is a link between criminal behaviour and the ethnicity of offenders. This point of view has been argued most forcefully and consistently by the Australian Arabic Council, who worked with the Bureau in reviewing their policy on ethnic descriptors in 1997.

When ethnic descriptors are used to describe offenders to the media, a witch-hunt often develops. The community is portrayed as synonymous with criminal activity. Whilst this is mainly due to the sensationalism of our popular media, it is given legitimacy by the initial identification of the suspect as 'Middle Eastern'.²³⁹

Participants also indicated that ethnic labelling undermines the confidence of affected communities in the objectivity of the criminal justice system and their trust in the police. The NSW Police guidelines themselves note that the use of ethnicity based descriptors is 'often the subject of significant community concern, and when they are seen to be used inappropriately they may have adverse effects on community support for police investigations.'²⁴⁰ While the NSW Police consulted with communities, including Arab and Muslim organisations, prior to the introduction of their descriptor policy, the Commission understands there has been no on-going consultation with communities to monitor concerns about the use of descriptors.

At a national level, the APMAB has monitored the use of the four ethnic descriptors it recommends police use nationally. In October 2002, following concerns from sections of the Indigenous community, APMAB convened an ethnic descriptors working party to re-examine the issue of release of ethnic-descriptors by police to the media. In 2003, APMAB also conducted a scoping exercise to understand more about current practice in the use of descriptors in all police jurisdictions, to compare and contrast this practice with international practice and to make recommendations which will further support police work.²⁴¹ Thirty one questionnaires were distributed to police across Australia (and New Zealand). The research, based on 14 responses to the survey, found that many police were experiencing difficulties in ensuring the accurate use of descriptors and in managing the media's use of descriptors. As one respondent noted, 'it is often the media themselves who take the information and present it in a manner that may be offensive.'²⁴² Police also reported that the use of descriptors often elicits significant community concern and that, 'when used inappropriately, ethnic terms can offend members of the public adversely and affect the relationship between police and the community.'²⁴³ The report recommended development of a national and Austral-asian set of standards in training police to use descriptors in a consistent and culturally informed manner.²⁴⁴

The Commission supports this recommendation and encourages the undertaking of further research on the issue of descriptors in order to provide a better understanding and a firm basis for the development of a national set of standards. Given the concerns raised by consultation participants in New South Wales about the specific use of the descriptor 'Middle Eastern', it may be appropriate to include in this research a specific review of the NSW policy of eight ethnicity based descriptors.

This research could be conducted either by NSW Police, APMAB, or an independent body. Importantly, it should involve representatives from affected communities, including Arab and Muslim communities, to provide a balanced analysis of the efficacy of descriptors to police, in terms of apprehension and conviction rates, alongside the perspectives of affected communities.

Recommendation:

That in any development of national standards concerning the use of descriptors by police, consideration be given to a review of the use of the ethnic descriptor 'Middle Eastern' which takes into account perspectives of affected communities.

5.4 Law enforcement

Much of the behaviour reported during the consultations and empirical research went beyond discrimination and vilification. Participants also described potentially criminal behaviour, including stalking, assaults, property damage and threats of violence. In some instances, these were reported to state or territory police services and found to be criminal offences.

However, many consultation participants reported a general reluctance to seek police assistance. Participants gave a number of reasons for this reluctance. The first reason was the difficulty of identifying the perpetrator so that he or she can be charged with the offence. In many instances, participants felt it was not worth reporting an incident to police because they could not properly describe or name the perpetrator.

If you go and complain, you have to have evidence. You need to have the names, or the plate number, or the colour of the car. I didn't care about all of that and I didn't look at the plate number because I was so scared, so nervous. I just wanted to go home.²⁴⁵

Secondly, consultation participants were unwilling to seek assistance from police because of fear of retribution and a mistrust of government authorities.

People will not complain because there is a fear of victimisation, and unless that is addressed then there will continue to be a fear.²⁴⁶

There isn't much trust in the system that's saying 'report to us'. So therefore there's an immediate reluctance to report on those incidents.²⁴⁷

The simple fact is we don't even recommend most of our clients put in complaints because they then become marked by the cops ... We have all these mechanisms to complain – but what do we do to protect our clients from being further harassed and marked, especially when it comes to the police? Who polices the police?²⁴⁸

Fear of complaining to police was identified as a particular concern for Muslim women. At several consultations, participants explained that Muslim women are reluctant to bring their problems to police attention because of 'cultural differences'. Instead, women turn to their own community organisations, religious leaders or family and friends for assistance.²⁴⁹

Some Muslim women do not feel free to go the police for help because of their past experiences in their home countries.²⁵⁰

None of [my clients] feel confident to go into the police to discuss it. No matter what I say, no-one will just go. They don't feel that they would get justice by talking to them. And they don't feel safe to actually come out.²⁵¹

In an effort to allay these fears and build trust and confidence between police and ethnic communities, state and territory police services have tried to forge closer ties through police-community liaison officer programs. These programs, outlined in Chapter 4, have been in existence in every state and territory police jurisdiction of Australia since the 1980s and 1990s.²⁵² Despite the diverse names and structure of these programs across Australia, they share the common objective of establishing links between communities and local police with the aim of reducing and preventing crime.

The work of police-community liaison officers was mentioned by participants in several consultations. At a consultation in North Sydney, the Muslim women who participated expressed their general reluctance to raise issues of discrimination and vilification with local police. However, the women were familiar with the local Ethnic Community Liaison Officer who encouraged them to meet as a group and discuss with her any problems.²⁵³ At a consultation in Melbourne, participants described how Multicultural Liaison Officers from the Victoria Police cultivated good relations with the Islamic Council of Victoria (ICV) by making themselves available to attend functions, respond to queries and give talks about safety and discrimination issues to community members.²⁵⁴ At another consultation in Melbourne, a group of Muslim university students still felt reluctant to complain despite police efforts to build trust.

Once, the Australian Federal Police [AFP] came to the University and the Muslim students were gathered and were told that if they face any discrimination to call the AFP. This was right after the Bali

*bombing and they were afraid of any arson retaliation attacks. I don't think we would complain though. Probably because we don't have good experiences with the police – we don't feel welcome.*²⁵⁵

However, consultation participants were generally more positive that ongoing liaison between police and community members would eventually engender trust in police and encourage people to report incidents of racist violence.

*There is a whole body of the police and a whole body in the community who don't know much about each other and probably don't trust each other yet. Hopefully we can build those bridges – it will take time.*²⁵⁶

A third factor in not seeking police assistance was scepticism about obtaining a useful outcome. In some instances, this scepticism derived from direct experience with local police who did not take reported race hate offences seriously, even when identifying information was provided, such as a car number plate. Consultation participants who reported incidents to police were generally dissatisfied with the police response.

*My front yard was on fire, petrol was thrown purposely and it was on fire ... We called the fire brigade, and the police, and they go 'Oh we can't do anything because we've got no witnesses or proof'. I'm like 'Oh my God', they didn't deal with anything. We had a brick thrown through our window, all they did was write a statement and that was about it.*²⁵⁷

*Police and security are not taking discrimination complaints seriously. Rather they are putting a lot of effort into making them disappear. It's obvious enough but they don't want others to believe it's happening.*²⁵⁸

To ensure that criminal behaviour with a racial or religious motivation are treated seriously and appropriately, the motivation for the offence and its significance to the victim and his or her community needs to be acknowledged.²⁵⁹ While most states and territories²⁶⁰ have criminal sanctions against racial vilification (and against religious vilification in Victoria and Queensland) the collection of statistical data on race hate crimes or of incidents which have an element of racial or religious prejudice is limited and varies considerably in police jurisdictions across Australia. Currently, there is limited data collection about race hate crimes by police in South Australia and Western Australia and none in Tasmania or the Northern Territory where there are no legislative provisions under criminal law for racial or religious vilification.²⁶¹ Queensland, Victoria and New South Wales have developed more comprehensive data collection systems.

The Queensland Police Service introduced a racial or religious vilification indicator into its crime recording system early in 2003. In Queensland, police must record

a race or religious hate motive where it exists in offences against the person but have discretion whether or not to do so in the case of property offences.²⁶² Victoria Police established a register to record incidents motivated by race or religion after 11 September 2001. The Register is ongoing and records all race or religious motivated incidents reported to police through internal police data and community information. Following the commencement of the war in Iraq, groups and communities identified as more vulnerable to vilification were invited to provide direct input into the Register. All race or religious motivated incidents recorded on the register were investigated and regional Multicultural Liaison Officers were instructed to ensure that appropriate assistance, advice and support was offered to victims of such incidents.²⁶³

NSW Police had been trialling methods of recording prejudice related crimes since 1995. In October 1999, they introduced a state-wide system to collect data on hate/prejudice motivated crimes.²⁶⁴ Under this system, NSW police officers can record a motivation – due to sexual preference, religion, race/ethnicity, politics or others as stated by the officer and/or the victim – when recording a crime report. Whether any such prejudice is an associated factor in an incident is determined by the individual officers.²⁶⁵ Under this system, data is collected about all incidents where racial, religious or ethnic prejudice is an associated factor. The data collected is not just about specific criminal offences for inciting race hatred or inciting others to threaten such harm against an individual or group.

In its 1991 *Racist Violence* report, the Commission stated:

*The Inquiry believes that 'uniform national procedures' for the collection of statistics on racist violence, intimidation and harassment need to be developed. Those statistics should be analysed and published annually to provide uniform information on the incidence of racially based crime in Australia.*²⁶⁶

The Commission remains of the view that records of race and religious hate-based incidents, and the motivation for that incident, should be kept by all police services across Australia and that training be provided to officers in relation to recognising such motivations. Ultimately race hate data across Australia could then be made comparable between jurisdictions so that further action can be usefully taken to address this issue.

Sharing information about hate crimes across the state and territories has been identified as a priority by the Australasian Police Minister's Council (APMC). In December 2003, the APMC tasked APMAB to report on the development of mechanisms 'to improve police-police and police-community information sharing on the issue of racist violence'.²⁶⁷ The Commission suggests that establishing greater consistency in the collection of information about racially or religiously motivated incidents by police services across Australia is vital to improving information sharing between police and communities about racist violence.

Recommendation:

That APMAB, together with all state and territory police services, consider reviewing current systems for recording incidents motivated by racial or religious prejudice with a view to ensuring greater consistency in the collection of data across Australia.

Consultation participants whose complaints to police were dismissed because they did not meet the threshold for investigation under criminal law often felt unsupported and unsure of where else to turn for assistance. Better communication between police, community organisations and anti-discrimination agencies who may be able to assist when an incident of discrimination or vilification is not a criminal offence may be a solution. Providing more effective information sharing between these organisations could help support Arab and Muslim Australians who have experienced discrimination or vilification and increase the chances that a satisfactory outcome will result from reporting an incident. The Commission also recommends consistency in treatment of the persons who report such crimes to ensure appropriate assistance, advice and support are offered.

Recommendation:

That officers of all police services have the necessary information to enable appropriate referral of victims of racial or religious discrimination or vilification to appropriate community or anti-discrimination agencies in the event their complaints do not meet the threshold for investigation under criminal law.

5.5 Community action

Consultation participants expressed strong views about the need for more effective community action to tackle anti-Arab and anti-Muslim prejudice and discrimination. Participants called for stronger community leadership, improved networking between community groups and better education within communities as well as to the broader public about issues affecting Arab and Muslim Australians. Providing greater support for individuals who were seen to be particularly at risk of discrimination or vilification, (such as women, young people and newly arrived migrants and refugees) was also identified as a priority.

5.5.1 Leadership

Strong community leadership was seen as vital to helping overcome prejudice and discrimination. Many consultation participants felt that, despite no shortage of secular or religious leaders eager to speak on behalf of Arab or Muslim Australians, effective leadership was lacking. Participants wanted community leaders to take more responsibility for problems within their communities and be more proactive, assertive and consistent in advocating for their rights and interests.²⁶⁸ They also wanted community leaders to show greater unity on key issues to help counter prejudice.²⁶⁹

Some thought such unity would only be possible with fewer leaders representing the interests of Arab and Muslim Australians in the media and in the political arena.²⁷⁰ As is outlined in Chapter 1, there is no single spokesperson or organisation unanimously accepted as representing the interests of all Australian Muslims. Nor is there one organisation which can authoritatively claim to speak for all Arab Australians. The rich and complex organisational structure of Arab and Muslim communities in Australia reflects the tremendous ethnic, religious and regional diversity of Arab and Muslim Australians themselves. Some consultation participants saw this organisational complexity as a weakness and suggested that forming new Arab and Muslim lobby groups or strengthening existing peak-body associations would help 'fix' this weakness. However, most participants simply called for better communication and co-operation between the various existing community leaders.²⁷¹

There are so many different groups and organisations now but there is no communication between them. If clubs and societies and organisations learn to work together it's one step further. The Jewish lobby groups collectively now have a very strong voice but for the Arab community this is not a reality, mainly because there are a lot of divisions within the community. It's important to work with the strength of the community's diversity not use this as a way to create problems.²⁷²

If we want to make our lives easier in this country as Muslims there are three things I believe we need to do. We need to become more vocal. We need to form a lobby regardless of whatever national background we have. And thirdly we have to interact more with the non-Muslim community.²⁷³

In addition to improving communication internally, participants urged community leaders to foster better relations with organisations in the wider community such as police, anti-discrimination agencies or other religious and ethnic groups.²⁷⁴ As outlined in Chapter 4, this process of engagement is already well underway with many Arab and Muslim community groups initiating or participating in a range of projects, from interfaith networks to inter-school visits,

which aim to build closer links with the wider community. These initiatives are commendable and should receive ongoing support from government and non-government partner organisations.

5.5.2 Education

Participants felt community organisations need to play a more active role in educating members of their own communities, young people in particular, about their culture, history and religion. This education would give community members the knowledge and confidence to respond appropriately when questioned or attacked about their ethnicity or religion.²⁷⁵

We need to provide education seminars for Arabic Australians about what are the positive things about Arabic culture? They do not learn that at school. If kids were taught at school that Arabs came up with the first writing system and that they invented this and that and look at this history, then when someone comes and says to them 'You are a terrorist', they have got a smart comment to come back with. They can say, 'Well actually did you know that the Arabs invented this? So there you go'. Again empower them to speak up for themselves.²⁷⁶

Educating young people in the wider community about Arabic language and culture or Islamic values and history was also identified as a priority. As is outlined in Chapter 4, some community groups are already actively doing this in schools around Australia. For example, the Muslim Women's Association of South Australia, with funding assistance from DIMIA, developed a resource package on Islam for use in schools. From 2002, the kit has been used in over sixty training sessions conducted by the Muslim Women's Association in Adelaide schools.²⁷⁷ Victorian Arabic Social Services is also coordinating and developing an educational resource kit for schools which includes support material for the teaching of the Arabic language, culture and history.²⁷⁸

Aside from providing education about Arabic culture and history or the Islamic faith, participants urged community organisations to inform members about their rights and responsibilities as Australians living in a multicultural society. Some participants felt it was especially important to 'educate youth to fight for their rights calmly and be more accepting of other cultures and religions.'²⁷⁹ Informing communities about existing state or federal anti-discrimination laws and complaints processes was also identified as vital. As we highlighted earlier in this chapter, federal and state anti-discrimination agencies like the Commission should seek to ensure that information about the law and complaints processes is appropriate and accessible to culturally and linguistically diverse communities. Community organisations can greatly assist anti-discrimination agencies like the Commission by helping develop and deliver information that is appropriate and accessible to their communities.

5.5.3 Support

Information provided during the consultations, surveys and interviews suggested that women, young people and newly arrived migrants and refugees were those most at risk of discrimination or racial abuse in Arab and Muslim communities. Consultation participants highlighted the need for community organisations to provide extra care for these particular groups.²⁸⁰ Many community organisations were already running support groups for women, particularly for Muslim women, to empower women who felt particularly isolated because of their fears of experiences of abuse and discrimination.²⁸¹ Some were also running projects that aimed to help young people by building their leadership skills, helping them with schoolwork and providing guidance in their transition from school to the workforce.²⁸²

The need for extra assistance for Arabic speaking and Muslim migrants and refugees was an area of particular concern. Many participants discussed the impacts of the shift away from targeted provision of services to migrants and refugees through specialist agencies such as Migrant Resource Centres to more mainstream organisations. Participants argued that 'mainstreaming' of settlement services was having a negative impact on Arabic speaking migrants and refugees who were missing out on the specialist support they needed from community workers with appropriate cultural and linguistic skills to help them settle effectively in Australia.

*Arabic refugees will have more difficulty getting help from someone who speaks their language. By cutting the number of bi-lingual community workers, Arabic speaking refugees and migrants will turn to community organisations who can help in their own languages but who may not necessarily have the resources to cope with additional clients.*²⁸³

*The strategy of mainstreaming has short-changed us. People disappear in the bureaucracy. There are no longer any identified positions. Mainstream services are still not catering for people's needs. There's still a lot of work to be done in sensitising services to deal with us and make sure we're getting what's due to us.*²⁸⁴

Language was seen as a huge barrier to accessing information and services for migrants and refugees from culturally and linguistically diverse backgrounds. To help overcome this barrier, some consultation participants suggested that English-language classes were an appropriate place for migrants and refugees to receive practical information about how to access services and what to do if they experience discrimination.²⁸⁵ Conveying information through ethnic media was also seen as important.²⁸⁶ In Hobart, consultation participants suggested development of a mentoring program to inform newly arrived migrants or refugees about accessing services like hospitals or the police.²⁸⁷ Participants at

another consultation in Victoria, mostly Arabic-speaking female refugees, described how they were being given extra assistance in finding employment through a mentoring program (*'Given the Chance'*) run by the Ecumenical Migration Centre of Melbourne. The program matches refugee women seeking work with mentors from the corporate and public sector and provides them with training and work experiences to help improve their opportunities in the job market.²⁸⁸

Aside from providing additional support for groups at risk of discrimination, consultation participants also discussed the need for governments to provide more support to community organisations themselves. As outlined in Chapter 4 and in the strategies paper available on the Commission's website,²⁸⁹ there have been various initiatives by federal, state and local governments to help Muslim and Arab community organisations support and advocate for their clients more effectively. Many of these initiatives are developed and implemented by community organisations awarded government funding through competitive grants processes. The 'Living in Harmony' community grants program, administered by DIMIA, is perhaps the best known funding source for projects relating to community harmony and anti-racism. Some Arab or Muslim community organisations who took part in consultations were unaware of the range of funding sources available.²⁹⁰ Others knew where to go for funding but felt they had insufficient time or resources to put together a competitive application.²⁹¹ A common criticism of the provision of government support to community organisations was that there was too much emphasis on funding discreet projects rather than providing ongoing, long-term support.

*The Government is dishing out money to individual organisations when ongoing projects are more important.*²⁹²

There was also criticism about the distribution of funding. Some participants felt that too much energy is being directed toward projects involving Muslims and that other non-Muslim Arabic speaking communities also experiencing discrimination are being forgotten.²⁹³ Others argued the exact opposite: that Muslim organisations are disadvantaged compared with ethnic specific organisations in obtaining funding in competitive grants processes like the federally funded 'Living in Harmony' community grants program.²⁹⁴ Some participants felt that the competition for government grants was exacerbating existing divisions within communities. Rather than competing for grants, participants at one consultation suggested that organisations collaborate more with each other in seeking government support.

*Why don't the Islamic organisations join together instead of being so separate and fighting for the funding separately?*²⁹⁵

Initiatives to eliminate prejudice and discrimination against Arab and Muslim Australians cannot be effective without community involvement in the development and implementation of such strategies. Governments should ensure that community organisations are properly consulted and adequately resourced to enable their participation in development and implementation of strategies to tackle anti-Arab and anti-Muslim prejudice. The issue of adequate resources is especially vital. Currently, many community organisations are struggling to meet their core social welfare or religious functions while helping members of their communities cope with the extra burden of discrimination and vilification.

For their part, community organisations can act to address issues of discrimination and vilification by strengthening community leadership, improve networking between community groups and prioritise education within communities as well as to the broader public about Arab and Muslim Australians. Providing greater support for individuals who were seen to be particularly at risk of discrimination or vilification, such as women, young people and newly arrived migrants and refugees is also important.

Recommendation:

That Muslim and Arab community leaders continue to promote harmony within their communities, build closer links to other religious and ethnic communities in Australia to foster mutual respect and tackle racism and work in partnership with government agencies and other non-government organisations to educate members of their communities about laws and complaint processes which provide access to services and protect against racial or religious discrimination.

5.6 Public support

As outlined in Chapter 3 and in the UWS research report *Living with Racism*, one of the most serious impacts of prejudice and discrimination against Arab and Muslim Australians is a growing sense of isolation and marginalisation. Many Arab and Muslim Australians no longer feel they 'belong' in Australian society. This is a serious concern for a society that prides itself on being multicultural and has built its national identity on multicultural principles such as respect and fairness for all, regardless of race, culture or religion.

After September 11, it felt like our home, which Australia has been our home ... was somehow not our home anymore ... ever since then I've started feeling more like a foreigner ... this is the only place

*that I feel comfortable. To have people look at me as if I'm some kind of a threat to their security and a real alien is a really difficult thing, because I don't feel that way ...*²⁹⁶

*It's like the Australian Government or the people are saying 'You don't belong here', 'You're terrorists', and that's the feeling that we get ...*²⁹⁷

*I don't feel like I belong in Australia ... because of incidents like that, I feel like most people think the same way, that you're not accepted, they want you to go back home, to leave them alone.*²⁹⁸

In Chapter 4, we highlighted some of the public statements made by federal and state political leaders following major incidents such as the attacks of 11 September 2001, the Bali bombings of October 2002 and the invasion of Iraq in March 2003. In response to these events, key federal, state and territory politicians publicly expressed support for Muslim Australians in particular by visiting mosques and calling for tolerance and community harmony.²⁹⁹ Many leaders of religious and community organisations have also shown their solidarity with Australian Muslims through participation in interfaith dialogues which operate at national, state and local levels.

Some participants recognised government efforts to provide support to Muslims and encourage the public not to blame Australian Muslims for the actions of international terrorists.

*What happened in Bali, the situation that happened in Bali, again involved Islam, and John Howard stood and said it's not against Muslims. It's the people [i.e. the individuals] who we hold responsible. He never put it as against Islam ... The country here [Australia] is trying to tell people that this doesn't mean the religion. They are trying to say that.*³⁰⁰

However, the majority of consultation participants felt that political leaders had failed to recognise and condemn anti-Arab and anti-Muslim prejudice and discrimination. Participants felt that when leaders did speak out in support of Arab and Muslim communities, their messages were either muted, ill-timed or inconsistent with other policies or statements.

*The government projects fear and there is a lack of understanding. It is not projecting an image of acceptance and inclusiveness.*³⁰¹

*It's not just the media, it's the leaders, especially the politicians which is like really really sad because you've got the highest people with the most power who are still discriminating and racist and that is just shameful.*³⁰²

*It only takes one politician to make an issue out of it and 30 years of education has gone out of the window ...*³⁰³

*If the head of the family beats a drum, the whole family will dance. The head of this country has been beating the wrong drum ...*³⁰⁴

Consultation participants urged senior politicians to communicate and liaise more with Arab and Muslim communities and issue more public statements in solidarity with those affected by prejudice and discrimination.

*The principles and ideals of multiculturalism should be our guiding light in times of national and international unrest and crises and the government of the day should provide the leadership in allaying the fears of the people, condemning attacks and discrimination of any groups in the community by people, the media, the authorities ...*³⁰⁵

*Local, state and federal government should have a more prominent and visual presence like attending religious festivals and speaking out against acts of discrimination on a consistent basis.*³⁰⁶

Providing more public support for Muslim Australians was identified as a particular priority.

*Politicians should be seen with Muslims more and talk more about Islam. The media always follows the lead of politicians. Leadership of this kind is very important. Our top leaders need to protect the Muslims of Australia.*³⁰⁷

*We need to encourage the Prime Minister to make more positive public statements about Muslims ... the community needs his physical presence to say 'I understand your problem. I'm with you and I hear your concerns'. Failure to participate sends a message of marginalisation.*³⁰⁸

Aside from increasing the level of public support, participants stressed the importance of the timing and consistency of key messages. Timing was seen as especially important. Failure to offer immediate, unequivocal public support for ethnic or religious communities under attack was seen by some participants as a serious problem. Consultation participants felt that messages of support and inclusiveness should be delivered regularly, particularly during critical times such as election periods.³⁰⁹

Underlying much of the criticism about political messaging was fundamental disagreement with many government policies and practices. Participants argued that words of support are meaningless unless they are consistent with government policies and programs. Many felt that the federal government's treatment of refugees and asylum seekers in particular undermined attempts by political leaders to build trust with Arab and Muslim Australians.

The federal government's anti-terrorism laws introduced in June 2002 were another source of distrust in government.

*They [the government] say to us that if we are not doing anything against the law, then we have nothing to fear. They say that if it's in their interest, they will round us up because we are Arab or Muslim – and they want to show us they're civilised?*³¹⁰

While strong, consistent words and actions of support from politicians were seen as important, participants also felt that generating support from a broad cross-section of Australians was just as vital to overcoming anti-Arab and anti-Muslim prejudice. Gaining the support of opinion leaders and celebrities in the fields of sport and entertainment was seen as one effective way to encourage the general public to show solidarity with Arab and Muslim Australians.

*The other side of that is encouraging a wider network of prominent Australians to write letters and issue press releases condemning it. It is all very fine for HREOC to do it and the Equal Opportunity Commission [of Victoria]. Unless we have got celebrities or footballers doing it then it is not going to make a difference at all because you are preaching to the converted.*³¹¹

Encouraging direct and immediate support from everyday Australians against acts of racism was also regarded as a simple yet effective way to tackle prejudice and discrimination. Consultation participants and interviewees often reported that bystanders looked on while attacks against them took place. Some participants felt that the lack of assistance or intervention from bystanders was more hurtful than the abuse or violence itself.

*About 8 months ago, my mother was crossing the road at the bus stop in Footscray and a girl about 25 years old kept staring at her, maybe because my mother wears the full hijab. The girl came from behind her and tried to steal her bag and my mother struggled with her. There was a long scuffle and everyone in the street and bus stop was watching. During the struggle, the girl sprayed pepper spray in my mother's eyes and she fainted. No-one picked her up and the bus driver kept going ... My mother went to the doctor and she still can't see properly and is too scared to catch a bus. She was more upset with the inaction of others rather than what happened.*³¹²

While intervention by members of the public in dangerous situations is not generally advisable, some participants described circumstances where support from bystanders helped them avoid potentially violent situations and restored their faith in the decency of most Australians. The action of a Melbourne tram driver is one such example. A young Muslim man described how a tram driver came to his defence after he was told by a fellow passenger on the tram to, 'Go back to your country you stupid Muslim – go back to your country black c..t...' ³¹³

There was a tram driver, and she overhead 'cause he was yelling it out. She was an Aborigine. She came out of the driver's seat, walked to the back chair, she sat down near me and she goes, 'What did he say about you?' I'm like, 'He's being racist'. Then she sat there for half an hour not moving the tram ... The racist man changed his attitude once the tram driver came and sat down near him.³¹⁴

A Muslim woman in Perth described how a passing motorist stopped to help her after a man set his three dogs on her while she was walking in a suburban street. 'Luckily I had an umbrella to defend myself. The man just watched then a driver stopped and screamed so the man called the dogs back.'³¹⁵ Another consultation participant felt that more Australians could be encouraged to provide such support through a broad community education campaign that conveyed the message, 'if you see racism happening, it is important to support the victim.'³¹⁶ The education campaign could offer practical examples of how to assist victims of racism and give information about where to turn for help in reporting incidents and in seeking counselling.³¹⁷

To help overcome the sense of alienation and isolation identified by so many participants, it was felt that strong, clear and regular messages of support and solidarity from a range of national, state and local political and community leaders were crucial. Such messages were considered especially important in times of crisis to protect Arab and Muslim Australians from any potential backlash. Participants felt that such messages should not single out Arab or Muslim Australians for 'special' treatment, but rather, should emphasise the importance and values of multiculturalism to Australian society.

Recommendation:

That political and community leaders at a federal, state and territory and local level, encourage Australians to uphold the principles of multiculturalism including respect for the right of all Australians to express their own culture and beliefs and responsibility to support the basic structures and principles of Australian society that guarantee freedom and equality for all.

Endnotes

- 1 See: http://www.humanrights.gov.au/racial_discrimination/isma/strategies/index.html
- 2 *Anti-Discrimination Act 1991* (ACT) s 7(1)(h); *Equal Opportunity Act 1984* (WA) s 53; *Anti-Discrimination Act (1991)* (QLD) s 7(i); *Anti-Discrimination Act 1992* (NT) s 19(1)(m); *Anti-Discrimination Act 1998* (Tas) ss 16(o) and 16(p); *Equal Opportunity Act 1995* (Vic) s 6(j).
- 3 *Anti-Discrimination Act 1991* (Qld) ss 124A, 131A; *Anti-Discrimination Act 1998* (Tas) s 19; *Racial and Religious Tolerance Act 2001* (Vic) ss 8, 25.
- 4 *Anti-Discrimination Act (1991)* (QLD), Schedule.
- 5 *Equal Opportunity Act 1995* (Vic) s 4.
- 6 The Muslim Council of NSW, Sydney, 21 June 2003.
- 7 Islamic Council of NSW, Sydney, 10 June 2003. See also Muslim Women's National Network of Australia, Sydney, 5 April 2003.
- 8 Consultation hosted by the SA Equal Opportunity Commission, Adelaide, 16 July 2003.
- 9 Islamic Council of NSW, Sydney, 10 June 2003.
- 10 Muslim Women's National Network of Australia, Sydney, 5 April 2003.
- 11 Submission to HREOC from Forum on Australia's Islamic Relations (FAIR), 10 September 2003.
- 12 Muslim lawyers group, Melbourne, 27 May 2003.
- 13 Consultation with members of the Indonesian Muslim Community of Victoria, Monash University, 28 May 2003.
- 14 Muslim Women's National Network of Australia, Sydney, 5 April 2003; Muslim lawyers group, Melbourne, 27 May 2003; Consultation with members of the Indonesian Muslim Community of Victoria, Monash University, 28 May 2003.
- 15 Islamic Council of NSW, Sydney, 10 June 2003.
- 16 Forum on Australia's Islamic Relations, Sydney, 10 September 2003.
- 17 Antiochian Community Support Association, Melbourne, 13 November 2003.
- 18 Consultation with members of the Indonesian Muslim Community of Victoria, Monash University, 28 May 2003.
- 19 http://www.humanrights.gov.au/human_rights/religion/index.html#Article
- 20 *Church of the New Faith v Commissioner for Pay-Roll Tax (Vic)* (1983) 154 CLR 120.
- 21 *Church of the New Faith v Commissioner for Pay-Roll Tax (Vic)* (1983) 154 CLR 120, 136 (Acting Chief Justice Mason and Brennan J).
- 22 *Church of the New Faith v Commissioner for Pay-Roll Tax (Vic)* (1983) 154 CLR 120, 174 (Wilson and Deane JJ).
- 23 General Comment No.22 paragraph 2.
- 24 General Comment No.22 paragraph 2.
- 25 Article 18 report, p 130-131.
- 26 Article 18 report, p 130-131.
- 27 Article 18 report, p 130-131.
- 28 Article 19 of the ICCPR states:
 1. Everyone shall have the right to hold opinions without interference.
 2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.
 3. The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:
 - (a) For respect of the rights or reputations of others;
 - (b) For the protection of national security or of public order (ordre public), or of public health or morals.
- 29 Article 5 of the ICCPR states:
 1. Nothing in the present Covenant may be interpreted as implying for any State, group or person any right to engage in any activity or perform any act aimed at the destruction of any of the rights and freedoms recognized herein or at their limitation to a greater extent than is provided for in the present Covenant.
 2. There shall be no restriction upon or derogation from any of the fundamental human rights recognized or existing in any State Party to the present Covenant pursuant to law, conventions,

Chapter 5: Future strategies

- regulations or custom on the pretext that the present Covenant does not recognize such rights or that it recognizes them to a lesser extent.
- 30 Human Rights Committee, General Comment No. 11 (1983), paragraph 2.
- 31 Notably sections 7 and 24 of the Commonwealth Constitution.
- 32 *Australian Capital Television Pty Ltd v Commonwealth* (1992) 177 CLR 106; *Nationwide News Pty Ltd v Wills* (1992) 177 CLR 1; *Theophanous v Herald & Weekly Times* (1994) 182 CLR 104; *Cunliffe v Commonwealth* (1994) 182 CLR 272.
- 33 *Theophanous v Herald & Weekly Times* (1994) 182 CLR 104 at 121 per Mason CJ, Toohey and Gaudron JJ.
- 34 *Levy v State of Victoria* (1997) 189 CLR 579 at 622 per McHugh J; *Lange v Australian Broadcasting Corporation* (1997) 189 CLR 520 at 560.
- 35 Sir Ronald Wilson, 'Human Rights from a Religious Viewpoint', World Conference on Religion and Peace, 2 February 1991, Monash University.
- 36 Article 18 report, p 113.
- 37 At pp 113, 114.
- 38 At p 141.
- 39 At p 139.
- 40 At p 141.
- 41 The Hon. Darryl Williams QC, Hansard House of Representatives Tues 9 February 1999 Response to a Question on Notice no 293 pp 2273.
- 42 At p 150.
- 43 At pp 150-151.
- 44 At p 151.
- 45 At p 149.
- 46 See, for example: article 79 of the Report of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance (Durban 31 August - 8 September 2001) which called upon States to promote and protect the exercise of rights sets out in the Religion Declaration in order to obviate religious discrimination which, when combined with certain other forms of discrimination, constitutes a form of multiple discrimination; the Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance on the Situation of Muslim and Arab people in various parts of the world in the aftermath of the events of 11 September 2001 (3 January 2003) and the recommendation that all States, especially those concerned by the situation of Muslims and Arabs, to take preventative measures to guarantee the full and unfettered exercise of their religious and cultural rights and the protection of their cultural sites and places of worship; and the UN Human Rights Commission resolution (adopted by 29 votes in favour, 16 against and seven abstentions) on defamation of religions in which it expressed deep concern at negative stereotyping of religions and the frequent and wrong association of Islam with terrorism and urged all states to combat such discrimination.
- 47 Consultation hosted by the Anti-Discrimination Commission Queensland (ADCQ) and Multicultural Affairs Queensland (MAQ), Brisbane, 16 June 2003.
- 48 Muslim lawyers group, Melbourne, 27 May 2003.
- 49 By the *Discrimination Law Amendment Bill 2002* (Qld)
- 50 Section 124 of the *Anti-Discrimination Act 1991* (Qld) makes vilification unlawful on a number of grounds.
- 51 *Anti-Discrimination Act 1991* (Qld) s 134(3).
- 52 *Anti-Discrimination Act 1991* (Qld) s 134(4).
- 53 *Anti-Discrimination Act 1977* (NSW) s 87.
- 54 *Anti-Discrimination Act 1977* (NSW) s 88(1A).
- 55 *Anti-Discrimination Act 1977* (NSW) s 88(1B).
- 56 *Racial and Religious Tolerance Act 2001* (Vic) s 19(3) and (4).
- 57 *Racial and Religious Tolerance Act 2001* (Vic) s 19(3)(a)(i).
- 58 *Anti-Discrimination Act 1998* (Tas) s 60(1)(f).
- 59 *Anti-Discrimination Act 1998* (Tas) s 60(1)(e).
- 60 In s 3 of the *Anti-Discrimination Act 1998* (Tas) s 60, "organisation" is defined as including " a council, a Government department within the meaning of the State Service Act 2000 or a State authority".
- 61 *Anti-Discrimination Act 1998* (Tas) s 60(1)(d).

- 62 *Discrimination Act 1991* (ACT) s 72.
- 63 *Equal Opportunity Act 1984* (WA) s 83(1) and (3).
- 64 *Equal Opportunity Act 1984* (WA) s 83(1)(c).
- 65 *Equal Opportunity Act 1984* (SA) s 93(1).
- 66 *Anti-Discrimination Act 1992* (NT) s 60.
- 67 HREOC Act s 46P(2)(c).
- 68 HREOC Act s 46P(2)(c).
- 69 Theoretically, an organisation (as long as it is a body politic or corporate) could also lodge a complaint on its own behalf if it could establish that it was aggrieved: HREOC Act s 46(2)(a) and (b).
- 70 HREOC Act ss 46P(3), 46PB, 46PC and 46PG.
- 71 HREOC Act s 46P(3).
- 72 On the grounds set out under s 46PH(1) of the HREOC Act.
- 73 HREOC Act s 46PO(1).
- 74 HREOC Act s 3(1).
- 75 This result was specifically noted in the Explanatory Memorandum to the *Human Rights Legislation Amendment Act (No.1) 1999* (Cth) (HRLAA) which introduced these provisions. This provides that the effect of s 46PH(1) is that “a complainant who was not himself or herself an affected person (ie one who brought a complaint only on behalf of persons aggrieved, without any personal interest in the subject matter) will not be entitled to commence Federal Court proceedings in respect of a terminated complaint – only affected persons may do so” (para 196).
- 76 See, for example: Part IVA of the *Federal Court of Australia Act 1976* (Cth). Note also the Explanatory Memorandum for HRLAA specifies that “it should be noted that the conditions for lodging with HREOC a representative complaint differ from those applying to representative proceedings under Part IVA of the Federal Court of Australia Act 1976. Complainants will have to comply with the latter conditions if they wish to continue representative proceedings in the Federal Court after their complaint has been terminated by HREOC” (para 132).
- 77 Australian Arabic Council, Melbourne, 28 May 2003.
- 78 Consultation with refugee women hosted by the Ecumenical Migration Centre, Melbourne, 26 May 2003. See also: Consultation with Queensland Anti-Racism Community Reference Group, Brisbane, 18 June 2003; Consultation with young Arab Muslims and Christians and non-Arab Muslims, Adelaide, 17 July 2003; The Muslim Council of NSW, Sydney, 21 June 2003; Forum on Australia’s Islamic Relations, Sydney, 10 September 2003; Antiochian Community Support Association, Melbourne, 13 November 2003; Interfaith Network of the City of Greater Dandenong, Dandenong, 14 November 2003.
- 79 Consultation with Muslim women hosted by Auburn Gallipoli Mosque and Affinity Intercultural Foundation, Sule College, Sydney, 21 October 2003.. See also Consultation with Sydney University students, 9 October 2003; Consultation with Arab young people hosted by Australian Lebanese Welfare Inc., Melbourne, 17 November 2003; Muslim lawyers group, Melbourne, 27 May 2003; Consultation with young Muslim women, Brisbane, 17 June 2003.
- 80 Consultation with Arab young people hosted by Australian Lebanese Welfare Inc., Melbourne, 17 November 2003. See also: Consultation hosted by Illawarra Ethnic Communities Council, Wollongong, 9 August 2003. Antiochian Community Support Association, Melbourne, 13 November 2003.
- 81 Consultation with Iraqi refugees in rural Victoria, 30 May 2003. See also: Consultations with NSW secondary students at three government schools, Sydney, August 2003.
- 82 Consultations with NSW Teachers, Anti-Racism Contact Officers (ARCOs) and Community Information Officers (CIOs), Sydney, August 2003. See also: St. George Lebanese Joint Committee Women’s Group, Sydney, 11 April 2003.
- 83 Al Zahra Muslim Women’s Association, Sydney, 23 April 2003.
- 84 Lebanese Community Council, Sydney, 4 September 2003.
- 85 Commonwealth of Australia, *Multicultural Australia: United in Diversity*, 2003, p 6.
- 86 Consultation with NSW Academics hosted by HREOC, Sydney, 24 November 2003.
- 87 Lebanese Community Council, Sydney, 4 September 2003.
- 88 Consultation with Lebanese Muslim children and young people organised by the Lebanese Muslim Association, Sydney, 12 June 2003.
- 89 Australian Federation of Islamic Councils, *Appreciating Islam*, 2003. A summary of the document is available on the AFIC website at: <http://www.afic.com.au/apislam.htm>

Chapter 5: Future strategies

- 90 Information provided by Australian Arabic Council, 11 November 2003. These are available through the AAC: aac@aac.org.au
- 91 See: Arabic Workers' Network, Sydney, 29 April 2003; Consultations with NSW secondary students at three government schools, Sydney, August 2003; Canberra Islamic Centre, Canberra, 2 June 2003.; Consultation with staff of the Northern Migrant Resource Centre Inc. (NMRC), Melbourne, 13 November 2003.
- 92 For discussion of posters see St George Lebanese Joint Committee Women's Group, 11 April 2003. For discussion of video and film, see Muslim Women's National Network of Australia.
- 93 St George Lebanese Joint Committee Women's Group, Sydney, 11 April 2003.
- 94 Consultation hosted by Tasmanian Anti-Discrimination Commission, Hobart, 14 June 2003.
- 95 Australian Arabic Council, Melbourne, 28 May 2003. See also St George Lebanese Joint Committee Women's Group, Sydney, 11 April 2003, arguing for an information campaign on the prohibition of race discrimination; Consultation with Iraqi refugees in rural Victoria, 30 May 2003.
- 96 Preliminary consultation to launch Isma in Victoria hosted by Victorian Equal Opportunity Commission, Melbourne, 30 April 2003.
- 97 Youth Reference Group to the NSW Premier's Youth Partnership with Arabic Speaking Communities, Sydney, 7 April 2003; Consultation hosted by Tasmanian Anti-Discrimination Commission, Hobart, 14 June 2003; The Muslim Council of NSW, Sydney, 21 June 2003; Consultations with NSW secondary students at three government schools, Sydney, August 2003.
- 98 Consultation hosted by the Anti-Discrimination Commission Queensland (ADCQ) and Multicultural Affairs Queensland (MAQ), Brisbane, 16 June 2003. See also Lebanese Community Council, Sydney, 4 September 2003.
- 99 Consultation with young Arab men, Brisbane, 18 June 2003. See also Consultation with refugee women hosted by the Ecumenical Migration Centre, Melbourne, 26 May 2003; Women only consultation hosted by the SA Equal Opportunity Commission, Adelaide, 17 July 2003.
- 100 See Consultation with members of the Indonesian Muslim Community of Victoria, Monash University, 28 May 2003; Consultation hosted by SA Equal Opportunity Commission, Adelaide, 16 July 2003.
- 101 Consultation with Migrant Resource Centre staff hosted by Canterbury-Bankstown MRC, Sydney, 27 August 2003. See also Muslim Women's National Network of Australia, Sydney, 5 April 2003; Consultation hosted by Multicultural Community Services of Central Australia, Alice Springs, 5 June 2003; Consultation hosted by Tasmanian Anti-Discrimination Commission, Hobart, 14 June 2003; Consultation with young Muslim women, Brisbane, 17 June 2003.
- 102 Consultation with Lebanese Muslim children and young people organised by the Lebanese Muslim Association, Sydney, 12 June 2003.
- 103 Consultation with Migrant Resource Centre staff hosted by Canterbury-Bankstown MRC, Sydney, 27 August 2003. See also: Muslim Women's National Network of Australia, Sydney, 5 April 2003; Consultation with young Muslim women, Brisbane, 17 June 2003; Consultation with members of the Indonesian Muslim Community of Victoria, Monash University, 28 May 2003.
- 104 The Adelaide Declaration on National Goals for Schooling in the Twenty-First Century, 1999. See: <http://www.mceetya.edu.au/nationalgoals/>
Goal 3.1 reads, "Schooling should be socially just so that student's outcomes are free from the effects of negative forms of discrimination based on sex, language, culture, ethnicity, religion or disability; and of differences arising from students' socio-economic background or geographic location.
- 105 *ibid.*
- 106 Consultation with Migrant Resource Centre staff hosted by Canterbury-Bankstown MRC, Sydney, 27 August 2003.
- 107 Consultation with NSW Teachers, Anti-Racism Contact Officers (ARCOs) and Community Information Officers (CIOs), Sydney, August 2003.
- 108 Consultation with NSW Teachers, Anti-Racism Contact Officers (ARCOs) and Community Information Officers (CIOs), Sydney, August 2003.
- 109 Consultation with NSW Teachers, Anti-Racism Contact Officers (ARCOs) and Community Information Officers (CIOs), Sydney, August 2003.
- 110 The *Adelaide Declaration on National Goals for Schooling in the Twenty-First Century*, 1999.
- 111 <http://www.mceetya.edu.au/index.htm>
- 112 <http://www.mceetya.edu.au/aboutmc.htm>
- 113 Consultations with Migrant Resource Centre staff hosted by Canterbury-Bankstown MRC, 27 August 2003.

- 114 Consultation hosted by the Multicultural Education Committee and the SA Equal Opportunity Commission, Adelaide, 17 July 2003.
- 115 Information provided by: NSW Department of Education and Training, Education QLD, SA Multicultural Education Committee, Victoria Department of Education and Training, 23 April 2004.
- 116 Consultations with NSW Teachers, Anti-Racism Contact Officers (ARCOs) and Community Information Officers (CIOs), Sydney, August 2003.
- 117 See: <http://www.racismnoway.com.au>
- 118 See: http://www.humanrights.gov.au/info_for_teachers/index.html
- 119 Lebanese Community Council, Sydney, 4 September 2003. See also Consultation hosted by Tasmanian Anti-Discrimination Commission, Hobart, 14 June 2003; Consultations with NSW Teachers, Anti-Racism Contact Officers (ARCOs) and Community Information Officers (CIOs), Sydney, August 2003.
- 120 See, for example: Consultation with members of the Indonesian Muslim Community of Victoria, Monash University, 28 May 2003.
- 121 Consultations with NSW primary school students (Years 5 and 6) at three Sydney public schools, August 2003.
- 122 Consultation with Lebanese Muslim children and young people organised by the Lebanese Muslim Association, Sydney, 12 June 2003.
- 123 Consultations with NSW Teachers, Anti-Racism Contact Officers (ARCOs) and Community Information Officers (CIOs), Sydney, August 2003.
- 124 Consultation hosted by the Multicultural Education Committee and the SA Equal Opportunity Commission, Adelaide, 17 July 2003.
- 125 See Discovering Democracy, Civics and Citizenship Education, <http://www.curriculum.edu.au/democracy/ddunits/index.htm>
- 126 Department of Education, Science and Training, Values Education Study, August 2003. <http://www.curriculum.edu.au/values/index.htm>
- 127 For complaints about hospitals and health services see United Muslim Women's Association young women's group, Sydney, 7 June 2003; United Muslim Women's Association, Sydney, 23 June 2003; Women only consultation hosted by the Office of Women's Policy, WA Department for Community Development, Perth, 30 June 2003. For complaints about police see, for example, St George Lebanese Joint Committee Women's Group, Sydney, 11 April 2003; Preliminary consultation to launch Isma in Victoria hosted by Victorian Equal Opportunity Commission, Melbourne, 30 April 2003; Muslim lawyers group, Melbourne, 27 May 2003; Islamic Council of NSW, Sydney, 10 June 2003; Consultation hosted by the Anti-Discrimination Commission Queensland of Queensland (ADCQ) and Multicultural Affairs Queensland (MAQ), Brisbane, 16 June 2003; Consultation with young Arab men, Brisbane, 18 June 2003; United Muslim Women's Association, Sydney, 23 June 2003; Consultation hosted by the SA Equal Opportunity Commission, Adelaide, 16 July 2003; Consultation with young Arab Muslims and Christians and non-Arab Muslims, Adelaide, 17 July 2003; Consultations with NSW secondary students at three government schools, Sydney, August 2003; Consultation with Arab community members, Melbourne, 15 November 2003; Consultation with Sydney University students, 9 October 2003; Tripoli and Mena Association Seniors' Group, Sydney, 15 October 2003. For complaints about Centrelink see Consultation with Afghan Elderly Men's Group hosted by Service for the Treatment and Rehabilitation of Torture and Trauma Survivors (STARTTS), Sydney, 1 July 2003; Consultation with students from Goulburn-Ovens TAFE at Shepparton (Victoria) hosted by Shepparton Ethnic Communities Council, 29 May 2003; Women only consultation hosted by the Office for Women's Policy, WA Department for Community Development, Perth, 30 June 2003; Consultation with young Arab Muslims and Christians and non-Arab Muslims, Adelaide, 17 July 2003; Tripoli and Mena Association Seniors' Group, Sydney, 15 October 2003.
- 128 See, for example, Muslim Women's National Network of Australia, Sydney, 5 April 2003; Consultation hosted by the Anti-Discrimination Commission of Queensland (ADCQ) and Multicultural Affairs Queensland (MAQ), Brisbane, 16 June 2003; Consultation with Muslim women in northern Sydney, 26 June 2003; The Muslim Council of NSW, Sydney, 21 June 2003.
- 129 Consultation with Sikh community members, Perth, 30 June 2003.
- 130 Consultation hosted by the Anti-Discrimination Commission of Queensland (ADCQ) and Multicultural Affairs Queensland (MAQ), Brisbane, 16 June 2003.
- 131 Muslim lawyers group, Melbourne, 27 May 2003. See also NSW Police Ethnic Community Liaison Officers, Sydney, 9 April 2003.

Chapter 5: Future strategies

- 132 Islamic Council of Victoria, Melbourne, 26 May 2003.
- 133 Consultations with NSW secondary students at three government schools, Sydney, August 2003.
- 134 Information provided by Australian Federal Police, 9 February 2004.
- 135 Australasian Police Multicultural Advisory Bureau and Australian Multicultural Foundation, *A Practical Reference to Religious Diversity for Operational Police*, 2001 (2nd edition).
- 136 See: http://www.immi.gov.au/multicultural/_inc/publications/charter/charter.htm
- 137 Department of Immigration and Multicultural Affairs, Good Practice Guide for Culturally Responsive Government Services, 1998. See: http://www.immi.gov.au/multicultural/_inc/publications/charter/charter.htm
- 138 See: http://www.immi.gov.au/annual_report/index.htm
- 139 See: Community Relations Commission for a Multicultural NSW website: http://www.crc.nsw.gov.au/eaps/what_eaps.htm
- 140 Australian Arabic Communities Council, Sydney, 10 June 2003.
- 141 Interview with 'Mounira', Sydney, 27 October 2003.
- 142 Islamic Council of Victoria, Melbourne, 26 May 2003.
- 143 Consultation hosted by Tasmanian Anti-Discrimination Commission, Hobart, 14 June 2003.
- 144 The Commission has also produced other resources. For example, the Race for Business Guidelines advise employers on how to prevent racial discrimination in the workplace. The Commission has also produced and distributed a video ('Accents are Everywhere') aimed at helping employers recognise and promote productive diversity in the workplace.
- 145 Peter Manning, *Dog Whistle Politics and Journalism: reporting Arabic and Muslim people in Sydney newspapers*, Australian Centre for Independent Journalism, UTS, 2004. See also: *The New 'Others': Media & Society Post-September 11*, Liz Jacka & Lelia Green (eds.) Media International Australia: culture and police, n 109, Griffith University, 2003. Iain Lygo, *News Overboard: The Tabloid Media, Race Politics and Islam*, Southerly Change Media, 2004. Australian Press Council, General Press Release No. 261 'Religious Terms in Headlines', April 2004 [<http://www.presscouncil.org.au/pcsite/activities/guides/gpr261.html>] Piers Akerman, 'Dressing hate in Mufti doesn't make it right', *The Daily Telegraph*, Sydney, 8 April 2004.
- 146 Australian Arabic Council, Melbourne, 28 May 2003. See also: Consultation hosted by Illawarra Ethnic Communities Council, Wollongong, 9 August 2003.
- 147 Consultation hosted by Multicultural Community Services of Central Australia, Alice Springs, 5 June 2003. See also: Consultations with NSW secondary students at three government schools, Sydney, August 2003. See also: Islamic Council of Victoria, Melbourne, 26 May 2003.
- 148 Written submission from Dalal Oubani, 26 April 2003.
- 149 The Muslim Council of NSW, Sydney, 21 June 2003.
- 150 Islamic Women's Association of Queensland Senior Women's Respite Group, Brisbane, 17 June 2003.
- 151 Consultation with Iraqi refugees in rural Victoria, 30 May 2003; Islamic Women's Association of Queensland Senior Women's Respite Group, Brisbane, 17 June 2003; Consultation with young Muslim women, Brisbane, 17 June 2003; Consultation with young Arab men, Brisbane, 18 June 2003; Consultation with NSW secondary students at three government schools, Sydney, August 2003; Lebanese Community Council, Sydney, 4 September 2003; Consultation with Sydney University students, 9 October 2003; Antiochian Community Support Association, Melbourne, 13 November 2003; Consultation with Arab young people hosted by Australian Lebanese Welfare Inc., Melbourne, 17 November 2003.
- 152 Islamic Council of Victoria, Melbourne, 26 May 2003; Australian Arabic Council, Melbourne, 28 May 2003; Maronite Youth Organisation at Our Lady of Lebanon Church, Sydney, 4 June 2003; Consultation hosted by Multicultural Community Services of Central Australia, Alice Springs, 5 June 2003; Australian Arabic Communities Council, Sydney, 10 June 2003; Consultation hosted by WA Office of Multicultural Interests, Perth, 1 July 2003.
- 153 Australian Arabic Council, Melbourne, 28 May 2003; Australian Arabic Communities Council, Sydney, 10 June 2003; United Muslim Women's Association, Sydney, 23 June 2003; Consultation hosted by the WA Office of Multicultural Interests, Perth, 1 July 2003; Consultation with Sydney University students, 9 October 2003.
- 154 Consultation with young Muslim women, Brisbane, 17 June 2003; Women only consultation hosted by the SA Equal Opportunity Commission, Adelaide, 17 July 2003; Consultations with NSW secondary students at three government schools, Sydney, August 2003.

- 155 Consultation hosted by Tasmanian Anti-Discrimination Commission, Hobart, 14 June 2003; Forum on Australia's Islamic Relations, Sydney, 10 September 2003.
- 156 Consultation with young Muslim women, Brisbane, 17 June 2003; Consultation with Lebanese Muslim children and young people organised by the Lebanese Muslim Association, Sydney, 12 June 2003.
- 157 Islamic Council of Victoria, Melbourne, 26 May 2003; Consultation hosted by Tasmanian Anti-Discrimination Commission, Hobart, 14 June 2003.
- 158 Arabic Workers' Network, Sydney, 29 April 2003.
- 159 Press release issued by Australian Arabic Council "AAC condemns youth violence, no link between crime and ethnicity", 19 July 2002.
- 160 Public statement made by Australian Federation of Islamic Councils, 17 July 2002. Reported at: <http://www.afic.com.au/Amn03.htm>.
- 161 *ibid.*
- 162 Consultations with NSW secondary students at three government schools, Sydney, August 2003.
- 163 Consultation with Sydney University students, 9 October 2003.
- 164 Regina v Sheikh [2004] NSWCCA 38(4 March 2004).
- 165 *ibid.*, [4] (Mason P and Wood CJ at CL).
- 166 *ibid.*, [40] (Mason P and Wood CJ at CL).
- 167 Women only consultation hosted by the Office for Women's Policy, WA Department for Community Development, Perth, 30 June 2003.
- 168 Interfaith Network of the City of Greater Dandenong, Dandenong, 14 November 2003.
- 169 Consultation with members of the Indonesian Muslim Community of Victoria, Monash University, 28 May 2003.
- 170 See: Australian Press Council website: <http://www.presscouncil.org.au/pcsite/activities/guides/gpr261.html>
- 171 *ibid.*
- 172 Consultations with Arab young people by Australian Lebanese Welfare Inc., Melbourne, 17 November 2003.
- 173 Submission from Forum on Australia's Islamic Relations, 10 September 2003.
- 174 Preliminary consultation to launch Isma in Victoria hosted by Victorian Equal Opportunity Commission, Melbourne, 30 April 2003.
- 175 Consultation with Iraqi refugees in rural Victoria, 30 May 2003; Australian Arabic Communities Council, Sydney, 10 June 2003; Consultation hosted by WA Office of Multicultural Interests, Perth, 1 July 2003.
- 176 Muslim Women's National Network of Australia, Sydney, 5 April 2003; Canberra Islamic Centre, Canberra, 2 June 2003.; Women only consultation hosted by the Office for Women's Policy, WA Department for Community Development, Perth, 30 June 2003; NSW Police Ethnic Community Liaison Officers, Sydney, 9 April 2003.
- 177 Preliminary consultation to launch Isma in Victoria hosted by Victorian Equal Opportunity Commission, Melbourne, 30 April 2003; Islamic Council of Victoria, Melbourne, 26 May 2003.
- 178 Al Zahra Muslim Women's Association, Sydney, 23 April 2003; Women only consultation hosted by the Office for Women's Policy, WA Department for Community Development, Perth, 30 June 2003.
- 179 Canberra Islamic Centre, Canberra, 2 June 2003.; Australian Arabic Council, Melbourne, 28 May 2003; Consultation with young Muslim women, Brisbane, 17 June 2003; Consultation hosted by the SA Equal Opportunity Commission, Adelaide, 16 July 2003.
- 180 Preliminary consultation to launch Isma in Victoria hosted by Victorian Equal Opportunity Commission, Melbourne, 30 April 2003.
- 181 See: Australian Arabic Council website: www.aac.org.au
The Australian Arabic Council encourages positive media reporting of Arabic issues by hosting an annual media award that rewards the article that most clearly breaks down entrenched stereotypes of Arabic culture. Mike Steketee of The Australian won the 2002 award for his article of 14 September 2001: 'Muslim bashing compounds the terror'
- 182 Liz Jacka & Lelia Green (eds.) *The New 'Others': Media and Society Post-September 11*, Media International Australia, Griffith University, no. 109 November 2003.
- 183 In addition, in March 2003, the NSW Anti-Discrimination Board released its report *Race for the Headlines: racism and media discourse*. The report examined how race was understood and

Chapter 5: Future strategies

- reported in the Australian media following 11 September 2001. It argued that debates about asylum seekers, terrorism and local crime became linked in media representations which led to an environment conducive to anti-Arab and anti-Muslim prejudice and discrimination.
- 184 See: Natasche Klocker and Kevin M.Dunn, "Who's Driving the Asylum Debate? Newspaper and Government Representations of Asylum Seekers, pp 71-91 in Jacka & Green (eds.) *The New 'Others': Media and Society Post-September 11*, No. 109, Media International Australia, 2003.
- 185 Peter Manning, 'Arabic and Muslim people in Sydney's Daily Newspapers, Before and After September 11, pp 50-70 in Jacka & Green (eds.) *The New 'Others': Media and Society Post-September 11*, No. 109, Media International Australia, 2003.
- 186 Peter Manning, *Dog Whistle Politics and Journalism: reporting Arabic and Muslim people in Sydney Newspapers*, Australian Centre for Independent Journalism, University of Technology Sydney, January 2004.
- 187 Written submission by Peter Manning, Professor of Journalism, University of Technology, Sydney. December 2003.
- 188 Consultation with NSW Academics hosted by HREOC, Sydney, 24 November 2003.
- 189 Note: There are however, instructive examples of how Arab or Muslims community organisations could effectively carry out media analysis and monitoring. The Canadian Islamic Congress offers one such example. Their annual media report on anti-Islam in the Canadian media is available at: http://www.canadianislamiccongress.com/rr/rr_index.php
- 190 Information from Australian Arabic Council, 17 November 2003.
- 191 Written submission by Forum of Australia's Islamic Relations (FAIR), 21 October 2003. See also: Islamic Council of Victoria, Melbourne, 26 May 2003.
- 192 Consultation hosted by the WA Office of Multicultural Interests, Perth, 1 July 2003.
- 193 *Broadcasting Services Act 1992* (Cth) s 123(3)(e).
- 194 The ABA must be satisfied that the code of practice provides appropriate community safeguards for the matters covered by the code; the code is endorsed by a majority of the providers of broadcasting services in that section of the industry; and that members of the public have been given an opportunity to comment on the code: *Broadcasting Services Act 1992* (Cth) s 123(4)(b).
- 195 *Broadcasting Services Act 1992* (Cth) s 124(2). All registered codes of practice are available on the ABA website: <http://www.aba.gov.au/tv/content/codes/index.htm>.
- 196 Extracts from paragraphs 1.8 and 1.9 at <http://www.aba.gov.au/tv/content/codes/commercial/index.htm>
- 197 *Broadcasting Services Act 1992* (Cth) s 148.
- 198 *Broadcasting Services Act 1992* (Cth) s 148.
- 199 <http://www.presscouncil.org.au/>
- 200 <http://www.presscouncil.org.au/pcsite/complaints/process.html#lodging>
- 201 <http://www.presscouncil.org.au/pcsite/complaints/sop.html>
- 202 <http://www.presscouncil.org.au/pcsite/complaints/sop.html>
- 203 Principle 7: <http://www.presscouncil.org.au/pcsite/complaints/sop.html>
- 204 <http://www.presscouncil.org.au/pcsite/activities/gprguide.html>
- 205 See: GPR 248 at <http://www.presscouncil.org.au/pcsite/guides/gpr248.html>
- 206 It is relevant to note that in its complaint handling procedures, the Press Council states that where it appears that the matters raised in a complaint could be the basis for legal action against the publication, then the Council requires the person making a complaint to sign a document waiving their legal rights before the Council will proceed further. A waiver is sought on the basis that the Council sees itself as an alternative, not a complement, to the courts; in processing the complaint or publishing an adjudication the Council may deal with matters that are sub judice; and because parties cannot be expected to provide information and co-operation if this might prejudice their position in legal proceedings: <http://www.presscouncil.org.au/pcsite/complaints/process.html#dealing>
- 207 <http://www.alliance.org.au/hot/ethicscode>
- 208 <http://www.alliance.org.au>
- 209 Paragraph 2.
- 210 <http://www.alliance.org.au/hot/complain.htm>
- 211 Written submission by Peter Manning, Professor of Journalism, University of Technology, Sydney. December 2003.
- 212 http://www.humanrights.gov.au/racial_discrimination/media_guide/index.html
- 213 See: Islamic Council of Victoria, Melbourne, 26 May 2003; Women only consultation hosted by

- the Office for Women's Policy, WA Department for Community Development, Perth, 30 June 2003.
- 214 Lebanese Community Council, Sydney, 4 September 2003.
- 215 Consultation hosted by Multicultural Community Services of Central Australia, Alice Springs, 5 June 2003.
- 216 Written submission by Peter Manning, Professor of Journalism, University of Technology, Sydney, December 2003.
- 217 Written submission by Peter Manning, Professor of Journalism, University of Technology, Sydney, December 2003.
- 218 See: <http://www.mwnna.org.au/>
- 219 Consultation hosted by the WA Office of Multicultural Interests, Perth, 1 July 2003.
- 220 Arabic Workers' Network, Sydney, 29 April 2003.
- 221 Arabic Workers' Network, Sydney, 29 April 2003.
- 222 Information provided to HREOC by the Premier of Western Australia, 9 December 2003.
- 223 Consultation with young Muslim women, Brisbane, 17 June 2003.
- 224 Islamic Council of Victoria, Melbourne, 26 May 2003. See also: Australian Arabic Communities Council, Sydney, 10 June 2003.
- 225 Islamic Council of Victoria, Melbourne, 26 May 2003.
- 226 Australian Arabic Council, Melbourne, 28 May 2003.
- 227 Consultation hosted by ACT Human Rights Office and ACT Office of Multicultural Affairs, Canberra, 3 June 2003.
- 228 Information provided by AFIC, 13 January 2004.
- 229 Islamic Council of Victoria, Melbourne, 26 May 2003.
- 230 Consultation with young Muslim women, Brisbane, 17 June 2003.
- 231 Al Zahra Muslim Women's Association, Sydney, 23 April 2003.
- 232 These perceptions were reiterated in numerous research papers such as: Peter Manning, *Dog Whistle Politics and Journalism: reporting Arabic and Muslim people in Sydney newspapers*, Australian Centre for Independent Journalism, UTS, 2004. See also: *The New 'Others': Media & Society Post-September 11*, Liz Jacka & Lelia Green, eds.) Media International Australia: culture and policy, n 109, Griffith University, 2003.
- 233 National Guidelines, January 1997, prepared by I. G. Kolarik, Executive Director, and Superintendent D. Cairns, Chairperson, National Police Ethnic Advisory Bureau.
- 234 NSW Police Service, Ethnic Affairs Unit, Descriptors policy guidelines, published in the Police Media Handbook. NSW Police rejected the use of 'Caucasian', however, replacing it with 'White/European appearance'.
- 235 Reported in *The Age*, Melbourne, March 26 2003. See also: ABC Online: <http://www.abc.net.au/cgi-bin/common/printfriendly.pl?http://www.abc.net.au/pm/content/2003/s817255.htm>
- 236 Australian Arabic Council, Melbourne, 28 May 2003.
- 237 Consultation with young Muslim women, Brisbane, 17 June 2003. See also: Consultation with young Arab Muslims and Christians and non-Arab Muslims, Adelaide, 17 July 2003.
- 238 Roland Jabbour, Chairperson, Australian Arabic Council, at the Australian Institute of Criminology conference 'Policing Partnerships in a Multicultural Australia: Achievements and Challenges', Brisbane, 26 October 2001. See also: Australian Arabic Council, 'Ethnicity and Crime in NSW: Politics, Rhetoric and Ethnic Descriptors', January, page 3.
- 239 Roland Jabbour, Chairperson, Australian Arabic Council, at the Australian Institute of Criminology conference 'Policing Partnerships in a Multicultural Australia: Achievements and Challenges', Brisbane, 26 October 2001. See: <http://www.aac.org.au/media.php?ArtID=6>
- 240 NSW Police Service, Ethnic Affairs Unit, Descriptors policy guidelines, published in the Police Media Handbook. NSW Police rejected the use of 'Caucasian', however, replacing it with 'White/European appearance'.
- 241 *Police Media Descriptors, A national research project to collect data to inform the development of a set of national standards*, Report to the Australasian Police Multicultural Advisory Bureau, September 2003, prepared by Margaret Helman and Associates.
- 242 *ibid.*, p 18.
- 243 *ibid.*, p 16.
- 244 *ibid.*, pp 19-20.
- 245 Interview with 'Rema', Melbourne, 18 November 2003.
- 246 St George Lebanese Joint Committee Women's Group, Sydney, 11 April 2003

Chapter 5: Future strategies

- 247 Lebanese Community Council, Sydney, 4 September 2003.
- 248 Muslim lawyers group, Melbourne, 27 May 2003
- 249 Muslim lawyers group, Melbourne, 27 May 2003. Horn of Africa Senior Women's Program, Melbourne, 13 November 2003. Consultation with Arab community members, Melbourne, 15 November 2003.
- 250 Women only consultation hosted by the Office for Women's Policy, WA Department for Community Development, Perth, 30 June 2003.
- 251 Lebanese Communities Council, Sydney, 4 September 2003.
- 252 Although all of the programs adopted pursue the same aim, they vary, often significantly, in administrative structure and even in their names. For example, the term adopted by the New South Wales Police Service for its liaison officers is "Ethnic Community Liaison Officers" whilst other jurisdictions adopted the terms "Multicultural Liaison Officers" and "Community Liaison Officers" such as Victoria Police and Queensland Police Service respectively.
- 253 Consultation with Muslim women in northern Sydney, 26 June 2003.
- 254 Islamic Council of Victoria, Melbourne, 26 May 2003.
- 255 Consultation with members of the Indonesian Muslim Community of Victoria, Monash University, 28 May 2003.
- 256 Islamic Council of Victoria, Melbourne, 26 May 2003.
- 257 Interview with 'Amal', Melbourne, 16 November 2003. See also: Consultation with Islamic Girls/Women's Group Inc., hosted by the Victorian Department of Human Services, Melbourne, 28 May 2003.
- 258 Islamic Council of NSW, Sydney, 10 June 2003.
- 259 At the time of the Commission's Racist Violence Inquiry (1989-1991), no Australian police service collected hate crime statistics. The inquiry concluded that 'this has caused significant problems in estimating the extent of racist violence and responding to it' (Racist Violence, HREOC, 1991, page 313).
- 260 Note: the exceptions are Tasmania and the Northern Territory
- 261 Information provided by: South Australia Police, 15 January 2004; Western Australia Police Service, 15 January 2004; Northern Territory Police, 17 November 2003; Tasmania Police, 10 November 2003.
- 262 Information provided by Queensland Police Service, 12 November 2003.
- 263 Information provided by Victoria Police, 3 December 2003.
- 264 NSW Police Ethnic Community Liaison Officers, Sydney, 9 April 2003.
- 265 Information provided by NSW Police, 24 February 2004 & 6 March 2004.
- 266 Racist Violence, HREOC, 1991, page 314.
- 267 Information provided by APMAB, 4 April 2004.
- 268 See: Preliminary consultation to launch Isma in Victoria hosted by Victorian Equal Opportunity Commission, Melbourne, 30 April 2003; Canberra Islamic Centre, Canberra, 2 June 2003.; Consultation with Arab women's group, hosted by the Women's Centre, Sydney, 8 August 2003; Islamic Women's Association of Queensland Senior Women's Respite Group, Brisbane, 17 June 2003.
- 269 See: Consultation with young Muslim women, Brisbane, 17 June 2003. Islamic Council of Victoria, Melbourne, 26 May 2003. Preliminary consultation to launch Isma in Victoria hosted by Victorian Equal Opportunity Commission, Melbourne, 30 April 2003. Australian Arabic Communities Council, Sydney, 10 June 2003.
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- 271 See: Consultation with young Muslim women, Brisbane, 17 June 2003. Consultation hosted by Multicultural Community Services of Central Australia, Alice Springs, 5 June 2003. Antiochian Community Support Association, Melbourne, 13 November 2003. Tripoli and Mena Association Seniors' Group, Sydney, 15 October 2003.
- 272 Consultation with Sydney University students, 9 October 2003. See also: Tripoli and Mena Association Seniors; Group, Sydney, 15 October 2003.
- 273 Islamic Council of NSW, Sydney, 10 June 2003.
- 274 See: Consultation hosted by Tasmanian Anti-Discrimination Commission, Hobart, 14 June 2003. Consultations with NSW primary school students (Years 5 and 6) at three Sydney public schools, August 2003. Maronite Youth Organisation at Our Lady of Lebanon Church, Sydney, 4 June 2003. Antiochian Community Support Association, Melbourne, 13 November 2003. Muslim lawyers group, Melbourne, 27 May 2003.

- 275 See: Consultation with Arab young people hosted by Australian Lebanese Welfare Inc., Melbourne, 17 November 2003. Consultation with young Arab men, Brisbane, 18 June 2003.
- 276 Australian Arabic Council, Melbourne, 28 May 2003. See also: Consultation with Arab young people hosted by Australian Lebanese Welfare Inc., Melbourne, 17 November 2003.
- 277 Women only consultation hosted by the SA Equal Opportunity Commission, Adelaide, 17 July 2003.
- 278 Information provided by Victorian Arabic Social Services, Melbourne, 12 November 2003.
- 279 Youth Reference Group to the NSW Premier's Youth Partnership with Arabic Speaking Communities, Sydney, 7 April 2003. See also: Consultation hosted by Tasmanian Anti-Discrimination Commission, Hobart, 14 June 2003; Tripoli and Mena Association Seniors' Group, Sydney, 15 October 2003.
- 280 Arabic Workers' Network, Sydney, 29 April 2003; Consultation hosted by Tasmanian Anti-Discrimination Commission, Hobart, 14 June 2003.
- 281 See: Australian Arabic Council, Melbourne, 28 May 2003. United Muslim Women's Association, Sydney, 23 June 2003. Consultation with young Muslim women, Brisbane, 17 June 2003. Women only consultation hosted by the Office for Women's Policy, WA Department for Community Development, Perth, 30 June 2003.
- 282 See: Australian Arabic Council, Melbourne, 28 May 2003. Maronite Youth Organisation at Our Lady of Lebanon Church, Sydney, 4 June 2003. Information provided by Victorian Arabic Social Services, Melbourne, 12 November 2003.
- 283 Arabic Workers' Network, Sydney, 29 April 2003.
- 284 Consultation with Migrant Resource Centre staff hosted by Canterbury-Bankstown MRC, Sydney, 27 August 2003.
- 285 St George Lebanese Joint Committee Women's Group, Sydney, 11 April 2003
- 286 Interfaith Network of the City of Greater Dandenong, Dandenong, 14 November 2003. Consultation with students from the Goulburn-Ovens TAFE at Shepparton (Victoria) hosted by Shepparton Ethnic Communities Council, Shepparton, 29 May 2003. Meeting with Radio 4EB, Brisbane, 18 June 2003.
- 287 Consultation hosted by Tasmanian Anti-Discrimination Commission, Hobart, 14 June 2003.
- 288 Consultation with refugee women hosted by the Ecumenical Migration Centre, Melbourne, 26 May 2003.
- 289 See: http://www.humanrights.gov.au/racial_discrimination/isma/strategies/index.html
- 290 Muslim lawyers group, Melbourne, 27 May 2003.
- 291 See: Islamic Council of Victoria, Melbourne, 26 May 2003; Muslim lawyers group, Melbourne, 27 May 2003; Women only consultation hosted by the SA Equal Opportunity Commission, Adelaide, 17 July 2003; Consultation hosted by Multicultural Community Services of Central Australia, Alice Springs, 5 June 2003; Canberra Islamic Centre, Canberra, 2 June 2003.
- 292 See: Arabic Workers' Network, Sydney, 29 April 2003; Consultation hosted by the SA Equal Opportunity Commission, Adelaide, 16 July 2003; Canberra Islamic Centre, Canberra, 2 June 2003.
- 293 Youth Reference Group to the NSW Premier's Youth Partnership with Arabic Speaking Communities, Sydney, 7 April 2003.
- 294 See: Muslim lawyers group, Melbourne, 27 May 2003. Canberra Islamic Centre, Canberra, 2 June 2003. Islamic Council of Victoria, Melbourne, 26 May 2003. Islamic Council of NSW, Sydney, 10 June 2003.
- 295 Tripoli and Mena Association Seniors' Group, Sydney, 15 October 2003.
- 296 Interview with 'Alya', Melbourne, 17 November 2003.
- 297 Interview with 'Shaden', Sydney, 15 October 2003.
- 298 Interview with 'Rokshana', Sydney, 24 November 2003.
- 299 See, for example: Transcript of the PM, the Hon John Howard MP, Doorstop Interview, Sydney, 22 September 2001: <http://www.pm.gov.au/news/interviews/2001/interview1249.htm>; 'A Nation Pauses in Grief', *The Age*, Melbourne, 21 October 2002: <http://www.theage.com.au/articles/2002/10/20/1034561389881.html>; Transcript of the PM, the Hon John Howard MP, Address to the Moreton Forum Lunch, Eight Mile Plains, Brisbane, 12 October 2001: <http://www.pm.gov.au/news/speeches/2001/speech1291.htm>
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Chapter 5: Future strategies

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