

# Parliamentary Joint Committee on Human Rights

## Antisemitism at universities

### Attorney-General's Department

**Hearing date:** 29 November 2024

**Hansard page:** 50

#### **Josh Burns asked the following question:**

CHAIR: For the purposes of the committee, if someone was to submit a complaint via the Human Rights Commission, what is the timeline for something like that?

Ms Nawaz: I'll have to take that on notice. We might be able to find out in the course of this hearing. I might just ask my colleague to see if we can check for the latest figures in terms of the timelines for handling those complaints.

CHAIR: That would be very useful, and it would take me back to the ombudsman around the timelines and what you would see as a permissible timeline to be able to deal with a complaint.

Mr Anderson: You asked about resourcing in an earlier question, which I didn't quite answer. We don't know how many complaints we're going to receive and how complex those complaints could be. We have a very wide jurisdiction. It could be about a student feeling that they should've gotten an extension of time for something or special consideration, or it could be about antisemitism or gender based violence. So there could be a range of different complexities involved, and there's the ability to receive historic complaints as well as current complaints. If we get a very large volume of complaints, we're resourced to have some 42½ staff until 30 June, and then we're going up to 60 staff after that. There are quite a lot of new staff that we're getting, but it's difficult to know in advance just how complex these complaints are going to be to investigate. Ideally, we currently have key performance indicators for our work as a Commonwealth ombudsman, and we try and resolve matters within 10 days, 30 days, 60 days, 90 days et cetera. But, for the more complex complaints, sometimes they might take a long time. You asked before why a student should come to us, in a sense, and what a student would think. Students should expect that some matters might take longer if they're more complex, but we're also aware that, when you're a student, time is very important. It's not much good if you get an answer that's a year or 18 months late when you're in the middle of a course.

CHAIR: Indeed. If something happens in a tutorial or a class, you want to be able to finish that class. I remember some terms could only be nine, 10 or 12 weeks depending on the course. It would certainly be useful, as a long-term prospect, to monitor how long these things are taking. I'm sure we'll have conversations in the future about the complexities. Perhaps if we don't get it within this hearing, could you answer on notice the average timeframe for a Human Rights Commission complaint to be dealt with. That would be very useful.

Ms Nawaz: We'll take that on notice, and we'll consult our colleagues at the Human Rights Commission. They're the ones who have that data.

#### **The response to the question is as follows:**

The Australian Human Rights Commission adopts a 'triage' approach to complaint handling and prioritises matters where it is appropriate to do so. This includes complaints where:

- there is risk of imminent harm;
- there is an ongoing relationship between complainant and respondent; or
- where the matter is of public interest and where one or both complainant and respondent have placed information about the complaint in the public domain.

In 2023-24, the average ‘active’<sup>[1]</sup> complaint handling timeframe was approximately 8.7 months. A breakdown by periods indicates that of the 2,771 complaints finalised in 2023-24:

- 16% were finalised within 3 months
- 32% were finalised within 6 months
- 52% were finalised within 9 months, and
- 72% were finalised within 12 months.

The timeframes for the action steps of individual complaints depend on the subject matter of the complaint, whether the parties are already aware of the issues in dispute, whether a written response is requested or provided and whether conciliation is considered appropriate.

---

<sup>[1]</sup> This does not include times when a complaint is deferred by request (or as a result of an action) of a party.