

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
AUSTRALIAN HUMAN RIGHTS COMMISSION

Question No. 5

Senator Pratt asked the following question at the hearing on 18 October 2011:

Senator PRATT: ... I think the Human Rights Commission has drawn attention to the prevalence of cyber-racism. What is the commission's view of the significance of this kind of problem? What kinds of effects is it having on the Australian community? What is the commission doing to help address this problem as a whole and in specific incidents of cyber-racism?

Dr Szoke: ... Let me start with the last question: in relation to specific incidents, I would probably have to take that on notice...The commission has also been involved in initiatives, I think from the Attorney-General's Department, prior to my time and on an ongoing basis, looking at the issue in a general sense...

Senator PRATT: What is the commission's view of the prevalence of this kind of activity? I know from the emails I receive—and, clearly, that is private correspondence from constituents expressing their views to their senator—that it is prevalent and that people feel that, once you have the non-face-to-face aspect of the internet, anything goes and you can express whatever view you like about other people.

Dr Szoke: I cannot answer at this stage on behalf of the commission; I am just not familiar with it. I am familiar with the Victorian jurisdiction and the experience there. From my previous role, I would indicate that there is an increase in the incidence of this, but I would not want to peg the commission to a particular view at this stage.

Senator PRATT: That is fair enough.

Dr Szoke: But perhaps we can take that on notice as well.

Senator PRATT: Thank you, I would appreciate that

The answer to the honourable senator's question is as follows:

The Commission is concerned at the increased prevalence of cyber-racism and other forms of bullying, particularly as a result of new technologies such as social media platforms. Cyber-racism is often raised anecdotally with the Commission as a site for racist behaviour. However, the number of formal complaints received about cyber-racism under section 18C of the *Racial Discrimination Act* remains relatively low, as set out below.

Complaints received under section 18C regarding the internet

2007-08	5 complaints received - 9% of all racial hatred complaints
2008-09	9 complaints received - 18% of all racial hatred complaints
2009-10	51 complaints received - 34% of all racial hatred complaints
2010-11	26 complaints received - 23% of racial hatred complaints

While there was a clear upward trend in complaints in the 09-10 reporting year this has not continued in the past year (and the numbers are relatively small and require caution when attempting to discern trends).

On 27 April 2010, the Commission and the Internet Industry Association co-hosted a one-day summit on addressing cyber-racism. Consequently, the Commission updated information about addressing cyber-racism and has worked with industry representatives to ensure clear pathways for complaints and addressing incidents of cyber-racism when it occurs. See further:

http://www.humanrights.gov.au/racial_discrimination/publications/cyberracism_factsheet.html

Commencing in late 2010, the Commission has also engaged Edith Cowan University for a research project looking at cyber-bullying among 12-14 year old children emphasising potential options for 'bystander action.' This research has been more broadly focused than incidents of cyber-racism, but will provide valuable insight into potential solutions. The final research is to be released in early 2012, along with a series of social media tools to assist people to take action to address cyber-bullying.

The Commission has also committed to partner on an ARC Linkage project to conduct research on Cyber-racism and community resilience. The research is due to commence in 2012, if funded.