



Australian  
Human Rights  
Commission

# Australian Human Rights Commission

ANNUAL REPORT 2016 · 2017



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**Cover image** by Matt Syres: 2016 Human Rights Medal Winner Pat Anderson AO. Ms Anderson received the 2016 Human Rights Medal in recognition of her tireless work to advance the rights and welfare of Aboriginal and Torres Strait Islander peoples, particularly in regards to education, health, early childhood development, and preventing violence against Aboriginal women and children.



10 September 2017

Senator the Hon. George Brandis QC  
Attorney-General  
Parliament House  
CANBERRA ACT 2600

Dear Attorney,

I have pleasure in presenting the Annual Report of the Australian Human Rights Commission for the period ending 30 June 2017. The report has been prepared pursuant to section 45 of the *Australian Human Rights Commission Act 1986* and in accordance with the requirements of section 70 of the *Public Service Act 1999* and section 46 of the *Public Governance, Performance and Accountability Act 2013*.

As the Accountable Authority of the Australian Human Rights Commission I am responsible for the preparation and contents of the Annual Report of Operations. I approved the Annual Report 2016–17 on 10 September 2017 by signing a memorandum.

Yours sincerely,

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

Emeritus Professor Rosalind Croucher AM  
**President**

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# About the Commission

## Our purpose

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

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

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

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

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

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

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

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

## Our vision, mission and principles

In delivering our work we are guided by the common purpose and values held within our vision, mission and principles statement.

### Vision

Human rights: everyone, everywhere, everyday

### Mission

To lead the promotion and protection of human rights and freedoms in Australia by:

- Making human rights part of everyday life and language
- Empowering all people to understand and exercise their rights and responsibilities
- Providing an efficient and effective national investigation and dispute resolution service
- Holding government accountable to international human rights obligations and domestic legal standards
- Fostering collaborations that inspire action on human rights.

## Principles

The Commission seeks to apply a human rights based approach to its own work. This involves respect for five principles:

- Participation – everyone has the right to participate in decisions which affect them
- Accountability – effective monitoring of compliance with human rights standards, as well as effective remedies for human rights breaches
- Non-discrimination and equality – people are treated without discrimination and in pursuit of equality before the law
- Empowerment – all members of the community understand their rights and responsibilities, and this contributes to their ability to make choices about how they participate in the community
- Legality – the law recognises, and is consistent with, rights and freedoms.

## Strategic goals, objectives and priorities

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

Our Corporate Plan is the road map that guides the Commission's work for the 2015–19 period. The plan contains the Commission's goals, objective and priorities.

The goals reflect our aspirations as an organisation. They are ambitious and require sustained action over time. They are set for the next four year period.

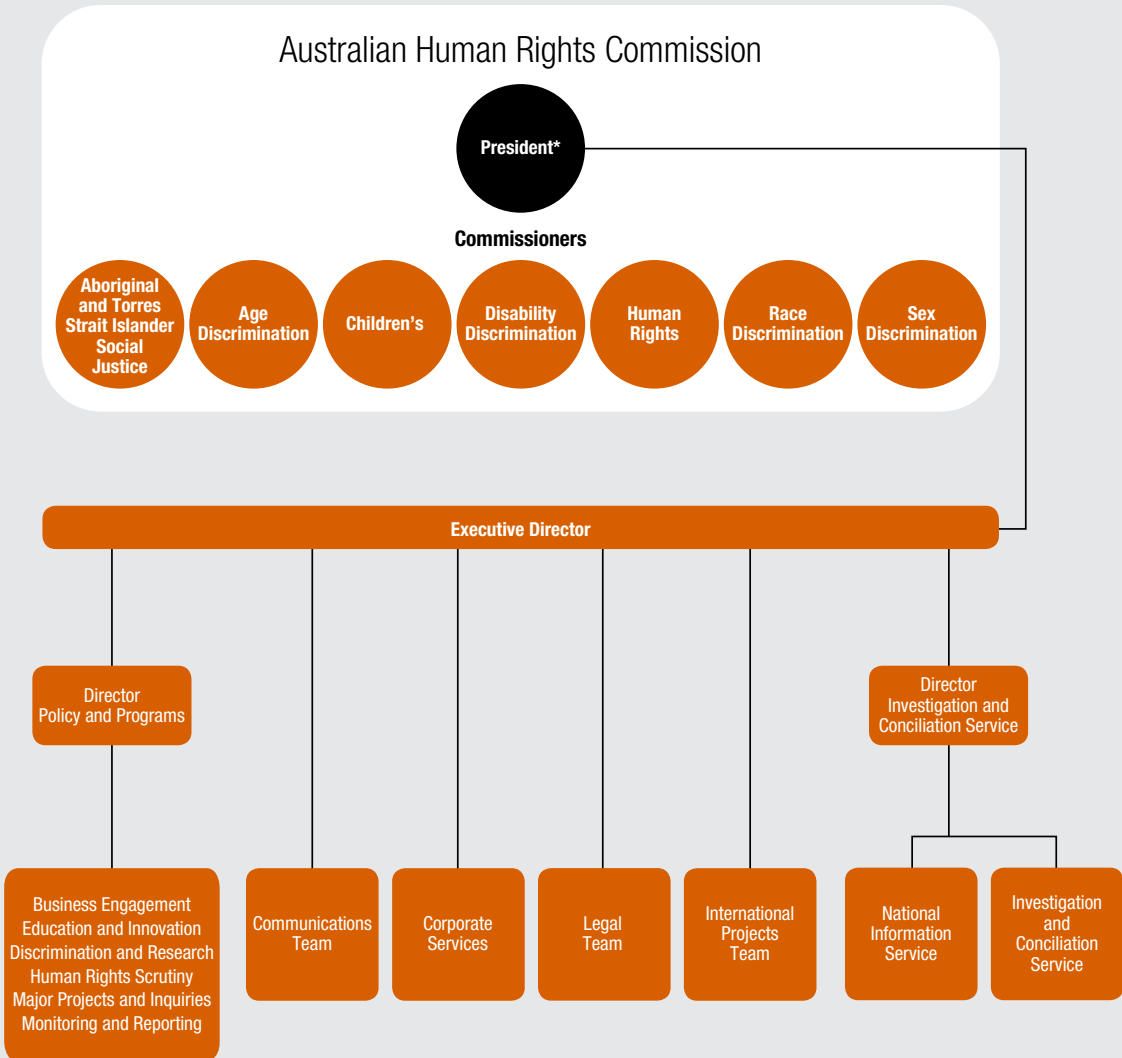
The objectives provide a framework that enables us to plan our work and to monitor progress in our mandate to achieve improved respect and protection of human rights in Australia.

The three priorities provide a thematic focus that cuts across all areas of our work – from the advocacy of our commissioners, to our policy and research program and to the work of our Investigation and Conciliation Service.



# Organisational structure

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



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



# Our functions

## Legislation

The Commission exercises functions under the following Acts.

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### *Australian Human Rights Commission Act 1986*

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Establishes the Commission and outlines its powers and functions.

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

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

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### *Racial Discrimination Act 1975*

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

Its main aims are to:

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

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### *Sex Discrimination Act 1984*

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

Its main aims are to:

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

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## *Disability Discrimination Act 1992*

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Its objectives are to:

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

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## *Age Discrimination Act 2004*

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Its objectives are to:

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

### **The Commission**

We exercise our functions under this federal legislation by:

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



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

### **President**

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

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

Under the Australian Human Rights Commission Act, the Aboriginal and Torres Strait Islander Social Justice Commissioner prepares an annual report on the exercise and enjoyment of human rights of Indigenous peoples and undertakes social justice education and promotional activities.

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

### **Sex Discrimination Commissioner**

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

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

Under the Australian Human Rights Commission Act, the National Children's Commissioner reports on the enjoyment and exercise of human rights by children in Australia.

## **Responsible Minister**

Senator the Hon George Brandis QC, Attorney-General, is the Minister in Parliament responsible for the Commission. The Attorney-General has a number of powers under the Australian Human Rights Commission Act.

The most significant is:

- to declare, after consultation with the states, an international instrument to be one relating to human rights and freedoms for the purposes of the Act.

## **Location**

The office of the Australian Human Rights Commission is located in Sydney. The Australian Human Rights Commission conducts its activities nationally – including by maintaining a National Information Service, extensive web communication and conduct of meetings and events across Australia.

# The year in review

This Annual Report sets out the performance of the Australian Human Rights Commission in the 2016–17 financial year.

This year has been challenging and rewarding for the Commission.

For the first time in our history, we have had a full complement of statutory office holders – with a President and seven commissioners. Four new commissioners commenced in this financial year, and I commenced as President in August 2017. This provides a significant moment for renewal of the Commission.

The past financial year has seen an unprecedented level of scrutiny of our complaint handling processes. Amendments to the handling of complaints occurred in the latter part of the financial year. The Commission welcomed these amendments, some of which the Commission initially proposed over eight years ago. A significant activity for the Commission in the years ahead is to implement these amendments and embed new work practices in the handling of complaints.

Our Investigation and Conciliation Service and the National Information Service continued to provide exceptional service to complainants and respondents. We know this through rigorous evaluation processes. Satisfaction rates with our conciliation service remain at a record high. It is particularly pleasing that the results reflect satisfaction from people who are in the midst of disputes – as both complainants and respondents.

An important aspect of the Commission's work is to develop public and private sector partnerships. We have completed important work in the past year with:

- the Australian Defence Forces – to embed cultural reform across the services and to identify responses to historic abuse
- the university sector – to identify the prevalence of sexual harassment and sexual abuse within universities

- the business community – to implement the UN Global Principles on Business and Human Rights and advance domestic frameworks for the protection of human rights
- the National Rugby League – to support their approach to addressing discrimination and building diversity and inclusion at all levels of the sport.

The Commission was recognised for the excellence of our educational products, with our Magna Carta web resources winning the Good Design Awards and our RightsApp mobile application was commended in the Smart100 App awards. We have a range of exciting new educational materials to release in the coming year.

We enter the 2017–18 financial year with many opportunities to promote human rights in Australia:

- Constitutional recognition of Aboriginal and Torres Strait Islander peoples has moved to the next stage, with the Uluru Declaration and report of the constitutional recognition panel to government.
- The issue of marriage equality will be put to the Australian people for their views.
- Racial harmony and community cohesion will continue to be a key challenge.
- There will be renewed focus on the appropriateness of laws to ensure national security and the rights of citizens.
- A durable settlement of asylum seekers and refugees seeking our protection will continue to be a focus of national debate, especially as offshore detention centres close.
- The Government's nominated date for ratification of the Optional Protocol to the Convention Against Torture (OPCAT) will arrive and the necessary mechanisms to appropriately monitor all places of detention in Australia will continue to be considered.

- The UN Human Rights Council will decide on Australia's bid for a seat on that Council, and our human rights record will be scrutinised through appearance before three human rights treaty bodies on economic, social and cultural rights, civil and political rights, and racial discrimination.
- The refreshing of targets to close the gap of Indigenous socio-economic inequality will be finalised, with a major challenge of ensuring the meaningful engagement of Indigenous communities in this process and its implementation over time.
- Gender inequalities continue to be a national concern, most notably violence against women, the gender pay gap and limited engagement of women in leadership positions.
- There will be a renewed focus on implementing the Commission's *Willing to Work* report by promoting improved participation of older Australians and people with a disability in the workforce. A similar challenge exists in implementing the findings of the Australian Law Reform Commission's 2017 report on elder abuse.
- The evolving National Disability Insurance Scheme raises questions about how to support independent living and to ensure access to employment and housing.

The Commission stands ready and willing to assist the Federal Government by providing evidence-based, technical expertise on all aspects of human rights implementation in Australia. We continue our commitment to human rights in Australia being understood as applying to everyone, everyday, everywhere.

**Emeritus Professor Rosalind Croucher**

commenced as President of the Australian Human Rights Commission on 1 August 2017.

# President and Commissioners



*Professor Gillian Triggs*

**President**  
(finished 28 July 2017)



*Tim Soutphommasane*  
**Race Discrimination Commissioner**



*Kate Jenkins*  
**Sex Discrimination Commissioner**



*Megan Mitchell*  
**National Children's Commissioner**



*Alastair McEwin*  
**Disability Discrimination  
Commissioner**

*Emeritus Professor Rosalind Croucher AM*

**President**  
(commenced 1 August 2017)



*Edward Santow*  
**Human Rights Commissioner**



*Kay Patterson AO*  
**Age Discrimination Commissioner**



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

# Annual performance statement for non-financial outcomes

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AUSTRALIAN HUMAN RIGHTS COMMISSION

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## INTRODUCTORY STATEMENT

As the accountable authority of the Australian Human Rights Commission, I present the 2016–2017 annual performance statements of the Australian Human Rights Commission. This is required under section 39(1)(a) of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act). In my opinion, these annual performance statements are based on properly maintained records, accurately reflect the performance of the entity, and comply with section 39(2) of the PGPA Act.



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

10 September 2017



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## Purpose

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As Australia's national human rights institution, our purpose is to provide independent and impartial services to promote and protect human rights and fundamental freedoms, and address discrimination.

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## Results

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### Introduction

The Commission undertakes a wide range of activities in pursuance of our statutory obligations and mandate. We must:

- 1) Inquire into and attempt to conciliate complaints of unlawful discrimination, and breaches of human rights
- 2) Produce reports in relation to:
  - a) the enjoyment and exercise of human rights by children in Australia
  - b) the enjoyment and exercise of human rights by Aboriginal persons and Torres Strait Islanders
  - c) the operation of the *Native Title Act 1993* and its effect on the exercise and enjoyment of human rights of Aboriginal peoples and Torres Strait Islanders, and
- 3) Process applications for exemptions under the age, disability and sex discrimination Acts.

The *Australian Human Rights Commission Act 1986 (AHRC Act)* requires us to exercise our functions in a manner that achieves the 'greatest possible benefit to the people of Australia' and with regard for the universality of human rights (s10A *AHRC Act*). For this reason, we fulfil the remainder of our functions through a combination of two approaches:

- Work that is focused on issues that constitute 'protected attributes' under federal discrimination law or for which there is a mandated specialist commissioner. These issues include race discrimination, gender equality, disability, Aboriginal and Torres Strait Islander social justice and sexuality.
- Thematically focused work that is of broader benefit to the Australian community as a whole. For example, by focusing on human rights education, intervening in human rights matters before the courts, addressing violence, harassment and bullying and by promoting the role of business in addressing human rights.

## Annual Performance Statement for non-financial outcomes

Our work priorities are set through an annual planning process, guided by our four strategic goals on pages 16 – 38 of this report. In addition, the Commission ensures its work helps achieve the outcome articulated in its Portfolio Budget Statement, being:

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

the sole programme of which, Programme 1.1, is:

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

### **Performance criteria**

The performance statement on pages 16 – 38 of this report highlights the ways in which the Commission has met its publicly stated strategic goals and objectives through activities that are monitored and evaluated. These are reported in relation to the Commission's four strategic goals, matched to the indicators in the Corporate Plan and the Key Performance Indicators published in the Portfolio Budget Statement. In reporting against each indicator, we have focused on case studies and projects to demonstrate our performance.

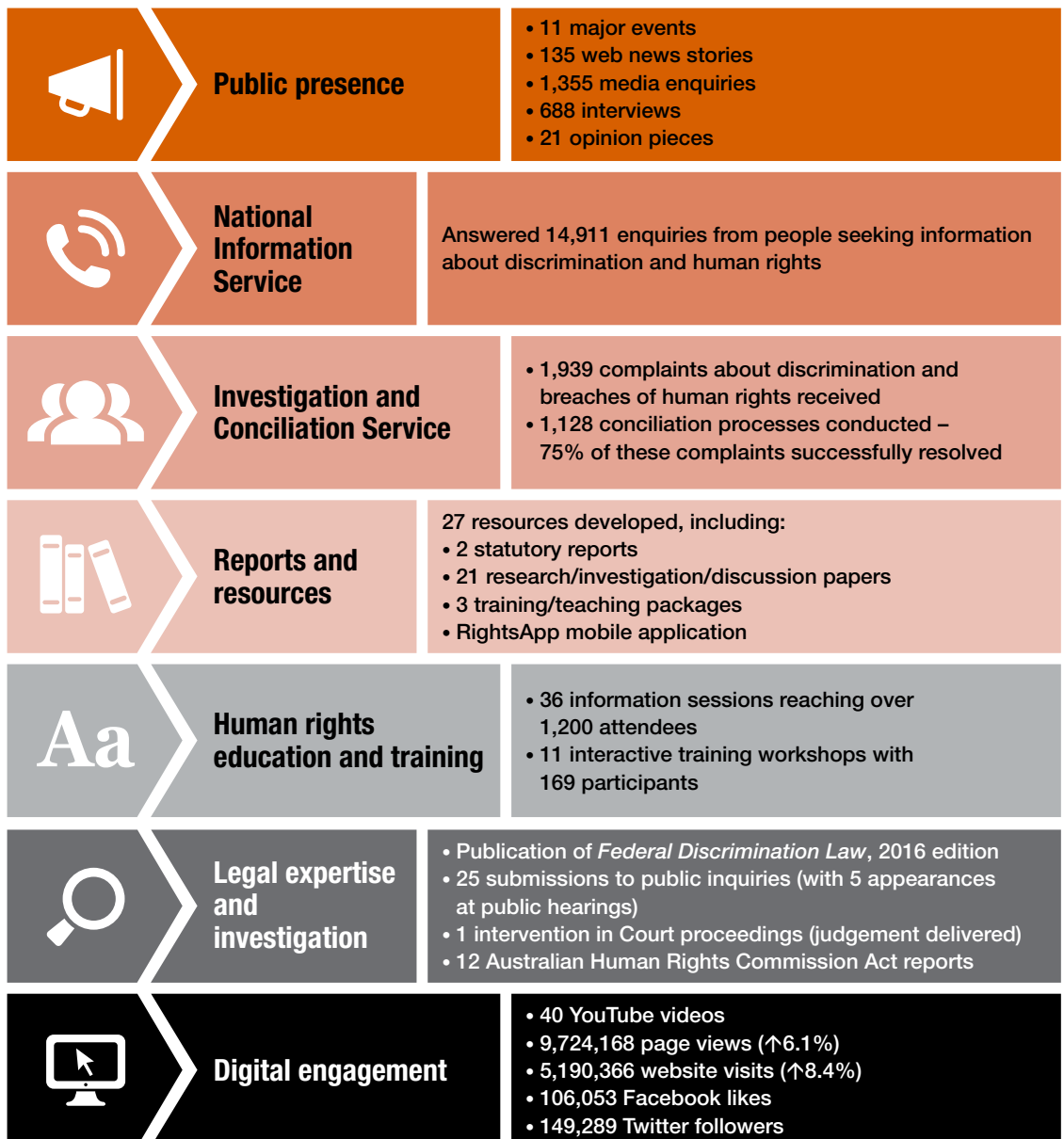
### **Appendices**

Appendix 1 in this report provides information on the Commission's 2016–2017 workplan projects, services and activities, and how these contribute to our goals and priorities.

Appendix 2 in this report provides information on the Commission's major events, reports, publications and education resources in 2016–2017.

# Snapshot of Commission activity

The following provides an overview of the Commission's key outputs in 2016–17.



# Goal 1: Leadership

We are respected for our independent and influential promotion of the full implementation of human rights and freedoms in Australia and internationally.

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## Performance criterion

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Indicators 1.1 – 1.5: Reproduced below.

The Commission’s Portfolio Budget Statement (PBS) also contains the following measures:

### **Program 1.1 Key Performance Indicators**

Effective reach among identified audiences with relevant and useful information about human rights is demonstrated by web and social media analytics that exceed the previous year’s benchmark by 5%.

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## Results for each performance criterion

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### 1.1 Effective reach in the general community and among identified target audiences with relevant and useful information about human rights, including discrimination

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

The Commission monitors its website reach through page views and visits. In this reporting period, web analytics show a reach of 9,724,168 page views and 5,190,366 website visits. This translates to growth of 6.1% and 8.4% respectively, exceeding the PBS performance benchmark of 5% annual growth.

Social media analytics also show growth that exceeds the stated 5% target. The Commission earned 106,053 Facebook likes during the period, an increase of 18.4%. The Commission increased its number of Twitter followers to 149,289, a rise of 12.5% from last year’s benchmark.

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

The *Racism. It Stops With Me* (RISWM) campaign is an ongoing activity under the National Anti-Racism Partnership and Strategy (NARPS). It promotes an understanding of racism and its prevention. The RISWM campaign enables a growing number of member organisations to take action against racism by exercising leadership, providing public support and sharing information.

The results from this year’s member survey indicate that RISWM continues to make a difference and that the support and information provided by the campaign is used and valued.

For example:

- 74% of respondents to the 2016 survey reported that the campaign has a positive impact, primarily by raising awareness, starting conversations and sending a positive message.

*The Racism. It Stops with Me campaign is a point of access and provides a framework to address racism. Especially the 'It stops with me' idea because it makes us all responsible.*

*People are taking the time to question behaviour and there has been an overall increase in awareness of vilification of all types.*

- About half the survey respondents have used the campaign to initiate anti-racism policies and procedures and around half of respondents have undertaken more resource-intensive activities such as publishing a webpage and holding events.

There has been a drop in organisational engagement in this period when compared to past years. Our analysis suggests that reduced staffing at the Commission is one factor. In response, the NARPS partner organisations have increased resourcing to enable a full-time staff member to dedicate six months to this program. We will assess the results of this resumption of full-time support in the coming year.

### **Close the Gap/National Health Leadership Forum**

Australia's peak Aboriginal and Torres Strait Islander health organisations, health professional bodies and human rights organisations operate the Close the Gap Campaign and National Health Leadership Forum. The Commission provides the secretariat to both.

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

The National Health Leadership Forum brings together Indigenous peak bodies to set the directions for the Close the Gap campaign and leads negotiation with Government on programs in relation to health.

The Campaign was evaluated during this reporting period. The evaluation found that public support for the Campaign goals, including participation in the annual National Close the Gap Day, continues to increase. The evaluation also found the Campaign has had both direct and indirect influence in significant areas of progress and change. For example, policy results such as the National Aboriginal and Torres Strait Islander health plan 2013–2023 are directly attributable to the Campaign.

*Some say political advocacy like this is a symbolic waste of time, but I think it ensures that Aboriginal issues are the lead stories for at least a couple of days, forces all to get their house in order, adds a level of public accountability and awareness, integral to Close the Gap architecture. Otherwise it would get lost in the clamour (2017 key informant interview).*

The evaluation also identified key successes for Aboriginal and Torres Strait Islander peak bodies and the Campaign. For example, parties to the 2016 Redfern Statement reached agreement on the statement in a matter of weeks, indicating the collaborative goodwill between organisations originally networked through Close the Gap.

## 1.2 Public awareness and debate about human rights issues increases through our communications and public presence

Our public presence helps us reach large and diverse audiences and to facilitate informed debate. In this period, we have hosted and promoted at least 11 major events that have engaged substantial audiences and generated significant awareness and debate through positive media coverage. This includes our RightsTalk program of seminars, the annual Human Rights Awards and our Australians of the Year event in partnership with the National Australia Day Council. Throughout the year, these events highlighted the 30th anniversary of the Australian Human Rights Commission.

### **RightsTalk program**

Our RightsTalk program is a series of public discussions on topical human rights issues. The Commission hosted six RightsTalks during this reporting period.

For example, as part of our 30th anniversary year, the Commission hosted two RightsTalks celebrating 30 years of human rights in Australia. In November 2016, we hosted a RightsTalk that looked back on 30 years of human rights achievements and challenges in Australia. The event featured a keynote address from Dr Elizabeth Evatt AC and guest speakers Chris Sidoti and Rosemary Kayess. A subsequent RightsTalk looked ahead to the human rights challenges for Australia over the next three decades. A particular focus was on Indigenous social justice and reconciliation. Professor Mick Dodson AM delivered the keynote address. Professor Cheryl Kickett-Tucker and Geoff Scott were guest speakers.

A follow-up survey of attendees in 2016 suggested a high level of satisfaction, with many respondents commenting that the RightsTalks were useful in promoting awareness and understanding of human rights in Australia. Over 90% of respondents reported they would recommend RightsTalks to colleagues or organisations in their networks.



*They are informative, engaging and topical. It is a well-run event and a good length of time and time of day to attend.*

*All speakers increased my knowledge of human rights development in Australia.*

### **Human Rights Day Awards, 9 December 2016**

The Commission hosts an annual Human Rights Awards event to recognise and celebrate the contribution of individuals and organisations in promoting and protecting human rights and freedoms in Australia. This year's event also marked the 30th anniversary of the Australian Human Rights Commission. To celebrate the occasion, the program included a special welcome from Commission President Professor Gillian Triggs, a keynote presentation by the then Dame Quentin Bryce AD CVO and the launch of *Changing Australia*: an educational and inspiring video marking the Commission's 30-year history.

A record number of people attended this year's Human Rights Awards, with 554 attendees (an increase of 7.5% from 2015). Guest feedback was very positive; 83% of respondents to an online survey in 2016 said they would recommend the event to others.

*It was a wonderfully celebratory and inspiring event, giving recognition to human rights champions who deserve it.*

### **Australians of the Year, 14 June 2017**

Approximately 1,500 people filled Sydney Town Hall for this year's Australians of the Year event. For the third consecutive year, the Commission collaborated with the National Australia Day Council, Sydney Town Hall and the ABC to host a one-hour discussion entitled *2017 Australians of the Year: Inspiring Change in Human Rights*. Panel members were Deng Adut (NSW Australian of the Year), Jason Ball (Vic Young Australian of the Year), Andrea Mason (NT Australian of the Year) and Yasmin Khan (QLD Local Hero). ABC TV presenter Kumi Taguchi was MC for the event. ABC TV, News 24 and local radio broadcasted the event.

## **1.3 Constructive relationships are developed and maintained with parliament, government, community, business and other stakeholders**

### **National Rugby League Social Inclusion Project**

The National Rugby League (NRL) last year commissioned a review by the Commission, resulting in a report titled *From Good to Best Practice: Inclusion, racism and discrimination in rugby league*. The report examined Rugby League's promotion of a safe and inclusive sporting environment through education programs, events, policies, codes of conduct, complaint procedures and sanctions. The report identified an opportunity for the NRL to move from good practice to best practice, cementing the NRL's reputation as an accessible sport that provides opportunities for everyone to participate.

Recognising the Commission's expertise, the NRL engaged the Commission to build on this work by developing a Social Inclusion Framework and Anti-Discrimination/Vilification Framework. A strong and productive relationship developed between the two organisations over the course of this project.

To develop the draft frameworks, the Commission conducted briefings and consultations with NRL staff and stakeholders and reviewed the NRL's policies and programs. The Social Inclusion Framework provides the NRL with a guide to promote participation and engagement across a diverse range of people within the rugby league community. The Anti-Discrimination and Vilification Framework brings together and standardises the NRL's policies and codes of conduct to ensure that everyone involved in the sport is aware of their rights and responsibilities. Looking ahead, the Commission will develop and deliver a workshop to demonstrate the practical relevance of these Frameworks to the everyday work and activities of the NRL community. The draft Frameworks should be finalised, launched and implemented in the coming year.

This relationship with a key national sporting code is an excellent demonstration of our advisory work in regards to diversity and inclusion. The rationale for this work is to assist organisations to develop and meet inclusion benchmarks as part of an anti-discrimination strategy.

## 1.4 Increased capacity to apply human rights through our education and technical cooperation activities

Cooperation on human rights with international partners not only strengthens networks between governments and civil society in each country, it enhances the Commission's expertise and provides an opportunity to learn from different approaches and new ideas.

In this reporting period, the Commission managed the continuing human rights technical cooperation program with China, concluded our program with Vietnam, and established a new program in Laos and a new project in Sri Lanka.

The Vietnam Human Rights Technical Cooperation Program delivered 18 technical assistance activities in in this period. These included the production of resources, training and capacity-building workshops and human rights events with stakeholders such as the Vietnam Women's Union, the Vietnam Lawyer's Association, the National University of Vietnam, the Ho Chi Minh City University of Law, and the Institute for Studies of Society, Economy and Environment and the ICS Centre in Vietnam.

In China, the Technical Cooperation Program delivered four activities focussed on training, as well as research and workshops on human rights issues such as women's rights and migrant workers' rights.

## **Sri Lanka Disability Access to Public Spaces for People with Disabilities Project**

In 2016–17, the Commission began a new international partnership with the Human Rights Commission of Sri Lanka to support efforts to improve disability access to public buildings and spaces. The project supports Sri Lanka’s National Human Rights Institution to implement existing regulations for accessible public facilities and provide capacity building to monitor the implementation of disability access standards. In this period, the Commission worked with partners to establish the project and provide technical advice. The Commission also delivered a training workshop on disability rights to the Sri Lankan Commission.

The project will continue next year, aiming to help improve the quality of life for people with disabilities in Sri Lanka. It will also assist the Government of Sri Lanka to implement its obligations under the Convention on the Rights of Persons with Disabilities with respect to accessible public facilities.

## **1.5 Impact through our contributions to United Nations processes in our capacity as a national human rights institution**

### **Engagement with United Nations Mechanisms**

#### ***“A” Status Accreditation***

Since 2000, all National Human Rights Institutions (NHRIs) must undergo accreditation for their compliance with the Paris Principles. The UN General Assembly approved these principles in 1992, establishing standards to ensure that NHRIs operate in a genuinely robust and independent manner from government.

In 2016, the Commission undertook its five-yearly accreditation and once again received “A” status accreditation. National Human Rights Institutions are graded “A” or “B” status. “A” status institutions enjoy independent participation rights in UN processes.

Having an “A” status substantially increases the Commission’s ability to engage in United Nations processes, allowing us to make written, oral and video statements to the United Nations Human Rights Council. It also increases our formal and informal access to state participants, debates and forums, providing opportunities to draw attention to pressing human rights issues.

The Commission contributed to five visits to Australia from UN Special rapporteurs during this reporting period. The UN Special rapporteurs focused on the situation of human rights defenders, the rights of Indigenous peoples, the human rights of migrants, contemporary forms of racism, racial discrimination, xenophobia and related intolerance and violence against women. During this period, the Commission made three written and video statements and four submissions to inform the work of United Nations treaty monitoring bodies and Special Rapporteurs.

***International Committee on Economic Social and Cultural Rights***

Our participation in the consideration of Australia's fifth periodic report under the International Committee on Economic Social and Cultural Rights (ICESCR) is an example of this work.

The Commission made two written submissions to this Committee in the lead up to the appearance. We participated in a public briefing session for the UN committee and briefed the country rapporteur and task force (the five Committee members responsible for asking questions of Australia) to address additional issues in more detail.

At the end of the session, the Committee published Concluding Observations about each country appearing. This document identifies issues of concern and makes recommendations for future action. In this session, the Committee introduced a new approach by identifying a number of issues of concern and inviting countries to report on these concerns within 18 months. The Commission helped identify these key issues.

Analysis of the Committee report showed that the vast majority of the Commission's recommendations were included. For example, the Committee highlighted the Commission's *Willing to Work* report in its consideration of measures to address unemployment.

# An environmentally sustainable workplace



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

In 2016–17 we continued to mitigate the effects of our impact on the environment by:

- consolidating our Skype for Business facilities to reduce air and road travel
- building on the establishment of our paperless record management system for the Investigation and Conciliation Service
- providing facilities to support staff to ride and walk to work
- participating in Earth Hour
- switching off all non-essential electronic equipment during the Christmas and New Year shutdown.

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## Analysis – Goal 1

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The Commission is Australia’s “A” status national human rights institution. The recent re-accreditation of the Commission in November 2016 confirms that we operate as a credible advocate for better human rights protection, as assessed by our peers from other NHRIs and the UN system based on objective, internationally accepted standards. A best practice example for other NHRIs is the Commission’s engagement in treaty body processes and the Universal Periodic Review.

The Commission has provided significant leadership nationally and internationally to advocate for improved human rights outcomes. We have contributed to greater awareness of human rights issues in Australia and developed partnerships and cooperation across sectors to address these issues. We have exceeded targets for web and social media reach, and maintained an active public program of events on a diverse range of issues. Our technical cooperation work is well regarded, with innovative programming that is pragmatic and has practical outcomes.

Much of the Commission’s work is underpinned by the knowledge that when we focus on building capacity across government and the NGO sector, and do this collaboratively, our work is more likely to have positive impact. The continued success of projects such as the Close the Gap campaign and *Racism. It Stops with Me* campaign demonstrate the impact we achieved by engaging with diverse stakeholders on complex issues.

We have learnt that our leadership is more effective when we ensure that our projects are of sufficient scale to be influential. For this reason, the Commission aims to conduct one major project each year, subject to available resources. The Commission’s *Change the Course* national prevalence study on the incidence of sexual assault and harassment in university settings was the major project for 2016–17. It is discussed in more detail in relation to goal 2, below. The Commission’s public engagement and its collection of prevalence data provides a strong evidence base to underpin future policy development on the critical issue of safety in university life.

## Goal 2: Rights and freedoms are protected

Human rights and freedoms are respected in Australian law, policy and practice, and are understood by the Australian community.

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### Performance criterion

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Indicators 2.1 – 2.5: Reproduced below.

The Commission's Portfolio Budget Statement (PBS) also contains the following measures:

#### **Program 1.1 Key Performance Indicators**

- Citation and other analyses of parliamentary debates and committee reports demonstrate that our research and recommendations have contributed to human rights impacts being considered
- Evaluations of our education and training programs demonstrate that:
  - learning objectives have been met for the majority of participants
  - the majority of participants are satisfied with the quality and relevance of the training
  - new school resources are of a satisfactory quality and relevance to the National Curriculum.

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### Results for each performance criterion

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#### **2.1 Our research, advocacy and recommendations are cited or acted upon by parliament, government, the courts, business and the community**

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

#### **Submissions**

This year, the Commission made 25 submissions to parliamentary and other inquiries providing specialist, independent policy and legal analysis of the human rights impact of proposed laws or the human rights dimensions of public policy issues.



# 2

Citation analysis of our submissions demonstrates the Commission makes a vital contribution to public debate of proposed laws and provides valuable input to inquiries into social policy issues. In this period, 71% of the available reports cited one of our submissions.

For example:

In 2016, there was significant parliamentary debate about freedom of speech. On 8 November 2016, the Attorney-General referred to the Parliamentary Joint Committee on Human Rights the following matters for inquiry and report:

- whether the operation of Part IIA of the *Racial Discrimination Act 1975* (Cth) (including sections 18C and 18D) imposes unreasonable restrictions on freedom of speech and
- whether the complaints-handling procedures of the Australian Human Rights Commission should be reformed.

The Commission provided two submissions to this inquiry, and senior staff and executive members appeared before the Committee. The Committee tabled its final inquiry report in February 2017. Six of the Commission's recommendations were adopted as part of the Committee's report.

The Commission also negotiated with the Attorney-General on amendments to the Commission's governing legislation to address concerns relating to the complaint handling process. The vast majority of final amendments were consistent with the Commission's proposals to the Attorney-General.

## **Cultural Reform in the Australian Defence Force**

Our collaboration with the Australian Defence Force (ADF) is an ongoing research program that contributes to our performance under this criterion. This project supports the ADF to embed cultural reform in Australia's military services.

In this reporting period, we delivered five research projects and reports for the Navy, Army and Air Force. Over 900 personnel have participated in surveys and interviews to inform this research. An example of this year's commissioned projects is the Navy's identification of issues for diversity within and retention of their Marine technicians. For this project, we investigated and reported on the cultural and structural issues for personnel, drew on lessons from the civilian trade and engineering industries and offered strategies to address cultural issues in the Marine Technician category.

We also commenced an evaluation project during this reporting period. Interim findings show that senior personnel view the Commission's research as robust and independent, leading to findings that are insightful, valuable and strategic. Importantly, the evaluation established that the Army, Navy and Air Force disseminate and discuss the Commission's reports at senior levels, and that the reports contribute to cultural reform in the Australian Defence Force. A key informant advised that the Commission's reports are referred to *at the highest levels to shape and inform our cultural reform agenda*.

## 2.2 Effective education, training and information resources increase human rights knowledge and skills and contribute to changes in attitudes and behaviours

Our education programs aim to increase awareness of and support for human rights. We do this by developing and promoting resources for schools and by delivering training programs. We currently target the public service and help government personnel to apply human rights in their day-to-day work.

### **School Education Resources**

Our human rights education resources must be relevant and effective in order to increase understanding and skills and to lay the foundations for positive change in attitude and behaviour among students.

A prior evaluation of our school education resources has confirmed the relevance of human rights to the Australian curriculum and identified critical improvements for future education resources.

We apply these evaluation findings as we update existing resources and develop new teaching packages. In doing so, we meet our stated PBS target of delivering school resources that are of a satisfactory quality and relevant to the National Curriculum.

This year we developed and launched *An Introduction to Human Rights and Responsibilities*, a digital resource designed for use on interactive whiteboards and on smart devices such as smartphones and tablets. It is mapped to the Australian Curriculum for History and Civics and Citizenship for Years 5 and 6 and for Years 9 and 10. The resource introduces students to the concept of human rights and explores the important relationship between fundamental rights and personal responsibilities. Students learn about the Universal Declaration of Human Rights and are encouraged to construct their own charter of rights and responsibilities for the classroom.

## **Building Belonging: A toolkit for early childhood educators on cultural diversity and responding to prejudice**

*Building Belonging* is an early childhood toolkit that includes an e-book, song with actions, educator guide, posters and lesson plans. The aim of this toolkit is to encourage respect for cultural diversity and counter racial prejudice in early childhood settings. The Commission developed this resource with the involvement of early childhood experts. We sought the views of over 450 early childhood educators through an evaluation study. The Commission launched this resource at the Early Childhood National Conference in October 2016. Visitors to our website have downloaded the resource over 25,000 times since then.

## **Disability rights training for public servants**

Public servants working at all levels of government have specific obligations under the *United Nations Convention on the Rights of Persons with Disabilities*, the *Disability Discrimination Act 1992* (Cth) and associated standards, and the *National Disability Strategy 2010–2020*.

We are currently delivering training in partnership with the NSW Department of Family and Community Services (FACS) on disability awareness for policy and project staff working across the NSW public service. During the reporting period, we delivered seven full-day interactive workshops. These workshops assist NSW public servants to prepare for the suite of disability reforms being implemented across New South Wales by:

- providing an overview of Australia's human rights obligations as they relate to people with disability
- enhancing the capacity of NSW public servants to uphold the rights of people with disability in their day-to-day work
- developing the capacity of NSW public servants to use disability rights analysis in the development of legislation, policy, programs and administrative decisions.

The Commission uses online surveys to evaluate this training. Our findings this year illustrate how we are meeting our PBS targets for training and learning.

From a response rate of 70%, the findings indicate that this program has met our stated key performance indicators, with most respondents reporting satisfaction with the delivery, relevance and learning outcomes from the training. For example, 89% of respondents said they would recommend the training to a colleague. Respondents were also asked to rate their understanding of the barriers experienced by people with a disability, before and after the training. Sixteen per cent of respondents rated their understanding prior to training as 'very high', compared to 34% who said their understanding was very high after the training. As these respondents stated:

*The training was very relevant, contained 'new' information and it was well presented (2016 survey).*

*It challenged our thinking and broadened our awareness on rights of people with a disability (2017 survey).*

The Commission has built on this training program's achievements, with FACS commissioning an additional program in the next financial year. Negotiations for delivery of the program in Commonwealth agencies and other states are now underway.

### Awards

Two of our resources won industry awards during this reporting period:

- The *Magna Carta — The Story of our Freedom* is a resource for schools. It tells the story of the evolution of human rights and in particular, the way in which the Magna Carta has shaped rights and freedoms in Australia. This resource won the 2017 Good Design Award for best overall digital design.
- *RightsApp* is a mobile application that provides a quick and free reference guide to international human rights law. It contains the full text of the Universal Declaration of Human Rights, ten other major international human rights treaties and agreements, and the corresponding optional protocols. The Commission developed this app with LexisNexis and it was named in the Top 20 of the 2017 'SMART 100' Index. The Anthill SMART 100 Index recognises innovative products that are 'Australian, highly commercial and changing the world, one idea at a time.' The Smart 100 Index is known as 'the largest awards program dedicated to innovation in Australia'.

## 2.3 The human rights impact of violence, harassment and bullying is better understood and preventive measures are taken to improve safety

### National survey on sexual assault and sexual harassment experienced by students at Australian universities

This project provided the first nationally representative data on students' experiences of sexual assault and sexual harassment at university. It built on the Commission's extensive experience leading projects of this nature, including the Review into the Treatment of Women in the Australian Defence Force (ADF) and conducting national workplace sexual harassment surveys for the past 12 years. The Commission conducted relevant research during this reporting period and launched the national survey report in August 2017.

The National Survey measured the experiences of over 30,000 students across all 39 Australian universities. We received 30,930 responses, representing an overall response rate of 9.7%. In addition, we gathered qualitative data through 1,849 written submissions. The Human Research Ethics Committee at the University of New South Wales provided ethics approval for the national survey; Roy Morgan Research administered the survey.

The report had significant reach into the Australian community, with extensive coverage across print, broadcast and online media. In the 24 hours following its August release, the report received 2,000 media mentions reaching an audience of more than 6 million; the accompanying social media hashtag, #ChangeTheCourse, reached over 2.5 million accounts on Twitter.

The report received a positive response from our University partners, with 19 out of 39 universities accepting all of the report recommendations and committing to implementing those recommendations that were not already underway.

The Commission will continue to work with students and universities to help implement the report's recommendations and achieve zero tolerance for sexual assault or sexual harassment in any form.

## 2.4 Effective support for business contributes to more inclusive and productive workplaces, and provides redress for workplace discrimination

### **Annual Human Rights Dialogue on Business and Human Rights**

The Commission's partnership with Global Compact Network Australia is a continuing component of our Business Engagement program. This partnership enables us to convene an annual human rights dialogue that contributes to increased capacity among business stakeholders by exploring leading practices, challenges and opportunities based on United Nations Guiding Principles on Business and Human Rights.

An evaluation of the 2016 event indicated high levels of satisfaction by participants and an increased knowledge and understanding of the issues covered. Most respondents reported their participation in the dialogue was worthwhile, with 75% rating it as either extremely or considerably worthwhile and most said they would consider attending the event again in 2017. A 2016 survey respondent said:

*The dialogue is very relevant to the work I undertake. The opportunity to discuss issues of concern with people managing similar concerns is of great value.*

The Commission entered into a range of partnerships during this reporting period with private sector organisations and research centres. We undertook two substantial analyses of human rights issues relating to the business sector and we launched the subsequent reports during this reporting period. The Commission developed the first report, *Missing out: The business case for customer diversity*, in partnership with Deloitte Australia. It addressed the benefits to business of having customer diversity and inclusion as a strategic priority. The report identified ways in which business can benefit from a proactive approach to human rights, beyond ensuring compliance with discrimination laws. The Commission developed with accounting firm EY (Ernst Young) a second report, *Human Rights in Investment*. This report detailed the business case for financial services to consider human rights in their investment decisions.

## 2.5 Increased capacity to take action by those vulnerable to, experiencing, or witnessing human rights breaches and other discrimination

### **Building capacity for child safety**

The Commission has commenced a project to develop a *National Statement of Principles for Child Safe Organisations*. The Commonwealth Government supports this project and all state and territory Governments endorse it. The goal is to build capacity and help organisations develop child-safe cultures to advance the safety and wellbeing of children and young people across Australia. The project completed a draft National Statement of Principles during this reporting period. These principles allow for flexibility in implementation and they align with existing child-safe approaches as well as state and territory regulations.

Australian Children’s Commissioners and Guardians, research organisations, the National Coalition on Child Safety and Wellbeing and key sectors that provide services for or work with children and young people were among the more than 60 experts and stakeholders we consulted prior to drafting these principles. In the coming year, we aim to implement the next phase of the project. This will include further consultation with all sectors working with children and young people, prior to finalising the National Statement of Principles and related resources.

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### Analysis – Goal 2

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The Commission continued to maintain positive relationships with decision makers through our engagement in parliamentary inquiry processes and in court interventions.

Courts and inquiries frequently seek the Commission’s expertise in relation to challenging issues. For example, the Family Court requested us to intervene in several cases and we assisted other inquiries such as the Royal Commission into the protection and detention of children in the Northern Territory. Our expertise enabled us to submit information and appear as expert witnesses as required. Our materials and recommendations are regularly cited and they influence the outcomes of committee processes in Parliament. These results help ensure greater attention is paid to human rights and freedoms.

These positive relationships and influence continue in times of intense political focus on the Commission. The endurance of these relationships demonstrates that much of the Commission’s work is uncontroversial and accepted as a routine part of public debate and analysis. The Commission continues to focus on ensuring that our work with parliament complements the role of the Parliamentary Joint Committee on Human Rights to embed better protection of human rights and freedoms in the legislative process.

The Commission’s evaluation work has demonstrated that we regularly produce high quality and engaging educational resources. Our challenge is to increase awareness of these resources and to adapt them so that they can be more accessible for teachers. The industry awards the Commission and its partners have won during this reporting period provide further evidence of the high standard of our work.

Throughout 2016–17, the Commission deepened its relationships with the corporate sector, focusing on business and human rights. A number of significant corporate partnerships underpin our approach to this work, ensuring our activities remain relevant to business. The Commission’s multi-year commitment to this work is critical to achieving positive results. Each year, we increase business support for making workplaces more inclusive and productive and we help build corporate capacity to provide redress for discrimination.

The Commission has significantly increased its technical capacity to work with industry through the ADF collaboration. The multi-year focus of this work has built significant technical expertise within the Commission. This expertise was critical to commencing a significant partnership with Universities Australia to identify the prevalence and nature of sexual harassment and sexual assault in all 39 universities and to help those who experience this discrimination to take action. The Commission next year will build on this work by conducting a follow-up national sexual harassment prevalence survey. The Commission will also work with specific partnerships to address the survey findings.

## Goal 3:

# Access to effective information and dispute resolution

We provide efficient and effective services to address questions and disputes about human rights and discrimination.

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### Performance criterion

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Indicators 3.1 – 3.4: Reproduced below.

The Commission's Portfolio Budget Statement (PBS) also contains the following measures:

#### **Program 1.1 Key Performance Indicators**

- 40% of complaints are resolved by conciliation
- 85% of complaints are finalised in under 12 months
- 85% of parties to complaints are satisfied with the service received

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### Results for each performance criterion

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#### 3.1 Our National Information Service is recognised as a leading source of information about federal human rights and discrimination law and the associated complaint process

In 2016–17, the Commission assisted over 14,911 people and organisations by providing information about the law and the complaint process, assisting with problem solving and providing referrals to other services.

The Commission provided approximately 22 information/education sessions to stakeholders in a number of states and territories.

Information about the law and about the Commission's complaint process attracted 267,934 website visitors.

#### 3.2 Disputes relating to breaches of human rights and discrimination are effectively and efficiently resolved

In 2016–17, the Commission received 1,939 complaints of alleged discrimination and breaches of human rights and finalised 1,987 complaints. The Commission conducted approximately 1,128 conciliations, of which 843 complaints (75%) were successfully resolved. This is the second highest conciliation success rate on record.



# 3

The Commission website publishes statistics about complaints received and resolved. More information at [www.humanrights.gov.au/complaint-information](http://www.humanrights.gov.au/complaint-information).

In the 2016–2017 period, the Commission exceeded:

- Our PBS performance target requires 40% of all finalised complaints to be conciliated. In the reporting period, the Commission exceeded this target by 5%.
- Our stated PBS performance target of 85% of complaints to be finalised within 12 months of receipt, with 97% of complaints finalised within 12 months.
- Our stated PBS performance target of 85% of surveyed parties to complaints to be satisfied with the service they received, with 88% reporting that they were satisfied with the service provided and 71% rating the service as 'very good' or 'excellent'. Where complaints were conciliated, 96% of surveyed participants reported they were satisfied and 84% rated the service as 'very good' or 'excellent'. The levels of satisfaction reported by complainants and respondents were:

- 82% of complainants said they were satisfied with the service and 69% rated the service 'very good' or 'excellent'. Examples of comments by complainants are below:

*The service I received was very professional, friendly, the process was explained in a way that I could understand, I felt supported. Thank you.*

*The service and information provided was detailed and thorough. The investigator/conciliator looking after my case was excellent and I feel she carried out her work with the utmost professionalism.*

- 95% of respondents indicated they were satisfied with the service and 73% rated the service as 'very good' or 'excellent'. Examples of comments by respondents are below:

*The process and service provided was very helpful, clear and easy to understand what was required to respond. The contact officer at the AHRC was excellent to work with and provided exceptional guidance about what was required.*

*The Commission dealt with this matter very efficiently and with a great deal of consideration for both parties.*

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

In 2016–17, 74% of surveyed participants in conciliated complaints indicated that involvement in the complaint process had helped them understand human rights and responsibilities.

### 3.4 The terms on which disputes are resolved include systemic outcomes that accord with the objectives of the law

Information on outcomes of unlawful discrimination complaints indicates that in 2016–17, 31% of conciliation agreements included terms that benefit the community as well as the individual complainant. For example, agreements were reached to introduce anti-discrimination policies and training; other agreements were reached to modify buildings that were inaccessible. Some examples are provided below.

#### **Complaint of sexual harassment in employment**

The complainant worked as a chef at a café. She alleged the head chef had sexually harassed her by brushing past or leaning over her, feeling her bottom and breasts and making comments and jokes of a sexual nature. The complainant claimed that after she told the head chef that she found her behaviour inappropriate, the head chef began complaining about her performance to the manager, shouting at her, and not allowing her to take scheduled breaks. The complainant said she felt she had no option but to resign.

Despite denying any unlawful conduct, the café agreed to participate in conciliation. The complaint was resolved with an agreement that the café pay the complainant \$9,000. The café also undertook to implement sexual harassment and sex discrimination policies in the workplace.

#### **Complaint of age and disability discrimination in the provision of goods and services**

The complainant, aged 71, experiences pain when walking long distances and uses a walking stick. She claimed the layout of a domestic airport she used required passengers to walk long distances. She claimed there were no travelators, there was limited seating, and she could not find staff to provide assistance or a wheelchair.

The airport agreed to take part in conciliation. The complaint was resolved with an agreement that the airport improve signage, provide maps indicating walking distances, review availability of seating and operate a transport service within the airport for passengers who need assistance with mobility. The airport also agreed to review customer service training provided to staff.

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## Analysis – Goal 3

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The Commission's National Information and Investigation and Conciliation Services contribute significantly to the Commission's key functions as Australia's National Human Rights Institution, which is to educate about human rights and provide an accessible and effective way to deal with related disputes.

The National Information and Investigation and Conciliation Services increase knowledge and awareness of rights and responsibilities and can lead to systemic outcomes as well as outcomes specific to the needs and interests of individual parties. The Commission achieves these outcomes without the need for lengthy and potentially costly court processes. Information provided to the Commission indicates that less than 2% of the complaints finalised by the Commission in 2016–17 alleging unlawful discrimination proceeded to court.

In 2016–17, the Commission faced a number of external challenges including substantial public debate about provisions of the *Racial Discrimination Act 1975* (Cth) and significant scrutiny of the Commission's complaint handling processes.

Resulting amendments to the *Australian Human Rights Commission Act 1986* (Cth), that came into effect in April 2017, are broadly supported by the Commission and are anticipated to assist the Investigation and Conciliation Service in further improving the alternative dispute resolution service it offers to complainants and respondents. The adoption and implementation of these amendments continues to involve significant staff resources.

Despite decreasing resources, the Investigation and Conciliation Service for several years has exceeded its PBS targets and continued to improve aspects of performance in relation to timeliness and client satisfaction. However, ongoing funding cuts continue to reduce the services provided in 2016–17. Specifically, decreased staff numbers led to a reduction in the operational hours of the National Information Service. This is likely to be a key reason for the continuing reduction in the number of people and organisations the service assisted in this reporting period compared to the previous reporting year.

## Goal 4: Organisational excellence

We are a collaborative, innovative and flexible workplace that fosters excellence and expertise in our staff and in our work.

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### Performance criterion

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Indicators 4.1 – 4.6: Reproduced below.

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### Results for each performance criterion

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#### 4.1 Effective governance is maintained by our Executive and provides strategic leadership for the organisation

The President and Commissioners together have governance obligations for the Commission. Commissioners must act in a way that promotes the collegiate nature of the Commission. The Commission convenes formal bi-monthly meetings and fortnightly catch-up meetings. The President and all Commissioners jointly make decisions regarding the functions of the Commission. The President, as the Accountable Authority under the *Public Governance, Performance and Accountability Act 2013*, has responsibility for budget and staffing matters as well as decisions under discrimination and human rights laws.

The Commission provides strategic leadership through its annual work plan and Corporate Plan.

An annual review and assessment of financial and operational risk management and robust audit committee processes underpins the financial and risk management obligations under the *Public Governance, Performance and Accountability Act 2013*.

There have been zero reports of non-compliance with section 19 of the *Public Governance, Performance and Accountability Act*, the *Public Governance, Performance and Accountability Rule 2014*, instruments made under the PGPA Act (including Accountable Authority Instructions) and Appropriation Acts.

#### 4.2 Corporate services are provided to internal and external clients efficiently and flexibly, while meeting professional standards and legislative requirements and providing effective financial controls

The Commission delivers corporate services internally and externally to the Office of the Australian Information Commissioner in a shared services arrangement. The Commission also delivers corporate services to the Asia Pacific Forum of National Human Rights Institutions. Feedback on service quality is consistently positive and demonstrated to be cost effective.

# 4

## 4.3 Staff feel engaged and valued with a work–life balance, professional development and job satisfaction

Five staff from the Commission were on secondment to Royal Commissions during this reporting period. Additional internal training, coaching and mentoring occurs regularly across the organisation. Specific training in resilience has been a strong feature this year.

In the May 2017 Australian Public Service Survey, analysis of responses by Commission staff (65% response rate) showed that:

- 80% are satisfied with their work–life balance
- 90% are proud to work at the Commission
- 90% have a clear understanding of how their workgroup’s role contributes to the Commission’s strategic direction
- 94% say that people in their workgroup treat each other with respect.

The Commission has increased its intake of interns. Feedback from our interns consistently highlights their excellent work experience. Where possible and practical, our intern program can create a pathway to paid work at the Commission.

The Commission has actively sought professional development opportunities for Indigenous staff through informal partnerships with the private sector and through support for Indigenous leadership opportunities.

## 4.4 A diverse and safe workplace is maintained with high performing staff

Our diverse work force continues to exceed the APS targets for the employment of people from a non-English speaking background, people with a disability and for Aboriginal and Torres Strait Islander peoples. The Commission monitors and reports our diversity information to the APSC on a regular basis and we actively seek opportunities to ensure our workforce reflects the community we serve.

Staff wellbeing, health and safety are a high priority at the Commission. We assess our workplaces for ergonomic comfort; and standing desks are a new feature of our flexible working arrangements. We consult with staff on health and wellbeing activities to ensure these activities are targeted and effective. The results of the May 2017 Australian Public Service (APS) Survey showed that:

- 100% of Commission staff felt that the people in their workgroup behave in an accepting manner towards people from diverse backgrounds
- 97% felt that colleagues in their immediate workgroup act in accordance with the APS Values in their everyday work

- 94% say they are happy to go the extra mile at work when required
- 87% felt that the people in their workgroup were committed to workplace safety.

#### 4.5 We effectively monitor and evaluate what we do and we use this information to improve the quality and impact of our work

We continue to build the evaluation capacity of our staff and champion evaluation as part of a learning and improvement framework. Survey data over time has shown that this work is increasing evaluation skills and confidence among staff, has led to evaluations that are more systematic and a positive shift in how staff perceive our evaluation culture.

#### 4.6 Internal processes effectively promote communication and coordination and enhance the quality of our work

Information Communications Technology (ICT) plays an important part in the effectiveness of our communication and sharing of information. In 2015–16, an ICT review of Commonwealth agencies evaluated the Commission's ICT as above average for its size and ICT budget.

In 2016–17, the Commission became the first federal agency to adopt cloud-based storage options. This development provides the Commission with greater capacity to address outstanding challenges relating to meeting the requirements of the Digital Continuity 2020 Policy. For example, in this period we piloted the implementation of EDMRS or in-place record management within the organisation. We will apply the lessons learned from this pilot program in the subsequent roll out across the Commission.

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### Analysis – Goal 4

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As a small corporate Commonwealth entity, the strategic management of our capability is different from larger government and non-corporate entities. The constrained financial environment across the APS requires the Commission to be agile and innovative in how we meet challenges to the standard of other, significantly larger agencies. The high quality of our corporate support and organisational development model is evidenced by the fact that we continue to offer shared services to the Office of the Australian Information Commissioner and to the Asia Pacific Forum of National Human Rights Institutions.

Evaluation of the financial, human resources and ICT activities under goal 4 is subject to ongoing APS review and reporting obligations. In this context, these assessments show that, despite resourcing and capacity challenges, the Commission continues to perform to a high standard.

The Commission continues to develop its evaluation capacity, assisted by the renewed focus on evaluation under the *Public Governance, Performance and Accountability Act 2013*.

The Commission has addressed the underperformance of our internal systems for document management and has upgraded its financial management and human resource information systems. We will continue to improve in this area.

# Financial statements

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## INDEPENDENT AUDITOR'S REPORT

To the Attorney-General

### Opinion

In my opinion, the financial statements of the Australian Human Rights Commission for the year ended 30 June 2017:

- (a) comply with Australian Accounting Standards – Reduced Disclosure Requirements and the *Public Governance, Performance and Accountability (Financial Reporting) Rule 2015*; and
- (b) present fairly the financial position of the Australian Human Rights Commission as at 30 June 2017 and its financial performance and cash flows for the year then ended.

The financial statements of the Australian Human Rights Commission, which I have audited, comprise the following statements as at 30 June 2017 and for the year then ended:

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

### Basis for Opinion

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

### Accountable Authority's Responsibility for the Financial Statements

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

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

### Auditor's Responsibilities for the Audit of the Financial Statements

My objective is to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion.



Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian National Audit Office Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

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

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

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

Australian National Audit Office



Muhammad Qureshi  
Acting Executive Director  
Delegate of the Auditor-General  
Canberra  
8 September 2017

# Statement by the Accountable Authority and Chief Finance Officer



**Australian  
Human Rights  
Commission**

## STATEMENT BY THE ACCOUNTABLE AUTHORITY AND CHIEF FINANCE OFFICER

In our opinion, the attached financial statements for the year ended 30 June 2017 comply with subsection 42(2) of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act), and are based on properly maintained financial records as per subsection 41(2) of the PGPA Act.

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

Emeritus Professor Rosalind Croucher AM  
President and Accountable Authority

8 September 2017

Darrell Yesberg FCPA  
Chief Finance Officer

8 September 2017

## Statement of Comprehensive Income

for the period ended 30 June 2017

	Notes	2017 \$'000	2016 \$'000	Original Budget \$'000
<b>NET COST OF SERVICES</b>				
<b>Expenses</b>				
Employee benefits	1.1A	14,795	15,057	15,545
Suppliers	1.1B	6,720	7,857	6,089
Depreciation and amortisation	2.2A	853	861	895
<b>Total expenses</b>		<b>22,368</b>	23,775	22,529
<b>Own-source income</b>				
<b>Own-source revenue</b>				
Rendering of services	1.2A	9,939	7,315	6,500
Interest	1.2B	112	231	400
Other revenue	1.2C,D	1,046	1,020	985
<b>Total own-source revenue</b>		<b>11,097</b>	8,566	7,885
<b>Gains</b>				
Other gains	1.2E	129	132	51
<b>Total gains</b>		<b>129</b>	132	51
<b>Total own-source income</b>		<b>11,226</b>	8,698	7,936
<b>Net cost of services</b>		<b>(11,142)</b>	(15,077)	(14,593)
Revenue from Government	1.2F	14,593	15,515	14,593
<b>Surplus attributable to the Australian Government</b>		<b>3,451</b>	438	–
<b>OTHER COMPREHENSIVE INCOME</b>				
<b>Items subject to subsequent reclassification to net cost of services</b>				
Changes in asset revaluation surplus		7	25	–
<b>Total other comprehensive income</b>		<b>7</b>	25	–

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

### Budget Variances Commentary

The major variances on the Statement of Comprehensive income are supplier expenditure, rendering of services revenue, interest, other gains and the operating surplus. During the reporting period the Commission entered into a number of new agreements for the provision of services that were not known at the time of Budget preparation, resulting in higher rendering of services revenue. While a number of these new agreements relate to services to be provided in subsequent financial periods, due to the non-reciprocal nature of the agreements the Commission is required under Australian Accounting Standards to report an additional \$4.289m of revenue in the current financial period (refer to Overview note for further explanation). Supplier expenditure results from additional expenditure required to deliver services. Increased gains result from the recognition of prior period revenue errors.

# Statement of Financial Position

as at 30 June 2017

	Notes	2017 \$'000	2016 \$'000	Original Budget \$'000
<b>ASSETS</b>				
<b>Financial assets</b>				
Cash	2.1A	11,719	9,023	11,525
Trade and other receivables	2.1B	1,625	709	102
<b>Total financial assets</b>		<b>13,344</b>	9,732	11,627
<b>Non-financial assets</b>				
Infrastructure, plant and equipment	2.2A	2,593	3,274	3,602
Intangibles	2.2A	413	544	425
Other non-financial assets	2.2B	243	194	161
<b>Total non-financial assets</b>		<b>3,249</b>	4,012	4,188
<b>Total assets</b>		<b>16,593</b>	13,744	15,815
<b>LIABILITIES</b>				
<b>Payables</b>				
Suppliers	2.3A	1,805	1,798	372
Other payables	2.3B	4,733	3,829	1,437
<b>Total payables</b>		<b>6,538</b>	5,627	1,809
<b>Non-interest bearing liabilities</b>				
Lease incentives	2.4A	2,312	2,857	2,026
<b>Total non-interest bearing liabilities</b>		<b>2,312</b>	2,857	2,026
<b>Provisions</b>				
Employee provisions	4.1A	3,204	4,009	4,397
Other provisions	2.5A	55	225	6,337
<b>Total provisions</b>		<b>3,259</b>	4,234	10,734
<b>Total liabilities</b>		<b>12,109</b>	12,718	14,569
<b>Net assets</b>		<b>4,484</b>	1,026	1,246
<b>EQUITY</b>				
Contributed equity		2,511	2,511	2,511
Reserves		384	378	1,077
Accumulated results		1,589	(1,863)	(2,342)
<b>Total equity</b>		<b>4,484</b>	1,026	1,246

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

## Statement of Financial Position

as at 30 June 2017

### **Budget Variances Commentary**

The major variances on the Statement of Financial Position are trade and other receivables, infrastructure plant and equipment, prepayments, suppliers and other payables, employee and other provisions, reserves and accumulated results. Trade and other receivables reflect several fee for service agreements that were not known at the time of original Budget preparation. Infrastructure, plant and equipment reflect delayed capital expenditure during the period. Other payables and provisions and reserves were reclassified during the mid-year economic fiscal outlook and published in the 2017–18 Portfolio Budget Statements estimated actuals. Accumulated results reflect the full recognition of revenue for the agreements referred to in the Statement of Comprehensive Income commentary (refer to Overview note for further explanation). Employee provisions are affected by senior staff movements that were unknown at the time of the original budget and prepayments are due to timing differences.

## Statement of Changes in Equity

for the period ended 30 June 2017

	Notes	2017 \$'000	2016 \$'000	Original Budget \$'000
<b>CONTRIBUTED EQUITY</b>				
<b>Opening balance</b>				
Balance carried forward from previous period		2,511	2,511	2,511
<b>Adjusted opening balance</b>		<b>2,511</b>	2,511	2,511
<b>Closing balance as at 30 June</b>		<b>2,511</b>	2,511	2,511
<b>RETAINED EARNINGS</b>				
<b>Opening balance</b>				
Balance carried forward from previous period		(1,863)	(1,618)	(2,342)
Adjustment for errors 2014–15 period		–	374	–
Appropriation returns		–	(1,050)	–
Other adjustments		–	(7)	–
<b>Adjusted opening balance</b>		<b>(1,863)</b>	(2,301)	(2,342)
<b>Comprehensive income</b>				
Surplus for the period		3,451	252	–
Adjustment for errors 2015–16 period		–	186	–
<b>Total comprehensive income</b>		<b>3,451</b>	438	–
<b>Closing balance as at 30 June</b>		<b>1,588</b>	(1,863)	(2,342)
<b>ASSET REVALUATION RESERVE</b>				
<b>Opening balance</b>				
Balance carried forward from previous period		378	353	1,077
<b>Adjusted opening balance</b>		<b>378</b>	353	1,077
<b>Comprehensive income</b>				
Other comprehensive income		7	25	–
<b>Total comprehensive income</b>		<b>7</b>	25	–
<b>Closing balance as at 30 June</b>		<b>385</b>	<b>378</b>	1,077

## Statement of Changes in Equity

for the period ended 30 June 2017

	Notes	2017 \$'000	2016 \$'000	Original Budget \$'000
<b>TOTAL EQUITY</b>				
<b>Opening balance</b>				
Balance carried forward from previous period		1,026	1,246	1,246
Appropriation returns		–	(1,050)	–
Other adjustments		–	367	–
<b>Adjusted opening balance</b>		<b>1,026</b>	<b>563</b>	<b>1,246</b>
<b>Comprehensive income</b>				
Surplus/(Deficit) for the period		3,451	438	–
Other comprehensive income		7	25	–
<b>Total comprehensive income</b>		<b>3,458</b>	<b>463</b>	<b>–</b>
<b>Transactions with owners</b>				
Contributions by owners		–	–	–
<b>Total transactions with owners</b>		<b>–</b>	<b>–</b>	<b>–</b>
<b>Closing balance as at 30 June</b>		<b>4,484</b>	<b>1,026</b>	<b>1,246</b>

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

### Accounting Policy

#### Equity Injections

Amounts appropriated which are designated as 'equity injections' for a year (less any formal reductions) and Departmental Capital Budgets (DCBs) are recognised directly in contributed equity in that year. The Commission did not receive any 'equity injections' or DCBs in 2016–17.

### Budget Variances Commentary

The major variance on the Statement of Changes in Equity is the surplus for the period which results from the requirement under Australian Accounting Standards to fully recognise revenue referred to in the Statement of Comprehensive Income commentary (refer to Overview note for further explanation). The other adjustments variance results from the recognition of prior period revenue errors.

## Cash Flow Statement

for the period ended 30 June 2017

	Notes	2017 \$'000	2016 \$'000	Original Budget \$'000
<b>OPERATING ACTIVITIES</b>				
<b>Cash received</b>				
Appropriations		14,593	15,515	14,593
Rendering of services		11,305	5,801	7,485
Interest		115	234	400
Net GST received		211	–	150
<b>Total cash received</b>		<b>26,224</b>	21,550	22,628
<b>Cash used</b>				
Employees		(15,552)	(15,182)	(15,936)
Suppliers		(7,940)	(9,303)	(7,618)
Appropriation revenue return to OPA		–	(1,050)	–
Net GST paid		–	(78)	–
<b>Total cash used</b>		<b>(23,492)</b>	(25,613)	(23,554)
<b>Net cash from/(used by) operating activities</b>		<b>2,732</b>	(4,063)	(926)
<b>INVESTING ACTIVITIES</b>				
<b>Cash used</b>				
Purchase of infrastructure, plant and equipment		(36)	(225)	(455)
Purchase of intangibles		–	(77)	–
<b>Total cash used</b>		<b>(36)</b>	(302)	(455)
<b>Net cash from/(used by) investing activities</b>		<b>(36)</b>	(302)	(455)
<b>FINANCING ACTIVITIES</b>				
<b>Net cash from/(used by) financing activities</b>		–	–	–
<b>Net increase/(decrease) in cash held</b>		<b>2,696</b>	(4,365)	(1,381)
Cash and cash equivalents at the beginning of the reporting period		9,023	13,388	12,906
<b>Cash and cash equivalents at the end of the reporting period</b>	2.1A	<b>11,719</b>	9,023	11,525

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

### Budget Variances Commentary

The major variances in the Cash Flow Statement are rendering of services, interest, net GST received and purchase of infrastructure, plant and equipment. The rendering of services reflects the new fee for services agreements referred to in the Statement of Comprehensive Income commentary (refer to Overview note for further explanation). These new agreements were not known at the time of original Budget preparation. Interest revenue is directly related to the reduced appropriation received under the Supply Act provisions and decreased cash held at bank during this period. Purchase of infrastructure, plant and equipment is due to delayed capital expenditure and net GST received reflects timing differences.



# Notes to and forming part of the financial statements

for the period ended 30 June 2017

## Overview

### Objectives of the Entity

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

The Commission is structured to meet the following outcome:

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

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

### The Basis of Preparation

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

The financial statements have been prepared in accordance with:

- a) *Public Governance, Performance and Accountability (Financial Reporting) Rule 2015* (FRR) for reporting periods ending on or after 1 July 2015 and
- b) Australian Accounting Standards and Interpretations — Reduced Disclosure Requirements issued by the Australian Accounting Standards Board (AASB) that apply for the reporting period.

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

### Fair Presentation and Compliance with Australian Accounting Standards

During the reporting period, the Commission entered into a number of new agreements with partner organisations for the provision of services. The majority of these agreements relate to projects to be undertaken and services to be performed in future reporting periods. The agreements allow the Commission only to recover the costs of delivering the services, such as staffing, travel, administrative and overhead expenses.

Although the funding provided for the joint projects is explicitly for the purposes of delivering services arising from progress towards achieving agreed project outcomes, \$4.289m of the funding received has been assessed as non-reciprocal in nature under AASB 1004 — *Contributions*.<sup>1</sup> This amount has therefore been recognised as revenue in the 2016–17 financial period while the costs and associated expenditure arising from delivery of services under these agreements will not be incurred until future reporting periods. This results in the reporting of an operating surplus on the Statement of Comprehensive Income for 2016–17.

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1. AASB 1004 Appendix A (Defined Terms) defines non-reciprocal transfers as a transfer in which the entity receives assets or services or has liabilities extinguished without directly giving approximately equal value in exchange to the other party or parties to the transfer. AASB 1004.23 clarifies that for a transaction to be reciprocal the transferor must have a right to receive the benefits of the specified services directly. This does not mean that the entity paying the grant does not receive any benefit it simply means that the paying entity is not the direct beneficiary of the services that are being paid for. The distinction between reciprocal and non-reciprocal is explained further in Statement of Accounting Concepts 4 – *Definition and Recognition of the Elements of Financial Statements* paragraphs 99-105. AASB 1004.23 prohibits the progressive recognition of the revenue to offset the matching expenditures to be incurred under the agreements, as the benefits are not directly received by the partner organisation.

## Overview (continued)

### Prior Period Errors to Financial Statements

Several errors have been identified by the Commission in relation to prior period errors from program funding that had reached completion or were revenue in nature according to AASB 1004 — *Contributions* and therefore not revenue in advance as previously reported.

The following adjustments were made to the financial statements:

- a) In the Statement of Changes in Equity, an adjustment to Retained Earnings for the 2014–15 period of \$0.374m and for the 2015–16 period for \$0.186m.
- b) In the Statement of Comprehensive Income, an adjustment to Revenue for the 2015–16 period for \$0.186m.
- c) In the Statement of Financial Position, an adjustment to Other Payables relating to Revenue received in advance for 2015–16 period for \$0.560m.

### New Accounting Standards

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

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

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

#### *Future Australian Accounting Standard Requirements*

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

Standard/Interpretation	Application date for the Commission	Nature of impending change/s in accounting policy and likely impact on initial application
AASB 15 Revenue from Contracts with customers	1 January 2018	<p>This standard establishes principles for reporting information about the nature, amount, timing and uncertainty of revenue and cash flows arising from the Commission's contracts with customers, with revenue recognised as 'performance obligations' are satisfied; and will apply to contracts of NFP entities that are exchange transactions. AASB 1004 Contributions will continue to apply to non-exchange transactions until the Income for NFP project is completed. The effective date was modified by 2015-8 for for-profit entities and 2016-7 Not-For-Profit entities.</p> <p>Depending on the nature of the transaction and the Commission's current policy, the new Standard may have a significant impact on the timing of the recognition of revenue. Final outcome will need to be considered once the related Income for NFP project is completed.</p>

## Overview (continued)

<b>Standard/Interpretation</b>	<b>Application date for the Commission</b>	<b>Nature of impending change/s in accounting policy and likely impact on initial application</b>
AASB 16 Leases	1 July 2019	The standard will require the net present value of payments under most operating leases to be recognised as assets and liabilities. An initial assessment indicates that the implementation of the standard may have a substantial impact on the financial statements, however, the Commission is yet to undertake a detailed review.

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

### **Taxation**

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

### **Events after the Reporting Period**

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

## 1. Financial Performance

This section analyses the financial performance of the Australian Human Rights Commission for the year ended 2017.

### Note 1.1: Expenses

	2017 \$'000	2016 \$'000
<b>Note 1.1A: Employee Benefits</b>		
Wages and salaries	11,776	11,409
Superannuation:		
Defined contribution plans	1,162	1,083
Defined benefit plans	700	932
Leave and other entitlements	955	1,253
Separation and redundancies	82	268
Other employee expenses	120	112
<b>Total employee benefits</b>	<b>14,795</b>	<b>15,057</b>

#### Accounting Policy

Accounting policies for employee related expenses is contained in the People and Relationships section.

### Note 1.1B: Suppliers

#### Goods and services supplied or rendered

General property operating expenses	855	819
Insurance	33	37
Office consumables	69	61
Official travel	805	1,126
Postage and freight	16	28
Printing and publications	119	130
Professional services and fees	1,735	2,480
Reference materials, subscriptions and licences	476	457
Staff training	42	79
Telecommunications	141	123
Other	241	324
<b>Total goods and services supplied or rendered</b>	<b>4,532</b>	<b>5,664</b>
Goods supplied	187	191
Services rendered	4,345	5,473
<b>Total goods and services supplied or rendered</b>	<b>4,532</b>	<b>5,664</b>

## Note 1.1: Expenses (continued)

	2017 \$'000	2016 \$'000
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### Note 1.1B: Suppliers (continued)

#### Other suppliers

Operating lease rentals in connection with:

Minimum lease payments	2,140	2,150
Workers compensation expenses	48	44
<b>Total other suppliers</b>	<b>2,188</b>	<b>2,194</b>
<b>Total suppliers</b>	<b>6,720</b>	<b>7,857</b>

#### Leasing commitments

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

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

Within 1 year	4,027	3,879
Between 1 to 5 years	12,694	16,670
<b>Total operating lease commitments</b>	<b>16,721</b>	<b>20,549</b>

#### Accounting Policy

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

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

## Note 1.2: Own-Source Revenue and Gains

	2017 \$'000	2016 \$'000
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### OWN-SOURCE REVENUE

#### Note 1.2A: Rendering of Services

Rendering of services	9,939	7,315
<b>Total sale of goods and rendering of services</b>	<b>9,939</b>	<b>7,315</b>

#### Accounting Policy

Revenue from rendering of services is recognised by reference to the stage of completion of contracts at the reporting date.

The stage of completion of contracts at the reporting date is determined by reference to the proportion that costs incurred to date bear to the estimated total costs of the transaction.

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

#### Note 1.2B: Interest

Deposits	112	231
<b>Total interest</b>	<b>112</b>	<b>231</b>

#### Accounting Policy

Interest revenue is recognised using the effective interest method.

#### Note 1.2C: Other Revenue

Operating lease:		
Sublease rental income	1,000	969
<b>Total rental income</b>	<b>1,000</b>	<b>969</b>

#### Subleasing rental income commitments

The Commission in the capacity as lessor: the Commission subleases one floor (part of its operating property lease) to the Office of the Australian Information Commissioner and part of a floor to the Asia Pacific Forum of National Human Rights Institutions.

#### Commitments for sublease rental income receivables are as follows:

Within 1 year	1,156	1,114
Between 1 to 5 years	3,738	4,895
<b>Total sublease rental income commitments</b>	<b>4,894</b>	<b>6,009</b>

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

	2017 \$'000	2016 \$'000
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### OWN-SOURCE REVENUE (CONTINUED)

#### Note 1.2D: Other Revenue

Resources received free of charge:

Remuneration of auditors	46	51
<b>Total other revenue</b>	<b>46</b>	<b>51</b>

#### Accounting Policy

##### *Resources Received Free of Charge*

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

### GAINS

#### Note 1.2E: Other Gains

Gain on reduction of prior year provisions	122	125
Other — Sale of assets	7	7
<b>Total other gains</b>	<b>129</b>	<b>132</b>

#### Accounting Policy

##### *Other Gains*

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

##### *Sale of Assets*

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

#### Note 1.2F: Revenue from Government

Appropriations:

Departmental appropriations	14,593	15,515
<b>Total revenue from Government</b>	<b>14,593</b>	<b>15,515</b>

#### Accounting Policy

##### *Revenue from Government*

Amounts appropriated for the year (adjusted for any formal additions and reductions) are recognised as Revenue from Government when the Commission gains control of the appropriation, except for certain amounts that relate to activities that are reciprocal in nature, in which case revenue is recognised only when it has been earned.

## 2. Financial Position

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

### Note 2.1: Financial Assets

	2017 \$'000	2016 \$'000
<b>Note 2.1A: Cash</b>		
Cash on hand and at bank	11,719	9,023
<b>Total cash and cash equivalents</b>	<b>11,719</b>	<b>9,023</b>

#### Accounting Policy

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

- a) cash on hand and
- b) deposits in bank accounts with an original maturity of 3 months or less that are readily convertible to known amounts of cash and subject to insignificant risk of changes in value.

### Note 2.1B: Trade and Other Receivables

#### Goods and services receivables

Goods and services	1,531	669
<b>Total goods and services receivables</b>	<b>1,531</b>	<b>669</b>

#### Other receivables

Interest	4	8
GST Receivable from the Australian Taxation Office	109	51
<b>Total other receivables</b>	<b>113</b>	<b>59</b>
<b>Total trade and other receivables (gross)</b>	<b>1,644</b>	<b>728</b>

<b>Less impairment allowance</b>	<b>(19)</b>	<b>(19)</b>
<b>Total trade and other receivables (net)</b>	<b>1,625</b>	<b>709</b>

#### Trade and other receivables (net) expected to be recovered

No more than 12 months	1,625	709
<b>Total trade and other receivables (net)</b>	<b>1,625</b>	<b>709</b>



Notes to and forming part of the financial statements  
for the period ended 30 June 2017

Note 2.1: Financial Assets (continued)

	2017 \$'000	2016 \$'000
<b>Note 2.1B: Trade and Other Receivables (continued)</b>		
<b>Impairment allowance aged as follows:</b>		
Not overdue	–	–
Overdue by:		
0 to 30 days	–	–
31 to 60 days	–	–
61 to 90 days	–	–
More than 90 days	(19)	(19)
<b>Total impairment allowance</b>	<b>(19)</b>	<b>(19)</b>

Credit terms for goods and services were within 30 days (2016: 30 days).

**Accounting Policy**

*Receivables*

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

Notes to and forming part of the financial statements  
for the period ended 30 June 2017

Note 2.2: Non-Financial Assets

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

	Leasehold improvements \$'000	Computer, plant and equipment \$'000	Computer, plant and equipment – work in progress \$'000	Total \$'000
<b>Reconciliation of the opening and closing balances of infrastructure, plant and equipment for 2017</b>				
<b>As at 1 July 2016</b>				
Gross book value	3,102	108	63	3,273
Accumulated depreciation, amortisation and impairment	–	–	–	–
<b>Total as at 1 July 2016</b>	<b>3,102</b>	<b>108</b>	<b>63</b>	<b>3,273</b>
Additions:				
Purchase	–	36	–	36
Work-in-progress transfer	–	63	(63)	–
Revaluations and impairments recognised in other comprehensive income	(5)	12	–	7
Depreciation and amortisation	(620)	(102)	–	(723)
<b>Total as at 30 June 2017</b>	<b>2,477</b>	<b>117</b>	<b>–</b>	<b>2,593</b>
<b>Total as at 30 June 2017 represented by:</b>				
Gross book value	2,477	117	–	2,593
Accumulated depreciation, amortisation and impairment	–	–	–	–
<b>Total as at 30 June 2017</b>	<b>2,477</b>	<b>117</b>	<b>–</b>	<b>2,593</b>

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

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

**Revaluations of non-financial assets**

All revaluations were conducted in accordance with the revaluation policy stated at Note 2.2. On 30 June 2017, an independent valuer conducted the revaluations.

## Note 2.2: Non-Financial Assets (continued)

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

	Leasehold improvements \$'000	Computer, plant and equipment \$'000	Computer, plant and equipment – work in progress \$'000	Total \$'000
<b>Reconciliation of the opening and closing balances of infrastructure, plant and equipment for 2016</b>				
<b>As at 1 July 2015</b>				
Gross book value	3,550	218	–	3,768
Accumulated depreciation, amortisation and impairment	–	–	–	–
<b>Total as at 1 July 2015</b>	<b>3,550</b>	<b>218</b>	<b>–</b>	<b>3,768</b>
Additions:				
Purchase	162	–	63	225
Revaluations and impairments recognised in other comprehensive income	–	25	–	25
Depreciation and amortisation	(610)	(135)	–	(744)
<b>Total as at 30 June 2016</b>	<b>3,102</b>	<b>108</b>	<b>63</b>	<b>3,274</b>
<b>Total as at 30 June 2016 represented by:</b>				
Gross book value	3,102	108	63	3,274
Accumulated depreciation, amortisation and impairment	–	–	–	–
<b>Total as at 30 June 2016</b>	<b>3,102</b>	<b>108</b>	<b>63</b>	<b>3,274</b>

## Note 2.2: Non-Financial Assets (continued)

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

	Intangibles \$'000	Intangibles – work in progress \$'000	Total \$'000
<b>Reconciliation of the opening and closing balances of intangibles for 2017</b>			
<b>As at 1 July 2016</b>			
Gross book value	1,276	77	1,353
Accumulated depreciation, amortisation and impairment	(810)	–	(810)
<b>Total as at 1 July 2016</b>	<b>466</b>	<b>77</b>	<b>543</b>
Additions:			
Work-in-progress transfer	77	(77)	–
Depreciation and amortisation	(130)	–	(130)
<b>Total as at 30 June 2017</b>	<b>413</b>	<b>–</b>	<b>413</b>
<b>Total as at 30 June 2017 represented by:</b>			
Gross book value	1,353	–	1,353
Accumulated depreciation, amortisation and impairment	(940)	–	(940)
<b>Total as at 30 June 2017</b>	<b>413</b>	<b>–</b>	<b>413</b>

No indicators of impairment were found for intangibles.

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

	Intangibles \$'000	Intangibles – work in progress \$'000	Total \$'000
<b>Reconciliation of the opening and closing balances of intangibles for 2016</b>			
<b>As at 1 July 2015</b>			
Gross book value	1,276	–	1,276
Accumulated depreciation, amortisation and impairment	(693)	–	(693)
<b>Total as at 1 July 2015</b>	<b>583</b>	<b>–</b>	<b>583</b>
Additions:			
Purchase	–	77	77
Depreciation and amortisation	(117)	–	(117)
<b>Total as at 30 June 2016</b>	<b>466</b>	<b>77</b>	<b>544</b>
<b>Total as at 30 June 2016 represented by:</b>			
Gross book value	1,276	77	1,353
Accumulated depreciation, amortisation and impairment	(810)	–	(810)
<b>Total as at 30 June 2016</b>	<b>466</b>	<b>77</b>	<b>544</b>

## Note 2.2: Non-Financial Assets (continued)

### Accounting Policy

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

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

### Asset Recognition Threshold

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

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

### Revaluations

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

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

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

### Depreciation

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

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

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

	2017	2016
Leasehold improvements	Lease term	Lease term
Computer, plant and equipment	4 to 10 years	4 to 10 years

## Note 2.2: Non-Financial Assets (continued)

### *Impairment*

All assets were assessed for impairment at 30 June 2017. Where indications of impairment exist, the asset's recoverable amount is estimated and an impairment adjustment made if the asset's recoverable amount is less than its carrying amount.

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

### *Derecognition*

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

### *Intangibles*

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

Software is amortised on a straight-line basis over its anticipated useful life. The useful lives of the Commission's software are 2 to 5 years (2016: 2 to 5 years years).

All intangible assets were assessed for indications of impairment as at 30 June 2017.

### **Accounting Judgements and Estimates**

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

	2017	2016
	\$'000	\$'000

#### **Note 2.2B: Other Non-Financial Assets**

Prepayments	243	194
<b>Total other non-financial assets</b>	<b>243</b>	<b>194</b>

#### **Other non-financial assets expected to be recovered:**

No more than 12 months	240	189
More than 12 months	3	5
<b>Total other non-financial assets</b>	<b>243</b>	<b>194</b>

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

Notes to and forming part of the financial statements  
for the period ended 30 June 2017

Note 2.3: Payables

	2017 \$'000	2016 \$'000
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**Note 2.3A: Suppliers**

Trade creditors and accruals	576	534
Rent payable	1,229	1,264
<b>Total suppliers</b>	<b>1,805</b>	<b>1,798</b>

**Suppliers expected to be settled:**

No more than 12 months	794	744
More than 12 months	1,011	1,054
<b>Total suppliers</b>	<b>1,805</b>	<b>1,798</b>

Settlement is generally made in accordance with the terms of the supplier invoice.

**Note 2.3B: Other Payables**

Salaries and wages	97	43
Superannuation	17	10
Other employee expenses	7	19
Revenue received in advance	4,264	3,757
GST payable to the Australian Taxation Office	348	–
<b>Total other payables</b>	<b>4,733</b>	<b>3,829</b>

**Other payables to be settled:**

No more than 12 months	3,490	3,829
More than 12 months	1,243	–
<b>Total other payables</b>	<b>4,733</b>	<b>3,829</b>

Notes to and forming part of the financial statements  
for the period ended 30 June 2017

## Note 2.4: Non-interest Bearing Liabilities

	2017 \$'000	2016 \$'000
<b>Note 2.4A: Lease Incentives</b>		
Lease incentives	2,312	2,857
<b>Total lease incentives</b>	<b>2,312</b>	<b>2,857</b>
<b>Minimum lease payments expected to be settled:</b>		
Within 1 year	566	566
Between 1 to 5 years	1,746	2,291
<b>Total lease incentives</b>	<b>2,312</b>	<b>2,857</b>

### Accounting Policy

Refer to Note 1.1B.

## Note 2.5: Other Provisions

	Provision for contract obligations \$'000	Provision for restoration \$'000	Total \$'000
<b>Note 2.5A: Other Provisions</b>			
<b>As at 1 July 2016</b>	<b>146</b>	<b>79</b>	<b>225</b>
Additional provisions made	-	-	-
Amounts used	(43)	-	(43)
Amounts reversed	(48)	(79)	(127)
<b>Total as at 30 June 2017</b>	<b>55</b>	<b>-</b>	<b>55</b>
		<b>2017 \$'000</b>	<b>2016 \$'000</b>
<b>Other provisions expected to be settled:</b>			
No more than 12 months		55	146
More than 12 months		-	79
<b>Total other provisions</b>		<b>55</b>	<b>225</b>



Notes to and forming part of the financial statements  
for the period ended 30 June 2017

### 3. Funding

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

#### Note 3.1: Appropriations

##### Note 3.1A: Annual Appropriations ('Recoverable GST exclusive')

	Annual appropriation <sup>1</sup> \$'000	Adjustments to to appropriation \$'000	Total appropriation \$'000	Appropriation applied in 2017 (current and prior years) \$'000	Variance <sup>2</sup> \$'000
<b>Annual Appropriations for 2017</b>					
<b>Departmental</b>					
Ordinary annual services	14,593	–	14,593	(22,860)	(8,267)
Other services:					
Equity injections	–	–	–	–	–
<b>Total departmental</b>	<b>14,593</b>	<b>–</b>	<b>14,593</b>	<b>(22,860)</b>	<b>(8,267)</b>

1. In 2016–17 there were no appropriations that have been quarantined.

2. Variance represents the application of current and previous years own-source revenue.

	Annual appropriation <sup>1</sup> \$'000	Adjustments to to appropriation \$'000	Total appropriation \$'000	Appropriation applied in 2016 (current and prior years) \$'000	Variance <sup>2</sup> \$'000
<b>Annual Appropriations for 2016</b>					
<b>Departmental</b>					
Ordinary annual services	15,515	–	15,515	(25,230)	(9,715)
Other services:					
Equity injections	–	–	–	–	–
<b>Total departmental</b>	<b>15,515</b>	<b>–</b>	<b>15,515</b>	<b>(25,230)</b>	<b>(9,715)</b>

1. In 2015–16 there were no appropriations that have been quarantined.

2. Variance represents the application of current and previous years own-source revenue and 2015 equity injections.

Notes to and forming part of the financial statements  
for the period ended 30 June 2017

Note 3.1: Appropriations (continued)

	2017 \$'000	2016 \$'000
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Note 3.1B: Unspent Annual Appropriations ('Recoverable GST exclusive')

Departmental

Cash held by the Commission	11,719	9,023
<b>Total departmental</b>	<b>11,719</b>	<b>9,023</b>

Note 3.2: Net Cash Appropriation Arrangements

	2017 \$'000	2016 \$'000
<b>Total comprehensive income/(loss) less depreciation/amortisation expenses previously funded through revenue appropriations</b>	<b>4,304</b>	<b>1,299</b>
Plus: depreciation/amortisation expenses previously funded through revenue appropriation	(853)	(861)
<b>Total comprehensive income – as per the Statement of Comprehensive Income</b>	<b>3,451</b>	<b>438</b>

## 4. People and Relationships

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

### Note 4.1: Employee Provisions

	2017 \$'000	2016 \$'000
<b>Note 4.1A: Employee Provisions</b>		
Leave	3,031	3,627
Separations and redundancies	173	382
<b>Total employee provisions</b>	<b>3,204</b>	<b>4,009</b>
<b>Employee provisions expected to be settled:</b>		
No more than 12 months	2,494	3,111
More than 12 months	710	898
<b>Total employee provisions</b>	<b>3,204</b>	<b>4,009</b>

#### Accounting Policy

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

#### Leave

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

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

The liability for long service leave has been determined by reference to the work of an actuary performed for the Department of Finance (DoF) and summarised in the Standard Parameters for use in 2016–17 Financial Statements published on the DoF website. The estimate of the present value of the liability takes into account attrition rates and pay increases through promotion and inflation.

#### Separation and Redundancy

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

### **Note 4.1: Employee Provisions (continued)**

#### ***Superannuation***

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

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

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

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

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

#### **Accounting Judgements and Estimates**

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

## Note 4.2: Key Management Personnel Remuneration

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

	2017 \$'000	2016 \$'000
Short-term employee benefits	3,522	2,717
Post-employment benefits	344	292
Other long-term employee benefits	357	260
Termination benefits	188	–
<b>Total key management personnel remuneration expenses<sup>1</sup></b>	<b>4,411</b>	<b>3,269</b>

The total number of key management personnel that are included in the above table are 17 (2016: 11). Please note that the group has been broadened this year as a result of the inclusion of other key management personnel additional to Commissioner appointments.

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

## Note 4.3: Related Party Disclosures

### **Related Party Relationships**

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

### **Transactions with Related Parties**

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

Significant transactions with related parties can include:

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

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

## 5. Managing Uncertainties

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

### Note 5.1: Contingent Assets and Liabilities

#### Quantifiable Contingencies

At the time of signing these financial statements the Commission had one contingent liability to the value of \$79,129.19 for potential make good costs.

#### Unquantifiable Contingencies

At the time of signing these financial statements, the Commission was a respondent to an application in the Federal Court for judicial review of a decision to terminate a complaint. While the Federal Court may award costs in relation to such an application, it is unlikely as the application is considered to be without merit. The Attorney-General has decided to intervene in these proceedings as there is no other contradictor. The Commission intends to file a submitting appearance. The Commission was also a respondent to an application in the Federal Court for judicial review of a decision of the Office of the Australian Information Commissioner to cease to inquire into an application for Information Commissioner review under the *Freedom of Information Act 1982* (Cth). While the Federal Court may award costs in relation to such an application it is unlikely to do so as the Commission has submitted to the jurisdiction of the court and is not playing an active role. Finally, the Commission was a respondent to proceedings before the Administrative Appeals Tribunal. The Administrative Appeals Tribunal is a no-costs jurisdiction. The Tribunal does not have power to award costs against the Commission in these proceedings.

#### Accounting Policy

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

## Note 5.2: Financial Instruments

### Note 5.2A: Categories of Financial Instruments

	2017 \$'000	2016 \$'000
<b>Financial Assets</b>		
<b>Receivables</b>		
Cash on hand and at bank	11,719	9,023
Trade and other receivables	1,535	669
<b>Total receivables</b>	<b>13,254</b>	<b>9,692</b>
<b>Total financial assets</b>	<b>13,254</b>	<b>9,692</b>
<b>Financial Liabilities</b>		
<b>Other financial liabilities</b>		
Trade creditors and accruals	576	534
<b>Total financial liabilities measured at amortised cost</b>	<b>576</b>	<b>534</b>
<b>Total financial liabilities<sup>1</sup></b>	<b>576</b>	<b>534</b>

1. Carrying amount is equal/approximate to fair value.

### Accounting Policy

#### *Financial assets*

The Commission classifies its financial assets in the following categories as receivables.

The classification depends on the nature and purpose of the financial assets and is determined at the time of initial recognition. Financial assets are recognised and derecognised upon trade date.

#### *Effective Interest Method*

The effective interest method is a method of calculating the amortised cost of a financial asset and of allocating interest income over the relevant period. The effective interest rate is the rate that exactly discounts estimated future cash receipts through the expected life of the financial asset, or, where appropriate, a shorter period.

#### *Receivables*

Trade and other receivables that have fixed or determinable payments that are not quoted in an active market are classified as 'receivables'. Receivables are measured at amortised cost using the effective interest method less impairment.



## Note 5.2: Financial Instruments (continued)

### *Impairment of Financial Assets*

Financial assets are assessed for impairment at the end of each reporting period.

*Financial assets held at cost* — if there is objective evidence that an impairment loss has been incurred, the amount of the impairment loss is the difference between the carrying amount of the asset and the present value of the estimated future cash flows discounted at the current market rate for similar assets.

### *Financial Liabilities*

Financial liabilities are classified as 'other financial liabilities'. Financial liabilities are recognised and derecognised upon trade date.

### *Other Financial Liabilities*

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

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

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	2017	2016
	\$'000	\$'000

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### **Note 5.2B: Net Gains or Losses on Financial Assets**

#### **Loans and receivables**

Interest revenue	112	231
<b>Net gains/(losses) on loans and receivables</b>	<b>112</b>	<b>231</b>
<b>Net gains on financial assets</b>	<b>112</b>	<b>231</b>

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### Note 5.3: Fair Value Measurement

The following table provides an analysis of assets and liabilities that are measured at fair value.

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

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

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

Level 3: Unobservable inputs for the asset or liability.

#### Accounting Policy

The Commission deems transfers between levels of the fair value hierarchy to have occurred at the end of the reporting period. There were no transfers in or out of any levels during the reporting period.

#### Note 5.3A: Fair Value Measurement

##### Fair value measurement at the end of the reporting period

	2017 \$'000	2016 \$'000	Category (Level 1, 2 or 3)	Validation technique(s) and inputs used
<b>Non-financial assets<sup>1</sup></b>				
Infrastructure, plant and equipment	2,593	3,211	2	Market approach. Market replacement cost less estimate of written down value of asset used.

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

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

Appendix 1:

# 2016–2017 workplan projects, services and activities

2016–2017 Workplan	Contributes to goals				Contributes to priorities		
	1	2	3	4	Human rights education and promotion	Engaging business on human rights	Freedom from violence, harassment and bullying
Collaboration for Cultural Reform in the Australian Defence Force	✓	✓				✓	✓
National Survey of Sexual Assault and Sexual Harassment at Australian Universities	✓	✓				✓	✓
National Statement of Principles for Child Safe Organisations	✓	✓			✓		✓
Business engagement: <ul style="list-style-type: none"> <li>• Missing out: The business case for customer diversity</li> <li>• Human rights in investment</li> </ul>	✓	✓				✓	
RightsApp Reference Guide to International Human Rights Law	✓	✓			✓		
Optional Protocol to the Convention Against Torture	✓	✓					✓
2016 Annual Business and Human Rights Dialogue	✓	✓				✓	
National Anti-Racism Strategy: <ul style="list-style-type: none"> <li>• <i>Racism. It Stops With Me</i> campaign</li> <li>• Building Belonging: Resource for early childhood educators on cultural diversity and responding to prejudice</li> <li>• Building social cohesion in our communities and councils project</li> <li>• Leading for Change: Blueprint for Cultural Diversity and Inclusive Leadership</li> </ul>	✓	✓			✓	✓	✓
Human Rights Education and Training: <ul style="list-style-type: none"> <li>• Human Rights Education in Schools</li> <li>• Vocational Education and Training Sector Resource Development</li> <li>• Upholding the rights of people with a disability: training package and training delivery for NSW Government staff</li> </ul>	✓	✓	✓		✓		

2016–2017 Workplan	Contributes to goals				Contributes to priorities		
	1	2	3	4	Human rights education and promotion	Engaging business on human rights	Freedom from violence, harassment and bullying
Protecting the Human Rights of People with Intersex Variations/Variations in Sex Characteristics In the Context of Medical Interventions	✓	✓			✓		✓
Parliamentary Scrutiny	✓	✓			✓		✓
Engagement with United Nations Mechanisms	✓	✓					
Pathways to Protection: A human rights-based response to the flight of asylum seekers by sea	✓	✓			✓		✓
Asylum Seekers, Refugees and Human Rights: Snapshot Report (2nd Edition) 2017	✓	✓			✓		✓
National Rugby League Social Inclusion Project	✓	✓			✓	✓	
Enhancing Domestic and Family Violence Death Review Processes	✓	✓			✓		✓
Children’s Rights Report 2016:							
<ul style="list-style-type: none"> <li>National Monitoring of Children in Correctional Detention in Australia</li> <li>National Statement of Principles for Child Safe Organisations</li> <li>Child-Friendly Version of the Children’s Rights Report 2015</li> </ul>	✓	✓			✓		✓
Social Justice and Native Title Report 2016	✓	✓			✓		
Close the Gap Campaign	✓				✓		
National Health Leadership Forum	✓						
China-Australia Human Rights Technical Cooperation Program	✓	✓			✓		✓
Vietnam-Australia Human Rights Technical Cooperation Program	✓	✓			✓		✓
Sri Lanka Disability Access to Public Spaces for People with Disabilities Project	✓	✓			✓		
National Information Service		✓	✓		✓	✓	✓

2016–2017 Workplan	Contributes to goals				Contributes to priorities		
	1	2	3	4	Human rights education and promotion	Engaging business on human rights	Freedom from violence, harassment and bullying
Investigation & Conciliation Service		✓	✓		✓	✓	✓
Intervention: The Fair Work Commission Matter No: AM2015/1 Four Yearly Review Of Modern Awards — Family And Domestic Violence Clause		✓			✓		
Human Rights Awards, other major events and launches	✓				✓		
Communications Service	✓			✓	✓		
Legal Services				✓	✓		
ICT Services				✓			
Human Resources				✓			
Financial Services				✓			

## Appendix 2:

# Major events, reports, publications and education resources in 2016–2017

## Events and launches

The Commission hosted and promoted at least 11 major events throughout the 2016–17 year including:

- Australians of the Year event at Sydney Town Hall
- annual Human Rights Awards
- Cultural Diversity launch
- annual Kep Enderby lecture
- launch of the student survey on sexual harassment and sexual assault
- launch of the Federal Discrimination Law 2016 publication
- series of RightsTalks on topics including gender equality, LGBTI rights, Indigenous social justice, 30 years of human rights in Australia, introducing new Commissioners.

## 2016–2017 reports, publications, education resources

### Aboriginal and Torres Strait Islander social justice

- Close the Gap — Progress & Priorities report (2017)
- Close the Gap — position paper on the Federal Budget (2017)
- Social Justice and Native Title Report, Including the Indigenous Property Rights — reform priorities report (2016)
- Indigenous Property Rights — Garna Roundtable Background Paper (2016)

### Australian Defence Force (not published)

#### Extensive research reports

- Navy: Marine Technician culture and issues for diversity and inclusion (2016)

#### Single base research reports

- Army (2017)
- Army (2017)
- Army (2017)

#### Australian Army Journal article

- Taking the cultural temperature in combat brigades: Thematic findings from the Australian Human Rights Commission Collaboration for Cultural Reform (unpublished at time of writing)

### Australian Human Rights Commission Act reports

- Lee family and Misinale family v Commonwealth of Australia (DIBP) – 104
- AW v Data#3 Limited – 105
- Ms Bakhtiari and Master Reza Bakhtiari v Commonwealth of Australia (DIBP) – 106
- Six persons with adverse security assessments detained in immigration detention, and family members affected by their detention v Commonwealth of Australia (DIBP) – 107
- Bam v Commonwealth (DIBP) – 108
- Bakhtiari v Commonwealth of Australia (DIBP) – 109
- Ms AR on behalf of Mr AS, Master AT and Miss AU v Commonwealth – 110
- BA v Commonwealth of Australia (DIBP)– 111
- AX v Commonwealth of Australia (DIBP) – 112
- Gentleman v Linfox Australia Pty Ltd – 113
- Mr BF on behalf of Master BG v Commonwealth of Australia (DIBP) – 114
- BW v Commonwealth of Australia (DIBP) – 115

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## **Business**

- Missing out: The business case for customer diversity (2017)
- Human rights in investment (2017)

## **Children**

- Children's Rights Report 2016
- What does the Children's Rights Report 2016 say? Child friendly version, 2016

## **Disability**

- Shaping our future: discussions on disability rights: stories, videos, infographics, Disability Discrimination Commissioner priorities (2017)

## **Education and Training**

- Upholding the Rights of People with Disability training for NSW Public Service Training Package (2016 revision)
- RightsApp — international human rights conventions and declarations by topic and right (2016)
- Building Belonging — a toolkit to tackle racial prejudice in early childhood settings (2016)
- An Introduction to Human Rights and Responsibilities — teaching resource (2016)

## **Human Rights**

- Optional Protocol to the Convention Against Torture Consultation Paper (2017)

## **Immigration detention**

- Asylum Seekers, Refugees and Human Rights: Snapshot Report (2nd Edition) (2017)
- Pathways to Protection: A human rights-based response to the flight of asylum seekers by sea (2016)

## **Legal**

- Federal Discrimination Law (2016)

## **Race**

- Leading for Change: A blueprint for cultural diversity and inclusive leadership (2016)

## **Sex**

- A Conversation in Gender Equality (2017)
- A National System for Domestic and Family Violence Death Review (2017)
- Conversations on deployment (2017)

## **Corporate**

- Corporate Plan 2017–2018
- Annual Report 2015–2016

# Index of Annual Report requirements

The following is an index identifying where the requirements of section 17BE and section 17BF of the *Public Governance, Performance and Accountability Rule 2014* are to be found.

Reporting requirement	Page reference
Enabling legislation	2
Summary of objects and functions of the Australian Human Rights Commission	5
Purposes of the Australian Human Rights Commission	2, 13
Responsible Minister	7
Directions given by the responsible Minister, or other Ministers	N/A
Government Policy Orders of the Australian Government under section 22 of the PGPA Act	N/A
Non-compliance with a direction or order	N/A
Annual Performance Statements	12 – 38
Statement of any significant issue reported to the responsible Minister	N/A
Action that has been taken to remedy any non compliance reported to the Minister	N/A
Information on the Accountable Authority	7 and 9
Organisational structure of the Australian Human Rights Commission	4
Location of major activities and facilities	7
Corporate governance practices	36
Decision-making process for related entity transactions	N/A
Number and Value of related entity transactions	N/A
Key activities and changes affecting the authority	N/A
Judicial decisions and administrative tribunals decisions	N/A
Reports on operations by the Auditor-General, a Parliamentary committee, the Commonwealth Ombudsman or the Office of the Australian Information Commissioner	N/A
Obtaining information from subsidiaries	N/A
Indemnities and insurance premiums for officers	N/A
Disclosure requirements for GBEs	N/A
Index of Annual Report requirements	80





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