

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

Question No. 42

Senator Singh asked the following question at the hearing on 18 November 2013:

1. How many complaints have been received by the AHRC?
2. Please provide a breakdown of the nature of those complaints.
3. How many complaints have been submitted over the last year relating to alleged breaches of Section 18C of the Racial Discrimination Act?
4. How many of those complaints proceeded to conciliation?
5. How many complaints resulted in orders to remove offending material?

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

1. The Commission received 2177 complaints in the 2012-13 reporting year.
2. The breakdown of complaints received in 2012-13 by jurisdiction is as follows:
 - 793 (37%) were lodged under the Disability Discrimination Act;
 - 500 (23%) were lodged under the Racial Discrimination Act;
 - 417 (19%) were lodged under the Sex Discrimination Act;
 - 310 (14%) were lodged under the Australia Human Rights Commission Act
 - 157 (7%) were lodged under the Age Discrimination Act.
3. In 2012-13 the Commission received 192 complaints which raised allegations of racial hatred with reference to section 18C of the Racial Discrimination Act.
4. Of the 192 racial hatred complaints received in 2012-13, approximately 135 (70%) proceeded to conciliation. Of the 135 that proceeded to conciliation, approximately 102 (53%) were successfully resolved.
5. The Commission does not have the power to determine if racial discrimination has occurred or the power to order a respondent to a complaint to undertake action such as removing material from the internet. The Commission's role is focused on assisting the parties to resolve the complaint through conciliation. However, outcomes of conciliation may include an agreement for the material which is the subject of the complaint, to be removed from the internet.