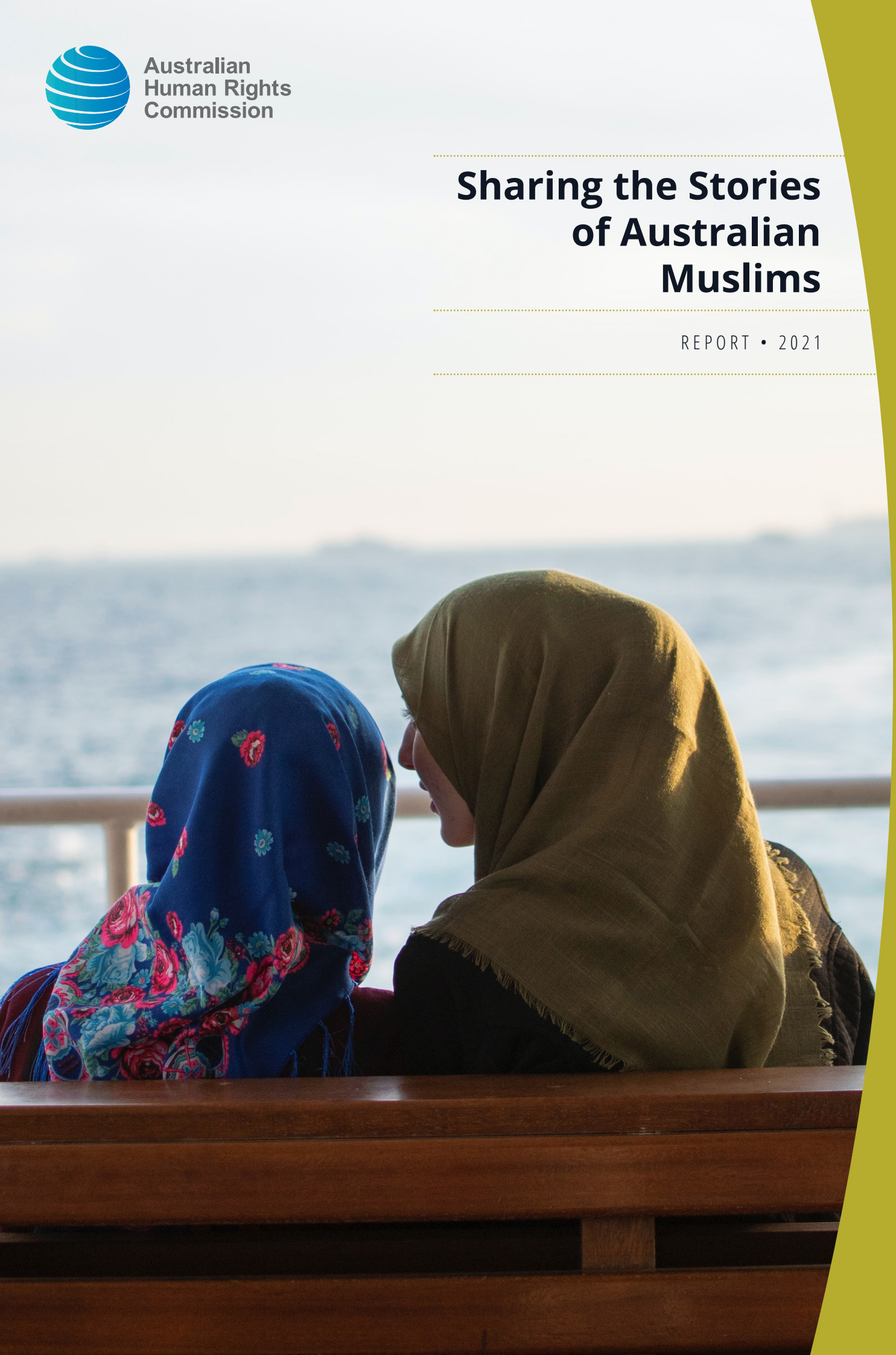
Australian Human Rights Commission

Sharing the Stories of Australian Muslims

REPORT • 2021



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Sharing the stories of Australian Muslims Report

2021

Australian Human Rights Commission

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Chin Tan

Race Discrimination Commissioner
Australian Human Rights Commission

Message from the Commissioner

I announced the Sharing the Stories of Australian Muslims project following the horrific events in Christchurch, New Zealand in March 2019. This event was followed by terrorist attacks in Bayonne in France, Bærum in Norway and Hesse in Germany.

The Christchurch tragedy was doubly horrific for Australia as the shooter was one of our own. Someone who had grown up in our community, attended Australian schools and been a member of our multicultural society.

I, like many others, was concerned about how this tragedy came to pass; and how such hate could exist in our community. It moved me to consider the experiences of the Australian Muslim community and how these developments have impacted on their quality of life.

The stories shared by Australian Muslim community members for this project have brought home to me that the undercurrents of religious discrimination, vilification and hate that manifested so horribly in the Christchurch attack, are not an aberration. They are consistent with the experiences of Islamophobia and anti-Muslim hate that is routinely experienced in Australia.

This project was designed to be an ongoing conversation with Australian Muslims. It was important to me that I talk to the many Australian Muslim communities in our country to hear from them about what works well and what can be done better. People shared many positive stories about their communities working in innovative and adaptive ways. These stories also reinforced the reality that the values of equality, freedom and fairness are closely protected by these communities and are essential cornerstones of everyday life.

I also heard many examples of how Muslim beliefs and traditions are alive and thriving in our country. One of these is Zakat, the Third Pillar of Islam, so clearly demonstrated in the outpouring of charity directed by Muslim communities towards fellow Australians impacted by bushfires and in the preparing of meals for frontline healthcare workers in Australian hospitals by Australian Muslim community groups during the Covid-19 outbreak.

These stories reinforced for me what I have long witnessed, that Australian Muslim communities are active participants in Australian public life, and many are working tirelessly to address misconceptions about Islam in the Australian community.

Unfortunately, I also heard examples of how the broader Australian community has discriminated against Australian Muslims as they have lived, worked and studied; how some have been abused in public spaces such as on buses and trains, on the street and in our suburban shopping centres.

This again highlighted the further work that needs to be done to protect and promote the human rights of Australian Muslims. Understanding the prevalence and nature of Islamophobia and anti-Muslim sentiment and effectively protecting people from them is key to this. This protection must cover the physical world and also extend deep into online spaces.

This project asked Australian Muslims to share their insights into the ways in which the broader Australian community could work with them on challenges and priorities. The urgent need for Australian Muslims to have effective representation and participation in decision making that affects their lives was reinforced and the enormous value that lies in supporting and promoting Muslim leadership identified.

The important issue of employers and employees working together to remove barriers to the equal participation and opportunities of Muslims in Australia's workplaces was a central theme raised by project participants.

Across the nation Australian Muslims stressed, again and again, the crucial importance of education. There was a particular focus in consultations on broad-ranging public awareness education about Islamophobia and about the harm it visits on Muslims and their communities. Many also stressed the need for education about Islam. Education that builds cultural competence and understanding which targets certain groups like educators, employers and law enforcement was also identified as a priority.

As highlighted in the New Zealand Royal Commission into the Christchurch attacks, societies that become polarised around difference are likely to see radicalised ideologies develop and flourish. It is therefore vital that we continue to build social cohesion within Australia, establishing strong ties between Australian Muslims and the broader community, and fostering diverse and inclusive environments in which every Australian has the opportunity to fully engage in everyday life.

We can only build a strong and harmonious, socially cohesive community if we embrace and accept everyone in our culturally diverse society, including our Muslim Australians.

Executive summary

To build a robust understanding of the experiences of Australian Muslims, the Commission provided various opportunities for Australian Muslims to share their stories, concerns, and ideas for change. The Commission established and consulted with a Project Advisory Group as well as a Critical Friends Group to hear from community leaders and expert scholars.

An online National Survey and community consultations facilitated in cities across Australia provided the Commission with the opportunity to hear directly from people. It was through these avenues that the Commission was able to gain valuable insight into the lived experiences of Australian Muslims which will help to inform the Commission's work in promoting social cohesion, combatting discrimination and providing evidence for change.

Key themes

Seven key themes were identified across the nation during the project.

These themes have also consistently been raised in research and reporting about Australian Muslim communities, including previous Commission work.

The first four themes were the highest priority issues raised during the consultation process.

Key theme 1: Protection from Islamophobia and anti-Muslim hate

Freedom of religion and protection from religious discrimination were consistently raised as priority issues throughout the project. Participants noted current civil and criminal legislative mechanisms were insufficient to protect them from the harassment, discrimination, and vilification they faced due to their religious background. More robust legal protection from Islamophobia and anti-Muslim hate was called for as well as the more effective use of existing criminal protection by law enforcement agencies.

Key theme 2: Experiences of harm

Project participants identified that they, or their friends and family, continue to experience discrimination and harassment on a personal level across Australia.

Stories of incidents that occurred in public spaces like shopping centres, restaurants and cafes, on public transport and in prayer spaces were shared with the Commission.

The impact of online harassment on many individuals' sense of safety was a thread across the project, and participants shared the view that incidents like 'doxing' (publicly revealing private personal information about an individual or organisation) were increasing.

Australian Muslim community members also referred to economic, social and political institutions, systems and processes that reinforce discrimination. Experiences of harm in employment and education were shared with the Commission.

Key theme 3: The increasing threat of extremist ideology

The issue of right-wing extremism was raised across the country. Project participants expressed their belief that the increasing threat of this ideology was a core contributor to the Christchurch terrorist attack. They noted that far-right extremist ideology, which had previously been largely contained to the online sphere, was increasingly being witnessed in the physical world, including in the daily lives of Australian Muslims.

The project recorded the impact of the Christchurch terrorist attack on participants, including its impact on feelings of safety. Many outlined their fears of online extremism spilling over into the physical world as had occurred in New Zealand.

Key theme 4: Media and political narratives

Project participants identified a correlation between negative media and political narratives about Muslims and Islam and an increase in aggression and violence towards Australian Muslims. The perpetuation of stereotypes and the inclusion of misinformation about Muslim people and Islam were identified as particularly damaging aspects of these narratives.

Consultation participants referred to an increase in the harassment of visibly Muslim community members and in attacks on mosques following divisive comments by politicians and negative media commentary.

Key theme 5: The need for broader community allies

Australian Muslim leaders advised the Commission that the support of non-Muslim leaders and from non-Muslim community organisations has an important role to play in engaging and improving cross-cultural relations.

It was noted by project participants that broader networks of advocacy were required to call out, and overcome, negative stereotypes and harassment.

Key theme 6: Building understanding and awareness of Islam through education and community partnerships

Across the project, participants spoke of the need for further awareness and understanding about Islam and Muslims. Participants noted that misconceptions about Islam were often due to a lack of knowledge about the religion and its practices. While those who took part in the project often willingly took it upon themselves to educate the wider community about their religion, the Commission heard that this often came at an emotional and mental cost. Many Australian Muslims described to the Commission the burden of always having to strive to be model representatives for their community.

Public awareness and inter-faith education initiatives were identified as key to fostering social cohesion and developing positive relationships with non-Muslims and the wider community.

Key theme 7: Redressing the balance – countering violent extremism and social cohesion

Australian Muslim community leaders told the Commission that an emphasis on countering violent extremism (CVE) by police and intelligence services affects trust between community members and governments. Concerns were repeatedly raised about the negative impact of CVE initiatives and funding on the relationship and engagement between communities and services.

While the need for such measures was appreciated, well understood, and widely supported, some participants expressed concern about the disproportionate CVE focus on Muslim communities. They articulated the need for greater community involvement in, and control of, CVE initiatives. They also indicated that in communities there is a perception that, even while Muslim communities are extensively scrutinised through a CVE lens, police and intelligence agencies fail to take seriously the threat of Islamophobia and anti-Muslim sentiment including violent threats of an extreme nature targeting individuals and whole communities.

Project participants also told the Commission about targeted policing of Muslim people based on peoples' appearance or dress or assumed cultural background. Concern was consistently expressed about the unwillingness of police to properly characterise incidents of harassment, vilification and hate as anti-Muslim attacks and to use available powers to address them.

The pressing need for implementation

The *Sharing the Stories of Australian Muslims* project identified that Australian Muslims are a heavily surveyed and consulted constituency within Australia. Many community members noted the large number of previous reports and recommendations that have been fed back to various levels of government about their communities.

The Commission also heard from participants about their frustration with the lack of action on already identified reforms and initiatives that they considered practically actionable and capable of addressing community concerns and priorities.

Key community solutions

This report does not make recommendations, but instead focuses on the stories of project participants and highlights community-identified solutions to the challenges raised by each of the themes. The community solutions that consultation participants and survey respondents identified build on the kinds of anti-racism and anti-discrimination strategies that have worked in the past for community members and articulate their vision for systemic change in the future (a table summary of community solutions can be found on pp. 84-86). Their solutions focus on centring engagement with Muslim communities, building an understanding of Islam through education and better media representation and supporting greater inclusion through institutional changes across workplaces, wider networks of allyship and stronger legal protections.

Community solution 1: Effective engagement with the Muslim community

Solutions suggested by community members recognise the importance of centring meaningful and sustainable engagement with the Muslim community to address consultation fatigue and that past involvement in reporting has not delivered positive results for communities. In their view, meaningful engagement and co-design goes beyond just the inclusion of community voices, prioritising sustained communication and long-term accountability to communities to ensure actions, campaigns and projects are effective for those affected by Islamophobia.

Community solution 2: Public awareness education

Community solution 3: Early inter-faith education

Project participants outlined the value of national investment in education and partnership building to foster an accurate understanding of Islam and the experiences and diversity of Australian Muslims. Rather than individual Muslim community members having the responsibility for educating the public and countering misinformation, participants felt that coordinated education strategies in the school curriculum at the early childhood level could create inter-faith connections and an understanding of Islam at a foundational level. Responses suggested that wider community awareness initiatives and campaigns could build on this foundational work to create a clear and nuanced understanding of Islam across the whole Australian community over time.

Community solution 4: Increased representation of Australian Muslims in the media

Community solution 5: Strengthen media frameworks

Community members expressed strong criticism of news media and other media outlets for using negative stereotypes and Islamophobic narratives. However, they also suggested that the media could be a key force in educating the Australian community about Islam and circulating more positive representations of Australian Muslims. Project participants highlighted that more positive representations in the mainstream media could play a powerful role in enabling Australian Muslim youth, in particular, to feel more included. Participants recognised that stronger media guidelines and frameworks would be necessary to address Islamophobic narratives in media reporting and ensure more balanced and fairer portrayals of the Australian Muslim community and the wide scope of their participation across Australian society.

Community solution 6: More diversity and inclusion practices in the workplace

Community solution 7: Cultural competency in the workplace

Project participants nominated workplaces as a key site of change for addressing racism and discrimination. While participants recognised the growing investment that workplaces are making in cultural competency and inclusivity, they identified clear opportunities for employers to be more consistent and comprehensive when putting diversity and inclusion into practice at an institutional level. They suggested that workplaces could become more culturally competent and inclusive through the provision of prayer spaces for daily religious practice and more inclusive networking and team-building activities.

Community solution 8: Visible allies

Through education and institutional change, participants saw possibilities for the mobilisation of a wider network of visible allies to counter Islamophobia and anti-Muslim sentiment and support greater social cohesion across Australian society. Participants saw greater allyship at the individual and organisational level as important for ensuring that mainstream Australians are involved in educating each other and supporting Australian Muslim communities in addressing issues, rather than this task being left to Australian Muslims as individuals.

Community solution 9: Robust legislative protection

Underpinning all the other community solutions, participants drew attention to the need for stronger laws and legal protections against Islamophobia and anti-Muslim hate. Responses in this report advocate for stronger legislative and regulatory frameworks to help enforce community standards and complement wider social cohesion initiatives across the community. This was particularly foregrounded in the context of expanding online spaces for Islamophobic sentiments and expressions of hate and increased far-right extremism.

Commission solutions

In the later sections of the report the Commission calls for a National Anti-Racism Framework. This would provide a central reference point to bring together and guide these community-identified solutions and other actions, initiatives and programs to address racism and build social cohesion at a national level.

As part of this call, the Commission also advises on the need for more data collection to build an understanding of the prevalence and nature of Islamophobia and anti-Muslim sentiment in Australia. The Commission also outlines important considerations for taking a human rights approach to regulating online content to address anti-Muslim hate in online spaces.

Project methodology

Project objectives

The objectives of the project were:

- To ensure the voices of Australian Muslim communities are centred in national discussions about Islamophobia, racism and related intolerances in Australia.
- To build a national picture of the experiences of racism, racial discrimination and related intolerances by Australian Muslim communities in Australia.
- To outline community identified ideas and solutions to address Islamophobia, racism and related intolerances in Australia.

A scoping document was produced that outlined the theoretical, political and contextual background to the project, and suggested a project timeline. This document was tested with the Australian National Imams Council (ANIC).

A stakeholder mapping exercise that identified, listed and categorised peak national Muslim and non-Muslim led organisations was also conducted. Identified stakeholders were invited to participate in consultations.

Project Advisory Group and Critical Friends Group

Considering the cultural, national and ethno-racial diversity of Australian Muslims, the Commission established a national project reference group, the Project Advisory Group, and a Critical Friends Group to ensure the project was culturally sensitive and respectful, and also culturally competent.

The role of the Project Advisory Group was to provide independent advice and community support to the Race Discrimination Commissioner to ensure that the national consultation project, including the development of a Survey and Project Report, was community centred and that it reflected the experiences of a broad range of Australian Muslims.

The Project Advisory Group consisted of members from peak national Muslim organisations identified through the scoping exercise, and received advice from the Australian National Imams Council (ANIC).

A Critical Friends Group was established to provide academic advice during the planning and completion of the project. Critical Friends also presented to the community on their topics of expertise through a Speaker Series held during the consultation process. The Speaker Series events were held as an opportunity to educate the broader Australian community about issues that impact on Australian Muslim communities.

Pilot stakeholder consultations

Pilot stakeholder consultations were held with peak national Muslim organisations. Given time and resource considerations, these consultations were held in Sydney. As Sydney is the city with the largest number of Australian Muslims, and the largest number of Muslim representative organisations, it was chosen as the appropriate location for initial consultations.

At the conclusion of these pilot consultations, data was analysed to identify emerging themes. These themes informed the questions in the following consultations with communities and state-based stakeholders across Australia.

Community consultations

Intelligence gathered from the pilot stakeholder consultations provided the framework of themes that were explored in the community consultations. In order to reach a broad range of community consultation participants, community consultations were broken down into three specific groups—open consultations, women's consultations and student consultations.

Open consultations were open to all members of the community and were hosted and facilitated by the Commission. Women's consultations were generally hosted by a local Muslim women's organisation and facilitated by the Commission. Student consultations were hosted by Islamic Student Associations based at different universities and facilitated by the Commission.

Targeted stakeholder consultations were also held with peak Muslim organisations, several Mosques and Muslim community service organisations. These organisations were invited to sit down with the Race Discrimination Commissioner and his project team to discuss the key themes and to corroborate interim findings as the consultation process progressed.

In total, 37 consultations with the Australian Muslim community attended by 220 people were held between July 2019 and February 2020.[1] Word cloud resources were created for each location and shared with consultation participants allowing them and their communities to quickly see the results from their area and know their stories had been heard. The Commission also shared key themes identified during the project with project participants, the Project Advisory Group, and the Project's Critical Friends.

Survey

A national online survey was conducted concurrently with the community consultations. The survey aimed to collect data about Islamophobia, racism and related intolerances, and sought to understand Australian Muslim community strengths, concerns and needs. The *Sharing the Stories of Australian Muslims Survey* (National Survey) consisted of an online questionnaire.

The National Survey asked respondents about the following areas:

- experiences in Australia
- social inclusion and cohesion
- experiences of unfavourable treatment
- reporting unfavourable treatment
- safety
- looking to the future

The National Survey and findings analysis were conducted by an independent research organisation.[2] The analysis was finalised in December 2019.

A community-informed survey distribution strategy helped the Commission to engage widely and connect with hard to reach communities. The survey was available in English, Dari, Urdu and Arabic, and Muslim community leaders, organisations and networks helped share and promote the survey. The Project Advisory Group members and Critical Friends provided insight and advice to support promotion and distribution. Non-Muslim organisations also promoted the survey and encouraged Australian Muslims with whom they were connected to take part.

As a result, a significant sample size was achieved: 1,017 Australian Muslims took part in the survey, and responses were received from every state and territory, and from metropolitan and regional locations. In addition to quantitative survey questions, respondents were able to include their personal experiences and stories.

The survey was the first national opportunity that Australian Muslims had to record the individual, family and community impact of the Christchurch terrorist attacks. The importance of meaningful participation and consultation on this issue was clear, with 87% of those surveyed taking the opportunity to share how the Christchurch tragedy had affected them, their friends, or their family.

> *I appreciate this survey to hear my community voice. This gives me a feeling that someone cares about us and [is] here to listen to us.*
> **—Male National Survey participant, aged 25-34**

Previous Commission research and reports

As well as its work around freedom of religion and protection against religious discrimination,[3] the Commission has conducted several projects focused on Australian Muslims.

Ismaع (Listen) Report (2004)

In 2003, the Commission conducted the Ismaع project and listened to the experiences of over 1,400 Arab and Australian Muslims who participated in consultations around the country.[4]

The project was a response to increasing concerns expressed by Arab and Muslim organisations. This project was completed against the backdrop of the 11 September 2001 attacks in the US and the Bali bombings of October 2002, the growing numbers of asylum seekers from the Middle East and Muslim countries and the trial, conviction and sentencing of gang rapists who were members of Muslim communities in Sydney in 2001–2002.

The Ismaɛ report made recommendations relating to: legal protection against discrimination and vilification on the ground of religion or belief; education; public language; policing; community action; and public support.

Unlocking Doors Project (2006)

In 2006, the Commission undertook the Unlocking Doors Project which brought together Muslim communities and police to discuss and respond to incidents of racial and religious discrimination and abuse. The 2007 *Unlocking Doors Project Report* provided a summary of the main issues raised in the project and strategies suggested by participants in consultations and forums.

The suggested approaches in the report included strategies related to addressing racial and religious hatred; improving community knowledge about reporting discrimination, harassment and vilification; improving police understanding of the serious impact of racial hatred; and increasing trust and confidence in police and police processes.

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A note about terminology

Islamophobia

There is no formal legal definition of 'Islamophobia' in Australia. Consistent with academic writings and research, Islamophobia was viewed by project participants as synonymous with, or as a form of, racism.

In the National Survey, participants were asked to define Islamophobia in their own terms.

> *It is usually an animosity or strong dislike of Islam due to misunderstanding of the religion, prejudice towards its people, stereotyping all as terrorists or barbarians, or even a legitimate fear of Muslims as unsafe people to be around.*
> —**Female National Survey participant, aged 18-24**

> *Licence to dehumanise Muslims and justify any kind of action you may wish to dish out at Muslims.* —**Male National Survey participant, aged 55–64**

In Western contexts, Islamophobia has been defined as 'a powerful new form of racism' that 'amalgamate[s] all Muslims into one group and treats characteristics associated with Muslims (violence, misogyny, political allegiance/disloyalty, incompatibility with Western values) as if they are innate'.[5]

The working definition of Islamophobia by the All-Party Parliamentary Group (APPG) on British Muslims states it 'is rooted in racism and is a type of racism that targets expression of Muslimness or perceived Muslimness'.[6]

Although not formalised into law, this APPG working definition, formulated after numerous consultations in the UK, has received widespread support and adoption from the Muslim community in the UK and overseas since its proposal.

In providing that 'Islamophobia' is rooted in racism, the definition does not suggest that Muslims are a race. Instead, it suggests that Muslim communities often encounter anti-Muslim discrimination, vilification and hatred in ways that are akin to the experience of racism. Specifically, perpetrators of Islamophobia operate to homogenise Muslims, either through unconscious bias, prejudice, direct/indirect discrimination, structural inequality or hate incidents.[7]

In drawing this parallel with the experience of racism, the definition of 'Islamophobia' is also capable of incorporating the systemic and structural ways that racism operates.

In outlining that Islamophobia targets expressions of Muslimness or perceived Muslimness, the definition also recognises that perpetrators of Islamophobia disproportionately target visibly Muslim people, objects or structures,[8] in the same way that perpetrators of interpersonal racism often target people based on the colour of their skin. For example, attacks directed towards Muslim women in public occur most often when the women are wearing Islamic headwear, which is perceived by the perpetrator as a symbol of Muslimness.[9]

In his recent report to the Human Rights Council, *Countering Islamophobia/Anti-Muslim Hatred to Eliminate Discrimination and Intolerance Based on Religion or Belief*, the Special Rapporteur on freedom of religion of belief, Mr Ahmed Shaheed, acknowledged that 'some recognize Islamophobia as a form of anti-Muslim racism'.[10]

Anti-Muslim hatred

While the term 'anti-Muslim hatred' does not capture structural forms of discrimination and prejudice against Muslims, it has been argued that this term more precisely refers to the deliberate project of inciting hatred against Muslims, which is frequently conducted through dehumanisation and conspiracy theory.

The term 'anti-Muslim hatred' can also more precisely describe the responses generated within online communities to dehumanise Muslims through their anti-Muslim reporting.

Hatred from social media users against Muslims has been described as including:

1. expressions of disgust towards Muslims
2. iterations of extreme right narratives about Muslims
3. expressions of wanting to expunge Muslims
4. expressions of wanting to kill or see Muslims dead
5. fantasies of violence against entire Muslim populations.[11]

In Australian Pacific consultations with the United Nations Special Rapporteur on freedom of religion or belief for his Report on Anti-Muslim Hatred and Discrimination, there was widespread discussion of these concepts of Islamophobia and anti-Muslim hatred.[12]

In these discussions it was suggested that Islamophobia and anti-Muslim hatred can be usefully distinct terms in certain contexts. For example, when referring to online actors, the term anti-Muslim hatred describes with greater precision the harm (advocacy of hatred), and degree of harm that is being enacted. Islamophobia, while rooted in prejudice and hatred, is not only enacted by expressions of hatred, but also through discrimination and systemic bias.

These terms will be used to describe the findings of the Commission.

Chapter 1: Setting the scene

1.1 Support for multiculturalism

Australia is a diverse multicultural nation, and its society is among the most culturally diverse in the world. According to the 2016 Census, 49% of the Australian population were born overseas or have a parent born overseas.[13]

Multiculturalism has played a fundamental role in building the modern Australian nation. Support for multiculturalism has not only involved political support at the level of principle, but also institutional expression through specific policies and programs such as settlement services.

The Australian public strongly endorses multiculturalism. The Scanlon Foundation's *2020 Mapping Social Cohesion Survey* found that 85% of Australians surveyed believe multiculturalism has been good for the country.

Photo by Abdullah Arif on Unsplash

1.2 Attitudes towards Muslims

Despite this widespread support for multiculturalism, negative attitudes towards Muslims remain an issue.

The Scanlon Foundation's 2020 Mapping Social Cohesion Survey asked survey respondents about their attitude to six faiths. As in previous years, the 2020 survey results demonstrate that there is a hierarchy of ethnic preference which informs attitudes towards religious and ethnic minorities.[14]

In 2020, negative attitudes towards Muslims were significantly higher than towards people of other faiths, at 37%. This compared with a negative attitude of 5% towards those of a Buddhist faith, 9% towards those of Jewish faith, 11% towards Christians, 12% towards Hindus, and 13% towards adherents of Sikhism.[15]

1.3 Racial and religious discrimination

Racial and religious discrimination remain an issue in Australia.

In the 2020 Scanlon Foundation Survey, 18% of respondents indicated that they had experienced discrimination in the past twelve months because of their skin colour, ethnicity, or religion.[16]

One in five Australians surveyed in the biennial Australian Reconciliation Barometer reported experiences of racial prejudice in the 6 months preceding July 2020, with one in two Aboriginal and Torres Strait Islander people reporting such experiences.[17]

A survey of 3000 people by the National Centre for Epidemiology and Population Health at the Australian National University indicated that Australians of Asian descent had experienced racist incidents because of COVID-19. It found that almost 85% of Australians of Asian descent surveyed had experienced at least one incident of racism between January and October 2020.[18]

In the 2019–20 financial year, racial vilification enquiries to the Victorian Equal Opportunity and Human Rights Commission tripled, compared to the previous four years with the Victorian Commission indicating a direct correlation between the COVID-19 pandemic and the increase—'During COVID our complaints of vilification, particularly against people of East Asian appearance, went up significantly'.[19]

Much of the available information on Australians' experiences of serious harms on the basis of their religion is generated by religious communities themselves.[20] Since 2007, an annual report on anti-Semitism in Australia has been prepared by the Executive Council of Australian Jewry (ECAJ), based on incidents self-reported by members of the Jewish community in each state, and on ECAJ's analysis of media, social media, political discourse and other sources.

The *2019 Anti-Semitism Report* recorded 368 incidents of antisemitism. Incidents included physical assault; abuse, harassment, and intimidation; vandalism; graffiti; and hate communications via email, postal mail, telephone, leaflets, posters and stickers.

While there was only a small increase in the overall number of incidents recorded between 2018 and 2019, there was a large increase in certain categories of incidents of a more serious kind, including verbal abuse, harassment, and intimidation.[21]

Australia's Muslim communities also collect information on serious harms. An Islamophobia Register was launched in 2014, which has now reported twice. The second Islamophobia in Australia report was released in 2019. It documents 349 verified instances of reported Islamophobia from 2016 and 2017.[22] The reported instances were in the physical (offline) and online world.

Of the 202 offline cases, 72% were interpersonal, while the remaining (28%) were directed generically at all Muslims—via graffiti and stickers, for example. Half of these offline cases involved anti-Muslim hate speech, while one-quarter consisted of vandalism and physical attacks.[23]

Of the 202 cases, bystanders were present in 14% of the cases, while in almost half of the cases (49%), surrounding people passed by paying no attention to the incident.[24]

The 147 online cases revealed that online hate is circulated using diverse tactics. In addition to spreading everyday Islamophobic rhetoric (48%), these cases revealed specific tactics to maintain anti-Muslim hate on social media through far-right political campaigns (10%), boycotting campaigns (10%), harassment and intimidation (9%) sending personal messages to the victims, memes (8%), attacking the Islamophobia Register page (8%) and circulating anti-Muslim petitioning campaigns (2%). The content of insults targeted Muslims' religious appearance and was dominated by hate rhetoric (63%), followed by xenophobia (33%).[25]

Other recent research on anti-Muslim discrimination in online spaces has found that it can play a particularly problematic role in perpetuating discriminatory attitudes.[26] In 2021, a report was published on online reader comments in response to negatively racialised opinion pieces about Muslim people in Australian mainstream newspapers. The report found that online comments can serve to entrench discriminatory positions, foster the polarisation of opinions, and facilitate the exchange of discriminatory ideas.[27]

1.4 Post-September 11 shift in attitudes towards Australian Muslims

During the consultations, community members noted a distinct shift in the broader community's attitudes towards Muslims in Australia over time. Many participants described to the Commission how the hate and vilification experienced by Muslim people has changed since the 11 September 2001 terrorist attacks in the United States.

Prior to these attacks, participants noted that the discrimination, vilification and hate they experienced was most often expressed around their cultural background. Following 11 September 2001, however, participants noted these incidents became focused on their religion, particularly if their dress suggested they belonged to the Muslim faith.

In short, attitudes shifted from racialised discrimination, vilification and hate to intolerances based on people being Muslim. Participants described that after this time, anti-Muslim attitudes often revealed a misunderstanding of Islam and stereotyped Muslim people as terrorists and extremists.

Similar findings of a rise in anti-Muslim sentiments in the post-September 11, 2001 period were included in the Commission's *Ismaع Report* in 2004.[28] The report highlighted that 11 September 2001 marked a 'turning point' for experiences of racism and discrimination against Australian Muslims, with the majority of respondents surveyed for the report believing there had been an increase in discrimination and vilification against them as individuals, and against the ethnic and religious communities with which they identified, after this date.[29]

The report recorded that this discrimination targeted Australian Muslims, with flow-on effects to wider Arab Australian communities. Australian Muslim community organisations reported that incidents of vilification were profoundly gendered, with Australian Muslim women experiencing a higher rate of discrimination and harassment, particularly through verbal abuse.[30]

The report identified six key areas for improvement and future action: improving legal protections; promoting positive public awareness through education; addressing stereotypes and misinformation in public debate; ensuring community safety through law enforcement; empowering communities and fostering public support and solidarity with Arab and Muslim Australians.[31] All six of these key areas were consistently raised again throughout the *Sharing the Stories of Australian Muslims* project.

1.5 The impact of the Christchurch terrorist attack

This project was born out of the tragedy of the terrorist attack in Christchurch, New Zealand. While many Australians were shocked by the horrific events in Christchurch, for many Australian Muslims, the terrorist events in Christchurch were the long-feared culmination of Islamophobia and anti-Muslim hate that had been growing on the fringes, globally and in Australia.

The actions of the perpetrator, in targeting Muslim people in prayer, was the realisation of an ongoing fear for many, including those who attend Mosques for prayer and who have seen a steady increase of instances of graffiti and harassment at Mosques around the country.

Increases in hate and abuse towards Muslims can be the result of 'trigger-events', such as terror attacks, or commentary by prominent political and social figures.[32] In its first report, the Islamophobia Register found that global and national terrorist attacks and sieges, legislation targeting Australian Muslims, and protests, were associated with an increase in reports of Islamophobic incidents to the Register.[33]

Following the Christchurch terror attack, Holland Park Mosque, located in the southern suburbs of Brisbane, was vandalised. Symbols used by right-wing extremist groups such as the swastika were spray-painted on the front gates of the Mosque alongside the name of the perpetrator of the Christchurch attacks. The incident was condemned by local MPs, labelling the 'hateful' and 'divisive vandalism' as 'bigoted, disgusting and unacceptable'.[34]

A key part of this consultation process was the conduct of a national survey. It included a voluntary section on the Christchurch Mosque shootings, which asked respondents their level of agreement with a range of statements. Ninety-six per cent of the survey respondents chose to answer at least one item in this section

The survey asked participants, through an opt-in question, how the Christchurch shootings affected them, their families, and their community. Eighty-seven per cent of respondents chose to respond to this question. While most participants elaborated on the shock of the attack, 60% of respondents reported not being surprised by the event, having expected something of a similar nature to happen eventually.

Responses also revealed stories of grief, anxiety, and emotional distress.

> *Christchurch is my hometown. My father was at the mosque at the time of the shooting, he was lucky enough to escape. My brother was running late to prayers that day. I knew many friends and people in the community that passed away.* —**Female National Survey participant, aged 35–44**

For some, worries increased about the safety of their local mosques and fears grew with regard to their safety while attending Friday prayers. Responses revealed that some mosques implemented security measures such as passcode-protected locks and locking doors behind worshippers.

> *We are afraid while standing for Friday prayer that it could be our last prayer.* —**Male National Survey participant, aged 35–44**

Some parents faced the difficulty of having to explain the events to their children who began to ask questions.

Some noted they had stayed home for days after the attack, with concerns that they may become targets because of their religion. These fears often centred around women and the wearing of the hijab, as it is an outward and recognisable expression of Islam. Many women noted that they felt they either had to remove their hijab or stay at home for their own safety.

> *My mother told me to take off hijab or stay at home.* —**Female National Survey participant, aged 35–44**

> *I felt like a target with my hijab. I didn't want my family to go out. I just didn't know how to keep anyone safe but at the same time felt too scared to not do anything.* —**Female National Survey participant, aged 18–24**

Almost 80% of Australian Muslims who participated in the survey stated that this act of terror made them more afraid for their community. Some noted the long-term effects of the attack, describing the emotional and mental toll the attack took on their everyday life.

> *I was emotionally distressed for weeks on. I had unfortunately and accidentally come across the online video of the shooting after it was posted on social media and I had watched it. I couldn't stop crying and my panic attacks were at an all-time peak.* —**Female National Survey participant, aged 18–24**

> *I was in shock for a couple of days. When I rocked up to work on Monday and went to see my boss to let him know that I'm Muslim and I may be feeling under the weather, I just burst into tears in front of a few colleagues and my boss.* —**Male National Survey participant, aged 18–24**

> *I felt sick, sick to my guts. I may not look visibly Muslim but I am Muslim inside and I became anxious. I went and cried inside the toilet cubicles and on the way home. I cried for my brothers and sisters who were murdered and I cried for my future in a society where tolerance is disappearing… I wondered 'Will I feel safe to even visit a mosque at jummah Friday prayers ever again?'. I had anxiety for a week at work and no one in my office came up to see if I was okay….* —**Female National Survey participant, aged 25–34**

1.6 Aboriginal and Torres Strait Islander recognition

A consistent message from Australian Muslim communities across the nation was that equality in Australia would never be truly realised until Aboriginal and Torres Strait Islander communities were officially recognised as the traditional owners and custodians of Australia.

Many consultation participants expressed that while Australia refused to acknowledge the impact of displacement and discrimination on Aboriginal and Torres Strait Islander peoples, related patterns of marginalisation would be repeated on other groups in the community.

Consultation participants identified similarities in the treatment of their communities and Aboriginal and Torres Strait Islander peoples by the mainstream Australian community.

> *If the newspapers aren't reporting that Muslims are threatening Australia, then it's our Aboriginal brothers and sisters.*
> —**Canberra consultation participant**

Australian Muslim communities overwhelmingly expressed their allyship for the recognition, participation, and inclusion of Aboriginal and Torres Strait Islander people in Australian public life.

1.7 Moving beyond 'consultation' to implementation

Many Australian Muslim community members who took part in this project were familiar with relevant research, reports and recommendations that illustrated the issues they raised with the Commission.

Consultation participants consistently expressed frustration that despite decades of participation in research and recommendations, the same issues continue to be raised as priorities for Muslim communities in Australia because they have not been adequately addressed.

> *Muslims are over-consulted … what is the point of telling my story if nothing happens from it?* —**Brisbane consultation participant**

The Commission understood that the Muslim community felt, at times, the research, reports and engagement with government organisations was disingenuous.

> *Most government departments say they want to discuss issues with Muslim communities … feels like they are just 'ticking boxes' … [there is] no real action.* —**Adelaide consultation participant**

Participants in Adelaide consultations noted the Muslim community needed more than just engagement with government, but rather something to show that recommendations had been achieved. The Commission was told by one Adelaide consultation participant that countless solutions had been provided to governments by the community, yet there were very few responses that addressed the issues raised.

While consultations revealed the need for more effective engagement with the Muslim community, concerns about the failure to implement previous recommendations and take meaningful action on priority issues were even more often raised with the Commission.

Rather than seeing reports or consultations with the community as initiatives to spark change, consultations revealed that many Australian Muslims feel as if their participation in these projects was only to 'tick boxes'.

Many recommendations put forward by the Commission in the *Isma‰ Report* have remained as relevant now as they were in 2004. Rather than reiterate recommendations brought forward by the Commission and many other organisations over the past decade, we have chosen to highlight ideas and actions put forward by members of the Muslim community during this project. In doing so, we hope to demonstrate the longstanding and urgent need for previous recommendations to be taken on by governments, organisations, and employers.

Chapter 2: Demographic overview of Australian Muslim communities

2.1 Population of Muslims in Australia

The 2016 Census recorded the Australian population at almost 23 and a half million. Of this number, 604,200 Australians (2.6%) identify as Muslim. Australian Muslims are not one homogenous group. The communities consist of different branches and schools of Islam, as well as different cultural backgrounds and heritage linking them back to many different countries. Consultations with members from Melbourne Shia communities, for example, highlighted the importance of recognising the differences between religious sects and the importance of not grouping all Muslim Australians under one banner.

According to a study by the University of South Australia using 2016 ABS Census Data, over 60% of Australian Muslims were born overseas, coming to Australia from 183 different countries; 9.3% born in Pakistan, 7.2% in Afghanistan, 5.8% in Lebanon and 5.7% in Bangladesh.[35]

These statistics are similarly represented in our survey data, with 73% of National Survey participants born outside of Australia. The cultural groups that the National Survey participants identified with were also reflective of the demographics of the 2016 Census, with the most common being Pakistani (25%), Lebanese (11%), Indian (10%) and Bangladeshi (7%).

While most of the National Survey participants were born overseas, 77% of participants held Australian citizenship. Most survey respondents had a strong sense of belonging, however 6% of respondents did not feel welcomed or part of Australian society and did not feel Australian. The National Survey found that these feelings of exclusion were no more likely in respondents born overseas than for those born in Australia, indicating that a sense of belonging is not determined by being born in Australia.

2.2 Population age

In 2016, 59% of all Australians were below 45 years of age, compared to Australian Muslims, of whom 82% were aged under 45 years.

The National Survey was open to Australian Muslims 15 years old and over. Seventy per cent of respondents were aged 15-45.

2.3 Where communities live

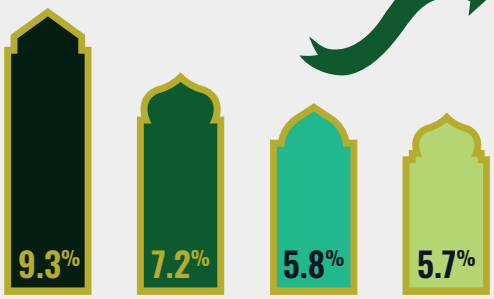
Approximately 75% of Australian Muslims live within the urban hubs of Sydney and Melbourne. However, 2016 Census data indicates that other metropolitan cities such as Brisbane, Adelaide, Perth and Canberra have seen a steady increase in Muslim population of up to 50%.[36]

Australian Muslim communities are geographically concentrated. In some state electorates for example, such as Lakemba in New South Wales and Broadmeadows in Victoria, a quarter of eligible voters are Muslims. This increases the influence of the Australian Muslim communities in these locations, providing opportunities for greater political visibility.[37]

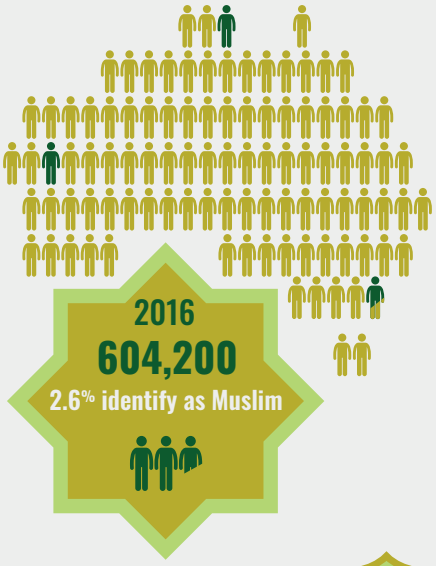
National Survey responses were received from Australian Muslims from every state or territory in Australia, with most survey participants residing in New South Wales and Victoria and the majority (93%) living in metropolitan areas.

Population of Muslims in Australia

The 2016 Census recorded the Australian population at almost 23 and a half million



born in Pakistan | born in Afghanistan | born in Lebanon | born in Bangladesh



Over **60%** of Australian Muslims were born overseas coming to Australia from 183 different countries

Religion

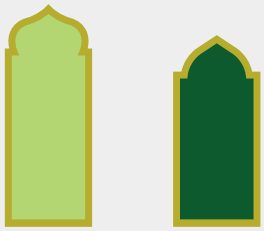
2016

The 2016 Census found that Islam is Australia's second largest organised religion, after Christianity. It also found that Islam is the second-fastest growing religion in Australia, after Hinduism.

Population age

2016

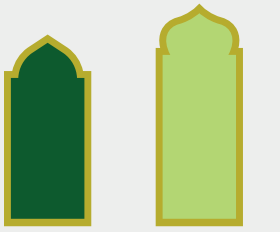
Age under 45



82% of Australian Muslims

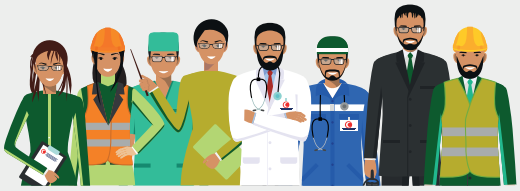
59% of all Australians

Employment and economic participation



45.7% of all Australians

32.5% of Australian Muslims

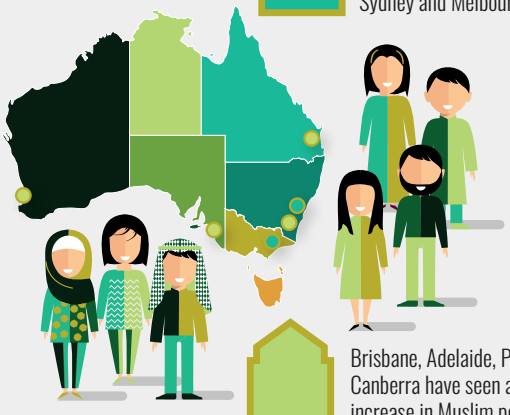


According to the 2016 Census, the employment rate for Australian Muslims was **32.5%** in comparison to **45.7%** for all Australians.

Where communities live

2016

Approximately **75%** of Australian Muslims live within the urban hubs of Sydney and Melbourne



Brisbane, Adelaide, Perth and Canberra have seen a steady increase in Muslim population of up to **50%**

2.4 English language proficiency

A high level of English language proficiency was also prevalent amongst National Survey participants, with 83% of respondents stating they have fluent English skills. The National Survey also found that participants who spoke English fluently were more likely to feel connected to the mainstream community, in comparison to those with limited English language skills.

The 2015 ANU Poll on Australian attitudes towards national identity, citizenship, immigration and tradition, revealed that many Australians consider the ability to speak English is an important marker of being Australian. However, the National Survey revealed that for respondents, English language was not necessarily a marker of belonging to Australian society. Those who completed the survey in Arabic were more likely to feel that Australia is a welcoming society (92%), in comparison to English language participants (62%), who indicated there is more to feeling included than having fluent English skills.

2.5 Educational make-up

In comparison to the total population, data from the 2016 Census revealed that Australian Muslims have a higher level of educational attainment. Not only are they more likely to be in full-time education, but Muslim men are more likely to hold a bachelors or postgraduate degree. National Survey participants reflected these high levels of educational attainment with over 80% of respondents holding a Certificate, Diploma, Bachelors or Postgraduate degree.

2.6 Employment and economic participation

The age of the Australian Muslim population (82% under 45 years of age) highlights the significant economic contribution that Australian Muslims make to the economy as active participants in the Australian labour force. They not only contribute to metropolitan areas, but those who live in rural or remote communities make significant economic contributions.[38]

While Australian Muslims have greater academic outcomes, they are faced with lower employment rates in comparison to all Australians. According to the 2016 Census, the employment rate for Australian Muslims was 32.5% in comparison to 45.7% for all Australians.

Australian Muslims are underrepresented in managerial and leadership positions, and overrepresented in other occupational roles, which are generally associated with lower socioeconomic status.[39] This means the economic return for Australian Muslims' level of education is significantly less, with many receiving a lower weekly wage than their non-Muslim counterparts.

National survey participants represented a range of different working statuses—less than 50% had full-time work, 16% were employed casually or part-time, and 12% were self-employed.

2.7 Religion

The 2016 Census found that Islam is Australia's second largest organised religion, after Christianity. It also found that Islam is the second-fastest growing religion in Australia, after Hinduism.

For National Survey participants, 91% stated that religion played an important role in their everyday life. Freedom of religion was the single most important issue concerning respondents, with most ranking the issue in their top three concerns, followed by education and interfaith relations.

Daily prayers are one of the five pillars of Islam that form the core beliefs and practices of the religion. Approximately 50% of National Survey respondents prayed frequently at work, school, or university. Many consultation participants expressed the importance of prayer rooms and spaces which they could use to pray at work, school or university. A student from the Melbourne consultations stated that the prayer room facility was a deciding factor for their choice in university.

Almost 60% of participants wore an item of clothing to express their religion or cultural identity such as a hijab, topi, abaya, burqa or niqab. The survey found that Muslim women were significantly more likely to wear an item to express their religiosity or culture in comparison to men.

Chapter 3: The legal framework

3.1 International law protection of religious freedom

Australia is party to seven core international human rights treaties. The right to freedom of thought, conscience and religion or belief is contained in article 18 of the International Covenant on Civil and Political Rights (ICCPR).

Article 18 of the ICCPR states:

> Everyone shall have the right to freedom of thought, conscience and religion.
>
> This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.

Under Article 18 of the ICCPR, countries that have ratified the treaty, including Australia, may not impose restrictions on the right of a person or community to hold positions based on religious or other beliefs, nor impose religious or other beliefs on a person or community. Article 18 also provides that countries may be obliged to take positive steps to protect this right, where necessary, and that failure to do so may result in offensive attacks on religious beliefs.

The UN Human Rights Committee has indicated that the right to demonstrate or manifest religious or other beliefs requires signatories to the ICCPR to recognise the right of persons to:

- engage in religious worship, which includes the building and use of places of worship
- use and display of ritual objects and symbols
- observance of holidays and periods of rest
- performance of ceremonial acts
- adherence to dietary regulations
- wearing of distinctive clothing, and
- use of particular languages.[40]

3.2 International law protection against religious discrimination

Article 5 of the Convention on the Elimination of All Forms of Racial Discrimination (CERD) and Article 14 of the Convention on the Rights of the Child (CRC) also recognise the right to live free from religious discrimination.

3.3 Domestic protection of religious freedom

Human Rights Acts providing a proactive right to freedom of religion have been passed in Victoria,[41] the Australian Capital Territory[42] and Queensland.[43] These Acts bind relevant state and territory public authorities, including government departments, statutory authorities and public servants. These protections are discussed in greater detail in the state and territory legislation section [see sections 3.4 and 3.5].

3.4 Commonwealth protections against religious discrimination

Federal legislation offers limited protection against religious discrimination and vilification.

The Australian Government considered this issue during the 2018 Religious Freedom Review led by an Expert Panel.

The Review Report recommended that:

> the Commonwealth should amend the Racial Discrimination Act 1975, or enact a Religious Discrimination Act, to render it unlawful to discriminate on the basis of a person's 'religious belief or activity', including on the basis that a person does not hold any religious belief. In doing so, consideration should be given to providing for appropriate exceptions and exemptions, including for religious bodies, religious schools and charities.[44]

The Australian Government drafted the Religious Discrimination Bill 2019 (Cth). To date the Bill has had two Exposure Drafts and a comprehensive consultation process, including with major religious organisations in Australia. At the time of writing, the Bills have not been introduced to the Australian Parliament.

Racial Discrimination Act 1975

While the Racial Discrimination Act does not provide protections against religious discrimination, it provides protections against discrimination on the basis of race, colour, descent, national origin or ethnicity.

What does the Act do?

Section 9: Provides protection against discrimination on the basis of race, colour, descent, national origin or ethnicity in areas of public life, including employment, education and the administration of Commonwealth laws and programs.[45]

Section 18C: Makes it unlawful to do something in public based on the race, colour, national or ethnic origin of a person or group of people which is likely to offend, insult, humiliate or intimidate.

In what situations does the Act apply?

Members of a group must establish a common 'ethnic origin' to bring an action of discrimination on the basis of ethnicity.

An analysis of several questions has been developed by case law to determine whether a group has a common ethnic origin, including:

- is there a long, shared history?
- is there a common geographical origin or descent?
- is there a common language?
- is there a common literature?
- is there a common religion or a depressed minority?[46]

If the answer to these questions is 'yes', it will likely be held that a group is of a shared ethnic origin. Jewish and Sikh people have been included under the interpretation of ethnic origin in the RDA, there is however no equivalent protection for other religious groups, including Muslims.[47]

Although the ICERD Committee has said that the Convention's terms are flexible and extend to other ethno-religious groups, such as Muslims, this approach to reading the Convention (outside its explicit terms) was rejected by Australia's High Court.[48]

Other Commonwealth legislation

The *Australian Human Rights Commission Act 1986*

Protections against religious discrimination

Provides that the Australian Human Rights Commission can inquire into a complaint that a person has been discriminated against in employment on the basis of religion. The Commission's role is to inquire into and attempt to reach a settlement of such complaints through conciliation.

If the Commission finds that there was discrimination, it can issue a notice to the involved parties recommending actions that should be taken in order to remedy the situation. These recommendations are not binding on the parties but may form part of a public report to the Australian Attorney-General.

The Commission can inquire into complaints about acts done or practices engaged in, by or on behalf of the Commonwealth, that are contrary to freedom of religion or belief. It can also examine Commonwealth laws to determine whether they are consistent with freedom of religion or belief.

In what situations does the Act apply?

Unlike other Commonwealth discrimination laws, complaints of religious discrimination made to the Commission do not give individuals a pathway to court if their complaint cannot be resolved at the Commission. This existing complaint pathway cannot result in a determination that provides a legally enforceable outcome to the complainant.

Other Commonwealth legislation	Protections against religious discrimination	In what situations does the Act apply?
Fair Work Act 2009	Section 351(1): prohibits an employer from taking 'adverse action' against an employee or prospective employee on the basis of 'religion', 'race', 'national extraction' or 'social origin'. These terms are not defined and have not been judicially considered in the context of the Fair Work Act.	The prohibition against adverse action does not apply in three situations: • where the conduct is not unlawful under another anti-discrimination law in force within the jurisdiction • where the action is taken due to the inherent requirements of the particular position in question • if the action, taken within an institution conducted in accordance with the beliefs of a particular religion, is taken in good faith and to avoid injury to the religious susceptibilities of adherents of that religion.
Criminal Code Act 1995	(Criminal Code) Section 80.2(1): makes it unlawful to urge violence against members of groups where the group is distinguished by race, religion, nationality, national or ethnic origin or political opinion.	Section 474.17(1): it is unlawful to use a carriage service in a way that a reasonable person would regard as, 'in all the circumstances, menacing, harassing, or offensive'. The provision under Section 80.2(1) has, never been used, and is widely regarded as unfit for purpose.[49] While the provision under section 474.17(1) is used in individual harassment cases, there has been scarce use of this provision with respect to religious harassment.

3.5 State and territory protections for religious freedom and against religious discrimination

Jurisdiction	Legislation	Protections for religious freedom and against religious discrimination
ACT	*Human Rights Act 2004*	Section 14: Provides, in line with the UN Convention on the Elimination of All Forms of Racial Discrimination, a proactive right to freedom of thought, conscience and religion, including the freedom of a person to have or to adopt a religion or belief of the person's choice; and the freedom to demonstrate religion or belief in worship, observance, practice and teaching, either individually or as part of a community and in public or private. Also states that no-one may be coerced in a way that would limit their freedom to have or adopt a religion or belief in worship, observance, practice or teaching.
QLD	*Human Rights Act 2019*	Section 20: sets out that every person has the right to freedom of thought, conscience, religion and belief, including the freedom to have or to adopt a religion or belief of the person's choice; and the freedom to demonstrate the person's religion or belief in worship, observance, practice and teaching, either individually or as part of a community, in public or in private. Also states that a person must not be coerced or restrained in a way that limits the person's freedom to have or adopt a religion or belief.

Jurisdiction	Legislation	Protections for religious freedom and against religious discrimination
QLD	*Anti-Discrimination Act 1991*	Lists 16 legally protected attributes including race and religious belief. The Act also prohibits vilification on the ground of religion and the ground of race. Section 131A: Prohibits serious vilification and sets maximum penalties for an individual (70 penalty units or 6 months imprisonment) and a corporation (350 penalty units).
NSW	*Crimes Act 1900*	Section 93Z: Amended in 2018 to create an offence for an individual who, or a company that, intentionally or recklessly threatens or incites violence towards a person (or group of persons) in public on various grounds including religion. The scope of the section is broad—it is immaterial whether the perpetrator's assumptions about the other person were correct, and violence does not need to occur for a prosecution to be successful.
VIC	*Equal Opportunity Act 2010*	Provides broad protection against discrimination and vilification on the basis of race (including colour, nationality, ethnicity and ethnic origin), religious affiliation or activity or age. Religious belief or activity is further defined as (a) holding or not holding a lawful religious belief or view; and (b) engaging in, not engaging in or refusing to engage in a lawful religious activity.

Jurisdiction	Legislation	Protections for religious freedom and against religious discrimination
VIC	*Racial and Religious Tolerance Act 2001*	Prohibits behaviour that incites or encourages hatred, serious contempt, revulsion or severe ridicule against another person or group because of their race, or because of their religion. The impugned behaviour must be public (for example racist publications, statements during meetings, posters, graffiti, public rallies) and does not include personal beliefs.
WA	*Equal Opportunity Act 1984*	Provides protection against discrimination based on religious conviction.
NT	*Anti-Discrimination Act 1992*	Section 19 (1): Prohibits discrimination on the grounds of race and religious belief. States that race 'includes colour, descent, ethnic or national origin or nationality'.
TAS	*Anti-Discrimination Act 1998*	Prohibits direct or indirect discrimination based on a person's attributes, including the attributes of religious belief, religious activity, and race. Race is defined specifically to include both 'ethnic origin' and 'ethno-religious origin'.

Case study

Anti-discrimination protection in NSW

In New South Wales, there is civil law protection against discrimination, harassment and vilification on the basis of race but not on the basis of religion.

In 2016, television presenter Sonia Kruger was found to have vilified Muslim people when she called for Australia to close its borders to those of the Islamic faith during a segment on the *Today Show*.

The NSW Civil and Administrative Tribunal found that while Kruger's 'vilifying remarks' 'amounted to a stereotypical attack on all Muslims in Australia' and had the capacity to 'encourage hatred towards, or serious contempt for, Australian Muslims by ordinary members of the Australian population', she did not engage in racial vilification under the Anti-Discrimination Act 1977 (NSW) because Muslim people living in Australia are not a race.[50]

If violence is threatened or incited against a person or group of persons because of their religion, the police in NSW can pursue a case under the Crimes Act 1900 but, to date, there have not been any successful prosecutions. If this *Today Show* incident had occurred in 2018 it is unlikely it would have progressed under the Crimes Act.

3.6 Reality of current legal framework for Australian Muslims

> *We need a law. It's about people's human rights to live a life. Without legislation, we're vulnerable.* —**Canberra consultation participant**

While there have been gains around protecting some aspects of freedom of religion in Australia, this protection remains limited and the protections from religious discrimination are not comprehensive.

For over 20 years, the Commission has called for broader protection against discrimination on the basis of religious identity in Commonwealth law. It has sought the introduction of a religious discrimination law that protects all people in Australia consistent with international human rights law and other Commonwealth discrimination laws.[51]

The Commission heard during consultations that these protections are not consistent, cohesive, or timely enough to adequately protect the human rights of Australian Muslims to live free from religious discrimination or to freely practise their religion.

Consultation participants consistently outlined to the Commission ways in which the harm experienced by Muslim Australians was not adequately contemplated or addressed by the various legislative mechanisms in place.

Community solution

Robust legislative protection against Islamophobia and anti-Muslim hate

Across the consultations, participants spoke of the need for robust laws that deal with Islamophobia and anti-Muslim hate.

> *Legislation is very weak. No one seems to want to do anything about it.*
> **—Melbourne consultation participant**

In the Sydney consultations, participants spoke of how reporting an incident to the police that may fall under section 93Z of the *Crimes Act 1900* (NSW), was not enough for the community. Many people considered that the police handling such reports would not characterise the incidents as this type of crime. Some spoke of how officers discouraged reports by immediately outlining roadblocks to success, such as challenges with evidence, or they spoke of how the police were backlogged and unwilling to regard such incidents as seriously as the community. Consultation participants told the Commission they believed it was unlikely any action would be taken on reports of incidents of anti-Muslim hate. Participants indicated that all these factors operated to decrease the effectiveness of the legislation.

Sydney-based consultation participants and Muslim leaders also told the Commission of the frustration within the community about not being able to act against religious discrimination or anti-Muslim vilification under NSW discrimination law. They also relayed that those who experience discrimination and vilification find it deeply inequitable that such protection is contingent on where people live in Australia, rather than on the harm people suffer.

In Melbourne consultations, a participant mentioned that at a national level there was nothing more than section 18C of the RDA to protect the Muslim community against public acts of hatred.[52] As mentioned above, however, this protection relates only to acts of race hate and does not cover acts that are anti-Muslim so can only be relied on by people whose experience includes aspects of race hate.

A participant from the Perth consultations called for a national human rights act or charter, commenting that the *Canadian Bill of Rights* (S.C. 1960 c. 44) provides individuals with a strong base for taking action to protect and promote their rights and assists vulnerable groups in society.

Chapter 4: Experiences of harm

In the terminology section above, we noted that the definitions of 'Islamophobia' and of 'anti-Muslim hate' recognise that Muslim communities often encounter discrimination and hateful actions in ways that are akin to the experience of racism. This was consistent with perceptions and experiences shared by National Survey respondents and consultation participants nationally.

Community members noted that the broad misunderstanding of Islamic faith and the role it plays in the lives of Muslim community members, meant that they were often intentionally and unintentionally subject to Islamophobia.

Consultation participants spoke to the Commission about the detrimental cumulative effects of these experiences of harm on individuals and on communities. They spoke about the emotional, physical and mental distress of being subjected individually and as a community to acts of unconscious bias, prejudice and everyday discrimination as well as open Islamophobia and extreme threats of violence.

4.1 Overview of National Survey findings

Almost 80% of National Survey participants had experienced some form of unfavourable treatment based on their religion, race or ethnicity. The National Survey data gave a sense of the discrimination and harassment that Australian Muslims face when they enter public spaces.

National Survey participants reported feeling the most unsafe on public transport, in shopping centres, and in public spaces such as on the street. The most common situations in which National Survey respondents experienced unfavourable treatment were when dealing with law enforcement (50%), in the workplace or when seeking employment (48%), at a shop or restaurant (43%) or when they go online (43%).

The situations in which Australian Muslims experienced the most unfavourable treatment were also the situations in which this treatment occurred most often.

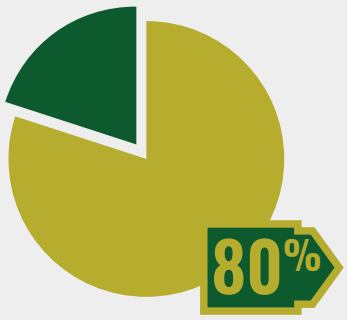
The National Survey found that unfavourable treatment due to religion most frequently occurred online. This is likely due to the ease in which perpetrators can harass victims through fake profiles or pseudonyms coupled with the lack of regulation that exists online, allowing perpetrators to evade traditional laws.[53]

> *It was just online on an Aussie newspaper page and the abusive comments were deleted. Even if it was in real life, I wouldn't have reported it because it's always hard to prove.* —**Male National Survey participant, aged 25–34**

In dealing with law enforcement, the National Survey revealed that participants were more likely to experience unfavourable treatment due to their religion rather than their race or ethnicity. A third of the National Survey participants did not believe that Australian law treated people of all cultures or faiths equally.

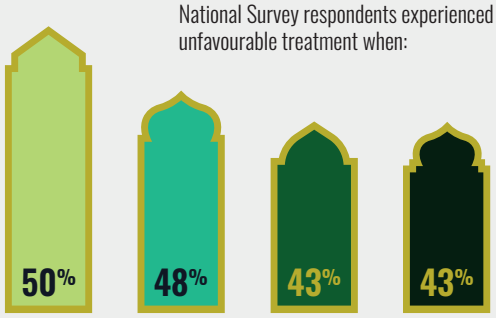
> *The incident involved Border Protection officers interviewing and interrogating our travel plans at Melbourne airport. I feel this is unfair as they did not provide a reason why they chose to interrogate us (seemingly because my sister was wearing a headscarf).* —**Male National Survey Participant, aged 25–34**

Overview of National Survey findings



Almost 80% of National Survey participants had experienced some form of unfavourable treatment based on their religion, race or ethnicity.

The most common situations in which National Survey respondents experienced unfavourable treatment when:

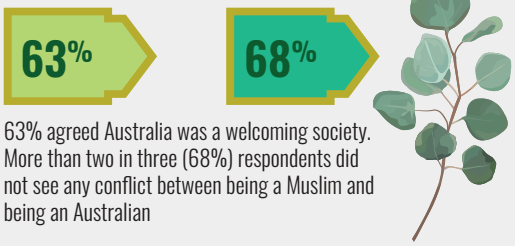


dealing with law enforcement

workplace or when seeking employment

at a shop or restaurant

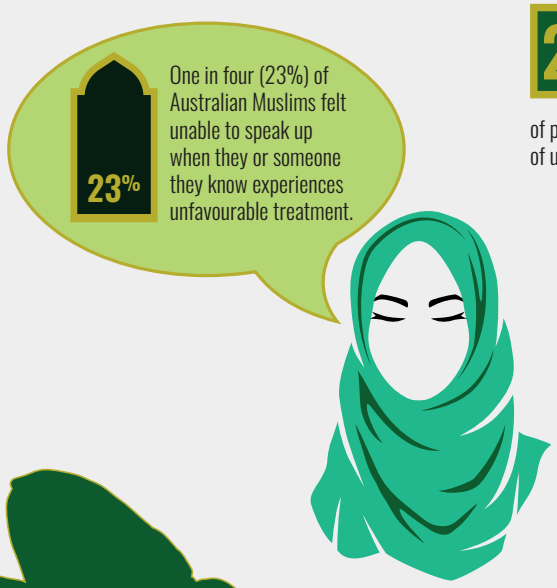
when they go online



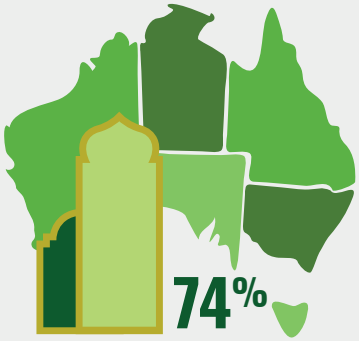
63% agreed Australia was a welcoming society. More than two in three (68%) respondents did not see any conflict between being a Muslim and being an Australian

Educational institution

of participants stated they had been subjected to some form of unfavourable treatment



Following the Christchurch Mosque shootings on March 15th 2019, 79% of Australian Muslims said that this act of terror made them afraid for their community.



Three in four (74%) Australian Muslims feel 'Australian'

Within shopping and restaurant environments, women were significantly more likely than men to have experienced unfavourable treatment based on their religion.

> *I had some racist actions from individual people. For example, shop assistants at stores have done this—they refused to serve me and when I wanted to pay, the cashier called the person who was behind me to serve.* **—Female National Survey participant, aged 55–64**

The 2019 Islamophobia Report highlighted the gender disparity in Islamophobia related incidents. Over 70% of incidents reported to the Islamophobia Register involve women victims.

Discrimination and unfavourable treatment in the workplace or while seeking employment was experienced by 48% of National Survey respondents, with most noting their experiences were based on their religion or their race or ethnicity.

> *A lawyer I once was interviewing with for a legal assistant position kept inquiring as to my religion and when I told him I was Muslim, he told me that even though I did not wear the Hijab, if I ever did it would negatively affect his business … He seemed to be concerned that there would be a possibility that I would put on the hijab because I was Muslim. It was important for him to have his staff look non-Muslim. I confronted him via email about it but that was it. I was afraid that potential employers would see me as problematic, so I did not report it.* **—Female National Survey participant, aged 25–34**

Educational institutions were not amongst the most common spaces to experience discrimination and unfavourable treatment. However, 29% of participants stated they had been subjected to some form of unfavourable treatment, often in relation to faculty members or teachers.

> *This happened when I came to this country as a student in a regional area. At that time, regional areas were white people and not multicultural at all. The teachers at university weren't friendly but racist and not supportive of other skin colours.* **—Male National Survey participant aged 45–54**

The National Survey also revealed stories of discrimination and unfavourable treatment within housing and government service settings and the healthcare system.

> *The behaviour of the Centrelink staff was not friendly after knowing that I come from Pakistan and there was a clear change which was very strange.* **—Male National Survey participant, aged 25–34**

While the majority of Australian Muslims who participated in the National Survey felt that Muslims are treated unfairly in comparison to other cultural groups in Australia, a third of National Survey respondents shared their personal experiences of being able to practise their faith freely and valuing Australia's multicultural diversity.

> *As a practicing Muslim I am able to practise my faith freely without feeling any inhibition. I wear the hijab to work and outside in the community and so far I have not felt any criticism for it.* **—Female, aged 45–54**

> *Australia as a country is fair and just. Australia does not persecute its minorities. Australia allows freedom of religion and expressions. Australians believe in peaceful coexistence with other people of different cultures.* **—Female, aged 65–74**

However, even those who agreed that Australia was heading in the right direction noted there were still some underlying issues.

> *Muslim people living in Australia are celebrating and practising the religion without any major issue. Being a multicultural country, everyone is curious about each other's culture and embrace them very well. Like every other country racism does exist here but not into the alarming level so far.* **—Male, aged 35–44**

Like the National Survey, consultation participants identified numerous examples of unconscious bias, prejudice, direct and indirect discrimination, structural inequality, harassment, vilification, and hate. These experiences of unfavourable treatment were often based on the participant's religion.

4.2 Islamophobia—systemic discrimination

During consultations, community members referred to economic, social and political institutions and processes that reinforce discrimination.[54]

Nearly all consultation participants spoke about how they always added additional travel time when travelling through airports as they anticipated they would be chosen for random full security checks of their luggage and person.

One woman spoke about having her family's luggage searched three times in the one overseas trip—at their departing airport, at their connecting airport and at their airport of arrival. Many consultation participants expressed that incidents such as these impacted their sense of belonging and their overall mental wellbeing. A consultation participant from Darwin expressed how dealing with airport security was upsetting and confusing for her children and left her feeling humiliated.

National Survey respondents told similar stories of their experiences in airport environments.

> *It always takes place at the airport security & we have discussed reporting it because we are always pulled aside when going through security & my youngest son who has to travel with us always gets scared. I always dread & feel ill when having to pass through the security & then get pulled aside just because I am always randomly picked!* **—Female National Survey participant, aged 45–54**

For Australian Muslims, systemic discrimination was identified as a key barrier to seeking employment. Across the consultations and National Survey responses, barriers to employment due to religion, race and ethnicity were a common issue faced by Australian Muslims.

A study by the Australian National University[55] found that job seekers in Australia with Middle Eastern names need to submit 64% more applications to be granted the same opportunities as an applicant with an Anglo-sounding name. These findings were reflected in the community consultations.

> *Applied for job with two exact same resumés, but changed one with the name Mohamed to an Anglo-Saxon name … I got a call back and interview with Anglo name …* **—Melbourne consultation participant**

Many consultation participants commented on the barriers within the interview process. A participant from the Adelaide consultations spoke of an interview they attended shortly after September 11 in which he was asked many questions about his religious beliefs such as 'Do you pray?'.

Participants from the IWAA Women's consultation spoke of how their headscarves were often a barrier to finding a job, especially within customer service roles. One woman spoke of how an interviewer's reaction and engagement with her changed when they saw her with a headscarf.

National Survey participants spoke of the impact that discrimination had on their mental health and wellbeing.

> *When we migrated to Australia, we came with lots of hope that we will be treated equally or even better but I found it extremely hard to get approved for an apartment and then found it very difficult to get a job. Finally, when I got a job, I am being treated unfairly just because of my religion. I feel insecure and unsafe at work. I get stressed a lot and when I come back home, my family, my wife and young children expect me to talk and play with them but unconsciously in my mind I think of all the issues I had been through in my office and not able to sleep properly.* **—Male Survey participant, aged 25–34**

These experiences not only have an impact on an individual's economic and social prospects, but also have implications for the wider Australian community. For the National Survey participants, the workplace was the most common setting for Australian Muslims to interact with non-Muslims. Research has found that possessing more knowledge about Islam and having more contact with Muslims is associated with less prejudice against Muslims.[56] This indicates that a diverse work environment may provide opportunities for greater social cohesion and acceptance within Australia.

4.3 Islamophobia—unconscious bias

Consultation participants spoke about how prejudicial behaviour towards them was often the manifestation of unconscious bias.

Examples were given about the assumptions that were made, and perceptions held, by the broader Australian community about Muslims.

> *Non-Muslims saying, "Are you from Australia?", "Did you come on a boat?" or "Why do you get to have four wives?" Everyone at work was laughing … I feel like I am here to work and don't want to explain these things. These people don't know about Islam, so I have to always be best of character.*
> **—Melbourne consultation participant**

A university student from the Adelaide consultations spoke of her university lecturer marking her lower than the rest of her group in a group activity because of assumptions about her English language and academic abilities.

A woman in Melbourne spoke about attending her GP about a sinus infection and being asked questions about her marriage and given materials about domestic violence as the doctor was concerned that she was being forced to wear a head covering.

Interestingly, consultation participants who were active in their local communities prior to the terrorist attack on 11 September 2001 in the United States, expressed different experiences of unconscious bias and prejudice compared to those born in Australia after this time or those who had settled in Australia following this defining moment.

At a Brisbane open consultation, participants noted that they had been well established in their local community for over three generations and they had not experienced the same level of prejudice that some of the other participants described. When asked why they thought that was, they spoke about how their family had strong links to the local community through their business, volunteering at the local school, and involvement with local sporting clubs.

A consultation participant in South Western Sydney spoke about their experience as a high school student during the late 1990s and early 2000s. They noted that their experiences of unconscious bias and prejudice changed following the 11 September 2001 attack. Prior to the attack, the prejudice towards them was based on their ethnic background. Following the 11 September 2001 attack, they felt it was predominantly based on their religious background.

Consultation participants often expressed concerns about the misperceptions held by the broader Australian community about Australian Muslims and how these stereotypes impacted on their day-to-day interactions.

> *In Queensland, I was working with a beard and introduced to my group as the terrorist. You tend to be an outsider and you can't take a joke.* **—Canberra consultation participant**

> *I don't wear hijab … a couple years ago I was recovering in hospital. Both my eyes were shut and people near me were sharing Pauline Hanson videos and saying they want to nuke the Middle East and round up all the Muslims and shoot them … the nurse started to join in with discussion … it made me feel very unsafe in hospital environment.* **—Brisbane IWAA Women's consultation participant**

Consultation participants noted that there was little focus on the contributions to Australian society by Australian Muslims. Perceptions and assumptions were often framed around misconceptions around religion rather than much of the charitable, economic and community work that is done by Muslim communities across Australia.

> *When people look at issues around Muslims, they should also look at Muslim contributions* **—Sydney consultation participant**

As discussed below in the media and political narrative section, many consultation participants identified both political and media narratives as having a direct influence on the unconscious biases and prejudices held by the broader Australian community towards Muslims.

4.4 Islamophobia—direct and indirect discrimination

Consultation participants identified experiences of direct and indirect discrimination, that excluded them from access to opportunities, particularly in the areas of education and employment.

Direct discrimination was defined by consultation participants as being actions that expressly and consciously discriminated against individuals.

An example given by a consultation participant at a student consultation in Perth was of being refused a job because her hijab would not fit into the workplace's uniform.

Another consultation participant at a women's consultation in Adelaide described being refused a job in a fast-food restaurant because the business owner did not think they could provide her with a safe workplace environment during evening shifts. The business owner was concerned that she would be subject to discrimination, vilification, and hate, and would not be safe working in the evenings.

A healthcare worker who attended a women's consultation in Melbourne described similar examples of direct discrimination in her workplace with patients refusing to accept healthcare from her because of her hijab. Consultation participants, both male and female, noted that this behaviour was a daily occurrence for Australian Muslim community members who were visibly Muslim.

Indirect discrimination was described by consultation participants as unconscious barriers that discriminated against community members, limiting their equal access or enjoyment of public life.

An example was given by a student consultation participant who described how, as an art student, she was often required to attend art exhibitions or access professional networking opportunities at events that were built around the consumption of alcohol. The consultation participant noted that she felt she was expected to attend these events to access career opportunities, even though they made her feel uncomfortable, and she was often made conspicuous because she did not drink alcohol at these functions.

A participant from the Perth consultations spoke of his concerns about the limited networking opportunities. He explained that the engineering industry had a strong drinking culture and therefore offered few opportunities for the participant to engage with other industry professionals.

Most National Survey participants agreed that Muslims who wore religious dress were treated differently from those who chose not to. Data from the National Survey also revealed that religious dress was often seen by respondents as a barrier to relationships with people outside the Islamic faith.

Building inclusive workplaces

Across the nation, consultation participants spoke about the type of adjustments that could resolve much of the indirect and direct discrimination that occurs in workplaces. They recognised that discrimination actively contributes to experiences of insecure and precarious employment. Participants in the national survey recalled instances in which visible expressions of their Muslim identities had led to differential treatment and a lack of work opportunities.

> *I was casually employed at a local public school. I had put the hijab on and when I returned to school with it on, I was told there was no work for me and treated very differently. I worked a whole year with no contract and yet even though I was told there was no work, someone else who started long after me attained a contract.* — **Female National Survey participant, aged 25–34**

> *I was working as an interpreter [during a DV incident in which police were called], and police thought I was the violent husband* —**Melbourne consultation participant**

Reporting mechanisms

Consultations revealed the importance of Australians Muslims having avenues at work to raise issues and report Islamophobic behaviour. A woman from the Darwin consultations spoke about how one of her managers would often imitate the accents of staff and customers. A complaint was lodged to a senior manager and the organisation arranged cultural awareness training for its staff. The woman said the process left her feeling empowered.

Inclusive hiring practices

For participants across all consultations, discrimination in the job application process was said to be one of the biggest barriers to gaining employment. A participant from the Canberra consultation suggested that the government should consider identified positions, targets or quotas. Consultation participants in Townsville questioned whether possibilities existed to de-identify CVs and resumés.

In the Perth consultations, a participant gave an example of this successful practice. They spoke of how their local government ran a 'blind' recruitment process, which led to the recruitment of multicultural community members for six of the possible 18 vacancies.

Inclusive workplace arrangements

Diverse and inclusive workplaces provide environments for their employees to feel included. A study of diversity and business performance by the Victorian Equal Opportunity and Human Rights Commission and Deloitte, reported that if 10% more employees feel included, an organisation's work attendance can increase by approximately one day per year per employee.[57]

The need for more inclusive workplace environments was raised often, with consultation participants expressing the need for spaces to pray and consideration around religious holidays.

> *There are spaces set aside for workplace safety and even smokers have designated smoking spaces near workplaces. It would be great if government departments offered space for prayers.* —**Canberra consultation participant**

> *Within the Shia Muslim faith Muharram is massive, [workplaces] should allow one day leave for this. Shouldn't have to take fake sick leave.* —**Melbourne consultation participant**

A student from Adelaide noted that one of their university placements had included an orientation of the closest mosque and prayer space. The student told the Commission that these actions made them feel valued and included by the workplace.

Diversity Council Australia's *Creating Inclusive Multi-Faith Workplaces* report provides guidelines on how to foster an inclusive workplace environment for religious employees. The report suggests simple initiatives such as inclusive dress, access to spaces for prayer and flexibility for leave around religious holidays can create an inclusive environment, which in turn results in higher job satisfaction, better work performance and a decrease in staff turnover.[58]

Community solution

More diversity and inclusion practices in the workplace

While it was noted that diversity measures already exist, a consultation participant from Adelaide articulated a common frustration heard by the Commission, that these policies are often not comprehensively implemented. Research has found that, compared to the total Australian population, Australian Muslims are more likely to have completed Year 12, attained a Bachelor Degree or attained a postgraduate qualification.[59] However, despite this level of educational attainment, Australian Muslims have lower rates of employment and are significantly underrepresented in professional and managerial occupations.[60] Countless stories of the difficulties of gaining employment were told in both community consultations and the National Survey.

There remains a significant disconnect between the academic achievements and job prosperity of Australian Muslims. As noted by many participants, the job application and interview process often left many feeling frustrated, demotivated and undervalued. To address the structural barriers which result in significant economic inequalities, diversity and inclusion practices need not only be included in an organisation's policy but must be implemented to their fullest potential.

Equal participation and opportunity for Muslims in Australia's workplaces can be boosted by employers interrogating whether their recruitment practices act as barriers in the hiring of Muslim employees. The provision of culturally appropriate workplace measures can assist in the retention of Muslim staff and initiatives to support representative leadership pathways can go some way to redressing this imbalance.

Community solution

Cultural competency in the workplace

Consultations reinforced the need for acknowledgement of Australian Muslims' unique cultural identity and history as critical to inclusion in Australian society.

> *Cultural competency for business leaders is required to embed true cultural diversity.*
> **—Melbourne consultation participant**

Many consultation participants often felt their religion and religious practices were misunderstood. There is a need for companies, organisations, and governments to educate existing workforces and build environments that understand the benefits of a diverse and inclusive workplace. Consultation participants and National Survey respondents emphasised an urgent need for improved cultural competence in law enforcement and in the education sector.

The Commission has previously recommended cultural and anti-racism training, particularly within news and media organisations.[61] In its report on cultural competence in Australia,[62] FECCA notes that cultural competency and diversity and inclusion practices work hand in hand. As highlighted in the previous community solution, diversity and inclusion practices are crucial to improving the economic outcomes of Australian Muslims, however, cultural competency is needed to support any diversity and inclusion practices and policies that are implemented.

4.5 Islamophobia—harassment and anti-Muslim vilification and hate incidents

Consultation participants noted that the nature of the discrimination experienced by Australian Muslims has increasingly become more direct, and often physical in nature. Consultation participations identified numerous examples of harassment, vilification and hate incidents.

These incidents are so pervasive that nearly every consultation participant was able to provide an example of someone within their immediate family or friendship group who had been a victim of harassment or a hate or vilification incident.

Racial harassment is any verbal, physical or written act which is based on a person's race, ethnic background, nationality, language or cultural background, and is unwanted, unacceptable and offensive to the person.

Racial harassment can include intimidating gestures, physical violence or assault because of a person's race or ethnicity, or threats of the above; derogatory remarks about a person's skin colour or appearance, unwelcome remarks about a person's culture observances, racist jokes and 'needling'; and/or racist graffiti, defacing notices or posters, negative stereotyping of particular ethnic groups and written threats of a racial nature.[63]

The *Islamophobia in Australia II* report by the Islamophobia Register relayed incidents of racial harassment such as a man praying in a car park being told to 'get your own country'. As a result, the man said: 'I felt terrorised, harassed and scared by this man just because of my faith.'[64] Harassment based on being a Muslim, like that outlined above, was the most common type of incident shared by consultation participants. As set out in the terminology section above, Islamophobic harassment targets the expression of Muslimness or perceived Muslimness. Many participants in the project survey and consultations shared details of often distressing incidents, in which harassment specifically targeted their religion, rather than their race or ethnicity.

> *[My] Mother-in-law [was] in hospital recovering from surgery. Other patients kept making pig noises to upset her.* —**Brisbane consultation participant**

Racial hatred (sometimes referred to as vilification) is an action that takes place in public based on the race, colour, national or ethnic origin of a person or group of people which is likely to offend, insult, humiliate or intimidate. It differs from racial harassment in that while racial harassment is typically directed at a particular person or group, racial hatred may be directed towards a particular person or group without necessarily engaging directly with them. While the two often overlap, racial hatred is considered more serious than racial harassment as it is likely to offend, insult, humiliate or intimidate.

Examples of incidents of racial hatred may include: racially offensive material on the internet, including e-forums, blogs, social networking sites and video sharing sites; racially offensive comments or images in a newspaper, magazine or other publication, such as a leaflet or flyer; racially offensive speeches at a public rally; racially abusive comments in a public place, such as a shop, a workplace, a park, on public transport or at school; and/or racially abusive comments at sporting events by players, spectators, coaches or officials.[65]

> *No one specifically attacked me. It was reading what other people are saying that made me feel uncomfortable.* —**Adelaide Student consultation participant**

As outlined in the terminology section above, the anti-Muslim hatred and vilification experienced by Muslims includes actions like those set out above and recognised as racial hatred and vilification. Such examples were described to the Commission during consultations.

4.6 Online hate

Of particular concern was the growing problem of online anti-Muslim hate. The ease with which Australian Muslims are targeted online is facilitated by confusing regulatory regimes and slow and difficult complaint systems.[66] Australian Muslims are targeted through political far-right campaigns, boycotting Facebook campaigns, personal messages of harassment and intimidation, memes and anti-Muslim petitions.[67] National Survey participants referred to the mental and emotional distress, which came with these forms of online anti-Muslim hatred.

> *No one attacks or discriminates and leaves proof to be reported, and finally explaining and trying to prove abuse you had to deal with is sometimes more painful.* —**Male National Survey participant, aged 25–34**

Across consultations and the National Survey, participants spoke of this online targeting of Australian Muslims. One participant from the Adelaide consultations noted they had to quit social media and only used WhatsApp to connect with family and friends as what they witnessed online left them terrified. A participant from Brisbane spoke of the emotional toll that came with organising events online as they left her open to abuse.

> *Don't want to read comments on Facebook after an event, it makes you feel unwelcome … people are hidden behind a screen and they can say whatever they want.* —**Brisbane consultation participant**

Online hate has the potential to undermine social cohesion. As the perpetrators increase their social power, they create divisions in online spaces where multiple ethnic and racial groups co-exist.[68]

In Townsville, consultation participants shared their concerns about Facebook posts and groups that targeted Muslims within their community. They spoke of how Facebook groups lobbied against the expansion of their local Mosque.

> *There's a Facebook page called 'ban Islam and ban Islamic community in Townsville' … they have picture of our mosque and have crossed it out in red.* —**Townsville consultation participant**

A Townsville participant noted that after the Christchurch attack, there were individuals and groups who were targeting the local mosque on Facebook saying, 'we need to play the same game'. This demonstrates the association between the online and the offline world, where anti-Muslim groups and online sentiments have the capacity to validate real-world perpetrators.

According to the Online Hate Prevention Institute,[69] violent extremism can result from online self-radicalisation. By being embedded in 'toxic and fully anonymous online communities', individuals' Islamophobic sentiments are validated, and they are even encouraged to endorse harmful acts against members of the Muslim community.[70]

The Islamophobia Register also reported on the intersections between online and offline abuse. It was noted that physical abuse towards Australian Muslims was posted to social media platforms by some perpetrators, seeking approval and validation from like-minded people. Online circles were also used by Australian Muslims with the intent of cautioning others against similar harassment.

The *Islamophobia in Australia II* report by the Islamophobia Register found a 10% decrease in the reporting of online hate report cases to police in comparison to their first report. The Islamophobia Register noted this is likely due to the lack of legal protections surrounding online hate crimes.[71] Participants in both the consultations and the National Survey expressed concerns over the growth of hate online and the lack of online regulation.

> *… in my belief, online is a place where government and law enforcement agencies are yet to gain full control. Freedom of speech is a key part of Australia but people should not violate that freedom. People need to understand the facts properly before posting such comments online because this may hurt others. In fact those comments can spark bigger issues in the future.* —**Male National Survey participant, aged 35–44**

Reform to address online hate

The Commission has previously recommended the Australian Government and social media and internet services undertake urgent reform to address online anti-Muslim vilification and hate.

At the time of writing, the Commission is aware of proposed legislative changes and industry actions that may go some way to addressing online anti-Muslim vilification and hate.[72]

Principles

The Commission recommends that any such reform:

- take a human rights-based approach
- involve community consultation including consultation with communities affected by online vilification and hate
- include ongoing monitoring
- provide enforcement mechanisms

Actions

The Commission supports the following actions:

- **Basic Online Safety Expectations:** establishing a mechanism to determine Basic Online Safety Expectations for social media and internet services using a human rights approach. The Commission also supports the establishment of criteria for determining the appropriate content of the Basic Online Safety Expectations. In particular, the Commission supports the inclusion of ongoing community consultation mechanisms including mechanisms to define and identify vilification and hate, mechanisms to address false information, initiatives to remove barriers to addressing harm, mandatory reporting requirements and penalties for non-compliance.
- **Updated Online Content Scheme:** the update of the online content scheme and the development of new or strengthened industry codes, and the creation of industry standards.
- **Cyber abuse take-down options:** allowing those affected by online vilification and hate to quickly understand their rights and ensuring the prompt removal of inappropriate materials. Options should include a requirement for online service providers to remove relevant materials after receiving a takedown notice and provide associated penalties for non-compliance. The Commission notes the particular need to protect women and children from online abuse and harm.

Photo by Wes Hicks on Unsplash

Case study

Online anti-Muslim hate

While conducting the National Survey, the Commission was not exempt from receiving anti-Muslim sentiments and hostile views on Islam. As the survey was distributed through sources that were not exclusive to the Australian Muslim community, for example social media, there were instances where trolling[73] occurred, and individuals took the opportunity to voice their anti-Muslim views within the survey instrument. The Commission became aware from comments on its Facebook posts about the National Survey that certain groups targeted the survey and coordinated anti-Muslim responses with the intention of skewing the results and expressing anti-Muslim hate.

While illegitimate survey responses were removed from the data, these qualitative free text responses were collected and considered by the Commission. A study of the responses revealed that they mirror and give insight into the forms of online abuse experienced by the Australian Muslim community.

Responses often targeted Muslim peoples' dress and religion. Expectations about the behaviour of Australian Muslims revealed assimilationist views in which the maintenance of cultural, linguistic and religious heritage was condemned. Stereotypes and a lack of knowledge of Islam were also reflected in these responses.

> *Australia was founded on Christian principles and the nation is being conquered by hordes of invaders who do not hold Christian principles.*
>
> *Advise Muslims to try to integrate by actions such as modifying their dress code would be a positive start. All the robes & head coverings attract attention because they stand out from the norm. If they wish to be treated like everyone else, stop making statements with their dress code which say 'I'm a Muslim & I'm different'.*
>
> *Make Muslims assimilate into Australian western society by speaking English and not wearing burqas that demean women.*
>
> *Australia must stop importing low IQ welfare seekers and Islamists. Import the Third World become the Third World.*

4.7 Muslim women and girls' experiences of harm

Across the nation, Muslim women shared stories with the Commission about their experiences of harm arising from discrimination, harassment, vilification and hate. Many Muslim women face what has been described as a 'triple penalty':[74] being women, part of an ethnic minority, and Muslim. Experiences with harassment, violence and hostility arise from the intersection of Islamophobia and anti-Muslim hate with gender-based discrimination, harassment, vilification and violence and were a matter of grave concern in women's families and communities. These incidents, whether experienced by a woman or girl herself, or by a family member, friend or acquaintance profoundly affected many Muslim women and girls' day to day lives, including their ability to fully participate in all aspects of their lives.

According to the Islamophobia Register, women in head coverings are often the main targets of Islamophobia.[75] For many Muslim women, their religious dress renders them visible and marked in the public space as identifiably 'Muslim'. The experiences of harm shared by women in both consultations and the National Survey were often based on their religious visibility.

> *I don't feel safe while I'm walking down the street. I'm thinking of being spat at or someone might pull my hijab off my head.* —**Female National Survey participant, aged 35–44**

A student from the Adelaide consultations shared an example of how children in their primary school called their friend's mother 'evil' for wearing a hijab and long dresses. The friend asked their mother to stop dropping them off at school because they were ashamed and embarrassed of their religious dress.

Many consultation participants noted that incidents were often more severe for those who were more visibly Muslim, such as women and girls wearing head coverings and Australian Muslims at mosques or other places of worship like prayer rooms.

> *My aunt wears a hijab, she has been spat on and had her hijab pulled off … she was born in Australia. When my aunt responded, the attacker was surprised that she could speak and defend herself.* —**Sydney consultation participant**

A lawyer from Sydney spoke of her many experiences with racism and Islamophobia. She told stories of how she was called a 'Muslim rat', a 'rag head' and spat on.

While women are often the victims of offline and online abuse, the Islamophobia Register noted that in 71% of cases reported to the Register the abuse was perpetrated by men against women and, often, their children.[76]

The gendered nature of anti-Muslim harassment and abuse is not only an Australian trend, but is experienced in other non-Muslim countries across the globe. A recent report by the United Nations Special Rapporteur on freedom of religion or belief indicated that Muslim women in The Netherlands, France and the United Kingdom also face a disproportionate amount of anti-Muslim hate.[77]

The need for a National Anti-Racism Framework

In March 2021, the Commission called for the development of a National Anti-Racism Framework to protect the unity, safety and security of Australian society and to ensure citizens are protected from discrimination and hate.

As set out in the legal framework section, in order for Muslims to be protected from discrimination under the RDA they need to be able to show their experience was based on their race, colour, descent, national or ethnic origin or immigrant status rather than in combination with their religion. However, as discussed in the terminology section, Islamophobia and anti-Muslim hate nonetheless operate as a type of racism that targets expressions of Muslimness or perceived Muslimness. As such the Commission is of the view that a National Anti-Racism Framework has a significant contribution to make in protecting and promoting the rights of Australian Muslims.

The Framework model proposed by the Commission identifies guiding principles and national outcome areas with suggested key strategies and actions for each of these. The Commission has identified the pressing need for a National Anti-Racism Framework as there are several structural issues impeding Australia's progress in addressing racism:

- at the national level there is no clear articulation of what government is committed to and doing to address racism
- existing anti-racism and racial equality measures are not recognised and acknowledged
- measures to address racism are not always complemented by measures to build social cohesion so opportunities for partnerships and collaborations are missed and the evaluation of effective measures is limited
- there is no comprehensive, national data to inform or guide anti-racism and racial equality initiatives
- understanding of the different dimensions of racism and racial inequality remains insufficient, especially as these relate to everyday racism and institutionalised forms of racial discrimination.

Like other national frameworks, such as the *National Plan to Reduce Violence against Women and their Children 2010-2022* and the *National Framework for Protecting Australia's Children 2009-2020*, the National Anti-Racism Framework will be a long-term, central reference point to guide actions by governments, business, civil society, and the community.

One of the proposed national outcomes is that measures to address racism, racial discrimination and racial inequality complement measures to strengthen multiculturalism, social inclusion, and Indigenous reconciliation.

To combat Islamophobia and anti-Muslim hate, it is important that the voices and stories of Australian Muslims are central to policies on multiculturalism and social inclusion. The implementation of a National Anti-Racism Framework would help to guide and build support for anti-Islamophobia and social cohesion actions.

Another key action of a National Anti-Racism Framework is the development of consistent and centralised datasets. Data is so significant it is discussed separately below.

The Commission notes that many of the community solutions and other Commission reform suggestions in this report could be dealt with within the context of the proposed framework. A National Anti-Racism Framework could play a significant role in Australia's response to Islamophobia and its efforts to promote social cohesion by outlining a coordinated, shared vision to tackle racism including Islamophobia in Australia.

Commission endorsed approaches

The importance of data: Understanding the prevalence and nature of Islamophobia and anti-Muslim hate

It is the Commission's view that the National Cabinet Ministers' Data and Digital Meeting should urgently support and adequately fund an initiative to progress a proposal around data collection and the sharing of information about the nature and prevalence of racism and race and religious hate in Australia.

There is no single source of data on Islamophobia and anti-Muslim hate in Australia. Much of the available information on Australians' experiences of such serious harms is generated by communities themselves.[78]

The Islamophobia Register collects information about Islamophobia and anti-Muslim hate but relies on community members to self-report incidents. Various agencies across many different jurisdictions also receive reports about such incidents. These include the Commission, the e-Safety Commission, state and territory human rights organisations, and the police in each state and territory.

Without comprehensive national data, there is insufficient understanding of the different dimensions of Islamophobia and anti-Muslim hate in the Australian community, especially as these relate to everyday and institutionalised forms of Islamophobia. The lack of data also makes it difficult to track emerging trends, identify priority areas and target responses most effectively. It also makes it difficult to understand the prevalence and nature of Islamophobia and anti-Muslim hate in Australia.

Significant gaps also exist in data collection and these necessarily impact the evidence base that can be used to inform, guide and deliver effective initiatives to address Islamophobia and anti-Muslim hate. The lack of this evidence also affects confidence about initiatives to tackle Islamophobia and means adequate resourcing is not assured.

The Commission has consistently called for national data collection on the nature and prevalence of religious discrimination.

In its submission to the *Religious Freedom Review* (the Ruddock Review) in 2017, the Commission urged the Australian Government to commission an independent body to collect and analyse, in accordance with conventional scientific standards, quantitative information on the nature and prevalence of matters such as:

- threats and actual physical violence linked to a person's religion
- verbal abuse, harassment or intimidation because of a person's religion
- discrimination based on religion and the contexts in which this arises
- restrictions in the ability of a person to educate their children in a manner consistent with their religious belief.[79]

In its response to the Ruddock Report, the Australian Government committed to refer an inquiry into freedom of religion to the Australian Human Rights Commission, to be conducted by the proposed Freedom of Religion Commissioner, to collect and analyse information on the experience of freedom of religion in Australia at the community level, the experience of freedom of religion impacting on other human rights and the extent to which religious diversity (as distinct from cultural diversity) is accepted and promoted in Australian society.[80]

At the time of writing, this proposal has not yet been enacted.

Commission endorsed approaches

As outlined above, consultation participants told the Commission about the unwillingness of community members to report Islamophobia and anti-Muslim hate. Consultations for this project and the roundtables for the *Freedom of Religion: a focus on serious harms position paper* (Serious Harms Position Paper) heard that any national register would need to be independent, and at arm's length from government.

This is because some smaller religious communities are distrustful of police and other authorities. Trust can be undermined by experiences in people's countries of origin, negative experiences with authorities in Australia and, for Muslim communities in particular, can also result from the framing of serious harm within a CVE framework.

The Serious Harms Position Paper reiterated the call for prevalence research further recommending that it:

- might take the form of a national or state register, conducted independently and at arm's length from police and government
- should be conducted in close collaboration with leaders and representatives of religious communities
- should consider examples of best practice reporting mechanisms, especially those in the UK, Europe, the US and Canada in its design.

Recent recommendations of the Victorian Legal and Social Issues Committee's *Inquiry into Anti-Vilification Protections* called on the Victorian Government to implement third party (community led) reporting mechanisms in trusted community organisations as an additional avenue to report vilification and hate crimes to relevant authorities.[81] It also recommended that the Victorian Government work with agencies to develop a strategy to collect, monitor and regularly report government data on vilification conduct and prejudice-motivated crime. Data should refer to outcome measures and indicators to monitor the effectiveness of legislation, programs and services in reducing vilification.[82]

Photo by Clay Banks on Unsplash

Commission endorsed approaches

Chapter 5: Barriers to addressing harm

Experiences of harm have a profound effect on Australian Muslims' empowerment. Over 50% of National Survey respondents indicated they felt only somewhat able to speak up or act when faced with unfavourable treatment because of their religion, race or ethnicity and 23% felt unable to do so.

In their report on hate crime and hate incidents in Victoria,[83] Matteo Vergani and Carolina Navarro outline five types of barriers faced when reporting hate crime: internalisation, lack of awareness, fear of consequences, lack of trust in statutory agencies, and accessibility.

These types of barriers were grouped under two categories: internal and external barriers. Internalisation and lack of awareness were characterised as internal barriers; these barriers are within an individual who is deciding whether to report a hate crime.

Approximately 20% of National Survey respondents reported being unaware of the *Racial Discrimination Act 1975* (Cth). Those who completed the National Survey in English were significantly more likely to have knowledge about the Racial Discrimination Act, compared with those who completed the National Survey in another language. National Survey participants who were employed, completely fluent in English, and Australian citizens or long-term residents of over 10 years, were also more likely to be aware of the Act.

While a lack of awareness can be addressed with education and resources, internalised feelings of hopelessness reinforce perceptions that nothing can change and individuals must put up with incidents of hate.[84] These perceptions can contribute to the normalisation of incidents of hate over time, as individuals accept experiences of hate as normal in their everyday lives, rather than seeing them as crimes worth reporting.[85] Research highlights that addressing such internalised barriers requires a larger-scale cultural change across the whole of Australian society.[86]

> *…The nature of the treatment at the eatery place did not warrant necessarily breach of law so what's the point of reporting it?* —**Female National Survey Participant, aged 45–54**

External barriers relate to the relationships between the individual affected and other stakeholders, such as the offenders, law enforcement agencies, and personal relationships such as family, friends, or co-workers. Vergani and Navarro reported that a lack of trust in statutory agencies is the most common barrier faced by those in the position to report hate crimes.[87]

National Survey data reflected these findings. For National Survey respondents, taking formal action was the least likely response to unfavourable treatment. They were most likely to talk to family or friends about Islamophobic incidents (77%) rather than take action through a formal process (17%).

These incidents were at times unreported, as National Survey participants had concerns of the repercussions for reporting discrimination, harassment, and vilification.

> *I made an unofficial, anonymous report of an incident where I was treated unfavourably about my race and religion by a faculty member at university. But I did not make an official report out of concern for my future in the university and in my degree, as I would need to remove my anonymity for a formal complaint.*
> —**Female National Survey participant, aged 18–24**

> *…There was intimidation due to their high position and lack of support. If I spoke up, I wouldn't be able to get work and fear of unemployment. All this has led me to experience severe PTSD when I have conversations with people who are in high level positions.* —**Female National Survey participant, aged 25–34**

Consultation participants shared similar sentiments. A participant from Perth acknowledged the reporting systems were in place but believed that many people in the community 'weigh up the cost of reporting'.

According to Vergani and Navarro, these external barriers are more likely to be associated with the underreporting of more serious forms of hate crimes such as assault and vandalism.[88]

For National Survey participants who took formal action to report Islamophobic treatment, the outcomes were more likely to be negative than positive. The experiences of National Survey and consultation participants demonstrate how external and internal barriers often become interlinked, as negative experiences and outcomes with statutory agencies have the capacity to perpetuate feelings of hopelessness.[89]

National Survey data revealed the most significant barrier when it came to reporting unfavourable treatment was the lack of faith that the system would work or that anyone would even care.

When accessing government services or healthcare, respondents noted this barrier to reporting incidents of unfavourable treatment.

> *It would be hard to prove that a doctor has discriminated against me in hospital when I was seeking medical treatment on the day I had a traumatic car accident. Also it would be hard to prove that a physiotherapist in a hospital setting discriminated against me while I was seeking treatment for my injury, all because I choose to wear a hijab …The doctor and the physiotherapist would have the best legal representation because they work for hospitals and because of their positions. I would surely lose. They have misused their positions to discriminate against me.* —**Female National Survey participant, aged 35–44**

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Chapter 6: Increased threat of extremist ideology

Commission and community solutions elsewhere in this report outline various approaches that may address the issues raised in this section. In particular, the Commission's proposed National Anti-Racism Framework provides opportunities to address the increasing threat of extremist ideology within Australia. In its proposal, the Commission includes the following outcomes:

> National Outcome 1: Racism in Australia is understood including its prevalence and nature.
>
> National Outcome 9: Measures to address racism, racial discrimination and racial inequality complement measures to strengthen multiculturalism, social inclusion, and Indigenous reconciliation.

These outcomes are centered around the collection of data about the extent of racism, cyber-racism and racial discrimination and measures to build and promote social cohesion. The collection of data about anti-Muslim hate is crucial to understanding the rise of right-wing ideology in Australia and can inform policy and initiatives to address anti-Muslim hatred towards Australian Muslims. Efforts to build social cohesion not only provide opportunities to strengthen community relationships but can also contribute to preventing or countering extremism.[90]

Participants across consultations and the National Survey raised concerns with the Commission about what they described as the rise of right-wing ideology and the ongoing de-humanising and 'othering' of Muslims in Australia.

> *It feels that far-right ideals are on the rise which means more hate and fear for minority groups. Unfortunately, I feel this approach is un-Australian. To be Australian is to be accepting and welcoming; it makes me sad to see some groups want to turn us into middle USA.* —**Female National Survey participant, aged 35–44**

Consultation participants described this rise as being based on extreme racist and/or religious intolerance towards a Muslim individual or the larger Muslim community. Qualitative comments from the National Survey reflected these sentiments.

> *Racism and racist attitudes are becoming more and more acceptable and mainstream. When our politicians use parliamentary privilege to espouse their anti-Islamic and racist views confidently and with very little backlash from mainstream Australians this represents a huge backward step in my opinion.* —**Female National Survey participant aged 45–54**

Consultation participants also made comments on the lack of focus on right-wing extremism in comparison to Islamist extremism.

> *The last 20 years it has been about 'Muslim extremism', but people are seeing more right-wing violence now … what are we going to do about this?* —**Adelaide consultation participant**

> *Australian foreign policy impacts on the domestic Muslim community. When the Australian Government does not recognise and call out the discriminatory actions of other countries, Muslim communities fear that Australia is tacitly endorsing this discrimination.* —**Canberra consultation participant**

A participant from the Adelaide consultations noted that the Christchurch terrorist attack was the first time they felt that wearing Muslim clothing was not associated with being a 'culprit'.

In the Australian Security Intelligence Organisation's (ASIO) most recent *Annual Threat Assessment Address,* the threat of such extremism was acknowledged. The assessment indicated, for example, that 'far right violence' represents a serious, increasing and evolving threat to security.[91]

In its submission to a Parliamentary Joint Committee on Intelligence and Security Inquiry into extremist movements and radicalism in Australia, ASIO indicated that 'the threat from extreme right-wing groups and individuals in Australia has increased, and ASIO continues to see more people drawn to and adopting extreme right-wing ideologies. The 2019 attack continues to be drawn on for inspiration by right-wing extremists, both in Australia and internationally'.[92]

The Director-General of Security has also acknowledged this threat and outlined the significant resourcing allocated by ASIO to combat it.[93]

The Victorian Legislative Assembly Legal and Social Issues Committee Inquiry into Anti-Vilification Protections also heard evidence of a rise in far-right extremism.[94]

A consultation participant spoke of his experiences engaging with members of a far-right rally at an anti-racism protest during the 2016 federal election.

> *I heard profanities. I heard that they will vote to eradicate Islam in this country. I asked the AFP [Australian Federal Police] to speak to the rally. I said to them that we need to reach out and speak to them. They were angry. The AFP didn't do anything.* —**Canberra consultation participant**

The stories that were shared during the consultations were supported by the findings of the project survey which found that the rise of far-right extremist ideology was a main concern amongst Australian Muslims, with three in four agreeing that the 'far-right is becoming more vocal in Australia'.

Most consultation participants were aware of the Islamophobia Register and pointed to its reporting as a reliable record, collecting data on the community impacts of the increased threat of far-right extremism to Australian Muslims.

The Islamophobia Register's *Islamophobia in Australia Report 2019* provides evidence to support this concern about an increased threat of extremism, finding that the most severe level of hate, that is 'wanting to kill and/or harm Muslims', was the most dominant rhetoric reported to the Register, making up one-quarter of online cases of Islamophobia. The intensity of hate rhetoric was also present in cases in the physical world reported to the Register, with 11% of those cases including death threats.[95]

Case study

Extremism

A Muslim man reported an incident on a train trip he took with his wife and three children, all aged under ten. His wife wears the hijab. Another man on the train approached the family and asked if they were Muslim. When he found out they were, he verbally abused the parents. He then approached the children and said he would 'love to kill them all'. The man told the Islamophobia Register: 'I cannot forget that journey for my entire life as I was sitting helplessly and watching him abuse myself, my wife and my children'.[96]

Chapter 7: Media and political narratives

A consistent theme raised by participants across the country during the consultation process, was concern about the impact of media and political narratives on the safety and wellbeing of community members and how the broader Australian community perceived and reacted to Australian Muslim communities.

Many consultation participants pointed to the media analysis work completed by not-for-profit organisation, All Together Now, as reflecting the kind of dangerous narratives they were referring to and which has serious consequences for Australian Muslims.

7.1 Unbalanced reporting

Consultation participants noted that media coverage of Australian Muslims was overwhelmingly negative. The media's portrayal of Muslims was seen by participants as unfair, inflammatory and biased towards an Islamophobic agenda. Nearly nine in ten (86%) respondents agreed that the Australian media paints an unfair portrayal of Muslims.

Consultation participants raised concerns about unbalanced reporting and identified media outlets demonstrating a specific focus on the religious belief of an individual when an Australian Muslim perpetrator was connected to a crime. Consultation participants discussed examples of how the reporting of violent incidents differed depending on the religious background of the perpetrator, including that Muslim perpetrators were characterised as terrorists, while reporting on non-Muslim perpetrators often discussed the mental health of the perpetrator.

The attitudes and trends identified during consultations are consistent with the findings of public research such as the report by All Together Now on social commentary and racism, which found that 'dog whistling'[97] was most common in pieces about Australian Muslims. Dog whistling refers to the technique used to stoke racial fears in audiences without directly or explicitly referring to a particular group.[98] Dog whistling was framed around existing prejudices, often creating generalisations about Muslims, which in turn validated existing Islamophobic narratives.[99]

Community leaders who were consulted during the project shared their frustration at trying to promote good news stories within the media. Consultation participants noted that traditional media would not cover positive news stories and that the community had instead had to develop independent community media such as the Australasian Muslim Times and Australian Muslim Media Inc, and utilise social media platforms, to promote and share a more balanced media identity.

Case study

Positive media representation

ABC Journalist Erwin Renaldi has shown a commitment to incorporating community voices in stories on key issues. He has written numerous articles on the Australian Muslim community, highlighting its achievements and contributions. His work showcases the recipients of the Australian Muslim Achievement Awards and shares stories of how Muslim community leaders are working to drive down COVID-19 outbreaks. He not only shares the positive contributions of Australian Muslims but writes about the struggles and barriers the community face.

Many Australian Muslim communities recognised unbalanced reporting as an ongoing issue. Different community leaders provided examples of communities proactively building positive relationships with individual members of the press to break down existing negative stereotypes. One example shared during a consultation with community leaders in Adelaide, identified an improved relationship between the Central Adelaide Mosque and individual reporters from the Adelaide Advertiser. The reporters were invited to attend Muslim Community events and Open Days to develop a deeper understanding of the local Australian Muslim community. Community leaders felt that this relationship had led to improvements in the reporting on local Australian Muslim communities. Recent research has also highlighted the difference that can be made to wider issues of negative reporting when individual content producers reflect on how their work impacts their audiences and public discourses.[100]

While some communities reported establishing positive relationships with some members of the media, other consultation participants identified duplicitous experiences with members of the mainstream media. At several consultations across the country, participants gave examples of being invited to participate in positive news stories only to find that the final news item was misrepresented or negatively skewed.

A consultation participant at one of the Melbourne Women's consultations spoke about her experience dealing with the media on a television segment about domestic violence. The consultation participant described being initially asked to promote available domestic violence supports, but when the final media piece was released, the interviews had been incorporated into a segment on domestic violence within the Australian Muslim community.

Consultation participants who were impacted by such experiences with the media spoke about the negative impact these experiences had on their relationships with family and community members and their contribution to a diminished level of trust in the Australian media.

> *We allow the media to get away with false or misleading, inflammatory headlines that directly affect how the Muslim community is viewed by the wider public just so they can sell papers. As they are never brought to account, they continue to run rampant with misinformation. This feeds the 'us' and 'them' rhetoric and is causing a divide between the wider Australian community and the Muslim community.* —**Female National Survey participant, aged 25–34**

Case study

Reframing the narrative

The SBS documentary series, *The Mosque Next Door*, aimed to provide non-Muslims with an understanding of life as a Muslim in Australia. Over the period of a year, cameras were given access to Holland Park Mosque in Brisbane, Queensland and revealed the daily lives of the local Muslim community. The show not only tackled the pressing issues faced by Muslim communities in Australia, such as Islamophobia, radicalism, and traditional aspects of Islam, but also showcased the lighter side of the community, following stories of love, cricket and friendship. The documentary provides a voice for a minority within Australia that often face misconceptions about their religion, and their way of living.

7.2 Impact of negative media commentary

Australian Muslim communities across Australia noted a correlation between negative media and political narratives and an increase in aggression and violence targeting Muslims.

At a consultation at a mosque in Brisbane, community members discussed how following negative media coverage of international incidents, the mosque became a target.

> *We experienced damage to property, graffiti and notes saying, 'go back to where you came from', also bad phone calls and voicemail messages left.* —**Brisbane, consultation participant**

Several mosques with which the Commission consulted advised that they would often organise additional security following incidents to ensure the safety of the mosque and those attending prayer.

Consultation participants also told the Commission about mosques being broken into and property destroyed, pig carcasses being left on the grounds of mosques, and mosques being tagged with vilifying graffiti.

While these incidents were at times reported in the media, some consultation participants spoke of the frustrations they had with the representation of the perpetrators.

> *[the media] need to starting calling out things for what they are. Don't just call it vandalism or property damage, it's a hate crime … if a Muslim did that to the church it would be different.* —**Brisbane consultation participant**

Across the nation, Australian Muslims noted that it was not only media reporting of international incidents that would increase incidents of Islamophobia.

Community members at a women's consultation in Melbourne noted that Australian Muslim community members were concerned about the safety of their families and community members whenever there was any possibility that a crime may have been perpetrated by an Australian Muslim. An example was given of hearing about a mass shooting in Darwin in June 2019.

Community members advised that they experienced a high level of concern while waiting to hear about the background of the shooter. Community members noted feeling relief when they found out the shooter was not Muslim.

The negative reporting about Muslims on morning breakfast television programs and talk radio was also raised at multiple consultations and participants expressed their views that this led to an increase in Islamophobic incidents towards Australian Muslim community members. Community members discussed how inflammatory statements on these programs would often lead to an increase of verbal and online attacks towards visibly Muslim community members, particularly women wearing head coverings.

Community members also noted that these television segments would often be shared widely on social media platforms and would often be accompanied by Islamophobic and racists comments. Community members described how these media segments often left individuals feeling unwelcome and marginalised within the mainstream community.

Consultation participants expressed their sense that communities were in a 'no win situation' as media reporting often overlooks positive community actions promoting instead a divisive 'us and them' narrative.

Like the consultations, qualitative responses within the National Survey revealed that Australian Muslims were concerned about the normalisation of anti-Islamic commentary by political and public figures within the media. They felt as if anti-Islamic comments came without consequence and gave permission to the general community to circulate these views.

> *Media outlets and politicians incite hate speech and Islamophobia on a daily basis which translates down into social interactions in the community resulting in verbal abuse and assault purely for being a Muslim in Australia.* —**Female National Survey participant, aged 25–34**

Community solution

Strengthen media frameworks

Negative stereotyping of and unbalanced reporting about Muslims is an issue which has been raised by multiple reports, academic literature, community leaders, and organisations for well over a decade. However, our consultations with the Muslim community revealed that, despite this and the many recommendations for practical change, negative media reporting remains a pressing issue for the Australian Muslim community.

The overrepresentation of negative Muslim-centred media reporting has a significant impact on the Australian Muslim community. Across consultations, participants spoke of the exhaustion of the constant misrepresentation and negative stereotypes perpetuated in news and other media, and on television.

To address this challenge, Canberra consultation participants advocated for stronger and more proactive media standards that hold the media to account for biased or inflammatory media stories. Townsville consultation participants echoed these views, calling for a stronger and more transparent regulatory framework.

Not-for-profit organisation, All Together Now, highlighted the need for strengthening media regulatory frameworks in their report *Social Commentary and Racism in 2019* and illustrated the continuing importance of such regulation in a following case study report, *Politely Racist: A Case Study on Reader's Comments in Australian Mainstream Newspapers*.[101] They recommend that the Australian Press Council's General Principles and the MEAA's Journal of Ethics be updated to ensure that both covert and overt forms of racism are prevented.[102] The case study report further recommends that the Federal Government and the media industry need to invest in greater media literacy for Australian audiences and in the work of independent and public journalism in presenting free and impartial information.[103]

The Serious Harms Position Paper recognises that guidelines about media reporting on issues such as suicide, that aim to reduce the negative effects of such reporting on vulnerable people, already exist and have very strong industry and community support. Similar guidelines could be developed to reduce the risk of serious harms on the basis of religion in reporting. It recommends that faith leaders, government bodies and media organisations work together to develop guidelines on media representation of religion and religious communities.[104]

7.3 Impact of political commentary

National Survey data revealed that 62% of respondents didn't believe that public figures, such as politicians, consider the interests and needs of Australian Muslims. Community members raised incidents of politicians communicating inflammatory and inaccurate reports about the community while also publicly rebuking leaders for not engaging with politicians and government.

> *Clearly right-wing Australian political parties, such One Nation and their likes, has, in a masterful and strategic way, wilfully chosen 'scapegoating' of Muslims in Australia by indirectly conflating Islam and terrorism.* **—Male National Survey participant, aged 35–44**

> *Some of our high office politicians are using anti-Muslims to gain popularity. This is now increasing at an alarming rate. As a result of that, there are a lot people who are now openly showing hate against Muslims. It happened to my wife twice in the last 2 months.* **—Male National Survey participant, aged 45–54**

Two incidents were identified by community members during consultations.

Case study

Bourke St terror attack

On 9 November 2018, in Bourke St, Melbourne, a single attacker killed one man and seriously injured two others. Islamic State was believed to have inspired the attack and Australian security services classified the event as a terrorist attack.

Following the attack, several of Australia's most senior political leaders made comments on national television criticising Muslim communities in Australia for not doing enough to stop extremism, for 'making excuses' and for looking the other way and ignoring potential risks.[105]

The perpetrator of the attack had been known to intelligence agencies but had been classified as a low risk.[106]

Muslim leaders and community members told the Commission that the fact that these comments came from the nation's most senior leaders, citing an apparent failure by community leaders to address and report extremism, implied to the Australian people that they were responsible for the attack.

In the time immediately following these comments, many experts dismissed these comments that Muslim community leaders needed to do more to counter extremism.[107]

Case study

Reporting of commentary around the Christchurch terror attack

During consultations, participants and community leaders also described the impact of reporting about then Senator Fraser Anning's comments that blamed the Christchurch terror attack on New Zealand's immigration policy allowing Muslims into the country.

They indicated that such public statements by politicians and the reporting around it led to an increase in negative media attention for Australian Muslim communities and to a subsequent increase in the number of harassment and abuse incidents witnessed in and experienced by the community. Whilst most National Survey participants agreed that the support shown by the public strengthened relations between Muslims and non-Muslims, one third of the respondents felt that the Australian government's reaction was inappropriate.

> *Loved Jacinda Arden's response. She effectively crushed an entire wave of revenge and hatred which might have followed, by her actions. The Kiwis won our hearts with their open display of compassion and we wished Aussies would do the same … When a government openly condemns terrorism regardless of the terrorist's skin colour, it allows its citizens to be openly human and humane. Conversely when a government remains quiet / covers up or dilly dallied its response to an act of terror based on race / religion, it allows its citizens to be more openly racist.*
> **—Female National Survey participant, aged 45–54**

Adelaide student consultation participants echoed this sentiment and noted that the New Zealand government's response to the Christchurch attacks provided a positive example for the Australian Government.

7.4 Representation of Muslims in Australian media and entertainment

A lack of cultural diversity exists within the Australian news media. A 2020 report by Media Diversity Australia, found that more than 75% of presenters, commentators and reporters on free-to-air television have an Anglo-Celtic background, while only 6% have an Indigenous or non-European background.[108]

There is also a lack of diversity behind Australian screens. At the time of the report's launch, all free-to-air national news directors were male and had an Anglo-Celtic background. This does not accurately represent the cultural diversity in Australia, where an estimated 58% of Australians have an Anglo-Celtic background, 21% have a non-European background, 18% have a European background and 3% have an Indigenous background.[109]

The purpose of news and current affairs is to identify key issues of importance to all Australians, but the *Who Gets to Tell Australian Stories report* highlights how the majority of these key issues continue to be identified, produced, and reported by Anglo-Celtic voices. Research from All Together Now and the Cultural and Indigenous Research Centre Australia demonstrates a positive correlation between a lack of diverse media and the perpetuation of racist and Islamophobic narratives. The *Social Commentary and Racism in 2019* report found that 96% of racist social commentary was authored by commentators of Anglo-Celtic and/or European background.[110]

Nearly nine in ten (86%) respondents to the National Survey agreed that the Australian media paints an unfair portrayal of Muslims, and they tended to strongly agree (70%). Just 7% disagreed that this was the case and 3% did not know.

> *So much bigotry and Islamophobia. Media does nothing to calm racism or stereotypes Muslims face. In fact, I think they enhance it.* —**Female National Survey participant, aged 25–34**

Young Australian Muslims noted that the representation of Muslims on television was usually limited to roles based on negative stereotypes in television series. Student consultation participants expressed frustration and concern about the impact that these stereotypes had on their personal experiences of discrimination and harassment.

Community members noted that media programs would at times discuss issues relevant to Australian Muslim communities, but would rarely include the voices of Australian Muslims in these segments. They noted that if Muslim voices were included, they were often used to reinforce the negative aspects of the story. Positive content was not included or content was repurposed or misused without the permission of those included in the story.

Community solution

Increased representation of Australian Muslims in the media

Attendees at student consultations held at universities in Adelaide, Perth and Brisbane noted that young Australian Muslims lacked positive role models in the Australian media and entertainment sector. Public figures in the media such as Waleed Aly and Nazeem Hussein, and sportsmen Bachar Houli and Ahmed Saad, were identified by consultation participants as examples of representatives who were playing a role in helping change perceptions about Muslims.

The discussion about the need for more visible Australian Muslim public figures in the media was centred around the benefits it would bring for young Australian Muslims and their feelings of belonging. An Adelaide consultation participant spoke of how the media is the 'biggest educator' of the Australian community, and the impact it has on the wider community.

> *[It is] vital for new generation to be worked on, they could be swayed any way. Teenagers have trouble with their emotions … [they] need to [feel] like they're included in Australian culture.*
> —**Brisbane consultation participant**

A participant from the Adelaide consultations spoke of how the representation of different cultures was mainstream in Kenya, where news anchors represented people from different minorities within the country. One participant from Adelaide suggested investing in Muslim media would help to promote Muslim voices within news and media.

Research undertaken for the *Who Gets to Tell Australian Stories report* found that the majority of Australian free-to-air presenters, commentators and reporters are Anglo-Celtic, demonstrating the lack of representation that exists in Australia within news media. The recommendations of the research report provide the most recent blueprint of steps that can be taken to address the lack of Muslim voices, stories and perspectives in the Australian media landscape.

Chapter 8: The need for broader community allies

Throughout the consultations there were many stories of successful cross-cultural engagement within local communities. A student from the Adelaide consultations spoke of an event where Aboriginal Elders were invited to visit their local Mosque and played the yidaki (didgeridoo) as a welcome. The student noted that this provided an opportunity to connect with other members of the community. Moreover, it also broke down preconceptions both within and outside of the Muslim community about the willingness of the Muslim community to welcome other cultures, as music is usually not permitted within the Mosque.

Community leaders spoke of events and activities such as food festivals, soccer tournaments and charity days that provided connection between local Muslim communities and non-Muslims.

> *I do interfaith things, one thing that works, is a lot of school groups, independent schools, catholic schools, go out of their way to visit a mosque. A lot of the schools do religious studies. The kids have lots of questions. So at least for a moment in time, those kids get a chance to interact with Muslims.*—**Canberra consultation participant**

National Survey participants were asked which community programs or activities provided support to Australian Muslims. While no specific program was highlighted, community activities such as local festivals, community events, workshops, sports teams and online communities were praised for creating inclusive spaces. National Survey participants noted these events as important initiatives to connect with and educate non-Muslims about Islam.

> *We have harmony day in our shire. That's lovely. It spreads understanding between inter-faith cultures. My son goes to a junior soccer club and it's a great place to interact. We even have Iftar day during Ramadan where we share cultural food to our non-Muslim teammates and their family.* —**Male National Survey participant, aged 45–54**

> *I heard about the local Muslim organisation called United Muslim Sisters of Latrobe Valley (UMSLV). I looked at their Facebook page and found that they are actively involved in the local community. Their main mission is to increase the inter-faith relationship among Muslims and non-Muslims. They arrange different activities, gatherings and parties especially for local Muslim and non-Muslim women and youngsters. I am pretty impressed by their motives and efforts.*—**Male National Survey participant, aged 35–44**

> *I take confidence in seeing initiatives by community organisations which are advocating on behalf of the community and also engaging with other parts of the community. I have also benefited from some of the workshops run by organisations to inform me about rights and responsibilities and ways to address issues.* — **Male National Survey participant, aged 35–44**

National Survey participants also spoke of events that were organised in conjunction with local councils to celebrate the diversity of the local community.

> *Melbourne local council holds Ramadan dinners, celebrates Bajram (Eid) with the local Muslim community.* —**Female National Survey participant, aged 45–54**

While these events were considered key in establishing relationships with wider community members, consultation participants noted the difficulties in reaching members of the local community who were apprehensive about Muslims.

> *With the community programs that we run—the Iftars and the mosque openings, we only get the like-minded, we need to reach the people who haven't had any contact.*
> —**Canberra consultation participant**

National Survey data revealed that 56% of participants felt relations between Muslims and non-Muslims were friendly. The Commission was told by consultation participants that it was often difficult to form relationships with non-Muslim neighbours and the wider community.

> *Community members have to overcome negative perceptions through personal relationships and experience.*
> —**Perth consultation participant**

Students from the Adelaide consultations noted the difficulties in finding volunteer work within the community. While charity forms a key part of the Islamic faith,[111] Muslim students told the Commission there were often long waiting times to be connected with an organisation.

Consultation participants also told the Commission of positive interactions with the non-Muslim community. Participants in Townsville spoke of allyship from non-Muslims, encouraging young Muslim women not to remove their hijab, calling them 'beautiful' and 'princesses'. A student from the Brisbane consultations spoke of an incident where she was harassed on public transport and a non-Muslim woman assisted her and escorted her out of the train to safety. Consultation participants also spoke about the outpouring of support from the wider community after the Christchurch terror attacks. However, a Brisbane consultation participant also noted that bystanders who did and said nothing helped to normalise anti-Muslim rhetoric.

Community solution

Visible allies

When National Survey participants were asked what the Commission could do to better support Australian Muslim communities, the most common suggestion was to collaborate with, and magnify, the voices of Australian Muslims.

Consultation participants noted the need for wider community allies, as leaving the work to Australian Muslims to constantly defend and educate about their religion took valuable time away from other initiatives and programs that required the attention of Muslim communities.

Muslim leaders advised the Commission that the support of leaders from non-Muslim civil society, religious and community organisations would make a significant contribution to their communities' engagement with non-Muslims and would improve cross-cultural relations.

Chapter 9: Building understanding and awareness of Islam through education and community partnerships

Over 90% of National Survey participants agreed that the general population has a limited understanding of Islam. Individuals who possess knowledge about Islam and Muslims and/or who have contact with Muslims in their daily lives hold less prejudice towards Muslims, regardless of their social or political background.[112] This demonstrates the need for wider education about Islam and Muslims, as greater factual knowledge leads to less marginalisation and better community cohesion.

Community solution

Public awareness education

These sentiments were echoed by consultation participants who expressed the need for more resources and assistance in educating wider Australian society about Islam and Muslims.

> *… People need to get educated on what is right and what is wrong about Islam, not just blindly follow the negative things … The government should come forward and educate the general population on this matter.*
> **—Male National Survey participant, aged 35–44**

The call for such education is a longstanding one. The Serious Harms Position Paper recommended the development of religious engagement and public education programs about religion and its place in Australia, the importance of the right to freedom of religion and belief, and the current protections for religious freedom.[113]

It is also a call with apparent support. In its response to the Ruddock Report, the Australian Government committed to a similar approach, indicating that the proposed Freedom of Religion Commissioner should develop a religious engagement and public education program about human rights and religion in Australia, the importance of the right to freedom of religion, and the current protections for freedom of religion under Australian and international law. This program would be informed by the outcomes of an initial inquiry by the Commissioner.[114] At the time of writing, the progress of the Australian Government's response to religious discrimination has stalled but the need for public education about religion in Australia remains imperative.

Consultation participants told the Commission that inter-faith education played a key role in improving relations with the wider community. A participant from Canberra spoke of an initiative in North Queensland where local Torres Strait Islander Elders would come to the school and speak to the students. It was noted by the participant that Muslim leaders in the community could participate in a similar initiative to help build understanding and empathy among students and staff.

There was a general sense from consultations that the Muslim community was tired of defending and explaining their religion to those who had little knowledge about their faith. A participant from Melbourne noted that he always had to be the best of character so that he could demonstrate a positive representation of the Muslim community to his co-workers. Other consultation participants shared similar sentiments.

> *Always defining yourself by what you are not, 'not a terrorist' … [We are] always under attack, always defending.* —**Sydney consultation participant**

These sentiments demonstrate the emotional and mental toll on Muslim community members in having to prove themselves as positive members of the wider community. Across consultations participants noted the exhaustion that came along with the constant need to defend, educate about and represent their community.

> *I don't think people realise how exhausted we are as a community*. —**Brisbane IWAA Women's consultation**

> *I am tired of always having to prove myself.* —**Sydney consultation participant**

A woman from the Brisbane consultation spoke of the growing exhaustion faced by Muslim women in particular. While she acknowledged the resilience of the community, she also told the Commission about how she often worried about her safety.

The constant exhaustion has an impact on the development of relationships between Muslims and non-Muslims, as consultation participants told of fears of revealing their religion to others.

The Commission heard a story of a young man in Perth who made a non-Muslim friend at a Clean Up Australia event, and had to build up the courage to tell his friend he was Muslim. The new friend told him he was a good person and supported his religion. While this story is a positive example of cross-cultural relations, it demonstrates the daily mental toll faced by members of the Muslim community in having to constantly worry about being judged or rejected solely because of their religious beliefs.

Photo by Sohaib Al Kharsa on Unsplash

Community solution

Early inter-faith education

The Commission was told multiple times during consultations how early inter-faith education would benefit relations between Australian Muslims and the wider community. It was noted that Australians from all backgrounds would benefit from general knowledge about the various religious and cultural communities that exist in Australia.

> *… if studies of religion could be taught in public schools, it doesn't have to be race, ethics and philosophy. Something where kids sit and think about people from different backgrounds—the Jewish community, the Sikh community, many groups would support this. Even Indigenous past. They could better connect with humanity. If we could somehow, spearhead this program—the faith communities in Australia would want to be part of this—they'd want to help make the curriculum.* —**Canberra consultation participant**

Interfaith education was not only seen as a means to improve social cohesion but also as an opportunity to address the 'far-right narrative'. A better understanding on the Muslim community would lead to the rejection of Islamophobic sentiments that are dispersed online.

The Commission has previously made detailed recommendations about the need for more targeted education campaigns about religious and race discrimination aimed at specific groups such as young people, employers and service providers.[115]

In relation to the education of young people about Islamophobia and anti-Muslim hate, while each state and territory education department develops and implements relevant policies and programs in accordance with broad national guidelines, implementation is ultimately the responsibility of individual schools. It is the Commission's view that a consistent, national approach to such education is crucial. It is also the Commission's view that student education about Islamophobia and anti-Muslim hate be recognised as a priority.[116]

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Chapter 10: Redressing the balance—countering violent extremism and social cohesion

Community leaders repeatedly raised concerns about the impact of countering violent extremism (CVE) funding on the relationship and engagement between community and services. Organisations noted that countering violent extremism actions and programs were often counterproductive, opening the community to being judged as being too insular.

Consultation participants from Melbourne noted that CVE methods unintentionally promote anti-Islamic sentiments by placing a heavy focus on Islamic extremism.

> *Countering violent extremism is actually preaching anti-Islamic messages and adding to Islamophobia.* —**Melbourne consultation participant**

A participant from the Perth consultations noted that terminology surrounding CVE such as 'terrorist' were often associated with Islam. A woman from the Brisbane consultations echoed similar sentiments.

> *One problem with terms like radicalisation is that it's associated with Muslim youth.* —**Brisbane consultation participant**

The association of CVE related terminology with Islam and Muslims casts a collective blame on the Muslim community. Alongside the misrepresentation of Islam within news, politics and media, and the anti-Muslim hate and commentary that is spread online, this collective blame fuels acts of discrimination, hostility and violence towards Muslims.[117]

In March 2021, Australia's domestic intelligence agency, ASIO, announced that it would change the language used to describe threats of extremism. In his Annual Threat Assessment, ASIO Director General Mike Burgess announced that the organisation would be publicly referring to threats of extremism in two categories: religiously-motivated violent extremism; and ideologically-motivated violent extremism. Explaining the change, Burgess noted that 'the current labels are no longer fit for purpose; they no longer adequately describe the phenomena we're seeing'.[118] The Annual Threat Assessment acknowledged the concerns of the Muslim community regarding CVE terminology.

> *… we don't investigate people because of their religious views—again, it's violence that is relevant to our powers—but that's not always clear when we use the term 'Islamic extremism'. Understandably, some Muslim groups—and others—see this term as damaging and misrepresentative of Islam and consider that it stigmatises them by encouraging stereotyping and stoking division.*[119]

While the change has been framed by some as a positive for Muslim communities, others contend that the fact that it has happened now, and not any other time in the past 20 years, implies that it is most likely designed to appeal to communities uncomfortable with the term 'far right', rather than being inspired by a genuine concern for Muslim communities.[120]

A Royal Commission Inquiry into the Christchurch terrorist attack by the New Zealand Government, released in late December 2020, found that while it did not contribute to the attack going undetected, there was a disproportionate concentration of resources on the threat of Islamist extremist terrorism in comparison to terrorism associated with other ideologies.[121]

> *When Christchurch happened, I realised that the police were complacent. They overlooked the danger of the right-wing supremacist.* —**Canberra consultation participant**

The concentration on Islamist terrorism within security and intelligence organisations aligns with the overrepresentation of Islamist terrorism within Western news and media. This overrepresentation creates generalisations about Muslims, which in turn validates existing Islamophobic narratives. In their study on social marginalisation and radicalisation,[122] Bull and Rane argue that security-based approaches to CVE are potentially ineffective if they do not also address the social and political narrative that exists around Muslims in Australia. The intention of CVE initiatives may be to supress violent extremism, however, the narratives created by CVE can become 'self-fulfilling' and produce 'simplistic one-dimensional deviant identities that reinforce the social marginalisation of Muslim individuals and communities'.[123]

Whilst Islamophobic narratives are often non-violent, they may play a role in the decision of an individual to commit violence because they encourage the dehumanisation of Muslim people.[124] The New Zealand Royal Commission Report into the terrorist attack in Christchurch, also noted that societies that become polarised around difference, are likely to see radicalised ideologies develop and flourish. It also identified that efforts to build social cohesion are important in preventing or countering such extremism.[125]

Consultation participants noted the need for more engagement between government agencies, non-profit organisations, and the Muslim community.

> *NGOs are running around taking advantage of funding that comes from 'Muslim sensationalism'. Then coming to community to give expert advice on solving 'the problem'.* —**Perth consultation participant**

One consultation participant told of how they were invited to a roundtable by a federal government organisation to discuss far-right extremism, but were only allowed ten minutes to speak when other non-community stakeholders received significantly more time. Other consultation participants spoke of how the Muslim community were equally as concerned with violent extremism.

> *Muslims need to talk about anti-radicalisation … all concerned about radicalisation and ISIS … don't treat us like enemy; treat us as part of the solution.* —**Melbourne consultation participant**

Consultation participants held concerns about the primary focus of CVE programs.

> *Programs are targeted towards the Muslim community instead of attitude change in broader community, i.e. far right.* —**Perth consultation participant**

A recent study into Australian community-funded programs with CVE grants, revealed the challenges faced by local service providers in delivering CVE programs.[126] Muslim-orientated providers and community leaders consider that the involvement of workers and mediators who share the same ethnic and/or religious background is key to engaging at risk youth.

However, involvement from members of local Muslim communities came with several challenges. Due to the political and social discourse surrounding Islamic extremism, CVE programs were seen to have negative connotations and potential to stigmatise Muslim communities. These perspectives were concerning for service providers who felt that labelling themselves as CVE programs would affect those willing to participate in their services and jeopardise the credibility amongst the community.

The study also highlighted the complexities for community programs in working with police and government agencies. Service providers noted that it was a struggle to provide a supportive environment for their clients when they were required to continually report every utterance or attitude that may demonstrate radicalisation, no matter how inconsequential.

This reporting system can be counterproductive as it works against the service providers, creating suspicion and resentment from at risk youth. Service providers noted it would be more effective to build a narrative around young people's leadership skills rather than a program which labels and spotlights individuals within the community.[127]

Community solution

Effective engagement with the Muslim community

Unfavourable treatment and negative experiences with government and law enforcement agencies have the potential to create mistrust between Muslim communities and government authorities. Consultation participants noted that there needed to be greater capacity for Muslim communities to engage more effectively with government and law enforcement organisations.

Examples of effective engagement, shared with the Commission, focused on initiatives that rebalanced engagement towards social cohesion. Perth consultation participants told of the strengthening of relations between the Western Australia Police Force and the local Muslim community. They indicated that establishment of the Muslim Community Advisory Group in 2014 has seen an improved relationship and created a space for open communication and community input into police reporting. One participant from Perth noted that these growing, positive relationships help 'control the narrative' that exists around Muslim communities in Australia.

As noted by community leaders and consultation participants, law enforcement agencies should consider the cultural and religious implications of CVE and security related policies and initiatives. Community leaders also noted the importance of effective engagement with the community. Rather than being consulted to 'tick boxes', law enforcement agencies should seek guidance and assistance from the Muslim community on issues that directly affect Australian Muslims.

Case study

Building a strong relationship with Victoria Police

Over the years, the Muslim community in Melbourne has forged a strong relationship with the Victoria Police through consistent dialogue, interaction and cooperation. Specifically, community bodies such as the Islamic Council of Victoria and the United Muslim Migrant Association (UMMA) Centre regularly speak and interact with the Victoria Police, which according to one respondent in our survey, '[helps] to normalise and destigmatise Australian Muslims among the police personnel'.

The Victoria Police have also played an important role in this process. They established the Victorian Police Muslim Association (VPMA) in 2013, which was formed to promote social harmony and cohesion and raise the profile of Muslims working in Victoria Police. The Victoria Police has hosted Iftar dinners since 2005 to strengthen their relationship with the Muslim community.

The strong relationship between the Muslim Community in Melbourne and the Victoria Police can perhaps be summed up by one respondent in our survey, who noted:

> *[The police in Doncaster] are there for us when we need them and [they] keep an eye on us without being suspicious or overbearing. They should be commended for their excellent attitude over so many years.*

Conclusion

Stories, comments and insights shared by Muslim leaders, consultation participants, and National Survey respondents during this project provide a wide-ranging picture of community members' lived experiences of Islamophobia and anti-Muslim hate. These experiences span across public spaces, workplaces and online. The project survey responses and consultation findings demonstrate that Australian Muslim communities are taking the lead in identifying community solutions to the issues they face. They are calling on the whole Australian community to support greater awareness and understanding of Islam to help strengthen social cohesion.

The views shared in this project highlight that members of Australian Muslim communities experience Islamophobia in both direct and indirect ways and at a systemic level. Examples of this include during security screenings and in gaining and maintaining employment. They also experience discrimination at an individual level. A lack of knowledge about Islam in the broader Australian community leads to expressions of unconscious bias and prejudices towards Australian Muslims in everyday settings.

Community responses draw attention to the broader context of anti-Muslim hate. These are expressed through a rising incidence of online abuse and hate speech directed towards Australian Muslims and in the increased evidence of far-right extremism in Australia.

In response to these experiences, community members identified the need for the Australian Government and the Australian community to take a zero tolerance approach to all forms of discrimination, hatred and Islamophobia. Strong leadership, public awareness and other educative and legislative protections were seen as necessary in this regard. Their responses saw an increased focus on social cohesion and building inclusivity as the best ways to address Islamophobia and anti-Muslim hate.

The Christchurch terror attack is a harrowing example of the consequences of anti-Muslim hate left undetected and unaddressed. Project participants noted the outpouring of support for the Muslim community after this tragic event. However, the need for similar levels of ongoing support and assistance for the community when faced with anti-Muslim sentiment and political rhetoric, circulated online and within the news media, was consistently raised with the Commission.

Project participants identified community solutions focused on educating the wider Australian community about Islam and creating inter-faith connections through schools, the media and a wider network of visible allies. Participants highlighted that this education needs to be supplemented by institutional change through more consistently implemented diversity and inclusion practices and more culturally competent workplace policies and spaces.

Above all, participants asked for more effective engagement with Australian Muslim communities that moves beyond consultation to working towards consistent implementation and long-term accountability to those affected by Islamophobia. The project revealed that one of the biggest issues facing Muslim communities is the lack of support for and implementation of previous recommendations and initiatives across national and state governments, and within organisations, workplaces and local communities.

The creation of a National Anti-Racism Framework provides an opportunity to progress this work and support community solutions. The Framework will serve as a long-term, central reference point for the implementation of policies, actions and initiatives that address racism and build social cohesion.

A National Anti-Racism Framework would also demonstrate the Australian Government's strong stance against racism, Islamophobia, and anti-Muslim hate. This is crucial, not only to ensure Australian Muslims feel safe, included, and valued within the wider community, but also to support strong relationships between Australian Muslim communities and government agencies and organisations. The implementation of initiatives that increase social cohesion and centre the priorities and expertise of Australian Muslims is vital for the promotion of racial equality and the rights of every Australian to fully engage with and participate in the wider Australian community.

Community solution		
The importance of data: understanding the prevalence and nature of Islamophobia and anti-Muslim hate	The need for a National Anti-Racism Framework	Reform to address online hate
Priority actions		
The National Cabinet Ministers' Data and Digital Meeting urgently support and adequately fund an initiative to progress a proposal around data collection and the sharing of information about the nature and prevalence of racism and race and religious hate in Australia.	The Australian Government support the implementation of a National Anti-Racism Framework.	The Australian Government and social media and internet services undertake reform to urgently address online anti-Muslim vilification and hate.

Commission endorsed approaches

Community solution	Who is responsible?
Effective engagement with the Muslim community One of the fundamental issues raised by the Muslim community was the lack of implementation of recommendations and initiatives that were the result of various community consultations. There was an urgent push for *effective* engagement. Australian Muslims not only want to be part of the conversation but they want their voices, stories and experiences to drive positive action.	A whole of society approach: individual, community, organisational and all governments.
Public awareness education The Australian Muslim community noted that misconceptions about Islam and Muslims were all too common, and there was an urgent need for public awareness education. A better understanding of Islam and Muslims would equate to better intercultural relations.	Federal, state and territory governments.
Early inter-faith education Australian Muslims noted that public awareness and education would be most effective if implemented in the school curriculum, as it would give students an opportunity to meet members of the Muslim community and foster an early understanding of Australia's multicultural community.	Federal, state and territory governments.
Increased representation of Australian Muslims in the media There was a consensus that greater positive representation of Australian Muslims within news and media meant more opportunities for the broader community to learn about and engage with Australian Muslims. Greater positive representation was also noted as key to the social inclusion of Australian Muslim youth.	Employers and organisations within Australian news and media.

Community solution	Who is responsible?
Strengthen media frameworks There was a strong sense among Australian Muslims that there needed to be stronger guidelines and frameworks in place. This would ensure that Muslim representation in Australian news and media was fair, balanced and accurately represented Muslim participation in Australian society, rather than reflecting on just negative stereotypes and Islamophobic narratives.	Australian News organisations/peak governing bodies.
More diversity and inclusion practices in the workplace Muslim communities expressed the view that there is not necessarily a lack of diversity measures, but rather a lack of implementation of diversity and inclusion practices across businesses and organisations.	Employers, organisations.
Cultural competency in the workplace Australian Muslims noted the lack of cultural competency and the negative effects that this had on their participation in everyday work life. Prayer spaces and inclusive networking events were mentioned as key initiatives organisations could take to address these problems.	Employers, organisations.
Visible allies The responsibility to educate and defend Muslims should not lie with the Australian Muslim community alone. Australian Muslims expressed the need for visible allies outside the Muslim community to help support and aid social cohesion and engagement.	A whole of society approach: individual, community, organisational and all governments.
Robust legislative protection against Islamophobia and anti-Muslim hate Australian Muslim communities highlighted the pressing need for robust laws that prevent and provide protection against unlawful discrimination driven by Islamophobia and anti-Muslim hate.	State and Federal Government, including law enforcement authorities.

Appendix: Previous reports and research

Report	Author	Year
Submission to the Parliamentary Joint Committee on Intelligence and Security Inquiry into and report on matters relating to extremist movements and radicalism in Australia	Australian Muslim Advocacy Network	2021
Who Gets To Tell Australian Stories?: Putting the spotlight on cultural and linguistic diversity in television news and current affairs	Media Diversity Australia	2020
Barriers to Reporting Hate Crime and Hate Incidents in Victoria: A mixed-methods study	Dr Matteo Vergani and Dr Carolina Navarro, Centre for Resilient and Inclusive Societies	2020
Freedom of Religion in Australia: a focus on serious harms	Australian Human Rights Commission and Victorian Equal Opportunity and Human Rights Commission	2020
Report on the Royal Commission of Inquiry into the terrorist attack on Christchurch masjidain on 15 March 2019	Royal Commission of Inquiry into the terrorist attack on Christchurch masjidain on 15 March 2019	2020
Understanding Varied Attitudes Towards Muslims	Kevin Dunn, Rachel Sharples, Thierno Diallo, Alexia Derbas, Matteo Vergani, Craig McGarty, Fethi Mansouri, Yin Paradies, Amanuel Elias	2020
Social Commentary and Racism in 2019	All Together Now	2019
Cultural Competence in Australia: A Guide	Federation of Ethnic Communities' Councils of Australia	2019
Hate and Violent Extremism from an Online Sub-Culture: The Yom Kippur Terrorist Attack in Halle, Germany	Andre Oboler, Online Hate Prevention Institute	2019
Islamophobia in Australia — II (2016-2017)	Derya Iner, Islamophobia Register	2019
Australian Muslims: The Challenge of Islamophobia and Social Distance	Riaz Hassan, International Centre for Muslim and non-Muslim Understanding, University of South Australia	2018

Report	Author	Year
Cyber Racism, And Community Resilience: Project Report and Recommendations to Australian Human Rights Commission	Andrew Jakubowicz, Kevin Dunn, Gail Mason, Yin Paradies, Andre Obler, Ana-Maria Bliuc, Nasya Bahfen, Roslalie Atie, Karen Connelly, Natalie Czapski	2017
Islamophobia in Australia (2014-2016)	Derya Iner, Islamophobia Register	2017
Islamic Religiosity in the West: Belonging and Political Engagement in Multicultural Cities	Fethi Mansouri, Michele Lobo, Bryan S. Turner, Amelia Johns	2017
Australian Muslims: A Demographic, Social and Economic Profile of Muslims in Australia	Riaz Hassan, International Centre for Muslim and non-Muslim Understanding, University of South Australia	2015
The resilience and ordinariness of Australian Muslims: Attitudes and experiences of Muslims Report	Kevin Dunn, Rosalie Atie, Virginia Mapedzahama, Mehmet Ozalp, Adem F. Aydoga	2015
Islamophobia, social distance and fear of terrorism in Australia: A preliminary report	Riaz Hassan, International Centre for Muslim and non-Muslim Understanding, University of South Australia	2015
Islamophobia on the Internet: The growth of online hate targeting Muslims	Andre Oboler, Online Hate Prevention Institute	2013
Countering Violent Extremism (CVE) Literature Review	Minerva Nasser-Eddine, Bridget Garnham, Katerina Agostino and Gilbert Caluya, Australian Government Department of Defence, Defence Science and Technology Organisation	2011
Unlocking Doors Project	Australian Human Rights Commission	2007
Muslim Youth Summit 2007 Report	Australian Government, Department of Immigration and Citizenship	2008
Ismaع — Listen: National consultations on eliminating prejudice against Arab and Muslim Australians	Australian Human Rights Commission	2004

Relevant Research	Author/Publisher	Year
A whole-of-society approach to countering hate speech and hate-motivated aggression	Brian J Adams, Religions	2020
Beyond faith: social marginalisation and the prevention of radicalisation among young Muslim Australians	Melissa Bull and Halim Rane, Critical studies on terrorism	2019
Intercultural contact, knowledge of Islam, and prejudice against Muslims in Australia	Fethi Mansouri and Matteo Vergani, International journal of intercultural relations	2018
Local service provision to counter violent extremism: perspectives, capabilities and challenges arising from an Australian service mapping project	Adrian Cherney, Reem Sweid, Michele Grossman, Alexia Derbas, Kevin Dunn, Clarke Jones, Jason Hartley and Greg Barton, Behavioral sciences of terrorism and political aggression	2018
Algorithms of hate: How the Internet facilitates the spread of racism and how public policy might help stem the impact	Andrew Jakubowicz, Journal and proceedings of the Royal Society of New South Wales	2018
Religiosity, Attitudes on Diversity and Belonging Among Ordinary Australian Muslims	Rosalie Atie, Kevin Dunn and Mehmet Ozalp	2017
Religiosity, Citizenship and Belonging: The Everyday Experiences of Young Australian Muslims	Amelia Johns, Fethi Mansouri and Michele Lobo, Journal of Muslim minority affairs	2015
Towards understanding what Australia's Muslims really think	Halim Rane, Mahmood Nathie, Ben Isakhan and Mohamad Abdalla	2011
Socio-Economic Marginalization of Muslims in Contemporary Australia: Implications for Social Inclusion	Riaz Hassan, Journal of Muslim minority affairs	2010
Islam and the Australian News Media	Halim Rane, Mohammed Abdalla and Jacqui Ewart, Melbourne University Press	2010
Configuration of National Identity and Citizenship in Australia: Migration, Ethnicity and Religious Minorities	Tahmina Rashid, Alternatives: Turkish Journal of International Relations	2007

Endnotes

1 Between July and November 2019, consultations were held in Canberra, Melbourne, Adelaide, Sydney, Brisbane and Townsville. In February 2020, the Race Discrimination Team held consultations in Perth and Darwin. Due to the Coronavirus pandemic, Tasmanian and NSW consultations were not completed.

2 Quantum Market Research. Quantum is a market research agency specialising in attitudes, behaviours and cultural trends across Australia.

3 Australian Human Rights Commission and Victorian Equal Opportunity & Human Rights Commission, *Freedom of Religion in Australia: a focus on serious harms* (Report, July 2020) <https://humanrights.gov.au/our-work/rights-and-freedoms/publications/freedom-religion-australia-focus-serious-harms-2020>; also see Australian Human Rights Commission, Submission to the Expert Panel, *Religious Freedom Review* (February 2018) 23 <https://humanrights.gov.au/sites/default/files/ahrc_20180214_religious_freedom_review_submission_0.pdf>.

4 Australian Human Rights Commission, *Isma – Listen: National consultations on eliminating prejudice against Arab and Muslim Australians* (Report, 2003) <https://humanrights.gov.au/sites/default/files/content/racial_discrimination/isma/report/pdf/ISMA_complete.pdf>.

5 Hilary Pilkington (2016), *Loud and Proud: Passion and Politics in the English Defence League*, (Manchester University Press, 2016) 150.

6 All Party Parliamentary Group on British Muslims, *Islamophobia defined: the inquiry into a working definition of Islamophobia / anti-Muslim hatred* (Report, 2017) 11 <https://static1.squarespace.com/static/599c3d2febbd1a90cffdd8a9/t/5bfd1ea3352f531a6170ceee/1543315109493/Islamophobia+Defined.pdf>.

7 All Party Parliamentary Group on British Muslims, *Islamophobia defined: the inquiry into a working definition of Islamophobia / anti-Muslim hatred* (Report, 2017) 39 <https://static1.squarespace.com/static/599c3d2febbd1a90cffdd8a9/t/5bfd1ea3352f531a6170ceee/1543315109493/Islamophobia+Defined.pdf>.

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