



Making Fair Play our Goal:
Kicking Racism out of Australia

A Human Rights are Aussie Rules Submission to the
Australian Human Rights Commission National Anti-Racism Partnership & Strategy



is a national human rights education program partnership between



INTRODUCTION

“The great thing about sport.....is that it doesn’t matter what your background is, your cultural upbringing, your language or colour or religion or even who you barrack for ...everyone on the field is worthy of being there. Everybody is respected. Differences in culture or background fade into the turf as it were. Success hinges on respectful relationships and relying on your team mates....Everybody has to help each other otherwise teams don’t work. That’s what we need to do with our country.”

- Professor Mick Dodson, Indigenous academic, activist and former Australian of the Year, in an address to the Australian Football League Industry Conference in 2009 observed that

Racism is insidious. The stereotyping of one person on the basis of their cultural and racial heritage begins at an early age. The code of generalisation about nations and their peoples is pre-literate. It begins in picture books and nursery rhymes. It is perpetuated through television, cinema and the internet. As we graduate from pre-school to primary school, the shorthand of racial profiling intensifies until one day we find our subconscious mind is programmed with a host of oversimplified racial data.

Racism is like a disease. All it takes is for one adult to utter a hate word - “wog, nip, coon” - before an attentive child and pretty soon the contagion has spread to the playground.

Human Rights Education immunises children against racism. It reduces incidence of racial and religious bullying and fosters a culture of respect amongst young people.

In Australia, connecting human rights education to sport – uniting the principles of fair play on the sports field to principles of fair play in life – has the potential to create a lasting understanding of and commitment to the value of diversity and inclusiveness.

In this submission the Human Rights are Aussie Rules Project calls for a National Anti-Racism Strategy that unites human rights education and sport in an effort to combat racism across the three educational institutions – primary, secondary and tertiary environment - and beyond into a community wide program of life long learning.

OBJECTIVE 1: CREATING AWARENESS OF RACISM AND HOW IT AFFECTS INDIVIDUALS AND THE BROADER COMMUNITY

RACISM – A QUESTION OF HEALTH AND WELLBEING.

Although Australia currently enjoys strong policies and legislation supporting diversity and multiculturalism, such as the *Racial Discrimination Act 1975* (Cth) and the *Commonwealth Racial Hatred Act 1995* (Cth) the nation has a long history of racism.

Until the arrival of explorers and settlers in the 1700's, Australia had been home to a large, thriving population of Aboriginal and Torres Strait Islanders, living in complex interconnected societies, each group with separate laws, ceremonial traditions and ties to the land.

The colonisation of Australia by the British Empire was built on a racist myth - the assumption that the land was Terra Nullius – land belonging to no-one – because black natives were sub-human and incapable of exercising land rights.

It would take another two hundred years before the High Court of Australia would rule that the assumption of Terra Nullius was wrong at law. But the consequences of that initial, reflex racism by British settlers, has contributed to entrenched indigenous disadvantage, alienation and poverty. Today, the young indigenous men and women, particularly in remote communities, remain trapped in the cyclical consequences of racism - substance abuse, police intervention and incarceration.

Racism has long term consequences for health and well-being. We are only now beginning to understand the link between culturally based intolerance and poor health. VicHealth's ground-breaking report *More than Tolerance: Embracing Diversity for Health*, identified strong links between discrimination and depression. Further, research is required to understand the extent to which a range of stress related health conditions – heart disease, diabetes and high blood pressure – are also impacted by racism and intolerance.

The Australian Human Rights Commission's report into the impact of immigration detention on children, also established a link between discrimination and health. Children, locked up by virtue of their non-citizenship, were found to be at high risk of serious mental harm. The report, *A Last Resort?*, found "The Commonwealth's failure to implement the repeated

recommendations by mental health professionals that certain children be removed from the detention environment with their parents amounted to cruel, inhumane and degrading treatment of those children in detention (CRC, article 37(a)).”

Long term mandatory detention of refugees, especially children, is only the latest in a long history of Australian Government policy that restricts access of migrants and other new arrivals from being treated humanely and respectfully. Although Australia’s national anthem, Advance Australia Fair, celebrates “boundless plains to share”, immigration laws have always fallen short of this ideal. Instead, Australia’s historic treatment of people from non-english speaking backgrounds has been marked by a suspicion of difference and at times legislated racism.

Every wave of migration has felt the consequence of formal and informal discrimination. Chinese immigrants during the Gold Rush, post-war refugees from Europe and Vietnam and victims of the decade long War on Terror from the Horn of Africa and the Middle East have all confronted the ugly underbelly of Australian racism. Although the White Australia policy gave way to a bi-partisan spirit of multiculturalism in the mid 1970’s, the period of inclusiveness that gave rise to the Race Discrimination Act and other protections was short-lived. Upon election of the Howard Government in 1996 the national debate about difference and tolerance shifted. Today, many policies from “Stopping the Boats” to the Northern Territory Intervention are underpinned by assumptions of race.

The racial health problem is a local problem as well as a national dilemma.

CASE STUDY: RACISM IN RINGWOOD & HEALESVILLE, IN MELBOURNE’S OUTER-EAST

In 2010, several media outlets reported an increased volume in racially based complaints made against Victoria Police. Many of these complaints were under investigation by the Office of Police Integrity, with questions being raised in the press and by the then Opposition Leader about the seriousness with which the complaints were being investigated.

Many of the complaints were made by new arrivals to Australia, particularly young men from the Horn of Africa. While many African migrants are settling around high-rise public housing in the inner North, a considerable population is also settling in the outer-east. This is due to growing property price rises in the inner city and the lack of

affordable housing. Despite previous waves of migration bringing families from Europe and Asia to the outer-east, the volume of African faces in the community is presenting a challenge to policing and social cohesion.

One of the notorious locations for racism is Ringwood Train Station, the largest public transport station in the outer-east, where two railway lines, the Belgrave and the Lilydale line intersect. The large number of migrants from the Horn of Africa locating in Ringwood has led to Ringwood Station becoming a racism hotspot. Thanks in large part to the Charter of Human Rights and Responsibilities, local Victoria Police members have recognised both the problem of racism in the community, as well as the need to combat problems amongst reporting rates in the local community. In addition to initiatives coming out of Victoria Police themselves, a partnership between the Victorian Equal Opportunity and Human Rights Commission, the Migrant Information Centre, the Eastern Community Legal Centre and Victoria Police saw the organisations collaborate to confront racism in the community through a series of local community forums.

While Victoria Police were policing racism in Ringwood, in another area of the outer-east of Melbourne in Healesville, Victoria Police members were being disciplined by then Chief Commissioner, Simon Overland, for the distribution of racist emails. The content of the emails is the subject of some conjecture; with suggestions the material contained depictions of violence towards Indian students. The consequences of this incident were profound and widespread, with people in the local community outraged by the conduct, particularly as the high indigenous population in the community should have necessitated a higher awareness about racial abuse. That a police officer took his life over the incident reveals that racism has a cost not only to victims, but perpetrators and bystanders. A police station is a place where it is reasonable to expect high standards of respect for human rights and dignity and greater appreciation of the negative impacts of bigotry. When they become sites of racism themselves, we know we have a racial health problem in Australia.

CASE STUDY: INTER-RACIAL HOTSPOTS IN MIRRABOOKA, NORTH OF PERTH

The Mirrabooka region in north of Perth in WA is a hub of multiculturalism. The WA police report that Mirrabooka region is one of the most diverse communities in Australia

having 97 dialects and 57 nationalities, including more than 22 African nations and a large aboriginal population.

One particular area that deserves special mention is the Mirrabooka Shopping Centre, which includes a small parkland area located in proximity to the bus station. This area is symbolic of the vast diversity of the region however, it is also an area infamously known for youth conflict, namely fighting between teenagers after school. During the weekdays (particularly Friday) large groups of school kids gather from 3pm – 6pm. The local police and various community organizations recognize this as a region of youth conflict. Sometimes these afternoons have in fact become known as “fight night”.

WA police report that a large proportion of this fighting involves teenage males fighting over girlfriends and increasing numbers of young women themselves fighting for various reasons. Racism is not yet a significant factor in these disputes. There have been some rumblings in the Aboriginal community that African migrants may be being favored in the community and certainly there is a perception in the community that lots of people from Africa are moving into the area – sometimes Mirrabooka is referred to in the community as “Mozambooka”.

The local police and City of Stirling have worked together on various projects, particularly using music and dance activities on Friday afternoons to offer an alternative to youth and gang related fighting. Police report that gangs or gang related fighting is now not a factor in this multicultural youth hotspot.

OBJECTIVE 2: IDENTIFYING, PROMOTING AND BUILDING ON GOOD PRACTICE INITIATIVES TO PREVENT AND REDUCE RACISM

HUMAN RIGHTS EDUCATION

Human rights education is the solution to Australia’s racial health problem.

Currently in Australia there is an absence of national and state based curriculum teaching young people about human rights. The Universal Declaration of Human Rights, which was enacted in the wake of racially motivated atrocities of the Second World War, is not taught in schools in any systemic way. Although teachers do their best to incorporate human rights education into

social studies, history text and geography, human rights principles are too important to social cohesion and good citizenship to be educational add-ons.

Human Rights Education fosters respect, tolerance and equality between people of different nations and cultures. The educational benefits are only now being fully understood. In the United Kingdom, where a National Human Rights Act has created a framework for embedding human rights principles in the fabric of the nation, longitudinal research into the impact of UNICEF's Rights Respecting Schools program in 1000 schools has revealed that human rights education not only diminishes bullying rates but also has benefits for truancy and exclusion, improving the overall performance of schools.

In early 2011, HRAR lead partner the Eastern Community Legal Centre asked local service providers to nominate how human rights could be better protected for their clients. Time and again in our survey the same response came back: **more education.**

“Education in schools education and in community based groups such as community houses”; “Much greater awareness of these via promotion in media etc”; “Ensure that people have the information and skills to support their life choices, capacity to self advocate, and ability to identify and access support services when required”; “Better knowledge of charter for our staff”; “Greater awareness and education of service providers and at risk client groups”; By having Human Rights more widely known and understood by the education and service sectors; More information available to the general public; More publicity and education.

A National Human Rights curriculum must begin at primary school and continue through secondary and tertiary institutions. Human Rights Education is lifelong learning and must also be present in our workplaces, public and private institutions.

Finding an educative metaphor that can potentially span the ages of 6 to 69 is complicated.

Our submission, boldly and unashamedly believes that it has found the right vehicle for education about human rights for the long term. That vehicle is sport.

SPORT

In 1999, on the eve of the historic Sydney Olympics, Australia hosted the first multi-disciplinary gathering of human rights lawyers, sports administrators and health and wellbeing advocates to discuss the connection between human rights and sport. The *How to Play the Game Conference*, explored opportunities in sport to foster international unity and peace, challenge racial stereotypes and foster respect and equality. Not all the papers given at the conference were utopian. But even where the limitation of sport as a tool for promoting cohesion was raised, an element of hope about its potential prevailed.

Sport – like the racial signs and codes we mentioned in the introduction to this submission – is pre-literate. It is a universal language that defies cultural and linguistic boundaries.

Even when intelligence and cultural significance of Aboriginal people was being questioned on all fronts by white settlers, anthropologists still had time to observe in glowing terms the sophistication and majesty of Marngrook, the game played with a ball of possum skin by aboriginal men, that many historians claim is the foundation for the development of Australian Rules Football. Sport breaks down barriers.

Sport is the unofficial religion of Australia. 66% of Australians play a team sport, millions more watch it live or on television. Whether playing or consuming, a love of sport by its very nature necessitates an appreciation of and commitment to a set of standards and rules about fair play and good sportsmanship. Independent umpires/adjudicators, rules against striking, foul play and violent conduct, sport sets boundaries on acceptable behaviour on the sports field. This is why, as a metaphor, it has so much promise for human rights.

An association between sport and human rights – the importance both on and off the field of fair play - has an opportunity of sustaining respect for Freedom, Respect, Equality and Dignity from infancy through to adulthood.

It also has the opportunity of bringing together disparate institutions – sporting bodies, teachers and community organisations – in common purpose.

SPORT AND HUMAN RIGHTS EDUCATION – A UNIQUE COLLABORATION

It is our submission that both sport and education should be prioritized by the National Anti-Racism Partnership and Strategy. With two of the five key areas of effort for the National Anti-

Racism Partnership being “education resources” and “youth engagement”, it is clear that the National Anti-Racism Partnership has already identified sport and education as priority areas through which racism can be addressed and prevented.

Sport and the concept of “fair play” as a metaphor for human rights is particularly useful in communicating with young people from culturally and linguistically diverse backgrounds because it is a universal language common to all cultures. Sport also has profound resonance in indigenous communities. The AFL has taken its own initiative in setting down standards around the area of racial vilification to address racism within the AFL. Using this as an example to connect with children and young people who are passionate about the professional sporting teams which they follow, it is clear that the link between education and sport can be expanded upon to address racism experienced by people in everyday life.

ECLC believes that early schooling years are a key formative period in which the FRED principles have the best chance of forming an integral part of children’s ideals and value systems. Therefore we would also submit that preventing racism is best achieved by instilling an understanding of human rights principles in children and young people, as our future leaders. With this in mind, it is clear that sport and education go hand-in-hand: sport is an integral aspect of primary and secondary education and therefore children are readily exposed to relevant principles governing sport already through their everyday schooling. By focusing on these two areas which are already an integral aspect of the experience of children and young people, the messages around human rights principles are likely to have the best chance of being understood and practiced as these individuals grow.

HUMAN RIGHTS ARE AUSSIE RULES – BEST PRACTICE IN HUMAN RIGHTS EDUCATION

Human Rights are Aussie Rules is a unique human rights education program that brings people from business, sport, the arts, education and the community sector together to educate young people about human rights. The program, which was established in 2007 to fill the gap in national and state-based curriculum, has grown from a small Victorian pilot into a nationally recognised program that offers a range of learning modules connecting sport and human rights including:

- A 45 minute theatre performance *FRED’s Fair Play*
- *Human Rights are Aussie Rules* Workshops where FRED principles are taught in an interactive and engaging manner
- The mass participatory game *Handballs for Human Rights*

- An online experience game *Handball for Human Rights*
- A Classroom Kit for teachers and students (in development)

The pedagogic framework of the program is based on:

1. A unique comparative analysis of human rights and sporting principles.
2. Popular education theories about the importance of empowerment of the student.
3. A commitment to communication that is fun, interactive and child-centred.

The Human Rights are Aussie Rules Project compares the rules of fair play in life to rules on the sports field to make concepts of equality, human dignity and justice easier to relate to, rather than just abstract ideas. The *Human Rights are Aussie Rules* Project aims to reduce the incidence of racial, religious and cultural bullying and intolerance at schools and add to improved outcomes for schools.

PROJECT BACKGROUND

The *Human Rights are Aussie Rules Project* was born out of community need. In 2006, prior to the enactment of the Charter for Human Rights and Responsibilities (CHRR) in Victoria, the founding partner, ECLC, engaged in community education and discussion about Human Rights. ECLC became concerned that the local community's understanding of human rights was in fact poor, confused by technical legal discussion and political argument. ECLC identified a need to provide accessible education about human rights to the community, particularly young people, and, in the absence of any Government initiatives, began providing human rights education in a way that was connected to the everyday lives of Victorians. ECLC chose sport – the metaphor of fair play and good sportsmanship – as the medium to teach young people and their families about human rights after a community based reference group helped develop the idea. The group included young people, community service organisations, local lawyers and businesspeople.

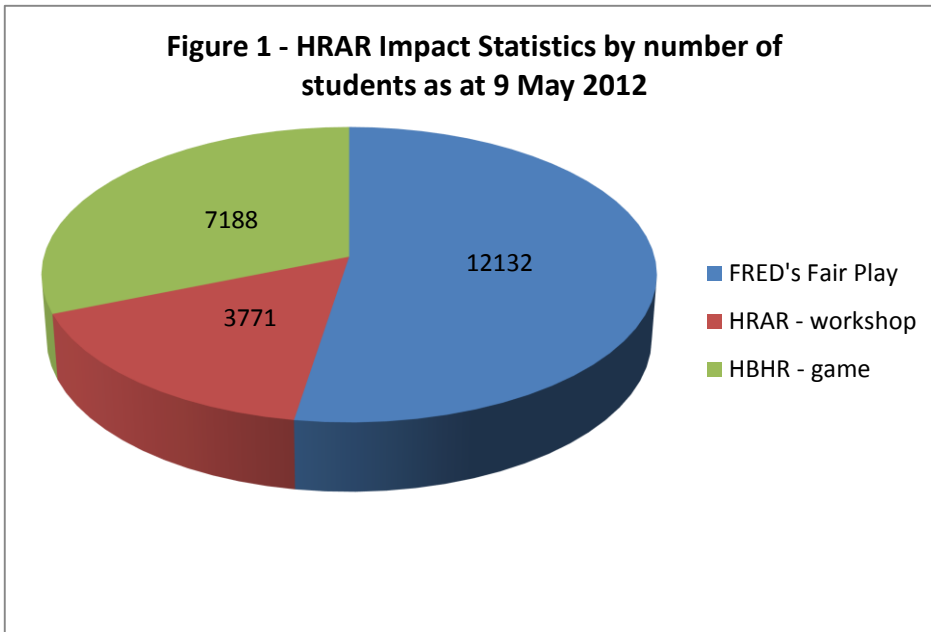
In the first stage of development, the Human Rights are Aussie Rules project saw ECLC engage a professional drama group, Carp Productions, to develop, write and present a short performance at community festivals in the east, promoting awareness of the CHRR, specifically the underlying principles of Freedom, Respect, Equality and Dignity (FRED). ECLC conducted surveys of people who watched *FRED's Fair Play*. Again, concerns about human rights education

were confirmed. While 100% of those surveyed believed human rights to be important, only 36% of respondents said they understood the key themes of human rights principles.

In 2009, with support from the Helen MacPherson-Smith Trust, Victorian Multicultural Commission and Whitehorse City Council, a pilot program of the *Human Rights are Aussie Rules* project was launched in primary schools in Victoria. Now a further two resources were added – a one hour interactive workshop and mass participatory game, *Handball for Human Rights*, to be played at community festivals.

HRAR chose primary schools as the site for further human rights education on the belief that early years of schooling provide a young person's first learning experiences about how to respect people who have different values, backgrounds and beliefs from them and their families. At Primary School, parents and families tend to maintain day-to-day hands on contact with the school, participating in pre and after school activities, school excursions, sporting events and lunchtime programs. This provides HRAR with the opportunity of providing education about human rights to adults, too. Primary school is also the first time young people learn the principles of fair play on the sports field. By connecting the ideal of the good sport – respect for rules, personal safety and the unbiased decision of umpires – to the principles of human rights, HRAR engages with young people about human rights in a way that is relevant to their daily lives.

18867 young people have been educated through the HRAR program. 12132 young people have watched FRED's Fair Play, 3771 young people have been educated through the Human Rights are Aussie Rules Workshop and a further 7188 young people have played Handball for Human Rights.



Human Rights are Aussie Rules, now in its fifth year, goes from strength to strength. In 2010 it was a finalist in the National Children’s Law Awards, attended the Garma Indigenous Cultural Festival in Arnhem Land at the request of the Castan Centre for Human Rights and Yothu Yindi Foundation and received Federal Government funding to roll the program out nationally over three years, commencing in WA and NT. Most recently, the project was the beneficiary of The Scanlon Foundation, who awarded the program funding to transfer the *Human Rights are Aussie Rules* education package from Primary into Secondary Schools.

The Victorian Government also supported the project’s work through the development of an online game for children. Handball for Human Rights was launched in April 2012 by the Federal Attorney-General, Nicola Roxon and will soon be launched on both android and iOS smart phones. The foray into online games is part of a communication strategy designed to increase our reach to young people in innovative and affordable ways. The game has ensured that our educational pedagogy is experienced by students well beyond the funded borders of the program into New South Wales, Queensland and Tasmania. In fact, the online game is having international reach, with Google Analytics revealing that play in Brazil, Bhutan, Jordan, United Arab Emirates, United Kingdom and the United States of America.

Attached to this submission is the first Progress Report for the Human Rights are Aussie Rules Project which outlines in greater detail the pedagogic framework of the project and the achievements to date. More information about the project can be obtained at:
www.humanrightsareaussierules.org.au ECLC

SUCCESSFUL STRATEGIES IN THE HUMAN RIGHTS ARE AUSSIE RULES PROGRAM

Evaluation of human rights education is at its infancy. The HRAR program currently does not have funding or resources to undertake a long term evaluation of the impact of the program on prevention or reduction of racism.

To date, evaluation of the impact of the program has relied on immediate feedback and observation of the impact on students by teachers and HRAR staff. Nonetheless the evaluation has been powerful and effective.

In 2009, HRAR ran a day long pilot of the program at Hallam Valley Primary School in the south-east of Melbourne. The pilot involved three performances of FRED's Fair Play and three HRAR workshops. Evaluations were completed by Years 5 and 6 students only. They were asked to comment on what the theatre production and workshops had taught them. The following qualitative data provided by the students helped shape the direction of the program.

What did you learn from FRED's Fair Play?

- We are all equal
- Always play fair and everyone's a winner
- Play fair during life
- That you have to respect people
- Well she said that everyone can play games even if they are different
- About all the qualities in life and thinking good about myself
- That in life you can get a different experience to others
- To respect others at all times
- That you have your own rights
- That everyone can play not just 1 sort of kind
- I learnt that people's lives are very different, and sometimes hard, so you have to work together to make it better for everyone.
- Not to tease people even if they have a different colour skin or hair.
- That it doesn't matter whether you're boy/girl, black/white, it matters that you're proud of it.
- Some people are different but we should still show them the same respect as anyone else
- I learnt that you could wear what ever you want and you have human rights.
- That you should respect others no matter how different.

- To respect others and I have Freedom, Respect, Equality and Dignity
- How freedom is that you can do anything because you are free
- To be fair

What did you learn about Freedom, Respect, Equality and Dignity?

- We are all equal
- That you should always play fair and respect others
- You need it
- That you should believe in yourself
- Respect people, give them freedom and be nice
- That you need laws in life
- Always respect and when you choose, you have freedom
- I learnt that freedom, respect, equality and dignity are part of human rights.
- Freedom means you have the right to wear or dress how you want and that you have rights. Dignity means you can find your inner self and stand up and speak for yourself. Respect means respecting others and yourself. Equality means treating everyone the same.
- That they are more than just words. They are feelings.
- That you don't leave anyone out. So everyone can play
- I learnt a lot of things like being nice and friendly. It was fun
- It doesn't always mean the boys are better than girls
- That winning doesn't always depend on if you're a girl or boy
- It doesn't matter what gender you are
- To respect people and not bully. Not that I do bully all the time, and much more.

Having now delivered the program to 18867 students, we have observed:

1. an immediate impact on students understanding of racism

The HRAR Workshop Respect module commences with a discussion about Nicky Winmar. We show students the iconic photo of Nicky, lifting his jersey to the crowd, in defiance against racial abuse being hurled at him by spectators. We ask the young people to consider what may have been said about him and why. In every session, students identify Winmar's aboriginality and the colour of his skin as having contributed to this historical incident.

We use this story and the associated story of fellow aboriginal footballer, Michael Long and the first Sudanese footballer, Majak Daw to discuss the AFL's introduction of Rule 30, the Racial and Religious Vilification rule.

"We know we are having an impact on students because you can hear a pin drop in that session, such is their level of concentration"

- Tanja Kovac, National Co-ordinator HRAR

2. an immediate impact on students understanding of racial and cultural discrimination

In the HRAR Workshop Dignity module, children directly experience what it is like to be born on the uneven playing field of life by playing an unfair game of tunnel ball. After playing and experiencing the discrimination themselves within a sports setting, children are asked to step into the shoes of others, to reflect on real life situations when the playing field of life is uneven. Through opened ended questions, children themselves nominate race and ethnicity as potential life limiting disadvantages.

"Through doing our workshop, children not only understand that being a refugee impacts on all aspects of life, but are encouraged to go a step further to think of strategies to overcome this disadvantage. This results in children coming up with amazingly innovative affirmative action strategies."

- Ali Abachi, HRAR Community Education Worker

3. A post workshop impact on students wanting further information & assistance

Following the HRAR workshop, our staff and volunteers are approached informally by students wanting further information and support about areas of disadvantage impacting on their own lives. We know our program opens up longer term conversations about fairness and justice. This is why we are working with teachers to develop a classroom kit that prepared schools, teachers and students before the program commences and offers lessons plans and teaching guides to assist in debriefing.

Although more work is to be done in formal evaluation, our feedback from teachers on the ground is significant.

“We are the Year 6 and 7 teachers at Poseidon Primary School. I found the workshop to be very engaging, rewarding and thought provoking for our children. This was a unique way to teach the elements of human rights and the hands on activity is a great way to reinforce human rights. The program was age appropriate and very well run.”

- Staff at Poseidon Primary School, WA.

Recommendation 1.

That the National Anti-Racism Strategy recognise HRAR as a national leader in delivering human rights education and work with the national partners to support the long term delivery of the program to young people.

Recommendation 2.

That the AHRC work with the HRAR program to develop and fund Games for Change, a suite of online games aimed at educating Australian children about human rights principles.

Recommendation 3.

That the AHRC fund a qualitative study on the impact of human rights education on respect and tolerance amongst young people in Australia, with the HRAR included as one of the programs assessed for its impact and reach.

OBJECTIVE 3: EMPOWERING COMMUNITIES AND INDIVIDUALS TO TAKE ACTION TO PREVENT AND REDUCE RACISM AND SEEK REDRESS WHEN IT OCCURS

“Just as in the race debate, so in the area of human rights in general, the Commonwealth – the Australian – Government, has an obligation to lead, to set standards, to articulate the aspirations of this nation”

- *‘Boys, you wanna give me some action?’: Interventions into policing of racialised communities in Melbourne”, A report of the 2009/2010 Racism Project, Bec Smith and Shane Reside*

EMPOWERING COMMUNITIES – A NATIONAL EDUCATION CAMPAIGN

Tackling the issue of proactive action towards addressing racism amongst the community is a tremendous task. Racism unfortunately is all pervasive amongst our communities, it touches on all facets of daily life from business to education, from the delivery of critical services like healthcare and social welfare benefits to employment and youth attitudes.

The strongest educational experience about racism and its affects occurs firsthand when people to 'step into the shoes' of others. This is what the HRAR program does with young people and what the Logie Award Winning SBS program *Go Back to Where You Came From* achieved. The television program dramatically impacted on the beliefs of six individuals by forcing them to live the life of a refugee in an intense and sometimes frightening way. It also served to shine a spotlight on the widespread misunderstanding society as a whole has to the plight of asylum seekers coming to Australia.

Sport can again provide a useful tool in which to encourage people to speak up about racism. By harnessing the reverence Australian’s have for sporting heroes, the National Anti-Racism Partnership could build a national education campaign called *Kick Racism out of Australia*. The campaign would harness all the football sporting codes in common purpose to this end, each code metaphorically representing a different “culture” or “language” in Australia, but united by fair play.

Further, the Australian Human Rights Commission could consider adding a new National Human Rights Award in the field of sport.

Recommendation 4

That a Kick Racism out of Australia campaign endorsed by all football codes be launched by the AHRC aimed at encouraging individuals to make complaints about incidents of racism.

Recommendation 5

That the Australian Human Rights Commission add an additional National Human Rights Award in the field of sport.

EMPOWERING COMMUNITIES – A HUMAN RIGHTS ACT

While Australia has taken some steps towards addressing racism through legislation at both state and federal level, there is still work to be done. Australia has no constitutional or statutory Bill of Rights at a federal level and is the only liberal democracy in the world without such a statement. Australia must act immediately to enshrine human rights into domestic law by creating a Human Rights Act or a Federal Bill of Rights.

Victoria and the ACT have led by example by implementing a Charter of Human Rights. Other states and the Northern Territory also must immediately enact similar legislation in their own jurisdictions. Establishing legally binding obligations is the best way for governments to lead by example. The Victorian Charter has already started to have an impact on government, administrative and judicial decision-making. However, we submit that the Victorian Charter, and indeed any such future Human Rights Act at a federal level, must incorporate a mechanism for individuals to make complaints.

Articulating human rights standards which address racism in enforceable laws, and then offering redress to people whose rights have been breached under such laws, will surely provide the clearest incentive for individuals and communities to change racist attitudes and behaviours.

Recent research by the Flemington Kensington Legal Service found significant incidences of racial profiling by police in the Flemington, Braybrook and Dandenong areas. The report¹, found that there was racialised over-policing among African young people in the above regions of Melbourne. The findings in this report indicate that even with the Charter of Human Rights in place, a mechanism for enforcing these rights - in this case in particular the right to equality before the law and the right to

enjoy human rights without discrimination² - is vital for these rights to be adequately protected.

In addition to enshrining human rights standards into national legislation, another key aspect of addressing racism comes in the form of supporting community organisations to deliver programs to address racism, especially those relating to education and sport. Ongoing state and federal government support for projects such as *Human Rights Are Aussie Rules* is vital.

Our governments must make it clear that racism is wrong and will not be tolerated. The most fundamental step governments can take in this regard is to enact our international human rights obligations into legislation. Education then becomes the key to ensuring individuals and communities are aware of these obligations and continue to put these standards into practice every day both through our actions and words.

Recommendation 6

That any National Anti-Racism Partnership or Strategy must have the enactment of a Federal Human Rights Act as a short to medium term goal