



TERRI JANKE AND COMPANY
LAWYERS & CONSULTANTS

Listen Loudly, Act Strongly

**Independent Review into ABC Systems and Processes
in Support of Staff who Experience Racism**

Terri Janke and Company Pty Ltd



**Commissioned by the
Australian Broadcasting Corporation**

TRIGGER WARNING

Readers are advised that this Report recounts the personal stories, perspectives, experiences, and observations of First Nations people, Culturally and Linguistically Diverse people, People of Colour and Allies. This Report also includes experiences, references and descriptions of racism, discrimination, bullying, trauma and mental health. Reader discretion is advised.

The most sensitive content is in **Part 4: What We Heard**.

It is recommended that all readers consider seeking professional therapeutic supports where needed.

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- [The National Ethnic and Multicultural Broadcasters' Council](#)
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Independent counsellors are available for participants of this Review, including after the public release of this report. Information has been sent to participants. If you are a participant and you have not received this information, please contact the Review Team.

Acknowledgement of Country

Terri Janke and Company acknowledges the Aboriginal and Torres Strait Islander peoples of the lands on which we live and work, and all Aboriginal and Torres Strait Islander peoples in Australia. We pay our respects to Elders past and present.

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Terri Janke and Company acknowledges and thanks the participants who took part in the consultations, and who provided written submissions. We have not referred directly to any individuals or their personal stories to respect privacy. Participants of the Review retain the rights to their personal stories.

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Terminology

For the purposes of this Outline, where the term First Nations peoples is used, it is understood that this is intended to respectfully include reference to Aboriginal and Torres Strait Islander peoples.

Disclaimer

This Report contains the summarised opinions, views and experiences of the participants of this Review.

The participants in this Review were interviewed on the basis that their identities would be anonymised and remain confidential. In the interests of preserving confidentiality, the timings of any accounts or experiences included in this Report are not referenced. Participants include both current and former staff, who raised recent and historical matters. It was not within the scope of this Review for the Report's authors to verify or investigate individual accounts, experiences or allegations.

The Review Team at Terri Janke and Company have drafted this Report, as legal consultants to the Australian Broadcasting Corporation.

This Report does not in itself indicate or give rise to legal liability for the Australian Broadcasting Corporation, the participants, or Terri Janke and Company.



ACKNOWLEDGEMENTS

Participants

The Review Team expresses deep gratitude and respect to participants who came forward. We feel privileged to hear the experiences and observations of participants, and that we have been entrusted with these stories, and we do not take lightly the stories that have been shared with us.

The Review Team acknowledges the difficulty that many participants have had recounting their experiences and observations.

Many participants noted, despite the challenges to come forward, that they were motivated to share their experiences and feedback because they are invested in the success of the ABC. *“I love the ABC and I want it to succeed”* has been a common sentiment.

The Review Team extends its respect to all those who may have had experiences relevant to the Review but did not come forward. We acknowledge that there are many reasons why people may have chosen not to participate in this Review.

We hope we have amplified the stories of those who responded, acknowledging the significant efforts undertaken, and that this Report can effect positive change where it is needed.

Message to readers

The Review Team would like to thank participants who provided their consent for us to quote them in this Report. We encourage readers to read this Report with empathy. Please treat these accounts with respect.

The accounts are anonymous. Please do not ask individual people if they participated in the Review, nor try to attribute any quotes to individuals.

Advisory Panel

The Review Team thanks the Advisory Panel for their highly valuable guidance throughout the Review. The Advisory Panel comprised:

- Professor Tom Calma AO (Kungarakan), **Consultant**
- Natalie Walker (Kuku Yalanji), Director, **Inside Policy**
- Tim Goodwin (Yuin), Barrister, **Victorian Bar**
- Alex Shehadie, **Consultant on Workplace Culture.**

The ABC

The Review Team acknowledges the ABC, all those who called for the Review, and supported the Review. This includes:

- The Bonner Committee, for calling for the Review, supporting the Review, and committing, with the support of management, to have an advisory role in the implementation of the Review.
- The Diversity Advocates Network for supporting the Review.
- The Managing Director of the ABC, for commissioning Terri Janke and Company for this Review.
- All current and former ABC staff who contributed to the Review.

FOREWORD

This Review's focus is to report on the extent to which the ABC supports its staff who experience racism.

This Review is about racism, but it is also about courage.

It takes courage for people who have experienced racism to speak out about their experiences. For every person that did, we are extremely grateful. We listened to talented, experienced and passionate professionals who spoke out with the hope of creating positive change. We aim to honour what you have shared with us. Your words light the way for others to understand and learn.

This document was challenging to write, and it will be challenging to read. It confronts racism in the systems of one of our national institutions. As you read these accounts, take a moment to reflect on the real experiences of those who shared their stories to help build a safer workplace, and a stronger ABC.

It takes courage for an organisation to hold up a mirror and commission an independent review of its responses to racism. We commend the ABC for looking into the shadows. Listening and acknowledging these experiences is the first step toward change, but it requires committed action to follow. There are 15 recommendations to guide the way forward.

We have called this report "**Listen Loudly, Act Strongly**".

"**Listen Loudly, Act Strongly**" means actively paying attention, listening to understand, questioning our own perspectives and unconscious biases, and responding with determination and resilience. It means to be fully engaged in understanding the issues around us, especially those relating to injustice or inequality, and taking timely and decisive actions. It means to walk the talk. This requires awareness and strength in tackling challenges, and consistently fostering an environment of transparency, cultural safety and respect.

The ABC must listen loudly; it must act strongly. Real change requires the courage to turn these words into action.

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EXECUTIVE SUMMARY

Introduction

On the advice of senior Indigenous staff, the ABC engaged Terri Janke and Company, Lawyers and Consultants (**'the Review Team'**), to undertake an *Independent Review into ABC Systems and Processes in Support of Staff who Experience Racism*. This Report outlines the key findings and recommendations of the Review Team.

This Review's focus is to report on the extent to which the ABC supports its staff who experience racism. Racism is the process by which systems and policies, actions and attitudes create inequitable opportunities and outcomes for people based on race. Racism can be subtle and hard to see, yet it often hides in plain sight. Racism impacts people who are First Nations, Culturally and Linguistically Diverse (**'CALD'**), their families, their networks, Allies, and witnesses. The ABC has legal obligations to make sure staff are safe, and that the workplace is free from psychosocial hazards. Racism, and its impacts on all staff, are a significant psychosocial hazard that employers need to address in the workplace.

Why the Review is important

The ABC has a crucial role in Australia. It is close to the hearts of many Australians, and it is a pillar of democracy as a public broadcaster. The ABC has legislative requirements to showcase the stories of the public and reflect Australia's diverse population. This requirement holds the ABC to account in looking at itself, and continually questioning whether it is mirroring the representation of Australia's many communities. To encourage robust story-telling and healthy debate, it is also within the ABC's remit to be bold and courageous.

The ABC has a key role in telling First Nations and culturally diverse stories to Australia and internationally. This story-telling can only be done genuinely and respectfully when people have self-determination and influence over the stories about them and their communities and can work in environments where they feel safe and on an equal playing field with all staff.

Key Findings

Participants reported experiences of racism, both overt and covert

We spoke to 120 participants, comprising current and former ABC staff, including people who are First Nations, CALD, and Allies to hear their perspectives and stories. Only one participant described not experiencing racism in the workplace personally but had been aware of racism occurring at the ABC.

This response overwhelmingly indicates that racism exists within the ABC workplace, and that ABC staff are subjected to racism from external individuals and organisations in connection with their work.

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We heard of instances of overt and covert racism being experienced by ABC staff. This included, but was not limited to:

Overt racism: this covers racism which is obvious and deliberate, often involving direct actions and statements, including:

- Racial slurs;
- Derogatory and offensive comments about a person's appearance and cultural practices;
- Excluding staff from workplace opportunities or social events due to their cultural or linguistic background; and
- Mistaking someone for a more junior person based on their racial appearance.

Covert racism: this refers to more disguised forms of racism including unconscious bias and microaggressions, including:

- Stereotyping, assumptions and unconscious bias;
- Not being championed or mentored because you are not in the same cultural group as managers;
- Not being considered to be impartial in reporting on a cultural group because you are perceived to be from that cultural group;
- Not having opportunities because you are considered to have been hired to only meet diversity criteria, and your skills are not valued.

Participants described racism being entrenched in many facets of the organisation, presenting barriers and challenges across the following areas:

- Recruitment processes;
- In pay discrepancies;
- Employment conditions;
- Career progression;
- Staff supports;
- Through behaviours of bullying and harassment;
- Complaints systems;
- In policies; and
- In representation across middle to upper levels of the organisation.

This suggests racism is systemic at the ABC – the ABC's policies and practices disadvantage people who are First Nations and CALD in these areas.

Intersectionality was also raised by participants as an issue, where discrimination occurs on other grounds as well as racism, such as gender, sexuality, age, class, and disability. There were concerns around the treatment of women of colour.

Participants located in regional areas noted that they felt more isolated, living in regions where racism was more overt, and not being aware of support services.



Impacts on current and former staff

We emphasise that the majority of participants expressed significant hurt, helplessness and exhaustion around their experiences in the workplace. These experiences present barriers to staff for career progression. Cumulatively, these experiences have a profound impact on the self-esteem, and sense of self-worth for participants. This impacts entire lives – not just in the workplace.

The ABC's systems for dealing with racism need improvement

There are national, state and territory legislative frameworks that cover employment, equal opportunities and discrimination laws, human rights, and workplace health and safety with which the ABC must comply. In observance of these laws, the ABC has developed frameworks and policies to handle complaints, and to guide standards of behaviour.

The Review looked at how the ABC's strategies for dealing with racism compared with developing best practice standards to identify strengths and opportunities for improvement.

A key area of concern is the complaints processes. Establishing clear processes for raising complaints and concerns is essential for any organisation in effectively addressing discrimination. It is important to allow the aggrieved person access to impartial and transparent processes, ensuring that they understand the outcome. Throughout the process, care must be taken to avoid exacerbating any trauma they may have experienced.

The nature of racism makes it challenging for an aggrieved person to bring a complaint forward or feel confident in doing so. Systems tend to focus on overt racism and do not deal with covert racism or systemic racism effectively. There is a lack of trust in complaints systems and reporting and monitoring approaches. The options are often not accessible, and most people don't engage formally with them. Some of the participants' responses for not engaging with the formal systems included:

- Not being aware of what systems were available, or how to access them;
- Fear of not being listened to or believed;
- Lack of trust in the systems to take effective, transparent action;
- Not feeling comfortable speaking out against a more senior member of staff;
- Not wanting to be perceived as a 'troublemaker';
- Fear of their contract not being renewed;
- Fear that lodging a complaint will negatively impacting their career progression and professional opportunities; and
- Wanting to just get on with their job.

Participants described this first-hand, or observed others experiencing these outcomes. This reinforces distrust in ABC systems.

Fear and hesitancy to make a complaint is detrimental to a person's health and wellbeing as people who suffer racism continue to carry a burden that builds up over time, harming them, their colleagues, and their families and networks.

Other than health and wellbeing, racism can impact a person's professional opportunities and development, their income and their capacity to produce work to their best standards.

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The responsibility of dealing with racism in the workplace often rests with people who have been harmed to prove that their experiences are real and valid. The responsibility for ensuring people can work in an environment free from racism and other psychosocial hazards must sit with the Board, Managing Director and Senior Leadership Team (**'ABC Leadership'**).

At the ABC, many of the people in positions of power are not First Nations or CALD. Whilst some managers may understand racism and inequity on a theoretical level, participants in the Review pointed out that many do not have lived experience with these issues. This means that key decisions are often made by people who have not experienced racism firsthand.

A major concern is that there is a lack of shared understanding of racism among ABC Leadership. Without a deep and consistent grasp of how racism works, the actions taken to address it tend to be uncoordinated and short-term. These efforts are not effective enough to make real, lasting change.

As a result, people who are First Nations or CALD face challenges in progressing in the ABC. Without clear pathways and support, the cycle of exclusion continues.

Many participants considered that the complex and competitive culture at the ABC made the workplace a highly-charged work environment.

Another concerning area of racism reported by participants was the external attacks they experience from the general public, the media and external individuals. The online environment exposes people in the public eye to inflammatory comments and personal attacks. Whilst the ABC moderates online forums it manages, and responds to media criticism, people who are First Nations and CALD stated there was a lack of consistency, which left many of them feeling abandoned and vulnerable. Some participants expressed they felt supported by their direct managers when these attacks occurred, but that this was ad hoc rather than systemic.

Personal attacks and bullying from peers were also reported, resulting in people who are First Nations and CALD not feeling safe at work.

Stereotyping, assumptions and unconscious bias were commonly raised issues. Many people felt that there was a general lack of understanding about why diversity is important, and people who are First Nations and CALD are often questioned on their capabilities in roles. Unconscious bias also pervades decision making and limits professional opportunities.

People who are First Nations and CALD expressed not feeling valued in the workplace, and tokenised. The majority of participants did not feel culturally safe. Some participants were more positive and reported feeling culturally safe due to the behaviour of particular managers who supported them. The existence of networks, and the Bonner Committee and ABC Belong, were also noted as supportive.

The issue of cultural load was raised in consultations. Cultural load is the additional workload taken on by people who are First Nations and CALD, by having to educate their peers on cultural matters, or to provide contacts. A person's knowledge of culture is often seen as a



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resource to be used by others, rather than there being opportunities given for the First Nations or CALD person to present stories.

First Nations people described the personal impact on their wellbeing in having to report on race-related content that are considered political or controversial publicly.

The good intentions of the Senior Leadership team to address issues of racism was noted by participants. However, there were concerns that these good intentions do not flow through the organisation, particularly middle management. Participants described a disconnect between the goodwill of management, and what happens day to day.

Job insecurity was another factor contributing to the disadvantage of people who are First Nations and CALD, who report barriers to securing permanent, fulltime and ongoing work.

Recruitment processes and career pathways are also open to unconscious bias.

To break this cycle, the ABC Leadership must commit to long-term systemic change.

Impartiality and Diversity and Inclusion

The ABC Code of Practice outlines the standards the ABC must adhere to in order to build and maintain audience and public trust. This includes a commitment to accuracy and impartiality. The requirement for impartiality is also embedded in the *Australian Broadcasting Corporation Act 1983 (Cth)* ('**ABC Act**').

Many participants noted inconsistencies in how impartiality is understood and applied in the ABC, pointing out that assumptions are made that people who are First Nations and CALD cannot be as objective as their counterparts when reporting on issues related to their racial groups. The ABC is required to ensure that news gathering and presentation are impartial, in line with recognised standards of objective journalism. The ABC has also issued a guidance note on impartiality and continues to actively examine this issue to better inform its team. However, more needs to be done to support staff in effectively implementing impartiality standards, particularly with regard to diversity. It is important that the lens of lived experience be valued in story-telling – seen as a strength, not a deficit, and that people of all backgrounds feel safe to tell stories at the ABC.

Strong commitment to the ABC

Participants expressed a strong commitment and dedication to the ABC. While this commitment is reassuring, there are ongoing psychosocial hazards in the ABC that require immediate action to ensure the safety and wellbeing of all staff.

ABC Responses

The ABC has actively introduced measures to address racism in the workplace in recent years, including but not limited to a review of the ABC's Grievance Resolution Guidelines to include the word 'racism', developing the Manager's Toolkit on how to build an inclusive culture and challenge racism in the workplace, and the development of training programs designed to build cultural competence among staff. However, from what was heard in the consultation, the implementation of these strategies has been inconsistent.



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However, the efforts the ABC has taken were also acknowledged. Despite the challenges noted by participants, some also shared experiences where incidents were managed well by some direct supervisors, middle managers, senior leaders, and the Managing Director. There are many wins to be celebrated where the ABC has shown a visible and tangible commitment to creating a culturally safe workplace. These include:

- Creating new First Nations and diverse executive and strategic roles such as Indigenous and Diverse Employee Support Lead;
- Hiring 'Cultural Guidance Advisors' to ensure that 'culturally informed decisions' are made when making content; and
- The introduction of Employee Network Groups, such as ABC Belong, to provide First Nations and CALD staff with culturally safe peer support.

Some participants highlighted the changes the ABC has made in a positive direction. However, many also expressed the need for long-term systemic change.



Key Values for Change

These key values for change are the foundation of our recommendations.

Leadership: ABC Leadership should take responsibility for embedding systemic equity. Courageous and fearless leadership is required to drive and change industry culture.

Trust in a public broadcaster: As Australia's national broadcaster, the ABC holds a unique role and must strive to build trust.

Courage: The ABC must recognise that racism exists in the organisation, and that staff are subjected to racism from external sources. The ABC should also recognise that the organisation may receive backlash for driving this cultural change, and staff may be on the receiving end of this backlash. The ABC Leadership must be courageous in driving this change and understand they have a duty of care to do so.

Racism impacts everyone: Racism impacts all ABC staff and its audiences. It is everyone's responsibility to ensure a safe, respectful and inclusive workplace.

Psychosocial safety: ABC Leadership have an obligation and duty of care to adhere to psychosocial safety standards.

Humanity first: A humanity-first approach means prioritising the wellbeing and dignity of people.

Systemic change: Cultural and systemic change is key to diversity and inclusion, ensuring that everyone feels they belong, are respected and feel safe.

Transparency and accountability: Transparency and accountability must be central to the response to reports of harm, ensuring timely responses with all complaints processes.

Listen loudly: Pay attention to people's words and experiences. People who are First Nations and CALD must feel safe to tell stories at the ABC. It must be recognised that every person has their own lived experiences.

Speaking up: Speaking up without fear helps build a stronger ABC. An environment of trust, open dialogue and respect must be fostered.

Ongoing improvement: Ongoing improvement requires a commitment to continuous progress, reflection, and learning from mistakes.

Recommendations of the Independent Review into ABC Systems and Processes in Support of Staff who Experience Racism

The following is a summary of the full recommendations, appearing in full at

[Part 9: Recommendations](#).

- 1. That the ABC, its Board, Managing Director, Senior Leadership Team and all staff read this Report in full and listen deeply to the grievances of First Nations and CALD current and former staff.**
 - a. All staff should be encouraged to read this Report in full, and the ABC should create safe environments for staff to have conversations about the Report's findings.
 - b. The ABC Board and Senior Leadership Team should deliver a statement of acknowledgement and apology that recognises the harm that racism and racial discrimination has had on ABC's staff and former staff.
 - c. ABC Leadership should take full ownership of the findings in this Report and the implementation of the recommendations.
 - d. ABC Leadership should visibly commit to providing a workplace that is anti-racist, culturally safe, inclusive and respectful.
 - e. ABC Leadership should aim for best practice prevention and response strategies when dealing with workplace health and safety as it applies to the impact of psychosocial hazards.
 - f. ABC Leadership should communicate to their teams their understanding and personal reflections of the impacts of racism described in this Report, provide a response to the recommendations, and develop a clear implementation plan.

- 2. That the ABC commit to being proactively anti-racist.**
 - a. The ABC should implement measures to make the workplace safe for all, including to formulate a comprehensive anti-racism policy. An internal awareness campaign should be created and distributed throughout the ABC.
 - b. All staff should be educated about why diversity and inclusion are organisational imperatives.
 - c. Cultural safety should be a leadership priority for all areas including on TV, film, online and radio settings.

- d. Actions that promote diversity, cultural safety and psychosocial obligations should be incorporated into work level standards for supervisors, assessed during performance appraisals and reflected in employment agreements.
 - e. All supervisors and managers should demonstrate actions to ensure a safe workplace and meet psychosocial obligations related to racism, with foundational standards for all staff, and higher standards for managers.
- 3. That the ABC should enhance understanding of how lived experience shapes story-telling.**
- a. The ABC should raise awareness amongst staff on how lived experience adds value to story-telling and assists in the ABC delivering on its mission to display a diversity of perspectives in its content.
 - b. Staff should be provided with appropriate training to report on First Nations and CALD stories, including on unconscious biases, to assist them to develop their cultural competencies.
- 4. That the ABC improve its responses to public attacks.**
- a. Procedures should be improved on how the ABC responds to external attacks of its staff, including by establishing a new policy.
 - b. An option should be available for staff to report to a centralised team when they are being targeted by external media organisations or individuals, and supervisors should have obligations to report, if the aggrieved person consents to reporting.
 - c. Supervisors must be upskilled to work closely with the affected staff member to determine their needs regarding the incident.
 - d. For attacks on social media, procedures must be improved, to ensure that a staff member immediately reports a public attack to a centralised and independent team, which is then responsible for liaising with the staff member on management approaches.
 - e. The centralised team for managing this process should be trained in mental health first aid, vicarious trauma and trauma informed approaches, include staff with lived experience of marginalisation, and be supported adequately to ensure their wellbeing.
 - f. The new policy should provide clear guidelines for handling attacks based on race, and cover moderation support.

5. That the ABC improve diverse representation in ABC management and leadership.

- a. The ABC should improve representation of people who are First Nations and CALD at all levels of the organisation, including the Board and Senior Leadership Team.
- b. ABC Leadership, middle management and all supervisors must be trained on their obligations to ensure that the workplace is free from racism and other psychosocial hazards. This duty of care should be emphasised and reinforced across risk management, including reporting to the Board.
- c. A psychosocial risk approach should be implemented that includes racism being recorded as a workplace hazard to be dealt with effectively in accordance with Work Health and Safety obligations, including by ABC Leadership.
- d. ABC Leadership is responsible for improving organisation-wide awareness of the complaints system. Regular information sessions should be held and an easily accessible web page on the intranet should be available to provide clarity to staff.
- e. ABC Leadership should be provided with data to assess how they are tracking on diverse representation, including data on racism complaints and information on staff exiting the ABC potentially due to lack of cultural safety and racism.
- f. All supervisors should be assessed through a 360-degree feedback process on how they are meeting their psychosocial obligations which should be assessed in their performance appraisals.
- g. The impact of racism as a wellbeing risk should be recorded and managed in the Workplace Health and Safety registers.
- h. The ABC Leadership and the Minister for Communications should strengthen efforts to ensure greater diversity on the ABC Board.

6. That the ABC should increase and enhance organisation-wide education and training.

- a. The ABC should conduct training to improve cultural safety including in anti-racism, unconscious bias and cultural awareness.
- b. There should also be training to on psychosocial safety, mental health first aid, trauma-informed practice, vicarious trauma, conflict coaching and leadership skills which cover self-reflection and emotional intelligence.

7. That the ABC should revise and improve the complaints framework.

- a. The ABC should ensure there are consistent definitions to guide discussion and processes including definitions of racism, racial discrimination, covert and overt racism and microaggressions.
- b. There should be a communications plan to ensure staff are aware of the complaints process.
- c. Managers should be trained on how to handle disclosures impartially and how to apply a trauma-informed approach.
- d. There should be clear guidance on reporting racism, including microaggressions.
- e. Record keeping and confidentiality should be better managed to ensure trust in the process.
- f. Data on complaints should be kept with due respect for confidentiality and privacy to identify patterns and trends that require action.
- g. The ABC should explore a restorative justice approach regarding complaints, having regard for cultural sensitivity and safety.
- h. An anonymous complaints process should be introduced.
- i. The complaints process should be revised to include the option for an independent person to investigate allegations of racism and structural inequality.
- j. The Managing Director and the Board should be made aware of complaints about racism, so they can better meet their obligations.

8. That the ABC should establish a new independent function with a focus on staff welfare.

- a. A new independent function for staff welfare and wellbeing should be established, with capability to provide culturally-informed therapeutic professional support to staff, and provide support to staff when going through the complaints process.

9. That the ABC should create culturally safe support systems.

- a. The ABC should create culturally safe support systems to bolster the existing Employee Assistance Program ('EAP'), such as having independent First Nations and CALD counsellors.

10. That the ABC must improve recruitment processes and pathways.

- a. The ABC must improve pathways for employment for people who are First Nations and CALD, which are flexible and inclusive to promote pathways for those with lived experience and cultural skills.
- b. Focus should be on the value of people who are First Nations and CALD being valued and heard across the organisation.
- c. Improvements should be made to advertising and recruitment processes, interview process and professional development.

11. That the ABC establish a robust and psychologically safe exit interview process.

- a. Managers and HR should make available an exit interview process where staff can provide their reasons for exiting if related to racism including experiences of discrimination and unconscious bias. De-identified data should be made available to the Managing Director and Board to support accountability.

12. That the ABC should progress protocols on voice coaching for diversity.

- a. The ABC should establish voice coaching protocols to ensure staff feel safe using their authentic voices, and to promote cultural, linguistic, and socio-economic diversity across all public and internal activities, reflecting the diversity of Australian society.

13. That the ABC should conduct pay audits.

- a. The ABC should conduct a pay audit of all First Nations and CALD staff, including clarifying ongoing and non-ongoing staff, pay brackets and duties, and track career progression.

14. That the ABC commit to ongoing evaluation, accountability and implementation by establishing a Systems Implementation Team.

- a. The ABC should establish a new Systems Implementation Team, led by a new First Nations Director on the ABC Leadership Team, to ensure implementation of this Report's recommendations.
- b. The Systems Implementation Team is responsible for establishing the new independent staff welfare function.
- c. The Systems Implementation Team is responsible for implementation, but the Managing Director should work with employee networks, specifically the Bonner Committee, to clarify the resources they need for advisory capability, and provide those resources.
- d. The Managing Director should seek advice from the Bonner Committee and employee networks regarding their needs and how they wish to be involved.
- e. The Bonner Committee and employee networks should be asked how they want to be involved in advising and monitoring.
- f. Adequate funding and resources should be provided to implement all the recommendations.
- g. The new Systems Implementation Team, Bonner Committee, and employee networks should have a direct reporting line to the Managing Director and the Board, forming a 'Standing Committee for the Systems Review' (**Standing Committee**) or similar, with the Managing Director seeking advice from the Bonner Committee and employee networks on governance.
- h. ABC Leadership should also report regularly to the proposed Standing Committee on progress on the implementation of the recommendations.
- i. In consultation with the Bonner Committee, ABC Leadership should look at systemic approaches to improve cultural safety, such as establishing a First Nations Elder in-residence program.
- j. The Systems Implementation Team should set a priority to improve data collection for culturally diverse staff.

15. That the ABC should develop a framework for implementation.

- a. The Systems Implementation Team should progress an Action Plan to guide implementation, with responsibility resting with ABC Leadership.
- b. The ABC should report publicly every year on its progress on implementing the recommendations.
- c. Protocols on Indigenous Cultural and Intellectual Property should be developed to guide the ABC on how to respect First Nations' knowledge, art, First Nations' people and stories at the ABC.
- d. ABC Leadership is responsible for continuing discussions with all supervisors, as the leaders of cultural change.
- e. ABC Leadership should provide frequent updates to all staff on the progress of implementing the recommendations and eliminating racism at the ABC, with reports issued at least quarterly.

Conclusion

The ABC has made significant efforts to respond to racism and has shown this through the introduction of initiatives designed to enhance cultural safety throughout the organisation. However, implementation of these initiatives is often inconsistent or ineffective. The systems and processes currently in place are not equipped to adequately respond to racism or support the staff affected by it. There is a cultural issue throughout the organisation that allows racism to exist and persist at the ABC, which has caused widespread distrust in these systems among First Nations and CALD staff. Earning the trust of First Nations and CALD staff is an important part of addressing systemic racism at the ABC. While First Nations and CALD staff generally feel support from Senior Leadership, cultural competence and support does not filter down the management structures, with middle managers typically reported as being unsupportive and/or problematic. Acknowledging the gravity of the issue at hand is the first step in crafting its solution. Responding to this Report and its recommendations presents the ABC with a powerful opportunity to drive meaningful, tangible and positive change in its organisation and act as a leader of change in the media industry more broadly.

1 INTRODUCTION

1.1 Background

In October 2023, the ABC engaged the Review Team to review and report on the effectiveness of existing institutional systems and processes in addressing racism and/or racial discrimination when it occurs (**'this Review'**).

The Managing Director and the Review Team invited all ABC current and former staff to participate, particularly encouraging participation for those who identified as a First Nations person, as CALD and/or a Person of Colour. **Advocates** and **Allies** for these staff were also welcome to participate. The Review Team heard from a range of experiences and observations, that cumulatively present a compelling picture that guide the Key Findings and Recommendations in this Report.

1.2 Scope

This Review focusses on the way the ABC responds to and supports staff who experience racism and/or racial discrimination. The Review Team examined previous work done in this area over the past three years, and listened to first-hand experiences, and the observations of Advocates and Allies.

The Review is not focussed on highlighting or resolving specific allegations of racism and/or racial discrimination. The Review provides a comprehensive report on structural issues, to identify where systemic change is needed.

It is not the role of the Review Team to make findings on individual matters, or refer matters for external investigation, including to lawyers, the Fair Work Commission, the Australian Human Rights Commission (**'AHRC'**), the police, or the courts (except if required by law). The Review Team are also not officers for the purposes of whistleblowing disclosures.

1.3 Why the Review is important

The ABC is a government institution and public broadcaster. The ABC is valued across generations, playing a crucial role in Australian society. The ABC must be accountable and transparent not only to align with its legislative obligations, but also to uphold and preserve public trust.

This Review is significant as it publicly reports on the structural nature of racism and racial discrimination within a large media organisation in Australia. It is anticipated that this Review may have a broad reach, showing the experiences of people who are First Nations, CALD, and/or a Person of Colour in the workplace.

1.4 Terms of Reference

Independent Review into ABC Systems and Processes in Support of Staff who Experience Racism.

A Review Team, led by independent Chair, Dr Terri Janke, will review and report on the effectiveness of existing institutional systems and processes addressing racism and/or racial discrimination when it occurs at the ABC. The Review Team will also provide an opportunity for current and former employees to share first-hand experiences of racism and/or racial discrimination, and review work already undertaken in this area over the past three years.

The Review will focus on the experiences of First Nations people, but all current and former staff from all culturally diverse backgrounds who feel they have experienced racism and/or racial discrimination are encouraged to participate.

In conducting the Review, the Review Team will have regard to:

- a) Systems and processes that are considered 'best practice' for addressing racism and/or racial discrimination when it occurs, including for supporting employees suffering racism and/or racial discrimination from external sources.
- b) How the ABC's systems and processes measure against best practice.
- c) Additional or alternative approaches for implementation to support ABC staff that experience racism and/or racial discrimination in the course of their work.
- d) The experiences of current and former ABC employees who come forward to share their experiences of racism and/or racial discrimination.
- e) Information from internal diversity forums held since 2020 and any relevant anonymised complaints since 2019.
- f) Legal obligations in the work health and safety framework, alongside cultural nuances and psychosocial hazards.
- g) Current systems/frameworks/obligations of relevant authorities, and whether they adequately cover or protect the perspectives of First Nations and CALD groups; and any notable recommendations made to bridge any identifiable gaps.
- h) The lived experience and views of First Nations people and CALD employees, throughout Australia, including regional and remote areas.
- i) Leadership structures and the representation of the needs of employees within organisations.
- j) Whether there has been a positive impact from the ABC's Elevate Reconciliation Action Plan and the Diversity and Inclusion Plan, on addressing racism and/or racial discrimination at the ABC.
- k) The ABC's processes and policies, and editorial guidelines.
- l) Any identifiable barriers to anti-racism work practices.
- m) Opportunities to collaborate and work with community partners and other organisations.

Conduct of the Review

The Chair of the Review will be responsible for:

- a) The overall conduct of the Review.
- b) Preparing an anonymised report that can be presented to the Managing Director, ABC Board and be publicly released. It is anticipated the report will be provided to the MD by June 2024 unless otherwise agreed.
- c) Establishing and peer reviewing recommendations in the report which may relate to education, training, systems, policies and procedural changes.
- d) Engaging with agreed stakeholders on best practice systems, policy and procedures that could be implemented to support ABC staff.
- e) With the assistance of the ABC, ensuring that as part of the Review there is an appropriate level of expertise to support and minimise any injury to participants sharing their experiences, or those hesitant to engage in this review process.
- f) With the assistance of the ABC, ensuring employees feel culturally and professionally safe to share their experiences without repercussions.
- g) With the assistance of the ABC, ensuring the confidentiality of current and former ABC employees who speak to the Review Team or any personnel involved in the conduct of the Review.

1.5 Definitions and Acronyms

Approach for definitions

This Report uses a variety of terms to refer to individuals and groups who may choose to identify in a myriad of diverse and different ways, according to race, ethnicity, culture, sexual identity, gender identity, family, community, language, genealogy, history, and other factors. While we make every effort to be inclusive, we acknowledge that identification is inherently personal, and that some terms that individuals identify with may be considered problematic by others. We acknowledge that no group is homogenous, and that people may identify with multiple groups. The definitions in this document are categorised not to create separation, but to be inclusive of the many ways that individuals and groups may choose to identify.

Terms	Meaning
Aboriginal and/or Torres Strait Islander/ First Nations / Indigenous	These terms refer to a person of Indigenous peoples of Australia. An Aboriginal person is descended from Indigenous peoples on the mainland, while a Torres Strait Islander is descended from the Indigenous peoples of the Torres Strait Islands. This Report uses the terms 'First Nations' and 'Indigenous' to collectively refer to Aboriginal and Torres Strait Islander people. The report acknowledges the rich diversity of First Nations communities, clans and language groups. These terms are used to prevent inadvertent identification of specific individuals.
Advocate/ Bystander	A person who is a current or former staff member of the ABC, who may not have personally experienced racism or racial discrimination. This includes those who have witnessed racism or racial discrimination. See also Ally .



Ally or Allyship	A form of solidarity provided by someone who is not a member of a marginalised group, but who wishes to support that group. An ally recognises systemic inequality and seeks to work for a more equal society. ¹
Anglo/Caucasian/ 'White'	The term ('White') is usually used to describe people with European ancestral origins who identify, or are identified, as White. The word is capitalised to highlight its specific use. ² When using the term White in Australian contexts and when referring to White Australians, this may refer to the following: <ul style="list-style-type: none">• A European Australian, an Australian with European ancestry;• An Anglo-Celtic Australian or Anglo, an Australian from the British Isles;• An Anglo-Saxon Australian, an Australian with British or Germanic ancestry.³
Anti-Racism	Refers to the active process of identifying, challenging, and changing the structures and behaviours that perpetuate systemic, institutional, and inter-personal racism. It involves conscious efforts and actions to combat and eliminate racism in all its forms. ⁴
Bullying	In a workplace context, refers to repeated unreasonable behaviour towards a worker or group of workers that creates a risk to physical and/or psychological health and safety. ⁵
Consent Form	Refers to the consent form provided to current and former ABC staff to participate in the Review.
Country	Country refers to the lands, waterways, and seas to which Aboriginal peoples are connected, and describes Aboriginal people's ideas and understanding of law, spirituality, cultural practices, place, customs, family and identity. ⁶
Covert racism	Refers to subtle, hidden, or disguised forms of racism and/or racial discrimination. ⁷ Examples of covert racism include microaggressions, stereotypes, and implicit or unconscious bias.
Culturally and Linguistically	In an Australian context, refers to cultural backgrounds different from Anglo-Celtic culture. This includes individuals and

¹ The Law Society of New South Wales, *Elimination of All Forms of Racial Discrimination, Introductory Guidance and Strategies for the Legal Profession* (Legal Guidance Report) 7.

² 'What is White Privilege?', *Racism No Way* (Web Page) <https://racismnoway.com.au/about-racism/understanding-racism/white-privilege/>; Raj Bhopal, 'Glossary of terms relating to ethnicity and race: For reflection and debate', (2004) 58 *Journal of Epidemiology & Community Health, BMJ Journals Online* 441-445.

³ Ibid.

⁴ Australian Human Rights Commission, *Racism. Nobody Wins* (Definitions of Key Terms) https://humanrights.gov.au/sites/default/files/2021-11/ahrc_sr_2021_4_keyterms_a4_r3.pdf; 'Anti-Racism', *Creative Equity Toolkit* (Web Page) <https://creativeequitytoolkit.org/topic/anti-racism/>.

⁵ *Fair Work Act 2009* (Cth) s 789FD(1); *Work Health and Safety Act 2011* (Cth) s4.

⁶ 'Welcome to Country', *AIATSIS* (Web Page) <https://aiatsis.gov.au/explore/welcome-country>.

⁷ 'Racism in All Its Forms', *Cross Cultural Consultants* (Web Page) <https://www.cccnt.com.au/racism-in-all-its-forms/>.

Diverse or CALD or Culturally and Racially Marginalised (CARM) or Culturally Diverse	communities who speak languages other than English, whether exclusively or in addition to English, and encompasses many diverse languages, ethnicities, nationalities, traditions, social structures, and religions. ⁸ The term ‘Culturally and Racially Marginalised’ (CARM) is increasingly being used to more inclusively reflect the experiences of being racialised. ⁹ However, this Review uses the term ‘Culturally and Linguistically Diverse’ (CALD) to align with the language used in the ABC’s annual Diversity and Inclusion reports. We acknowledge that the term ‘CALD’ may be problematic, and we do not seek to minimise or generalise the diversities of the many identities that may commonly be described as CALD. We also note that the terminology ‘diverse’ can create ‘othering’ which is not our intention. However, we have adopted the use of ‘CALD’ in this Review also to avoid unintentionally identifying individuals from specific groups. Additionally, for the purposes of this Review, ‘First Nations people’ are also defined separately, though it is recognised that many individuals may identify with multiple groups.
Cultural load or colonial load	Cultural load is the often unacknowledged additional workload carried by Aboriginal and Torres Strait Islander people in the workplace, particularly when they are the only Indigenous person or one of a small number. This includes extra demands related to Indigenous issues that non-Indigenous colleagues do not face, expectations to educate non-Indigenous colleagues about Aboriginal and Torres Strait Islander cultures and racism, and the pressure to speak on behalf of all Aboriginal and/or Torres Strait Islander people. ¹⁰ In this Review, similar challenges are also recognised for culturally diverse people. It is noted that the terminology colonial load is now being used more frequently, more appropriately reflecting that culture is a strength. In this Review, we defer to the terminology cultural load as this was the language used in developing the Protocol and methodology.
Cultural protocols	The rules, principles, expectations, and norms expected to be followed with a cultural group.
Cultural safety	Refers to an environment that is safe for people where there is no assault, challenge or denial of their identity, of who they are, and what they need. Cultural safety is about shared respect, shared

⁸ ‘What is CALD? A Comprehensive Guide to CALD Communities’, *Ethnolink* (Web Page) <https://www.ethnolink.com.au/blog/cald-culturally-and-linguistically-diverse/>.

⁹ ‘Words at Work: Should we use CALD or CARM?’, *Diversity Council of Australia* (Web Page) <https://www.dca.org.au/news/blog/words-at-work-should-we-use-cald-or-carm>.

¹⁰ DCA, ‘First Nations Identity Strain and Cultural Load at Work’ (Web Page) <https://www.dca.org.au/past-events/first-nations-identity-strain-and-cultural-load-at-work>; APSC, ‘Cultural Load, It’s a Real Thing!’ (Web Page) <https://www.apsc.gov.au/working-aps/diversity-and-inclusion/diversity-inclusion-news/cultural-load-its-real-thing>.

	meaning, shared knowledge, and the experience of learning, living and working together with dignity and truly listening. ¹¹
Employee/staff	Refers to a person who is a current or former staff member of the ABC. This includes ongoing or non-ongoing arrangements.
Fair Work Act	Refers to the <i>Fair Work Act 2009</i> (Cth).
Formal complaint	Refers to a complaint made by ABC staff about their experiences at work that involves interactions with the ABC's formal, structural complaints systems and processes. For example, a formal complaint could be one made through the ABC's grievance framework.
Harassment	Refers to unwanted or offensive behaviour and treatment, based on certain personal characteristics, that causes emotional, psychological, or physical harm to a person. It can be done to offend, insult, humiliate, or intimidate a person or group of people because of their personal characteristics. ¹²
Impartiality	In the context of the ABC and its journalism, refers to journalism that presents a diversity of perspectives without excluding any significant strand of thought or belief, misrepresenting any perspective or unduly favoring one perspective over another. ¹³
Indigenous community	Indigenous community refers to a community of Indigenous people, connected by language group, heritage, location, purpose or sector. It should be noted that there are many different Indigenous communities with their own identities, cultures and languages. Many Indigenous people may choose to identify in different ways, for example, by their clan group.
Informal complaint	Refers to a complaint made by ABC staff about their experiences at work that does not involve interactions with the ABC's formal, structural complaints systems and processes. An example of an informal complaint is a complaint made informally in conversation, that is not made through the ABC's grievance framework.
Interpersonal racism	Refers to racism occurring during interactions between individuals and can include making negative comments about a particular ethnic group in person or online, calling others racist names, bullying, hassling, or intimidating others because of their race. ¹⁴
Institutional Racism	Refers to racism established as a normal behaviour within an organisation, institution, or society. It includes the policies

¹¹ Australian Human Rights Commission, *Social Justice Report 2011* (Report, 24 October 2011) 123-5 https://humanrights.gov.au/sites/default/files/content/social_justice/sj_report/sjreport11/pdf/sjr2011.pdf; Robyn Williams, 'Cultural Safety – What does it mean for our work in practice?' (1999) 23(2) *Australian and New Zealand Journal of Public Health*, 213.

¹² *Racism. Nobody Wins* (n4).

¹³ 'Editorial Policies: Impartiality', ABC (Web Page) <https://www.abc.net.au/edpols/impartiality/13645770>.

¹⁴ *Racism. Nobody Wins* (n4).

	and practices that inform the operations of organisations and institutions. ¹⁵
Intersectionality	Refers to the way that different aspects of a person’s identity intersect with and impact one another, and how the combined experience of multiple forms of discrimination is often greater than the sum of those discriminations alone. ¹⁶ It acknowledges the multiple social categories, such as race, sexuality, class, gender, and disability.
Media	In the context of this Review, media refers to Australian mass media including private and public broadcasters and media outlets.
Microaggressions	Refers to the casual or subtle expressions that perpetuate racist stereotypes and ideas. An example of a microaggression might be commenting on how well a person of African heritage speaks English, or repeatedly mispronouncing someone’s name, despite being corrected. ¹⁷
Overt Racism	Refers to obvious, deliberate, and direct racism and/or racial discrimination, often involving direct actions or statements. ¹⁸
People/Person of Colour or POC	Refers to a person who is not considered ‘White’ in how they choose to identify. In this document, unless it is expressed to the contrary, People of Colour is not used in reference to First Nations people/s, although we note individuals may identify with both terms.
Protocol	Refers to the <i>Independent Review into ABC Systems and Processes in Support of Staff who Experience Racism Protocol 2024</i> developed by Terri Janke and Company. This was provided to ABC current and former staff who expressed their interest in participating in the Review. It is provided at Attachment 4 .
Racism/Racial Discrimination	Any direct or indirect act involving a distinction, exclusion, restriction, preference or hatred, based on race, colour, descent or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing of any human right or fundamental freedom in the political, economic, social, cultural or any other field of public life. ¹⁹

¹⁵ Ibid.

¹⁶ Kimberlé Crenshaw, ‘Demarginalizing the intersection of race and sex: A black feminist critique of antidiscrimination doctrine, feminist theory and antiracist politics’ (1989) 1 *University of Chicago Legal Forum* 138.

¹⁷ Australian Human Rights Commission, ‘Key Terms’, *Racism. It Stops With Me* (Web Page) <https://itstopswithme.humanrights.gov.au/commit-to-learning/key-terms>.

¹⁸ ‘Racism in All Its Forms’ (n7).

¹⁹ *Racial Discrimination Act 1975* (Cth), s9.



Racial Hatred	Refers to something done in public that offends, insults, humiliates or intimidates a person or group of people because of their race, colour or national or ethnic origin. ²⁰
Review or Systems Review	Refers to this Review, the <i>Independent Review into ABC Systems and Processes in Support of Staff who Experience Racism</i> .
Review Team	Dr Terri Janke (Solicitor Director), Emma Fitch (Senior Solicitor), Shekira Cardona (Solicitor), Cynthia Nguyen (Solicitor), Dylan Bender (Graduate at Law), and Emily Wooding (Paralegal) at Terri Janke and Company Pty Ltd.
Structural Inequity	Refers to systematic disparities and unequal treatment of certain groups based on characteristics including race, gender, socio-economic status, disability, age. These arise from institutional policies, practices, cultural norms, and societal structures.
Systemic Racism/ Structural Racism	Refers to the history, ideology, culture, and interactions of institutions and policies that work together to perpetuate inequity. It describes the ways in which institutions and structures fail to provide adequate service provision and equal opportunities to people due to their racial or cultural background. ²¹

Acronym/Shorthand	Meaning
ABC	Australian Broadcasting Corporation.
ABC Act	<i>Australian Broadcasting Corporation Act 1983 (Cth)</i> .
ABC internal review	ABC's Employee Relations team is in the process of reviewing and amending the grievance process, guidelines and templates.
ABC Leadership	Board, Managing Director and Senior Leadership Team.
ABS	Australian Bureau of Statistics.
ACMA	Australian Communications and Media Authority.
AHRC	Australian Human Rights Commission.
APS	Australian Public Service.
APSC	Australian Public Service Commission.
CALD	Culturally and Linguistically Diverse.
EAP	Employee Assistance Program.
EdPol	Editorial Policy.
EEO Act	<i>Equal Employment Opportunity (Commonwealth Authorities) Act 1987 (Cth)</i> .
FWC	Fair Work Commission.
HR	Human Resources.

²⁰ *Racism. Nobody Wins* (n4) 4.

²¹ *Ibid*.



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ICIP	Indigenous Cultural and Intellectual Property.
LGBTQIA+	Lesbian, gay, bisexual, transgender, intersex, queer/questioning, asexual (evolving acronym).
MEAA	Media, Entertainment and Arts Alliance.
NESB	non-English-speaking background.
PCBU	person conducting a business or undertaking.
PTSD	Post Traumatic Stress Disorder.
PGPA Act	<i>Public Governance, Performance and Accountability Act 2013.</i>
RAP	Reconciliation Action Plan.
Review Team	Dr Terri Janke (Solicitor Director), Emma Fitch (Senior Solicitor), Shekira Cardona (Solicitor), Cynthia Nguyen (Solicitor), Dylan Bender (Graduate at Law), and Emily Wooding (Paralegal) at Terri Janke and Company Pty Ltd.
Standing Committee	Standing Committee for the Systems Review (proposed).
RNZ	Radio New Zealand.
The Review	Refers to this Review, the <i>Independent Review into ABC Systems and Processes in Support of Staff who Experience Racism.</i>
TJC	Terri Janke and Company Pty Ltd, Lawyers and Consultants.
UGC	User Generated Content.
WHS	Work Health and Safety.



2 METHODOLOGY

To understand the lived experiences of ABC current and former staff, potential participants were invited to participate in any or all of the following ways:

- Individual meetings and/or group forums;
- A written submission via email.

The Review Team conducted confidential individual interviews with current and former leaders.

The Review Team also undertook a mix of desktop, quantitative, and qualitative research, and reviewed literature and data from the ABC, including:

- The ABC editorial guidelines;
- Internal policies and frameworks; and
- Information from existing diversity forums.

2.1 Timeline

The Review observed the following timeline:

1. Managing Director announced the Review commencing: October 2023.
2. Planning and project preparation: October 2023–January 2024.
3. Promoting the Review to potential participants: January 2024.
4. Consultations with current and former staff: February–May 2024.
 - a. Group forums.
 - b. Individual meetings.
 - c. Written submissions.
5. Collating themes, conducting an audit and research: April–May 2024.
6. Interviews with current Senior ABC staff: May 2024.
7. First draft report provided to the ABC: 30 June 2024.
8. Report publicly released: 1 October 2024.

2.2 Approach

Called for by senior Indigenous staff in the Bonner Committee, the Managing Director announced the Review to all current staff, inviting staff to participate, and encouraged sharing further information about the Review to external networks, including former staff.

The Review Team promoted information about how to participate in the Review via email with the Bonner Committee and diversity networks. In that messaging, people were further encouraged to share the Review with their networks of current and former staff.

The Review Team offered three open online information sessions (two for current staff, and one for former staff), allowing opportunities for current and former staff to ask questions to inform themselves whether they wished to participate.

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Participants were able to contribute to the Review through one or any combination of the following:

- A group forum;
- Individual meetings; and
- Providing written submissions.

In developing the methodology, the Review Team decided:

- To conduct a qualitative review rather than quantitative – focussing on lived experiences and observations. This was guided by feedback received from potential participants that statistical information could identify individuals.
- To not conduct a survey. This was decided due to feedback that many surveys had been conducted recently, and to avoid contributing to survey fatigue.

When participants filled out the consent form to formally register for the Review, the Review Team contacted them to organise a time for an online meeting. Many participants preferred only one method of participation, mostly individual meetings.

The consent form provided options, including free text options, for the participant to request preferences for group consultations and individual meetings. The most common formats requested were women only, First Nations only, CALD only and LGBTQIA+ (**‘Lesbian, gay, bisexual, transgender, intersex, queer/questioning, asexual [evolving acronym]’**) friendly. This was facilitated as far as possible.

Further information on the approach can be found in the Protocol ([Attachment 4](#)).

Following consultations, the Review Team analysed the information provided by participants into themes.

2.3 Sample

120 people participated in the Review.

The sample constitutes:²²

- 99 current staff, and 21 former staff.
- 38 people who identified as First Nations, 71 people who identified as CALD, and 11 Advocates/Allies.
- 86 women, 30 men. The remaining participants identified as non-binary, or preferred not to say.

Some participants only participated via one method (e.g. an individual meeting) whereas some participants engaged in multiple ways (e.g. attended a group forum and also provided a written submission).

32 people participated in group forums. Where possible, group forums and individual meetings were offered such as First Nations only, CALD only, and women only.

²² Note we rely on the way participants identified themselves in their consent form, and that ‘CALD’ includes many identities and groups that are aggregated under this terminology, to prevent identification.



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104 people participated in individual meetings.

There were 10 written submissions provided.

The majority of participants were from cities. Participants from regional areas included people with lived experiences as well as Allies.

2.4 Research

The Review Team completed a desktop review of the relevant literature, statistics, best practice frameworks, policies and laws, as they relate to addressing racism and racial discrimination in the workplace, focussing on the media landscape.

The Review Team identified and reviewed key international and domestic examples of how public organisations, particularly media organisations, have driven proactive reforms around diversity and inclusion particularly regarding race, ethnic, cultural and linguistic background.

Existing literature

The Review Team reviewed pre-existing studies, statistics, and peer reviewed articles on anti-racism, media workplaces, journalists, racism and racial discrimination.

The Review Team reviewed AHRC resources on racism. The Review Team reviewed metrics of experiences of racism, including Reconciliation Australia's barometer and national surveys on experiences of racism.

ABC media articles

The Review Team reviewed news articles on the ABC's handling of racism complaints.

Legislation, policies and frameworks

The Review Team conducted research into the relevant legislation, best practice frameworks, and principles relating to addressing racism and racial discrimination, both domestically and internationally. This research included examining work health and safety and psychosocial safety regimes.

The Review Team also examined policies and reports on supporting diversity, culture and inclusion in workplaces, both domestically and internationally (Canada, New Zealand, United Kingdom and United States). The Review Team reviewed best practice anti-racism frameworks to consider anti-racism progress in workplaces.



2.5 Research Limitations

Sample

As of 31 March 2024, the total number of ABC staff is 4549, with 87.4% in capital cities, and 12.6% in regional cities.

There are 170 First Nations people who are current staff, as of April 2024.²³ This means the sample who participated in the Review is approximately 22.3% of all current First Nations employees at the ABC.

As of 31 March 2024, the ABC had 693 employees who self-identified as CALD. However, this is based on 54.8% of the workforce current completion of the ABC Diversity and Inclusion Data Collection Form. This means it is not possible to assess whether the sample of CALD staff who participated in this Review is representative of the broader ABC.

Also as of 31 March 2024, the ABC had 3727 ongoing staff and 737 non-ongoing staff. For CALD staff, 448 were ongoing staff, and 172 were non-ongoing. Again however, this data is limited to only 54.8% of the workforce so is not necessarily a holistic picture of all ongoing and non-ongoing CALD staff.

The Review focussed on experiences from the previous five years, and First Nations staffing numbers are now higher than previous years.

This Report deliberately does not set out the location, team, employee level, age, gender, cultural background and/or ethnicity of individual participants to protect anonymity. This is to respect the feedback of many participants as any of the above information would likely lead to identification.

It is worth noting as general observations, the sample includes mostly:

- Current staff;
- Women;
- People in metropolitan areas;
- People in the age brackets between early 20s to 40s; and
- People in junior to middle management levels.

It is noted that the lawyers on the Review Team are all women. There was one man on the Review Team. While a men-only option for consultations was provided, this was not selected by any of the participants.

The Review Team did not approach current or former ABC staff directly for their participation in the Review. The Review Team relied on ABC Leadership and the Bonner Committee to advise current and former staff via internal and external networks of the Review and to encourage participation. The Review Team provided information to support this.

This approach was taken due to privacy laws limiting the Review Team contacting potential participants directly. The Review Team also received feedback from potential participants,

²³ Based on headcount for Indigenous Employment Statistics as of April 2024, including casuals.

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voicing concerns that advertising the Review more publicly exposed potential participants to witnessing racist comments on social media.

While consultations commenced in February 2024, the majority of the consultations were completed over March and April 2024. A smaller number of consultations took place across May and June 2024. The Review Team continually heard feedback that individuals felt more comfortable to participate after hearing the experiences of others.

Free text identification

In the consent form provided to participants, participants were provided the free text option to describe how they identify, for example, their race, ethnicity, cultural background, language, gender identity and sexual orientation. Many, but not all, participants chose to provide this information. The Review Team recorded this information also when it was provided within a consultation. This means the actual numbers of those who identify as First Nations, CALD or Person/People of Colour ('**POC**') may vary slightly, depending on what information the participants chose to provide to the Review Team.

Redactions and generalisations of participant backgrounds

The majority of potential participants, and those who did participate in the Review, expressed hesitation to participate, for a variety of reasons. These reasons included fear of retraumatisation, and perceived repercussions for job security and progression, especially when in non-ongoing roles.

These concerns were first expressed in open information sessions provided by the Review Team for potential participants to ask questions about the Review, and within consultations. Inadvertent identification was also expressed as a key concern. To protect anonymity and to ensure participants felt comfortable to speak freely, information relating to participants is either omitted completely or generalised in this Report.



3 WHAT IS RACISM AND RACIAL DISCRIMINATION?

Racism is the process by which systems and policies, actions and attitudes create inequitable opportunities and outcomes for people based on race. Racism is more than just prejudice in thought or action. It occurs when this prejudice – whether individual or institutional – is accompanied by the power²⁴ to discriminate against, oppress or limit the rights of others.

Racism includes anything that offends, insults, humiliates, negatively views or unfairly treats a person or group of people because of their race, colour, descent, nationality, ethnicity or migrant status. Racism can cause both psychological and physical harm to the person or people it is directed at. It can also harm other people who witness or are exposed to it. In the workplace, racism might be expressed through harmful behaviours, including harassment, abuse or humiliation, intimidating behaviour, violence, discrimination and exclusion.

A person may experience racism through the behaviour of other workers, including supervisors or managers. It may also come from third parties such as customers, contractors, clients or suppliers.

Racism can also occur systemically, where an organisation's policies, procedures, and practices may directly or indirectly discriminate, exclude or disadvantage people from racially marginalised groups. Racism can occur as a one-off incident, be repeated or continuous. It can be obvious or subtle. It can be directed at a person or group of people, or occur through generalised actions.²⁵

Race and racism have been central to the organisation of Australian society since European colonisation began in 1788. As the First Peoples of Australia, Aboriginal and Torres Strait Islander peoples have borne the brunt of European colonisation and have a unique experience of racism. The process of colonisation, and the beliefs that underpin it, continue to shape Australian society today.²⁶

On 30 June 2021, according to the Australian Bureau of Statistics ('ABS') there were 983,700 Aboriginal and Torres Strait Islander people in Australia, representing 3.8% of the total Australian population.²⁷ Australia's population includes 8.2 million people who were born overseas (30.7%).²⁸ Over 29% of Australia's population was born overseas and 48% of

²⁴ As noted by [Diversity Council Australia](https://www.dca.org.au/research/racism-at-work), this power must be societal and race-based. Race-based societal power is the power some people and organisations have in society because of their race, i.e., power and representation in education, employment, health, and government organisations. People do not have to work to get this power. Instead, people have race-based societal power simply because of their race. In Australia, our society, laws and institutions have systematically favoured white people. Colonisation, dispossession, and government policies like the White Australia policy have given disproportionate advantage to white people over others. While it is true that a person who is not white might have other forms of power (e.g., such as political or financial power) they are less likely to have the race-based power associated with whiteness: Diversity Council Australia, *Racism at Work: How Organisations Can Stand Up to and End Workplace Racism* (Report 2022) <https://www.dca.org.au/research/racism-at-work>.

²⁵ 'Racism', *Safe Work Australia* (Web Page) <https://www.safeworkaustralia.gov.au/safety-topic/hazards/racism>.

²⁶ Australian Human Rights Commission, 'Commit to learning', *Racism. It Stops With Me* (Web Page) <https://itstopswithme.humanrights.gov.au/commit-to-learning>.

²⁷ Australian Bureau of Statistics, 'Cultural Diversity of Australia' (2022) <https://www.abs.gov.au/articles/cultural-diversity-australia>.

²⁸ *Ibid.* This would not include many individuals who may identify as CALD but had relatives (such as grandparents) being born overseas and/or speaking languages other than English.



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Australians have a parent born overseas.²⁹ The ABS data indicates that 1 in 5 Australians speak a language other than English at home.³⁰

A significant number of people are affected by racism. In Australia, the majority of people who are not from a European background have experienced racial discrimination based on their ethnicity.³¹ Around 20% of Australians have experienced verbal racial abuse, and about 5% have experienced racial violence in physical form.³²

A recent report found 88% of First Nations people had seen racism towards other First Nations people on social media. Of those respondents, 21% reported having received threats from other users, and 17% indicated that these had impacted their 'offline' lives.³³

Analysis of general media reveals that media discussing First Nations and CALD communities are far more weighted towards negative, rather than positive sentiment.³⁴ Race-related opinion pieces are questioned under industry codes frequently due to racist content.³⁵ Research has found that language is divisive, resulting in 'othering' of minority cultures, and that the media can also frame how a minority group views itself, impacting self-esteem, health and wellbeing.³⁶

²⁹ 'Australia's Population by Country of Birth', *Australian Bureau of Statistics*, (Website, 26 April 2021) <https://www.abs.gov.au/statistics/people/population/australias-population-country-birth/latest-release#citewindow1>.

³⁰ 'Cultural Diversity of Australia', *Australian Bureau of Statistics* (20 June 2022) <https://www.abs.gov.au/articles/cultural-diversity-australia#cite-window1>.

³¹ 'Experience of Discrimination', Australian Government: The Treasury (Web Page) <https://treasury.gov.au/policy-topics/measuring-what-matters/dashboard/experience-of-discrimination>; 'Who experiences racism?', *Australian Human Rights Commission* (Web Page) <https://humanrights.gov.au/our-work/education/who-experiences-racism>; Alison Marwick et al, 'Experiences of racism among Aboriginal and Torres Strait Islander adults living in the Australian state of Victoria: A cross-sectional population-based study', (2019) 19(309) *BMC Public Health Online*, 1-14; Jehonathan Ben et al, 'Racism data in Australia: A review of quantitative studies and directions for future research', (2023) 45(2) *Journal of Intercultural Studies*, *Taylor and Francis Online* 228-257; Helen Szoke, 'Racism exists in Australia – are we doing enough to address it?', *Right Now: Human Rights in Australia* (Blog Post, 15 March 2012) <https://rightnow.org.au/opinion/racism-exists-in-australia-are-we-doing-enough-to-address-it/>; Katharine Murphy, 'Essential poll: most Australians believe there is institutional racism in the US but not Australia', *The Guardian* (online, 10 June 2020) <https://www.theguardian.com/australia-news/2020/jun/10/essential-poll-most-australians-believe-there-is-institutional-racism-in-the-us-but-not-australia>; 'Challenging Racism Project: Face Up to Racism: 2015-16 National Survey', *Western Sydney University* (Web Page)

https://www.westernsydney.edu.au/challengingracism/challenging_racism_project/our_research/face_up_to_racism_2015-16_national_survey; 'Racism in Australia', All Together Now (Web Page)

<https://alltogethernow.org.au/racism/racism-in-australia/>; Annabel Crabb, 'Australia Talks shows we agree there's a lot of racism here, but less than half say white supremacy is ingrained in our society', ABC (online 2021) <https://www.abc.net.au/news/2021-05-31/annabel-crabb-analysis-racism-australia-talks/100172288>;

'Counteracting Racism', *NASCA* (Web Page) <https://nasca.org.au/the-challenge/counteracting-racism/>.

³² Tim Southommasane, *I'm Not Racist but...* (UNSW Press, 2015).

³³ Bronwyn Carlson and Ryan Frazer, *Social Media Mob: Being Indigenous Online* (Report, March 2018) 12 https://research-management.mq.edu.au/ws/portalfiles/portal/85013179/MQU_SocialMediaMob_report_Carlson_Frazer.pdf.

³⁴ Erwin Renaldi, Nazli Bahmani and Samuel Yang, 'Muslims, Chinese Australians and Indigenous people most targeted in racist media coverage' ABC (online, 11 November 2020) <https://www.abc.net.au/news/2020-11-11/australian-mainstream-media-often-perpetuate-racism-report-finds/12849912>.

³⁵ Christina Ho, 'Racist reporting still rife in Australian media' (Web Page) <https://theconversation.com/racist-reporting-still-rife-in-australian-media-88957>; All Together Now, 'Racism and Social Commentary in Australian mainstream media' (Web Page) <https://alltogethernow.org.au/our-work/media-monitoring/>.

³⁶ Dimitria Groutsis, Lee Martin, Antoinette Lattouf, Tim Southommasane, Catherine Lumby, Nareen Young, Joanne Crawford, Adam Robertson, 'Who gets to tell Australian stories?' (2022)



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Racism has significant impacts on the population and workplaces, including significant psychosocial harms, affecting the human rights, health,³⁷ and dignity of people, as well as financial inefficiencies.³⁸ It is estimated that Australia loses \$37 billion per annum in the total economy due to racism.³⁹ Impacts are not only felt by individuals who experience racism first hand, there is mounting evidence of the harms it causes to Allies and witnesses.⁴⁰

ABC staff are part of the Australian community. The ABC has the unique challenge of reflecting society back to itself. ABC staff include First Nations people, culturally diverse people, people with many intersectionalities, and Allies. The media is powerful in reflecting societal attitudes and behaviours and having a role in education and truth-telling. Truth-telling involves the process of sharing and acknowledging the historical and ongoing experiences and stories of Indigenous people. Truth-telling approaches are supported by reconciliation but also there are a few states that have embarked on formal processes, like the Yoorook Commission. However, truth-telling can be done at an organisational level. The AHRC recognises the pivotal role the media plays in helping to shape Australia's sense of community and the way in which it reflects and sometimes drives the debate around major issues.⁴¹

The ABC has the challenge and responsibility of contributing to a sense of national identity, reflecting the cultural diversity of the Australian community, taking into account the multicultural character of the Australian community.⁴² The ABC must report objectively, accurately, without fear or favour, leaving no significant strand of thought unturned,⁴³ aiming to equip audiences to make up their own mind.⁴⁴ The ABC must do this even when this might be uncomfortable or unpopular. The ABC has a responsibility to tell truths about racism and its impacts to the Australian public.

https://www.researchgate.net/publication/343903935_Who_Gets_To_Tell_Australian_Stories_Putting_the_spotlight_on_cultural_and_linguistic_diversity_in_television_news_and_current_affairs_in_Australia; Usha Rodrigues, Michael Niemann, Yin Paradies, 'Representation of news related to culturally diverse population in Australian media' (2019) *Journalism*

https://www.researchgate.net/publication/331110511_Representation_of_news_related_to_culturally_diverse_population_in_Australian_media.

³⁷ See, Frances Kendall, *Understanding White Privilege: Creating Pathways to Authentic Relationships Across Race* (Routledge, 2nd ed, 2012).

³⁸ Jehonathan Ben et al, 'Racism in Australia: A protocol for a systematic review and meta-analysis' (2022) 11(47), *Systematic Reviews*, <https://doi.org/10.1186/s13643-022-01919-2>.

³⁹ Roje Augustin, 'Researchers say racism is costing the Australian economy billions', *ABC* (online, 3 July 2021) <https://www.abc.net.au/news/2021-07-03/racism-costing-the-australian-economy-billions/100252786>.

⁴⁰ *Understanding White Privilege* (n37).

⁴¹ 'The media and racial hatred', *Australian Human Rights Commission* (Web Page)

<https://humanrights.gov.au/our-work/publications/media-and-racial-hatred>.

⁴² *Australian Broadcasting Corporation Act 1983* (Cth) s6.

⁴³ ABC, 'Impartiality', *Editorial Policies* (Web Page, 13 December 2023)

<https://www.abc.net.au/edpols/impartiality/13645770>.

⁴⁴ ABC, *Australian Broadcasting Corporation Annual Report* (Report, 2022) 213

<https://live-production.wcms.abc-cdn.net.au/cfc2f5c6b4c17089619383b9af6b6c19>.



4 WHAT WE HEARD

WARNING

THIS SECTION ON 'WHAT WE HEARD' INCLUDES CONTENT THAT READERS MAY FIND DISTRESSING.

Over the past two years, there were several individual experiences of racism reported in the media. This Review does not investigate or make findings on individual incidents. Rather, this Review focusses on how the ABC responds to racism and cultural safety in the workplace.

This Report does not recount specific incidents or scenarios to ensure the anonymity and privacy of participants are protected. The below sections discuss 'overt racism' and 'covert racism' as aggregated examples of what has been described to us.

4.1 Examples of Overt Racism

'Overt racism' is blatant, intentional, direct, or obvious racism.

Distinguishing overt and covert racism does not imply that one form is more severe than the other. Racism should be considered on a case-by-case basis and will have varying impacts on individuals. The following generalised examples of 'overt racism' are provided, reflecting what was disclosed to the Review Team:

- a. Racial slurs;
- b. Derogatory and offensive comments about a person's appearance and cultural practices;
- c. Excluding staff from workplace opportunities or social events due to their cultural or linguistic background;
- d. Preventing workplace opportunities due to 'a non-Australian' or 'non-Anglo' accent;
- e. Assuming that First Nations or CALD staff cannot report on matters relating to them/their cultural background with objectivity;
- f. Asking a person who is First Nations or CALD to play a role for a reenactment of another Person of Colour – without asking if this is culturally appropriate;
- g. Comments such as "diversity hire", "you only got this job because you are Indigenous/CALD", "you won't lose your job because you are meeting a quota";
- h. Assuming someone holds a more junior role because of their racial appearance; and
- i. Mistaking someone for being a trespasser in the workplace.

4.2 Examples of Covert Racism

Covert racism is less obvious and public. It is concealed, subtle, and is both intentional and unintentional. Microaggressions, which can include covert racism, are everyday interactions such as insensitive comments, assumptions, or questions, that carry biased, demeaning, and stereotypical messages about marginalised groups.⁴⁵ Continued and prolonged experiences of covert racism or microaggressions may have a more significant impact on an individual than a single occurrence of overt racism (for example, a racial slur). Many of the examples in this section on ‘covert racism’ could be considered as ‘overt’ pending the context and the delivery. The kinds of covert racism described to the Review Team are generalised here:

- a. Assumption that a person can speak for the cultural group to which they belong, at large;
- b. Mistaken identity with people from the same cultural background;
- c. Stereotyping for example as the so-called “subservient ethnic woman” or the “angry Black woman”;
- d. Women of colour being described as being “bossy” in managerial positions;
- e. Comments on food, hair, skin colour, and laughing or teasing regarding certain lunches/food;
- f. Comments such as “Your voice/look is too Western Sydney”, “You know people out at the Western Suburbs right?”, including where assumptions are being made based on ethnicity and accent, and in ways that are speaking negatively of suburbs with typically higher populations of culturally diverse people;
- g. Not being championed or mentored because you are not in the same cultural group as managers;
- h. Not being considered to be impartial in reporting on a cultural group because you are from that cultural group (whether or not that person is from that cultural group);
- i. Not having opportunities because you are considered to have been hired to only meet diversity targets, and your skills are not valued;
- j. Being asked to do work but without acknowledgement – stories are given to White colleagues to present or to take credit;
- k. Implying that redundancies focus on people who are not First Nations or CALD, comments said or implied, such as “your job is safe, because you are a diversity hire”;
- l. Assumptions such as religious or ethnic background based on a name, accent or appearance;
- m. Assuming someone is not diverse because their name does not stereotypically suggest so; and
- n. Not having a full range of skin tones in makeup so darker people are misfitted into lighter shades.

⁴⁵ The Law Society of New South Wales, *Elimination of All Forms of Racial Discrimination, Introductory Guidance and Strategies for the Legal Profession* (Legal Guidance Report, 2024).

The next section discusses more specifically what we heard from participants. The quotes presented in that section are from a range of different participants and have not been attributed to preserve anonymity.

4.3 Key Themes

1. What people said about racism at the ABC

- a. Almost all participants who identified as First Nations or CALD described experiencing racism in the workplace. Only one CALD participant stated that they did not experience racism in the workplace. All Allies who participated in the Review described observing racism.

“I feel a sense of duty. I want things to be better for the next person. I would like to imagine working in an environment where someone with darker skin than mine or an accent like my parents... that things would be easier for them. The most racism I have experienced in my life has been at the ABC.”⁴⁶

“Because of the colour of my skin, I was seen as less than.”

“It was comments like ‘ohh, how much of you is Aboriginal? Don't worry. You don't look it!’”

“There is an absolutely undeniable racist culture at the ABC.”

“I can identify structural racism by your outcomes, not your intent.”

“My experience, is yes, there's structural racism at the ABC. There's also the interpersonal stuff and the microaggressions. It's all one big ball of string that every Indigenous staff member experiences one form or another of on a daily basis. And it's really deep and pervasive, and it can be quite [emotionally] violent.”

“The ABC never came to us and said what can we do to make it better for you? We were fighting for our own kind of existence there.”

[when asked what they were doing in the building by a colleague] *“I'm pretty sure no one else gets asked on that floor – you need 3 security passes to get to that floor and they were worried a Blackfulla was there.”*

- b. Many participants described racism manifesting in the systems and policies of the ABC. Participants explicitly noted the presence of structural or systemic racism and unconscious bias. They noted that this is particularly prominent across recruitment processes, access to opportunities and career progression, support, mentoring and in how grievances are handled.
- c. However, many participants expressed that the ABC has made significant progress in the last several years to address issues of racism in the organisation.

⁴⁶ Note that participant quotes have been included in this Report with their consent. Participants own the rights to their personal stories.

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“Over the course of my career, it has got better. Pretty bad a decade ago. It has gotten better, we have done big work over the last nine years with RAP and other things.”

“The ABC has come a long way, there is much more of a sense that someone as myself with a level of experience, if I raise an issue I am heard, my thoughts are taken very seriously. My experience on the whole has been quite positive, but I am aware that is not everyone’s experience.... I know the ABC very well, I feel confident within myself, my concern is with staff that may not know [where to find supports].”

“People complain about the workplace, but it is a great place to work. How do [these] two things exist – it is the systems. The cultural load systems. Not just in Indigenous things. They are problematic, [and] cause distress. I know a lot of mob at the ABC, everyone has had a racist experience here.”

- d. Two CALD participants said that they did not feel that the racism they experienced at the ABC was different or worse than the racism they experienced generally in their life.
- e. Most participants said that the racism they experienced was in the form of microaggressions, or covert racism. Many participants described that they felt the organisation generally did not have understanding on what microaggressions or covert racism are, and how they impact people.

“A man had shared a microaggression, and [ABC Senior Executive] patted him and said ‘sometimes you just have to move on!’”

“No one wants to say they are racist, and their perception of racism is only people going around with pitchforks – in an institutional setting, it looks like favouring people you know and that look and sound like you.”

“There is casual racism within newsrooms when stories featuring Aboriginal talent or issues pop up.”

“... I’ve heard very senior executives at the ABC say we don’t tolerate racism at the ABC. If someone’s racist, they’ll be dismissed on the spot. But the issue with the experience that I’m describing is like a grey area of racism, right? Nobody’s overtly attacking you or bullying you, but it is kind of this atmospheric feeling of lack of safety and that is very, very hard to put down on paper in black and white.”

“A lot of things tend to brush under the radar, so that’s been a really big frustration of mine because a decision can be made or an announcement can be made or something can happen and you really can’t pinpoint or say that the reason is racism, even though you know that it is.”

“[The] smoking gun... those microaggressions chip away and it can be worse than large issues of racism.”

“I struggle with the idea that I have to leave myself at the door. That metaphorical door was built by and for middle class White men. They fit through it, they don’t have to leave anything.”

“You do carry it throughout your career, the things that are said to you. All those things are still with me. It’s the realisation that no matter what level you get to, the people that have treated you one way in the past will continue to treat you like that... which means, you are constantly pulling people up or picking your battles.”



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- f. The majority of participants who are current staff noted they participated in the Review because they are invested in the success of the ABC and its story-telling.

“The more we understand ourselves and each other, the more we can reflect people back to the world.”

“[Among young generations] there is a greater percentage of diverse people in the community, which the ABC is meant to represent and reflect, and also people have more diverse friend groups and experiences. If the ABC doesn’t reflect this, how can they expect to appeal to what is becoming a bigger sector of our population at the moment?”

- g. Participants reported experiencing racism from their peers within the ABC, and from the public through the course of their duties as ABC staff.
- h. The majority of participants expressed significant impacts professionally and personally, whether by direct experiences, observing, or supporting those who have experienced racism directly.

“I just want to roll up and do my job. It’s shocking and frustrating when some in middle management freely admit and demonstrate they’re ill-equipped to manage, handle and implement processes for cultural safety, even at a very basic level. This adds to the trauma and mental and emotional labour of those consistently and strategically undervalued within programming teams. All too often, I see people of colour being answerable to those not smarter than us when it comes to meaningful and respectful parameters of cultural safety. It’s a risk speaking up. By raising issues of racism and cultural safety, we are seen as a threat. There’s a performative facade by middle-management of ‘listening’ and ‘inviting feedback’ from team members most deeply impacted by racism and a lack of cultural safety. These sessions are overly drenched in faux toxic positivity (“We’re lucky to have such diverse insights on our show!” “You should all feel so proud!” etc etc) which comes across as a tactic to gaslight and silence people of colour from speaking up about their experiences. To do so would be to ‘bring the tone down’. So there’s no real resolution. I now understand this is by design from the gatekeepers for whom action and change serves no purpose. Instead they give the surface illusion of wanting change, while actively blocking it. It’s extremely disheartening and you carry it way beyond your work hours. I just want a job where it doesn’t impact my relationship, my babies, the time I spend with my community. I hate that those who engage in culturally unsafe behaviour and decision-making don’t have to feel the impacts of it.”

“I feel a responsibility to my community and children, because if I leave, we are leaving the fight for the next generation.”

- i. Covert racism was regularly described by participants as more challenging to call out *and* address than overt racism. Participants often described that they felt each individual incident was not of sufficient gravity to make a formal complaint. However, some participants noted that, over time, these incidents of covert racism accumulated and intensified the psychosocial harm.

“It is the small things you carry with you that make you feel so weighed down. What do you do with that feeling, when it makes you feel unsafe coming to work?”



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"... does someone have to say a slur for it to be racist, or is it the pattern. I think most people know not to say a slur, but the micro things are way harder, like lack of opportunities [for diverse staff]."

- j. Several participants recounted experiences of both overt and covert racism that has had, and continues to have, significant impacts on their professional and personal wellbeing. This includes but is not limited to suicidality, mental health diagnoses such as anxiety and depression, and long-term stress leave, that they described as being directly related to their employment at the ABC.

"I got really depressed at the time. I wasn't eating and felt suicidal at times. I was not myself. I went to the support service available. I called them up for advice. I mentioned that to [my higher manager] so they would know I was actively trying to improve my experience. I didn't want to be seen as someone who was just complaining. They did nothing to help change my circumstances."

- k. The majority of these instances were described as being directed from colleagues within the ABC. Experiences included a combination and continuation of incidents, and microaggressions that were frequently described as "wearing people down over time".

"If people are aware, they aren't aware of the extent or depth.....There is such an enormous amount of shock that should be directed at how this issue is even there."

"They become so afraid that even footsteps behind them made them physically jittery, they would come to us all the time and cry."

- l. Within the sample, participants reported that the most concerning instances of overt racism, including racial slurs and direct bullying, were primarily directed towards women of colour. This was described by women with their own experiences and corroborated by observers. Women of colour described severe, long-lasting mental health impacts from these incidents, not only for themselves, but also their supportive peers and witnesses, and their families.

"I told my supervisor what happened with the racial slur. They were incapable of dealing with it."

- m. Many participants reported feeling that the ABC promoting itself as a champion of diversity and inclusion is a barrier to doing better.
- n. Many participants recounted that when they have raised complaints informally or formally, responses, including from managers, are "defensive", or to get upset at the person making the complaint. This was generally described to the Review Team as a barrier to making improvements.

"There was another [racial slur] incident with a colleague [person 1] who actually said it in a conversation with a colleague of colour [person 2]. It was sent up the chain and [person 1] was protected. The White colleague who said the [racial slur] was protected over the diverse colleague."

"In terms of that interpersonal racism and the racist microaggressions - whenever you raised it with someone, you'd have to be so careful because if they got upset, you were the one who would get in trouble, you know, cause you'd be going out and upsetting the nice White people. And [they would say]: 'Don't say that. That's not what we meant. You've got it all wrong. You're so sensitive. You've overreacted."



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That's not really true.' You had to really pick your battles, but there were things that I thought, you know, in there that were so blatant, but still got swept under the rug."

"[The ABC] thinks that it has the licence to behave in certain ways, or that you shouldn't receive the kind of critiques that you get because you're 'good guys, we don't mean to. You're overreacting.' There was not only an interpersonal but a structural resistance to any feedback that challenged that narrative of 'we're just good people'."

*"I've talked to a lot of my non-White friends [who agree] there is a lack of safety. Freelancers at the ABC put up with a lot because they have no power. A friend of mine worked as a freelancer. [They were] in the screening room watching the cut, and something went wrong with the cut. A White producer said 'oh the f***ing [people of a cultural background] have fucked it up again'. Everyone gasped and looked at my friend who was [of that cultural background]. The producer burst into tears and ran out, and everyone ran out after them, leaving my friend...on their own. The next day my friend's manager came to them and said the producer was really upset about it, and could they please go and let the producer know it was okay and they understood the producer didn't mean it. My friend didn't want to but felt they didn't really have a choice. When they approached the person, the producer said how mortified they were because '[some of] my best friends are [of that cultural background], I mean, it's not like you're [from another coloured background] or anything.' My friend was mortified, but didn't say anything, because they felt it would jeopardise their contract or future work opportunities, given how much support was given to the producer and not to them."*

"[They asked me to appear in content that depicted people of a certain cultural background]: They had a young White producer ring me up and I asked if they wanted me to wear ['diverse'] clothes. They said 'no, just wear normal clothes'. They said 'wow you look like a normal person, not like a [diverse person] at all' and I said, 'wow you sound pretty racist' and they burst into tears. I mentioned this incident to producers, and they said, 'oh that's terrible', but nothing happened. The worst part was I felt bad mentioning it."

- o. The majority of participants expressed fear of speaking out about racism.

"If you are different, you are made to feel different. If you challenge that, problems arise. If you call out racism, sexism, bigotry, you become targeted."

"There is fear that if you do speak out, it will impact your career...I probably wouldn't do it again, you don't risk internal backlash."

[After speaking up]: "In my role, you wonder whether you are being character assassinated. The answer is most likely yes. You kind of go, I'm not seeing enough opportunities and involvement in big projects like I used to."



2. Intersectionality

- a. It is crucial to emphasise the intersectional identities of many of the participants. Intersectionality refers to the experiences of other forms of discrimination (including discrimination based on gender, sexuality, disability, age, class and location), which compound and intersect with individuals' experiences of racism or racial discrimination.
- b. There was an overwhelming number of women who participated in the Review. Women of colour reported to the Review Team a range of behaviours that they experienced from peers within the ABC, with racial and gender discrimination frequently overlapping. There were particular trends in relation to the racial and cultural backgrounds of these groups. However, identification of these trends has been omitted from this Report to prevent identification of participants.
- c. The most severe recounts of racism and racial discrimination described to the Review Team were directed towards women of colour.
- d. Some participants described the high number of women of colour leaving the ABC recently and being replaced by White male colleagues.
- e. The findings of this Review regarding women of colour are very aligned to the findings of the Victoria Commission for Gender Equality in the Public Sector's report, *Intersectionality at Work*, which analyses intersectional gender inequality in the Victorian public sector.⁴⁷ *Intersectionality at Work* found that women of colour experience barriers to recruitment, retention, and career progression in addition to racism, precarious employment and the failure of complaints and resolution mechanisms.
- f. People who identified as LGBTQIA+, with disabilities, and young employees voiced further fears about speaking out, particularly noting power imbalances. They also reported experiences of discrimination that the Review Team considers more severe.
- g. To protect the privacy of these individuals, their contributions to the Review have been aggregated, described generally as follows:
 - i. Direct and overt racial slurs, which were often combined with homophobic, ableist and sexist slurs;
 - ii. Direct and overt bullying – perceived deliberate exclusion from social activities, secondments or work opportunities;
 - iii. Frequent and continuous comments that they were so-called “diversity hires”;
 - iv. Pitches for stories being denied due to “impartiality concerns”, while the same stories from White colleagues were accepted without question;
 - v. Casual misogyny and sexism;
 - vi. Experiencing sexual advances and approaches from male colleagues;

⁴⁷ Commission For Gender Equality in the Public Sector, *Intersectionality at work: building a baseline on compounded gender inequality in the Victorian public sector* (Report, 2023) <https://content.vic.gov.au/sites/default/files/2023-10/Intersectionality-At-Work-Report.pdf>; Ibid 60.

- vii. Frequent comments regarding being a “diversity hire”, and feeling many levels of tokenisation.
- h. There is a significant and often long-lasting emotional toll on women of colour, LGBTQIA+ employees, those with disabilities and those younger in age. There are rigid barriers to them feeling safe in the workplace.

3. Regional compared to metropolitan areas

- a. While most participants are from metropolitan offices, current and former staff from regional areas also participated in the Review. The Review Team has chosen not to disclose any information about where participants are located or their role to protect their anonymity. The aggregated themes for participants located in regional areas are that they:
 - i. Felt more isolated;
 - ii. Felt the communities they were in held more overt discriminatory attitudes than in metropolitan areas, and this impacted on the reporting in that region, and the stories that were published in that region;
 - iii. Were not aware of the support options (such as the EAP, or employee networks) until much later in their employment, expressing they wished they knew these existed from induction; and
 - iv. Expressed a desire for mentorship from those with similar backgrounds and lived experiences.

4. Complex and competitive culture

- a. Many participants described working at the ABC as complex and competitive, and noted themselves personally were, and described other staff as being, particularly passionate about:
 - i. The ABC, its services to the public, and delivering on its Charter; and
 - ii. The ABC as a public broadcaster being accountable, transparent, and delivering high-quality journalism and content.
- b. Participants also said:
 - i. Staff care deeply about the ABC and its success, often resulting in a highly emotive environment; and
 - ii. The environment is fast paced, and with budget constraints, jobs are highly valued and sought after. Participants framed this as influencing the highly emotive environment which gives rise to “diversity hire” comments and some staff feeling “threatened” by First Nations and culturally diverse staff, who they perceive may be given so-called “special treatment” in recruitment and promotion practices. Refer further to the discussion on “**Diversity Hire**” for a broader examination of the issue.

5. Responses to external attacks or circumstances

- a. The majority of First Nations and CALD participants with roles that required interacting with the public, or are public facing, described experiencing online

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abuse or face to face abuse from other media organisations, individuals, and the general public. Some reported feeling supported in how their managers responded, however, many others reported their managers were not aware of the attacks, or were not competent in knowing how to respond or support them.

- b. Many participants described experiencing racism (whether overt or covert) from external people or organisations, in the presence of colleagues, and expressed disappointment in their colleagues' poor, limited or lack of responses.

"I was once racially abused on the street while reporting, and I reported back to my team and they laughed. When I said it I made it clear it was bothering me, but they still laughed."

"I was exposed to really vile stuff at press conferences."

"If I go through something where I speak to an interviewee and they say something racist to me, would I be able to approach my manager, and would [they] support me or just not recognise it as a racist incident? Immediately it just puts you on the defensive."

"Incredibly racist things come through on the text line in [redacted], it was particularly disgusting and First Nations staff weren't supported enough."

"People would ring the ABC switchboard and ask for us by name, and then they'd just put them through to us. So we had no filter for all these racist callers."

- c. Many First Nations and culturally diverse participants expressed that there is inconsistency in how Senior Leadership back journalists publicly in response to public attacks and in public forums, and that they do not back journalists of colour. We will not recount or quote specific experiences here to prevent identification, however, many participants recounted circumstances where they were targeted by other media organisations and felt they were not supported in the same way that Anglo/Caucasian/White staff were.
- d. Many participants described being targeted by other media organisations or individuals on their social media accounts. Such attacks included racial commentary, and was often used to bring the objectivity or impartiality of the staff member into question.
- e. The discussion on '**Impartiality**' and '**Moderation of Social Media**' explores this further.

6. Responses to attacks from peers

- a. Many participants described that personal attacks and bullying from peers were extremely challenging for them and impacted their ability to fulfil their roles. It resulted in them not feeling safe at work.

"We are going to get outsiders coming after us for simply doing our jobs. It hurts more when it's our own colleagues. I have had to have countless meetings with bosses about these issues. I do this but nothing changes. It wears me out. I have told them talking about it and trying to come up with solutions for them is retraumatising, yet you are making me sit through meeting after meeting and doing nothing."



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“They [ABC] don’t have any systems in place to address when an ABC employee does something to another ABC employee in a public format – [there is] no way to inform it by their policy.”

“But conversations always felt like a ‘us’ and ‘them’ type thing.”

7. Stereotypes, assumptions and unconscious biases

“You know when people tell me you’re playing the race card? I’ve never won whatever that game is by playing the race card.”

a. Understanding why diversity is important

- i. Many participants considered that there is a general lack of understanding across the organisation of why diversity is important and how it strengthens the organisation.
- ii. Many participants felt that diversity targets are perceived by the broader organisation as imposed, and disadvantaging to colleagues who are not of colour. Many participants experienced commentary from Anglo/Caucasian/White colleagues that they felt “that People of Colour are less likely to lose their jobs, to meet diversity targets”.

“Recognising that diverse staff sometimes feel animosity from non-diverse staff for being allegedly favoured, or treated differently, and that that can actually play a role in them...feeling it’s an extra burden. It’s an extra layer and it’s an extra cultural load.”

b. Pigeon-holing

- i. The majority of participants who were First Nations or CALD expressed that they felt “boxed in” or stereotyped into doing work or content that only related to their culture, or assumptions about their culture/ethnic or linguistic background. Many participants reported incorrect assumptions being made about their identity or background. In many instances, this contributed to feelings of alienation and impacted on their self-esteem. This ‘pigeon-holing’ also was described by participants as a barrier to opportunities and a limitation on their ability to pursue different work. Particularly, First Nations participants described receiving commentary from peers questioning their capabilities in roles that were not First Nations related.

“People in identified roles are seen as not experienced enough or worthy of being in the roles, subject to more scrutiny, and that their skills are only confined to Indigenous issues. Whereas, if it’s anyone else, they are given opportunities to grow and expand. It is limited and racist, they are saying you’re Black so you have no other interest than Indigenous issues...[it] takes away from [your] humanity.”

“[We are] proud to be Indigenous but it is not the only element of our personality. Being in that box means that [First Nations staff] don’t get other opportunities.”

“[There are] a number of [Indigenous] seniors, but they are still pigeonholed as Indigenous leadership, instead of leadership.”



- ii. Many participants also shared that while they often do want to do work that relates to their identity, at times it is not made possible for them to choose otherwise.
- iii. Participants also regularly shared that at times:
 - a. They were not given stories or matters on cultural issues because they were considered not to be impartial or objective;
 - b. They were asked to give their cultural knowledge and contacts, but not given opportunity to work on the story, or attributed;
 - c. There was a lack of recognition of the burden carried and additional challenges faced when reporting on, or creating content, that relates to their cultural background.

“We can’t go to our managers to actually talk about this because I’m worried that if I do say something, I’m going to be scrapped off this story or I’m going to be labelled as biased or I can’t share how truly upsetting this is for me. And they also don’t know at the end of the day that when we go home and we are in proximity with those communities, we also bear the brunt of their anger and frustration being like, ‘well, why can’t you do more? Aren’t you not at the ABC? Are you not a reporter? Are you not able to correct the record?’ And so there’s a lot of backlash and assumptions about what we can do in our capacity, which is quite limited, and the whole reason why this is happening, because managers themselves have not been made to be as understanding or taking this into account.”

- iv. Many participants expressed that in observing these unconscious biases, they are concerned those biases potentially influence reporting and content.

“It also makes me feel embarrassed about my own identity, because I feel like we are all lumped in as one group that is judged. This language also makes me lose faith in the way ABC covers Aboriginal issues. How might these opinions or frameworks be shaping editorial decisions when putting a story together?”

c. “The Diversity Hire”

- i. The ABC has employed and has targets around Indigenous and CALD employment. The majority of participants reported that, from their perspective:
 - a. Diversity targets are often perceived by the organisation as “ticking a box”;
 - b. First Nations and culturally diverse people often enter the organisation at junior levels but without much support, they often languish in positions with few opportunities or they leave the ABC;
 - c. Some people are promoted too quickly, and without adequate supports, and at times feel this is “setting them up to fail”; and

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- d. They experienced significant commentary from across the organisation that they were a “diversity hire” and this has significant impacts on their career progression.

“Even on my first day at the ABC, people were shocked and would say things like ‘they let anyone in the doors’.”

“People are fearful, people start to be racist to people who have identified jobs as they are questioned if they are worthy. It’s about structural inequality.”

“Declarations about ‘box ticking’ hurting the job prospects of White people were really gross, and it made me cautious to share my Aboriginality with colleagues or talk about my pathway into the ABC.”

“The term was ‘diversity hire’ – used so casually by colleagues, used to undermine people behind their back. It was so casually said that I brushed it off at first. People would say ‘diversity hire’ so much, that I wouldn’t talk about my achievements. I was adamant of not talking about, or promoting my experiences or achievements, in the workplace. Because I knew they were saying it about me too.”

“Things like ‘oh you’re the diversity tick’, ‘you’d know all those ethnics out there and the refugees’. [There is] this thing of like ‘oh you can be the one that helps us reach people past [inner city suburb]’ (a manager said this to me once).”

“They will give us opportunities and provide no support. We are thrown into environments that are scary. They need to know supports look different for different people. I just want to know they trust us. Support to me is knowing I can report and know they will have our back.”

- ii. The majority of First Nations and CALD participants reported feeling that at times they are not genuinely valued in the workplace – that they were hired/promoted so the ABC could tick a box, not because of their talents. Many participants reported direct comments from peers stating this. This has profound impacts on self-esteem and confidence.

“The attitude is very ‘you’re lucky to be here’ rather than talented.”

“You always second guess yourself and feel undermined due to your identity. If you say nothing you feel like shit, if you say something you feel like shit.”

“[Because I am an Aboriginal person, they] see you as not capable of the job you have been successful in obtaining. You are constantly managing that in the role. That can make you be hypervigilant.”

“No one assumes that someone gets their job because they are a White middle-aged man, but I must have my job because of my colour.”

- iii. As a result, First Nations and CALD staff often described downplaying their achievements in fear of this commentary.



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“Every time you achieve anything, you are labelled a box ticker. [It is said that] the only reason you got there is for the colour of your skin, which a lot of us find ironic. Because we have to fight for opportunities. It really does take any kind of joy out of doing things. When anything good happens, I think ‘oh god, how will this be perceived?’”

“I was nervous about [my new position] being announced. I knew people were unhappy about it. I remember crying to [name redacted] that day and telling them I feel like I can’t celebrate this. I am grateful but I feel like this is something I can’t be excited about... people became rude to me after it was announced. They were condescending and rude. They found ways to overedit and pick apart my work, pick apart small things. They talked to me like I was a child. I did find out later that they made comments about me getting the job for diversity reasons. I had conversations with [a colleague] that I was actually the lowest paid hire in that team and temporary. [They] completely back flipped and started being kind to me because [they] realised I wasn’t a threat to [them]. [They] spent months before that being hard to work with. I was scared to ask [them] to edit my work.”

iv. Participants described further scenarios in which they felt tokenised.

“Ever since I started it feels like the old token Indigenous person being employed. In my first role there was a slight introduction and [I was] basically was given a few jobs, [but] most of the time I wasn’t introduced to the ABC system properly. I had to go out and seek things to do, because they weren’t managing me. That was the first 18 months.”

“They were interested in having Indigenous staff but not me doing anything.”

8. Psychological safety in the workplace

a. Cultural safety

i. The majority of participants reported that the workplace is culturally unsafe.

“It is absolutely not a culturally safe workplace – not even slightly. The worst part is the façade.”

“Young people really understand the opportunity [of working at the ABC], but they are not fostered and supported. As an employer, the ABC doesn’t meet obligations in term of fostering talent and creating a safe workplace.”

ii. There were clusters of First Nations participants who described creating their own cultural safety throughout the organisation, particularly in metropolitan areas. This was described as an informal network where they support and look out for one another.

“I do feel culturally safe, I do worry about other staff that don’t have the same experience. Especially staff that work in remote spaces. I am wanting to connect to staff broadly to let them know I am here.”

“Even though I have to be careful on what I say and do, I am still 100% myself.”

“The only support systems were the ones you could create with the other people going through it.”

“That there are only pockets of this place that are safe – that is the biggest barrier – and that we lose good people because they are burnt out, or they have rocked one too many boats.”



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“In my younger years, it was easier, but when it progressed I couldn’t protect the team. I knew I couldn’t fix it. By the end, I was fairly broken by it.”

- iii. Some participants described feeling culturally safe due to the behaviour of particular managers.

“Not making assumptions and just approaching stories with a natural curiosity and a want to get the facts and cultural sensitivities of the story right – they would ask me lots of questions and if I didn’t know I would go find out more and we would talk about it the next day. They weren’t trying to make the story fit into a box – they had a want to follow the actual narrative of the story, rather than their pre-conceived ideas.”

- iv. First Nations and CALD staff described leaving teams from within the ABC due to a lack of cultural safety. This includes leaving because of bullying that they felt was related, in some form, to their racial background. Those participants would go to other teams in the ABC or leave the organisation.

“They either leave the ABC, or stay and take [their] trauma to another team, or they go on sick leave for a lengthy time.”

- v. Several participants in public facing roles described makeup being inappropriate for their skin tone, with this not being addressed despite multiple requests. Participants expressed scenarios where there was a lack of cultural safety, including in regular commentary made around the office.

“I ended up getting a role. The show was rushed. I flagged the foundation wasn’t set up for cultural safety. I asked about hair and makeup being appropriate. This was dismissed. There was a lot of groundwork I had to put in around that. I don’t have the luxury of just rocking up and focussing on my role. I have to be there earlier. It is impossible to describe all the issues.”

[When speaking to a staff member about Indigenous people and intergenerational trauma] “[They] would say, ‘It’s just a bit sad, why can’t they get over it?’”

“There’s not enough time to stop and make sure people are actually ok because staff are stuck in fast cycles of churning out content.”

b. Cultural load

- i. The issue of cultural load was frequently raised in consultations with First Nations people. Cultural load refers to the additional demands placed on First Nations people to share their knowledge and lived experience to educate others, or to achieve workplace goals outside their regular jobs. According to Diversity Council Australia, cultural load is the additional workload borne by First Nations people in the workplace, where they are one of a small number of First Nations people.⁴⁸ Cultural load also refers to the responsibility that First

⁴⁸ ‘First Nations Identity Strain and Cultural Load at Work’ (n10).



- Nations people have in their lives with balancing cultural and community obligations outside the workplace.
- ii. The majority of First Nations and CALD participants expressed that while they often want to report on or create content related to their identity, they frequently feel an assumed burden from other staff to take on this responsibility, often without a respectful conversation about their role.
 - iii. First Nations and CALD participants described assumptions being made about their cultural and linguistic background and being asked to do additional duties on top of their regular job description. Participants noted they were mostly not being paid for this additional work, such as:
 - a. Appearing on air to re-enact a role of someone with similar coloured skin or of a similar cultural background;
 - b. Networks and contacts being sought based on assumptions about ethnicity and class.
 - iv. While many participants agreed to do these additional duties, it was often reported that there were no conversations regarding appropriateness, nor was there recognition that this imposed additional burdens on staff of colour.
 - v. At times, such requests reflect a lack of cultural awareness and cultural sensitivity. For example, we heard of First Nations staff being asked for contacts in communities that aren't their own, or peers placing expectations that First Nations and CALD colleagues will 'do the leg work' to locate contacts and build relationships. Affected participants described this reliance as a missed opportunity for other staff to improve their own cultural competency. Additionally, participants reported that while First Nations and CALD staff are relied on for community contacts, they often do not get the chance to write or present the stories these contacts are sought for. First Nations and CALD staff become a resource rather than a voice for the communities they build relationships with.

"[Non-Indigenous] journos happen to report on [Indigenous issues] when it's easy, but when it's complicated, they ask me to report on it. For example, asking 'we are in [regional area], who do I talk to?' I would say, 'I don't know, well who do you talk to regularly?' They would say 'no one'.... well, that's a problem. They listened if it was what they wanted to hear. For example, on building relationships – I will not do this for you.... If I made it easy for them, or say, talk to the local land council or medical centre, or who are the Elders group, this is easy to find. Just have a conversation. If you spend time, you will get views and perspectives. Some people legitimately are worried about getting it wrong [reporting on Indigenous issues]. I said we will, we should just own it when we do it wrong. Don't not do it, out of fear of doing it wrong."

- vi. First Nations participants described being called on for Acknowledgements of Country and similar duties.

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“It does get frustrating because you always get asked. Always being the person for a long time doing an acknowledgement of Country, I love that you see me and that you have asked, but we can share it around. It is not always on the Indigenous person. Anyone can do it.”

- vii. First Nations and CALD participants described finding safety within employee network groups, but this work is additional labour that not all of the organisation engages in.

[When discussing the sessions on diversity and inclusion that People and Culture sometimes host]: *“... it is the same 30–40 people who are always at those sessions.”*

“While the ABC wants to do more for First Nations and diverse staff, that load falls on existing First Nations and diverse staff.”

- viii. Many participants noted the burden they felt balancing their community’s interests and expectations, with the interests and expectations of their managers or the editorial policies, in the way they tell their stories.
- ix. Some participants described their supervisors being cognisant and respectful of the cultural load.

[Regarding cultural load]: *“My head asked me – he did the training and said ‘is this too much me coming to you?’ That was good.”*

c. Impact of working on race related issues and content

- i. First Nations and CALD staff described the personal impact on their wellbeing from reporting on issues relating to their cultural background. At times, they wanted to do this, however, the additional challenges it presents to staff wellbeing does not seem to be well understood or recognised by others.

[After running a contentious program]: *“It had a huge impact on my personal relationships and health. I took [redacted] stress leave after. There was nowhere near enough support from the ABC. Managers understood, I asked [name redacted] to join that convo, and was really candid with everyone and that ABC needs to make sure it doesn’t happen again. We need these stories and we need to do more to share the load.”*

9. Leadership, middle management and supervisors

- a. The majority of participants considered that the active prevention of racism must be owned by the Managing Director, the Senior Leadership Team and the Board with responsibility for systemic change.
- b. The majority of participants observed there was a lack of First Nations and CALD representation in middle management levels, senior levels and the Board. This lack of diversity at leadership levels presents a significant barrier to ensuring that the ABC is at all times, an inclusive and safe organisation for First Nations and CALD staff.



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“If you don’t look like the people making decisions, you’re an alien. It did depress me.”

“I feel there is a really big gap between Blackfullas employed here. Lots just starting out or a lot here for a while in higher levels, not many in the middle. If you fuck it up, you won’t have another shot.”

[Suggestion for improvement]: *“Having Indigenous people in roles that are not always at the bottom. I have never had an Indigenous middle manager.”*

“How many people do we have from diverse backgrounds in the leadership team? Very few. Forget about diversity, ask the leadership team if any of them have experienced discrimination. If not, then there is a problem... because then you really don’t have experience managing people.”

“The last Aboriginal board member was Neville Bonner (1983–1992). There is no senior Aboriginal person at the very top. This is a real structural deficit. They could deal with this immediately.”

“Diversity is not a trend. It’s not going to pass... Having empathy is one thing, but an empathy from a place of lived experience is different...therefore you’re able to better navigate the solutions and how to navigate those everyday operational issues.”

- c. Some First Nations participants noted that the Indigenous Executive target has been achieved.

“We are at 3.2% target, there is a real difference. I feel the ABC is in the best place it has been in the Indigenous cohort.”

- d. Participants regularly reported goodwill from the Senior Leadership Team to address issues of racism.

“[Member of Senior Leadership] has really protected me. [They] put [their] phone number at the bottom of [their] email. [They] said, ‘I have got time in my diary, please reach out, or call me direct’. No one has ever done that. When I met with [them], [they] genuinely listened and didn’t dismiss me which I’d never experienced in [redacted] years of being in this workplace. For anyone who experiences the harm of racism, it’s incredibly important to feel heard and understood, which is key to building a sense of safety.”

- e. However, the majority of participants stated that even good intentions at the very top of the organisation often fail to filter down in practice through middle management.

“We work in an unstable industry, which makes people more reluctant, that if you say something against an older more powerful staff member, they won’t [deal with it]. So [this] leads to staff telling each other about shitty experiences, [but] managers have no idea, and then higher ups, they think it is fine.”

“As an organisation, they don’t understand they have a structural issue. If the Managing Director says at Senate Estimates that there isn’t a problem, then middle management wouldn’t think there is an issue. And we all feel like we are being gaslighted.”

- f. There are some exceptions where particular managers and supervisors were highlighted as being proactive and supportive of staff on all fronts.

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- g. Multiple participants from the same teams described that diverse staff have left teams due to unsupportive or bully managers. Yet this has not seemed to indicate 'red flags' to higher management.
- h. Participants identified managers they know to be problematic. Participants also expressed frustration that despite raising informal and formal complaints about problematic managers, at times they continue in the organisation and remain in or return to managerial roles.

"We know who the problem people are, but HR don't take action."

"It feels like complaints don't go anywhere and there is no accountability, or if there is, it isn't communicated to us down the ladder. Bad managers are managed up or across. The organisation acts like everything is too difficult instead of being dynamic and responsive to staff and audience needs."

- i. The majority of participants noted that when reporting a complaint (whether informal or formal) to their direct manager, their alleged issue often did not progress further. Some participants reported that this was sufficient, but others wanted the issue to be escalated, but this did not occur. The majority of participants reported feeling a lack of transparency around how complaints are dealt with and resolved. Many participants recognised and understood that the complaints process is confidential, but still expressed their want for more transparency and visible consequences for perpetrators found to have behaved in a racist or racially discriminatory manner.
- j. Some participants felt that when issues were raised to managers, that the response was defensive or hostile.
- k. Many participants felt their direct supervisors did not have the appropriate skills around complaints or to deal with issues regarding racism.

"My supervisor at the time was present when both of those [racist] comments were made and they didn't have anything to say about it."

"The times when I did report to my manager, the instances of interpersonal racism and discrimination that I experienced, they said that as a White person, they had no idea how to handle it and told me so. When I came back to the office, the issues were still there. The workplace was often uncomfortable and unsafe. There were many times where I felt trapped."

"There is an overall sense that managers are just not up for the job."

"I don't feel comfortable bringing up anything with my managers, [because] I know they are all close friends."

"My Manager asked me as (a junior), 'I don't know what to do, what should I do'? It was not reassuring."

"Managers waited six weeks to ask me what happened (after a serious racism incident)."

[If the ABC was doing things right] "We wouldn't see managers relying on junior staff to fill their knowledge gap in caring for and supporting their own staff."



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“Journalists are so healthy in their egos, we assume we are good managers. It takes work and reflection, right processes, and leadership to prioritise development.”

“I do think there should be tailored training for middle management. It is a massive step from being really good at your job as a journalist, and that experience doesn’t always translate to being a good people manager.”

“[We] need managers to have training on how to support their diverse staff. Not just cultural awareness training, but practically how ABC systems work. Like who they can actually get advice and support from.”

“I still love the ABC as an organisation. I think it is a great place, I’d love to work there again but a lot of things would need to line up. [I] would need the right manager and to have the right support and know that the organisation would back you as an outspoken journalist who frequently speaks out about racism and experiences trolling. Right now, I’m not sure I would get this support.”

“Some of our managers are amazing, others have no people skills or awareness of what is happening because they are not listening.”

“[On improvements]: Senior management [need] active anti-racism training – they clearly need external supports and guidance. It should not be a risk to name the deficits and huge gaping holes. [This training also needs to be for] people in decision-making roles, who reflect the broad representation of the organisation. We need a sophisticated understanding of how oppressive dynamics work. I don’t want to be solely relied on fixing deeply systemic issues. Staff should not be problematised when they speak up.”

“There needs to be whole of ABC strategies to make this an embedded part of how key managerial roles are designed to reflect this responsibility. And a process to review how managers and executives are fulfilling this responsibility.”

“If there was a procedure that managers can follow, or it is a KPI that has to be followed as part of their remit, that’s how we could get around ensuring the right things are in place to support people.”

- l. However, there were several direct managers who were praised for dealing with complaints appropriately and with emotional sensitivity from the view of the participants.
- m. Several participants reported when they circumvented their direct manager and went instead to the next manager in line, including to the Senior Leadership Team, they received a more satisfactory result. However, some participants reported that the next-in-line manager did not deal with the complaint satisfactorily. A noteworthy exception is when complaints were progressed to the Managing Director – participants felt issues were then dealt with satisfactorily.

“I went to see David. He was great. He listened. It was difficult for him.”



10. Employment status

a. Job insecurity

- i. Of the sample, First Nations and CALD staff reported being in more junior, temporary, and non-ongoing positions. This was described by those participants as a barrier to reporting issues when they occur.
- ii. People who are First Nations and CALD reported barriers to getting permanent, full time and ongoing work.

“When I was casual, there was no way I would raise an issue of racism. Shifts would be cut, and it has happened before. Being full time, I am less fearful of calling something out.”

“Our workplace struggles from a deep issue that is the increasing casualisation of the workforce. People with White Privilege and intergenerational wealth, to some extent, are the ones that can afford to run the risk of casual work. Ongoing job creation is key. [We] can’t solve racism in this organisation until there is structural change. Poor casual contracts are often a key cause of People of Colour leaving.”

- iii. Participants reported leaving the ABC, or wanting to leave the ABC, due to lack of permanent opportunities. Of the sample, this appeared more pronounced in the age brackets of 20–29 and 30–39, citing reasons as challenges in obtaining home or other loans, and family security.
- iv. Participants reported they heard comments that complainants are “trouble makers”, either about themselves or others. This was reported as reinforcing fear of speaking out when there is job insecurity.

“In both incidents, the manager should have stood up for me and told [name redacted] to back off or tell him that what he was saying wasn’t appropriate, especially being so racially directed at [someone in their twenties]. The senior producer in the room for both of those comments should have said something and not laughed it off. Also [they] should have followed up with me afterwards and asked if I was ok or if I needed anything. At the time I probably would have brushed it off. I certainly wouldn’t these days, but as a young reporter and one of the only reporters of colour I did not have the confidence to stand up for myself at the time. I was the only person in the room that wasn’t White. I didn’t want to be the ‘troublemaker’ or ‘ungrateful’. [I was] acutely aware of the fact that jobs are hard to come by.”

- v. Participants described media as a small and competitive industry, and that this prevents people from speaking out, out of fear of affecting further job opportunities outside the ABC.
- vi. Collectively, participants reported that these issues influence a high-turnover of junior staff and perpetuates challenges for people who are First Nations and CALD progressing to managerial and senior positions.
- vii. Participants described the impacts of insecure work arrangements on their self-worth.

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“It does affect [your] self-worth. You feel valuable and then you’re gone in a heartbeat. [You are] sharing studios with people who are abusing [people]. [You] wonder why they can conduct [themselves] in [these] ways, and have job security.”

b. Recruitment processes

“It is not a diverse workplace. I battle to get consistent work... I think it was based on my race. In terms of opportunities and chances given, there weren’t many. It was difficult. I’ve been the only [diverse] person in whole teams and departments.”

- i. Participants reported that job opportunities are often only advertised internally for short periods of time, and that this prevents new talent from entering the organisation, or allowing a broader pool of internal staff to apply.
- ii. Participants noted that internal job selections benefit people who the managers have worked with, because supervisors tend to hire people that look like them, and get on with them socially and know their culture.
- iii. The majority of participants expressed that they felt that unconscious bias feeds into recruitment processes.
- iv. There is a perception from participants that recruitment processes are disingenuous and require more accountability.

“If you look at gender, the ABC did a lot of work on parity, putting in targets and requirements. Now that the national focus has moved on a bit, someone said to me, ‘this can take the pressure off’. I take this as: no one is watching, there is no accountability. Integrity is we do it even if no one is watching.”

“There should be Indigenous perspectives on all recruitment panels.”

- v. While diversity is often sought for recruitment panels, many participants reported this feels tokenistic, resulting in the same First Nations or culturally diverse staff being relied on as panel members, and this additional load should be acknowledged.
- vi. The majority of participants expressed there is a lack of effort made for retention of First Nations and CALD staff.

“While there have been so many attempts by the ABC to foster and create a diverse environment to employ and hire and recruit people, the problem has always been retention. It’s not the issue of getting people through the door. It’s what happens once you have those people in the building and I’ve just seen time and again, countless talented, intelligent, creative people who have just been so burnt out that they’ve been forced to leave. And I have reached that point myself numerous times and I feel that the ABC [cannot] equip itself to handle these situations.”

“The ABC’s never going to get better if everyone just leaves.”

c. Career progression

- i. Many participants reported feeling disadvantaged due to their cultural or linguistic background, to progress their career, compared to Anglo/Caucasian/White colleagues. They also feel they have to



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work harder to prove themselves as being good at their job or worthy of a promotion than Anglo/Caucasian/White colleagues.

“Sometimes I feel [like] I am being treated as a stupid journalist.”

“We have to work extra hard and be extra good to get to where we are.”

“I am highly skilled. It’s the whole thing of having to work twice as hard for a third of the recognition, and even still, in muted ways. I do this for my community. I hate that I can’t protect them. I have to be answerable to people that don’t have my levels of understanding.”

“There are a lot of places you get to be mediocre, but not if you are Black. It sounds like a joke, but it would be such a relief to be allowed to do just the job. To not have to be exceptional, to not have to be above and beyond, the scope of the role, to not have to take on other people’s responsibilities like managing up. When that is not even remotely what I am being paid to do. I have been thinking of the freedom of mediocrity.”

“It is like if you fail, every other Blackfulla won’t meet the mark.”

“... was asked a bunch of times ‘wow how did you get that job, I guess it is good for the diversity stuff’ – having to defend yourself or feel like you have to work twice as hard to prove you are there for a legitimate reason.”

[referring to senior Indigenous staff member] *“the stuff [they] went through to get the role, is that an improvement? No one would have gone through that level of scrutiny – no one at that level would have had to work that hard to get there.”*

- ii. Many participants reported that many Anglo/Caucasian/White supervisors tend to favour people “like themselves” which supports the career progression of White colleagues. More than half of the participants described scenarios where they witnessed colleagues who were not of colour, being provided direct and proactive mentoring by supervisors, whereas they were not. Allies corroborated this.

“They have a way of dangling carrots to get you to stay, empty promises... but there isn’t any follow through or career progression.”

“I think we’ve found it really tough going. We were the only people of colour in the team. They didn’t know what to do with us. They kind of plunked us in the corner. There was no onboarding, no training and we were just expected to survive, I guess.”

“I expected some sort of introduction to what my job was going to be, it never happened, and yet people that came in as trainees or assistants, directly from uni, they were given roles to learn things ahead of me. Every time I asked for those sort of roles, [it didn’t happen]. In the end I just found work for myself, got into projects and actually everyone got sick of the projects, and I finished it.”

“I feel like there is no encouragement or guidance from management – they’re not mentors.”



- iii. Having a ‘non-Australian’ or ‘non-Anglo’ accent was a strong theme raised by many CALD participants, and some First Nations participants, as a perceived barrier to career progression. These participants expressed that it was either directly said or implied to them, and that they could not be on air (television or radio) with a ‘non-Australian’ or ‘non-Anglo’ accent. Participants who felt they did have a ‘non-Australian’ or ‘non-Anglo’ accent reported many attempts to change or hide their accent, including seeking voice coaching. Some participants reported that voice coaching was denied by managers. Even when granted and after changing their accent, some participants felt it still did not allow them to progress. At times, colleagues and supervisors expressly said that their voice or accent was a limiting factor. The Review Team notes the significant impact that this has had on people’s identity in the workplace and their self-esteem.

“One instance of racism I find difficult to manage is voice coaching. There is all this stuff about the right broadcast voice, I have tried to raise this issue, if you try to police peoples voice too much, there is a difference of policing someone’s accent – whether it is class or accent. I have had sessions that say you don’t sound professional. Is it broadcast voice or do you sound White and posh? The ABC has crushed anything unique about me.”

“ABC champions diversity, but once hired there’s an expectation that we will conform to the overall sound and look of the ABC. I was sent to voice training.... Lots of critiques had to do with elements of my speech that were coming from my cultural background rather than anything else.”

- iv. Participants reported perceived class issues around career progression. Many participants described comments being made to them or about them, regarding a “Western Sydney” accent or background (which is frequently more associated with diverse communities), and felt this was a barrier to their career progression.

“There were comments that my voice was too ‘Western Sydney.’”

- v. Many participants expressed they wished for improved career pathways, and a commitment to improve diversity in management.

“There needs to be pathways internally for diverse staff. There are jobs that are only open to Indigenous candidates, which is a good thing, but needs a quota for management too. There should be quotas in leadership roles for CALD [people].”

- vi. Some participants in higher positions stated they felt they were thrown into their roles without appropriate training or resources – and in a way, felt management were setting them up to fail. Some participants felt that this was related to ‘diversity targets’, and that some managers perceived that having diverse people in certain

roles was enough, without a sufficient focus on how efforts could be made for diverse people to feel culturally safe.

“Professional development is haphazard – it depends who your manager is. It is not necessarily clear or transparent how to go about professional development. Even if this is written into the enterprise agreement – some managers don’t make it easy to do that.”

d. Pay gap

- i. Several participants raised the issue that they were paid less than their non-diverse or non-First Nations colleagues, even in the same role.

“I am by far significantly underpaid.... I see this as ABC’s pattern of underpaying Indigeneity, seeing it as a detractor rather than as asset.”

- ii. One participant noted that they were paid less than their colleagues on the same level. They raised the issue with their manager, explaining that they were required to do the same role. The situation was rectified.
- iii. However, a different CALD participant had similar circumstances, but when raising it with their manager, it was not rectified, and they chose to leave that role. That participant noted this occurred in different jobs throughout the ABC in the last several years.
- iv. Several participants felt that the pay gap resulted because people who are First Nations and CALD are often seen as ‘training’ rather than being qualified for the role, despite having the same or more experience, and doing the same duties as their peers. Others said that the pay gap arose because First Nations and culturally diverse people were considered as ‘diversity hires’, so the role was more token and therefore not deserving of equal remuneration.
- v. This issue is compounded when the barriers to career progression are also recognised.

e. Managing People/Mentoring/Role Models

- i. Several people discussed how they felt they were overlooked for promotions and opportunities, explaining the difficulty to be selected for promotions. Comments canvassed the following:
 - a. There was a lack of role models, that is culturally diverse or First Nations people in leadership roles. You won’t feel the change until you see it.
 - b. There is a perception that even the best Indigenous ABC Staff are not treated with respect; that the Indigenous Units are not adequately resourced and the people in them are not given the opportunity for professional development.
 - c. People tend to mentor and hire the people that look like them, and that they socialise with.

11. Talent and Guests

- a. Participants also spoke about matters related to bringing in First Nations and CALD talent and guests and how these people are treated. For example:
 - i. Several culturally diverse people said that managers often ask them to bring in their connections to the community to help achieve on-air diversity, but the ABC staff member would not be included in presenting the story, or attributed. First Nations staff members shared similar experiences.
 - ii. There were examples of First Nations talent being treated poorly by ABC staff, including interviewers, and not being allowed to enter the premises.
 - iii. There were reports that First Nations guest speakers were not treated with respect, where derogatory comments were made, and where one was not allowed into the building by a staff member solely based on what they looked like. In one incident it was reported that the ABC fired the staff member. However, it took escalation for this to occur, revealing that it was not accessible for the usual complaints process to be used to address the issue.

12. Bullying and harassment

- a. Many participants described having experienced frequent bullying and harassment from direct supervisors, senior staff and colleagues.

[In reference to a manager screaming at a participant]: *“This was purposely humiliating.... The ABC likes to forgive senior employees who have shown racist attitudes.”*

“The grievance form and the guidelines for aggrieved workers are difficult. Often the manager, who is supposed to take part of the grievance process is the problem/perpetrator.”

“Often when [there is] conflict between employee and a manager, [the] solution is to get them in a room together to talk about it – this exacerbates trauma.”

“[Higher Manager] said that [they] noticed, [they] had watched interactions, and that it was bullying. The micromanaging was bullying, they did nothing. I said to [my higher manager]: I don’t want to make this a thing. I didn’t want to make this a formal complaint. Why didn’t they move me? Why didn’t they move my desk and disguise it as something else. They put in no effort to address what had happened.”

13. Story-telling and editorial policies

- a. Many participants expressed wanting to tell stories about their own communities, and stories related to their identity. At times, they expressed when this was supported effectively:

"I pitched stories about [country] and they funded me to make a documentary about [that] country. In this sense my knowledge about a different community was utilised not disrespected...the managers had done lots of stories on different cultures."

"They were both White but were more sensitive. We were producing long form documentaries, so they weren't under that insane time pressure. They had more time to be considered and thoughtful about their approach, but both individual managers were good."

- b. However, all participants who were First Nations and CALD in roles that involved story-telling (journalism and content creation), reported their impartiality and objectivity being called into question. These participants described feeling that they "had to work harder to prove their impartiality", when the impartiality of their Anglo/Caucasian/White colleagues is not called into question as frequently.

"I felt like my editor and deputy editor had no faith that I could follow the ABC's editorial standards. I was more disappointed that their reasoning didn't make sense. Rather than outright saying I was violating ABC ed pols, they were finding strange reasons to get me to change words. Maybe they didn't want to come off as censoring me, but it only made things worse."

"I am not from [that] ethnic background, but they thought I was, so they thought I could not be objective on that story."

- c. Many participants expressed that their colleagues who are not of colour are not questioned in the same way, creating a landscape where 'Whiteness' is defaulted as 'objective'.

"It is a really condescending environment, with the way they talk about objectivity. Objectivity in media is very yesterday. We all bring a cultural lens and an inherent bias. They invariably confuse Whiteness for objectivity."

- d. Many participants expressed that there is a lack of nuance and maturity in understanding what lived experience means in the context of story-telling, and that the editorial policies are often interpreted and applied through an Anglo/Caucasian/White lens. Many participants reported that CALD or First Nations stories were told by people without the lived experience. These stories attached stigmas and stereotypes to particular groups, and illustrated low cultural awareness and a lack of understanding of the repercussions attached to poor or ill-informed story-telling.

"... I felt like my work was being picked apart because they didn't trust me to write within the boundaries of ABC editorial policies, because I'm Aboriginal and 'too invested in the subject matter'."

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“I suppose the specific reason I’ve decided to [participate] is how disappointing the ABC output continues to be with respect to race, which I know must reflect that the culture inside the organisation has not improved sufficiently.”

“This episode strikes me as being produced by those who have limited understanding of the lives of so-called ‘diverse’ Australians living in the western suburbs of Sydney. [It is a] patronising view of the area where I’ve spent most of my life, as well as the writers from the area.”

“The way the conversation was framed and the questions asked showed a distinct lack of insight on both the presenter’s and producer’s part of what life might be like for people from minoritised backgrounds. It’s not particularly humanising to be viewed as an object of foreign curiosity, rather than being treated as an Australian – a person even – with rich insights. So, while it’s great to have non-White guests on programs, it’s another for the segments to be thoughtful and engaging.”

“You know, we’ve covered wars before, but why is this one different...You know, for the first time in a long time, you have a workforce that is incredibly diverse and can actually speak and live Fact Check the things that we are saying because they happen to have family there...they can Fact Check it on the spot. And so that is why things are different that you don’t bring in a diverse cohort of journalists and then go, ‘actually, your diversity is not relevant here.’”

e. Participants further described these reflections and experiences:

“There was a new young White woman starting in the newsroom and she was treated completely differently, with open arms. She only had a year more experience than I did. They would question what I put forward. She would say the same thing verbatim, and it was accepted. This White reporter took my ideas, that felt like a battle whenever I said them. When she would say them verbatim, people never questioned it. It was hard to watch people trust her immediately. She did not have to prove herself. We had to fight for it harder. We were perceived as activists.”

“If you are cowering to your audience, how are you being objective? That is the idea of what they call activism journalism. If you say this is human rights and this is not... it is not your job to cater to your audience, it is to inform. Racial literacy in Australia is low and the ABC utilise that.”

“Ed pols are something People of Colour are more often reminded of, than White staff – feels like ed pols are weaponised against People of Colour.”

“I have to fight [to get] my story published. I feel treated differently [and their] interest is lost when I explain my story.”

“I was told to pitch stories for ‘Australians’ – this is not understood to be diverse. They don’t see the audience as diverse, so the story-telling is for a White audience. This is a missed opportunity to see and tell stories to a diverse audience.”

“Everything is filtered through a White lens. Everything other is seen as novel. I think it is alienating the audience.”



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“ABC needs to think again [the purpose of] hiring diverse journalists. They aim for a better representation of diverse communities and voices. So, what’s the point of recruiting them if the ABC is not going or fails to listen to them?”

“Our journalism isn’t respected. After [a significant First Nations public event], our program scored one of the few interviews with [a First Nations public figure] but no one picked it up in the ABC. Our interview was covered by other news outlets, including [news outlet], but not noted within the ABC. There’s little interest in our programming outside of NAIDOC or Reconciliation Week. We are in a silo.”

“True diversity means presenting the range of views from a community, not just one view which is better marketed.”

“For ABC team leaders, especially those in the middle-level positions such as editors, executive and supervising producers, please listen to what we have to say. My English may not be perfect, but I can always offer valuable perspectives. Let’s have patience to understand each other and to address our own biases. If you don’t understand me, ask questions instead of making assumptions. Help us in telling our stories, rather than immediately killing it or even laughing at them. At the end of the day, we just want our voices and our community to be heard. You can support us just by asking how you can help us to tell it.”

“They tell us they want our perspectives, but when we give that to them and it doesn’t match up with what they think, they dismiss it. They need to trust us as journalists. They do not realise that in a pursuit for balance and objectivity, they themselves hold their own biases... They want diverse faces but they don’t want what comes with it – as soon as the topic becomes too political, we suddenly can’t be trusted to report objectively.”

“I don’t think editorial guidelines should be something that is pushed on us as rhetoric or actual policy. We need more space, particularly in content. An actual recognition of the way that diversity, when meaningfully applied, actually affects story telling. How we are doing it, who is involved, how we are measuring the success of it.”

“Retention in an issue. We offer all these opportunities but don’t have the culture to support people. Employees of Colour are being asked to hit up their communities for stories and then are accused of being biased. I’ve seen many People of Colour leave frustrated and upset with the organisation.”

“What does an impartial journalist look like? I think when people say that, they envisage a White middle class man, that’s the default setting of someone who’s impartial when writing about Indigenous affairs. I would say that is the worst possible person to write and report on Indigenous affairs. Impartiality doesn’t mean ignorance, right? Impartiality means knowing the tools of your trade, respecting your integrity and applying the same journalistic rigour to any story that you do. White journalists don’t do that with Indigenous Affairs. They bring their own prejudices and ignorance to the problem and wave it like some banner of impartiality. I think we can strive for fairness and balance, but impartiality, particularly when it comes to reporting on Indigenous affairs, is a furphy - we all come with values to the role, to the job of journalism. I think that what Indigenous journalists bring is an understanding of the context in which the news exists, the historical, social and economic context that people live in. Indigenous people understand that implicitly because we have lived it or we are living it. I think impartiality is often a way of limiting Indigenous people’s capacity to cover Indigenous affairs. There’s an assumption that we can’t.



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But we bring to journalism more skills because we have an understanding of that context. In fact, it's more difficult for us to do the job because we have two bosses, right? We have to abide by the rules and the editorial policies and the ethics of journalism, but we are also accountable to our communities. The fact that we navigate that successfully all the time is never acknowledged in our workplace and it is a skill that Indigenous journos have that non-Indigenous journos don't have. The irony about impartiality is, they come and pick your brains for contacts. You are like black Google, 'who's the best person to talk to about this? What do you think about this? Have you got a phone number for that?' They're always coming to us for advice, which we are supposed to give for free. You're like an ATM... the Indigenous ATM and we'll just come and take stuff out of you and because that's your job. They're quite happy to use our cultural knowledge to further their own careers."

- f. The majority of participants who identified as First Nations and CALD expressed concern about how unconscious bias influences the framing and nuances of story-telling.

"They have never apologised for the harm caused by their reporting. If you raise concerns of racism in ABC reporting there is this visceral reaction of 'we are the good guys, we can't be racist'."

- g. Participants also expressed concern that their perspectives are not approved, or are substantially altered, through the editorial process. This inhibits First Nations and CALD perspectives from being told at the ABC.

"I would have two rounds of editorial. When I wrote things, they would be approved by a senior Indigenous journalist, then go to [department] where a non-Indigenous journalist would gut them."

14. Moderation of social media

- a. Comments on social media and online platforms are filtered by staff to prevent harmful, hateful or derogatory comments. Moderation capability exists for senior ABC staff, however more junior people must take on a moderation role for themselves. This can be problematic due to the emotional impact of public attacks, and the extra time required to do this. This not only creates a risk of trauma, but also creates an added workload not required of Anglo/Caucasian/White colleagues. However, it is acknowledged that many staff who are not People of Colour or First Nations are subject to public attacks.
- b. There does not appear to be a clear mechanism for staff in moderation to flag instances of escalating racism or pressure against particular reporters or producers. It is unknown if staff in those roles have specific training on how to identify racial discrimination.

"I can imagine if I was dealing with constant death threats it would grind you down. Managers saying to get off social media, that is not good enough. Life contexts are different, dismissing their experiences."

"Part of the job is external criticism, trolls. If you have to read it, it is hurtful and harmful. The rule is: don't look – bury your head in the sand, make out it's not happening. But if you are alive today, social media is part of our lives. More of our life is on social media. If you are a 22-year-old working in a news room, by default you are spending time on social media. To say don't go on there, its performative and not realistic."



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There is no quick fix here. We need to support them thoroughly when they are targeted for doing their job... There is a social media policy, but no policy on how they react to external criticism”

15. Training

- a. A number of participants expressed their frustration that people at the ABC disengage or generally do not value diversity-related training packages, including cultural competency and cultural awareness training, seeing them as unnecessary.

“Those online trainings, everyone hates them. They are annoying and not very good. People flick through as fast as they can and tick it off.”

- b. Some participants have stated that the delivery of the training does not have a strong impact, since it is mostly done online through training modules, and that face-to-face training is crucial to facilitate genuine engagement and understanding.
- c. Some participants reported that they did not receive training as a casual worker, nor had training since induction.

“[There is no] training on how to start conversations around cultural backgrounds.”

- d. Participants reported a lack of organisation-wide supportive training, such as mental health first aid, and vicarious trauma training. This also includes for peers and supports. The Review Team notes this as a key gap, especially when a significant role of the ABC is to report on challenging issues that may cover traumatic themes. This appears to expose the ABC and its staff to unnecessary risks.
- e. Participants expressed that middle managers specifically, need more training to support staff on these fronts (beyond issues of racism). Some participants noted that their direct managers are supportive, but this was more dependent on the individual supervisor themselves, their emotional intelligence, and people skills, rather than direct training from the ABC. However, most supervisors were not described in this way, suggesting cultural and systemic issues at the ABC.

“That said, I feel lucky that I have a manager I directly report to that when I raise concerns, [they] believe me, and does [their] best to act on that. Whether that is wanting or needing training, or secondment opportunities... [but] I really feel like this is unusual, from talking to friends in other teams, that kind of support doesn't exist.”

- f. Participants noted that generally, after reporting on a traumatic event, or following a complaint, they did not receive a follow-up or check-in from managers.



16. Complaints Systems

- a. Many participants said they did not know how to make a formal complaint.

“We don’t even know those systems for formal complaints are there. If there are policies, they are in a drawer at HR. I’ve never seen any evidence of implementation. We make complaints to supervisors, but there is a sense across the staff that nothing will happen.”

“I have never used the formal [complaints] processes. I wouldn’t know how to go about it; I don’t know the models in place. Whether I would do it [make a complaint] is dependent on the nature of my contract.”

“I never thought of raising a complaint, [I] wouldn’t have known who to raise it with. [Racism] is so seemingly subtle and part of the culture that you don’t consider it is something to raise a complaint about. I don’t know of anyone raising a complaint. I wonder if anyone would the higher up they go, because it could feel like jeopardising your position.”

- b. Almost all participants reported little to no trust in the complaints and reporting mechanisms. This was due to direct experiences with complaints processes, and not feeling satisfied with the outcome, or observing this occurring to others.

[After progressing a formal complaint]: “I lost total faith in that system. That system is there to protect the organisation, it is not there to protect the person. The [person who I complained about’s] comments were normalised and accepted. Every time it wasn’t called out, it normalises it. This is the message to [that] person. There is no way I would go to HR again.”

“HR are so arm’s length from people on the ground, [you] only see them with managers. They are not for the people.”

“Managers are a part of the committee that [decides] whether [something] is a grievance or not. You feel like you don’t want to put in a grievance as [they are] probably part of it and assessing it.”

- c. When they did make a complaint, the majority of participants were not satisfied with the outcome. Generally, this was due to a perceived lack of repercussions for those that were the subject of the complaint. Some participants acknowledged that sometimes outcomes were not visible for confidentiality reasons, however, considered that more transparency is needed to restore faith in the system.

“I don’t know a single example of someone being addressed about things said or done. Thing is, that creates a perception and reality that [that behaviour] is ok.”

“We need to work on grievance processes from a deficit model to make it more user friendly. We need person-centred care; looking after staff, not only looking after the organisation.”

- d. Participants noted that direct supervisors and middle managers often discourage staff from making complaints through the formal systems because they have had their own negative experiences.

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- e. Participants expressed hesitation to make a complaint, due to a culture of viewing complainants as ‘troublemakers’. This is particularly pronounced where a participant is in a non-ongoing role. Job insecurity was frequently cited as a barrier to progressing complaints.

“For a younger journalist in insecure work, they are not going to say if something is not right. [They are] worried this will affect their career, and they are probably right.”

“If you are dealing with someone more junior, that is a big ask, to step out and take that on. I have only felt more comfortable speaking out, when I have become more established in my career. The expectation that everyone will be ready to carry this burden, that is a lot.”

“There should be better systems in place to support staff and better ways to report incidents when they occur that don’t put your career in jeopardy because there is no protection or anonymity when it comes to making those reports.”

“I refused the contract. They wanted me to sign a contract where I would get paid [relatively low amount] as a casual. My manager said ‘it makes us easier to sack you’ and ‘a lot of people would do it for love’. Apparently [complaining about] this gave me a reputation as a troublemaker at the ABC.”

“...It’s really demoralising because I think sometimes you start to feel like if you raise the issue, instead of the issue being the issue, you become the issue. The individual who’s speaking out becomes the problem and you know, narratives get spun about ‘well, they’re opinionated, they’re trouble’.”

“Part of the way managers looked at that situation, was that the issue was my cultural heritage and not a bigger problem with how the ABC system let me down.”

“Young people are terrified that if they speak up to do anything about diversity they will lose their job and then there will be no-one of diversity in that position.”

“People who rock the boat, it is not that you will get fired, you just won’t get a new contract.”

“There is a power imbalance about making a formal complaint and your job becomes at risk and you might be more demonised by your colleagues. [This] means you are less likely to make a formal complaint.”

- f. Staff tend to turn to more informal mechanisms, such as speaking with a peer or a manager. Participants reported many managers not dealing with this in a satisfactory way.
- g. Some participants reported that making a complaint about a manager was difficult. Participants noted the power imbalance that existed between managers and their own roles. Human Resources (‘HR’) were often perceived to take the side of managers or managers would not be held accountable because they were needed at the ABC.
- h. Many participants noted that it was easier to leave the role than to report a complaint as they believed nothing would come from making a complaint.
- i. There is greater reliance on support from peers rather than from management or formal structures. While many peers reported wanting to help, the Review Team notes this can place an emotional load and create a risk of vicarious



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trauma to peers. Several peers in such support roles recounted personal impacts because of this. The Review Team notes this is a risk for the organisation. While peers are well-intended and supportive, they are not necessarily always equipped with the appropriate professional skills.

- j. Almost all participants believe there is a lack of transparency around complaints resolutions and organisational restructures. This leads to the perception that conversations about poor behaviour aren't really happening, and perpetuates the common view that there are little to no repercussions for bad behaviour.
- k. When formal complaints are progressed, staff report the process being arduous, taking too long to resolve, or the focus being unfairly placed on the aggrieved person rather than the person who is the subject of the complaint. Staff then report feeling discouraged from speaking up again.

“Would a complaint even be worth pursuing? It is such a big thing. A lot of people probably put up with it because the procedure is so bureaucratic.”

[Regarding formal complaint]: *“My confidence in those processes is not great.”*

“You can't have confidence the ABC has your back because it doesn't.”

“The ABC way of doing things is the HR process with the managers, they will not address racism or discrimination in the workplace. You have to raise the grievance, no one wants to do that. HR want to minimise risk, they don't care about the person, they care about the corporation.”

“The people who are responsible for investigations, they have no training for issues of race.”

- l. The majority of participants reported when they have raised issues informally or formally, a common response from others is to get defensive instead of engaging in good faith.

“The worst word you can call a White person is racist.”

“When you raise those issues, people get super defensive. When you do raise the concerns, people are very scared. [There is] deniability instead of working through.”

“I don't want to come across as the angry black woman.”

- m. Participants expressed that they wished that the burden was not on the aggrieved person to raise a complaint.

“A lot of the processes rely heavily on the individual who has suffered, to carry the burden of initiating and communicating that response.”

- n. Participants also commented on the need for the complaints process to be culturally safe.

“There should also be diverse people who are actually in positions where complaints are heard – people of colour need to be able to make complaints to people of colour. In the same way that many sexual assault allegations often don't get reported in many workplaces, many racism allegations often don't get



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reported because there is always a presumption of innocence. You'd be more comfortable to make a complaint to someone who understands and has been through what you have gone through, and would be more equipped to determine whether something was racist or not."

"I think there needs to be something at a lower level that people can access. Not having to always be formal, and to go to HR. A forum to discuss microaggressions. A less formal pathway to resolution."

"I'd love to see a better process for reporting racism without leaving the person reporting it in a traumatic situation facing the person who's been racist. It leaves a lot of us in a vulnerable position, especially if it's reporting a direct manager or leader. If there was a safer space or process, and actual consequences, more of us may come forward."

17. Support Systems

- a. Responses were mixed from participants on awareness of support systems. The majority of participants reported not knowing about what support systems were available. Some participants noted that they did not know where to find the supports.
- b. Participants who did know, did not want to access those services due to concerns around confidentiality. A large number of participants stated they did not trust the support systems, or had been told by other staff that they were not to be trusted. Many participants said that they found the external support options offered by the ABC as culturally unsafe.
- c. Some participants stated that the support systems were there to support the ABC, and not the staff.
- d. However, several participants who accessed services reported these as being helpful.
- e. Some participants expressed they wished they knew what support services were available on induction.

"On induction people should be made aware of processes/systems to help. Unless you have an empathetic manager, you are really lost. There are great support systems around but the reason why so many people still feel vulnerable are the places and teams they work, not the support teams around them."

- f. Many participants said that staff in support roles are helpful, but their work is significantly overloaded, and more people in support roles are needed.

"HR advocate roles, I am told, are very good. [name redacted] role has been important. But this is one person trying to hold back the tide of the organisation. There are only so many crises [they] can take on personally."

- g. It is worth emphasising the many participants that spoke very highly of certain First Nations peers in support roles.

"[Name redacted] - [they] have been a powerhouse for First Nations and diverse staff."



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- h. Several participants noted that where they have sought support from human resources, there was a lack of follow-up, or issues had taken too long to resolve. Participants expressed that these issues sitting for too long caused further issues. Several advocates and bystanders corroborated this, emphasising that if there were follow-ups, further worsening psychological impacts could have been avoided. Several participants reported not feeling confident that the systems would provide redress.
- i. Several participants stated that they attended listening sessions and group forums, but never received a follow-up or any indication that their issues had been considered.
- j. Participants expressed that they wished their supervisors had better skills in providing emotional support.

[When reporting on challenging issues]: *“It was performative, [my manager] wanted other people to see that she was checking in. The real check-in would have been checking in afterwards – in private. Mental health first aid or vicarious trauma training should be mandatory.... I will text journos on the frontline. I want to show that I care. I am deeply worried that no one else will.”*

[After the live coverage of a nationally significant event]: *“By the time I was getting back to [location redacted], I was not ok and my team was not ok. I was in my office, and I knew there was something really wrong. I was watching my team, and people were traumatised by what had happened, and I asked if anyone wanted to see a counsellor, I said I will ask for it. I know as someone removed, that was a hugely challenging experience. You could hear crickets, I would call HR about it, [and say that] we are not well and not ok. They didn’t know what to do. The last convo I had with someone in HR, probably 4th time I rung in a week, ‘listen to me, pretend I am White and put in place what you need to put in place....if you can’t do it, I will find a counsellor for myself and my team because it is not ok what is going on’. I could not believe the ABC couldn’t hear me. For some reason you can’t understand my plea. [Because I raised the issue on the lack of support], I was then challenged on my capacity in a leadership role.”*

“I don’t have faith in ABC. It won’t be proactive that we will support this person after they have spoken. I do think HR have a big role to play and their absence is striking.”

- k. Some participants described “creating their own cultural safety”, and also expressed how formalising this could assist.

“There is unofficial peer support of Indigenous staff banding together. This is not ideal. Formalising this could be more effective.”

- l. Many participants spoke of the positive impact of the Diversity Networks. However, as these are additional duties, it puts pressure on staff in those networks.

[Participating in one of the diversity networks]: *“I also want to be paid more and it is unpaid work. I was doing 12 hrs days. I was doing all this extra work to fix the ABC’s racism problem. It is not my problem to fix.”*



18. Reactivity

Many participants expressed that the ABC is reactive to issues of racism, not proactive, and while some progress has been made, issues remain. Some participants expressed that they felt the ABC is more responsive to issues of race when their public image is affected. Some participants stated that the ABC takes a “PR crisis management approach”, which they feel suggests a lack of genuine concern for individuals affected. Other participants expressed optimism that change is possible, and are hopeful that the structural nature of this review can influence long-lasting change.

19. Looking to the future

- a. Many participants expressed their concerns about ongoing accountability and long-term implementation, but remained optimistic for the future, emphasising their deep care for the ABC and its mission.

“[Following on from an incident]: I wasn’t even looking for a blame game. We are in a state of no cultural safety on the team. This is a difficult issue for me to bring up. Can we please put processes and training in place – without shaming any one person, so we can hit reset on responsibilities. I wasn’t looking to get anyone sacked. But no one wanted to talk about it.”

“I still feel incredibly proud to be part of the ABC, and it is time for the ABC to be brave and dig deep. Not be afraid to answer questions that staff are rightfully asking. We need to engage, we need to see this as a whole of ABC process. It doesn’t just fall on First Nations and diverse staff members, it needs to be embraced across the whole of the ABC. I really believe in this and want to make sure I have contributed as much as I can.”

“I love the ABC. I know management want the best for the organisation too. No-one thinks there is a silver bullet to fix every issue but at the same time it’s hard to feel like this report will change anything. It all comes down to money and we don’t have enough to do the things required, or stop doing the things that put people at risk. The content is considered more important than the people making it.”

- b. Although participants reported many significant challenges which had deep impacts, the Review Team observed that many are committed to staying in the organisation, and former staff are still invested in the success of the ABC. As such, psychosocial hazards that persist at the ABC require urgent action.

“The opportunities when working at the national broadcaster are different to anywhere else. You can’t just quit and go and do the same thing somewhere else. It is one of the most racist environments I’ve worked in, but I love the work. It really does require you to be committed to the ABC and the work you are doing to keep going.”

5 WHAT THE ABC IS DOING TO RESPOND TO RACISM

5.1 Key efforts by the ABC to respond to racism

As external legal consultants to the ABC, we rely on the publicly available information regarding ABC initiatives, and also information that has been communicated to us.

We summarise the initiatives known to us that the ABC has implemented since 2021, as at September 2024. It may be that the ABC has implemented further initiatives not mentioned in this section, or this Report. It is open to the ABC to communicate further to its staff about relevant initiatives.

The ABC initiatives implemented over the period 2021–June 2024 and known to this Review are as follows.

1. Creating new First Nations and diverse executive and strategic roles across ABC divisions including:
 - a. Indigenous and Diverse Employee Support Lead (senior executive/Indigenous targeted).
 - b. Editorial advisor (Indigenous targeted).
 - c. Diversity and Inclusion strategies project officer (CALD targeted).
 - d. Manager ABC Indigenous Archives (senior executive/Indigenous targeted).
 - e. Senior Cultural Advisor positions in News and Content divisions (senior executive/Indigenous targeted).
 - f. Workplace adjustments support officer.
 - g. Music Networks Diversity & Inclusion Lead executive (Indigenous targeted).
 - h. ABC talent manager (senior executive/CALD targeted).
 - i. Indigenous talent researcher (Indigenous targeted).
2. Developing the ABC Employee Network Groups: ABC Mob, ABC Belong, ABC Inclusive, ABC Gender Equity Network.
3. Developing the Diversity Advocates Network ('**DAN**').
4. Developing the Manager's Toolkit on how to build an inclusive culture and challenge racism in the workplace.
5. Hosting an Annual Diversity & Inclusion Symposium.
6. Developing of training programs including:
 - a. Review and renewal of Indigenous Cultural Awareness online modules (compulsory for all new and existing ABC employees – must be redone every two years).
 - b. Building an Inclusive Culture (all ABC teams online and face-to-face).
 - c. Inclusive and effective recruitment (online).
 - d. Digital Accessibility Awareness (online).
7. Review of the ABC's Grievance Resolution Guidelines to include the word 'racism' and:
 - a. Make the guidelines more 'human', accessible and inclusive.
 - b. Highlight the support available to staff throughout the process including DAN, Peer Support and the Indigenous & Diverse Employee Support Lead.
 - c. Provide greater guidance for managers to help people resolve grievances quickly and locally where that's the best option.

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- d. Provide assistance to help workers detail their concerns in writing where necessary.
- e. Encourage more creativity in the ways we resolve disputes.
- f. Ensure employees understand their obligation to participate in grievance resolution processes in good faith.
- g. Focus on restoration of positive and harmonious workplace relationships.
- h. Allow for the identification of harassment, bullying and discrimination of any kind and the referral of these matters for formal investigation.
- i. Ensure inclusivity in language.
- j. Ensure all grievances are dealt with in a sound, consistent and timely manner.

There are several initiatives still in development:

1. Developing an ICIP framework to support the cultural safety of participants within productions (currently in development in 2024).
2. Retention Framework (currently in development in 2024).
3. Divisional Action Plans – every ABC Division to develop a divisional plan on how they will meet the deliverables/initiatives/targets in the ABC’s Diversity, Inclusion & Belonging and Reconciliation Action Plans (**‘RAPs’**) (currently in development in 2024).
4. Team Inclusion Plans – all ABC teams who have completed the Building an Inclusive Culture training to develop a team inclusion plan on how they will work as an inclusive team. This plan ladders up to the Divisional Action Plan, which ladders up to the RAP.

5.2 Audit of policies and procedures

The Review Team conducted an audit of policies, procedures, support systems and processes and how they address racism and racial discrimination. As the focus of this Review is on lived experiences, the audit is a high-level desktop review, ranked on these criteria: neutral, reactive, proactive or sufficient/insufficient. How the ABC meets these criteria is assessed against best practice, and in the context of what we heard from participants. This audit is a high-level analysis, and a more detailed discussion can be found at [Part 8: Guiding Frameworks](#).



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Document	Strengths for delivering on commitments	Areas for improvement in delivering on commitments	Support for racism within the ABC / racial considerations	Support for racism outside the ABC / racial considerations
Reconciliation Action Plan Elevate 2024–2026	<p>Action 1.6 Has been successful in commissioning this independent review</p> <p>Action 2.3 Editorial guidance on Indigenous content</p>	<p>Action 2.1 requires all new staff to complete online cultural awareness training, and for existing staff to refresh every two years online. Increased discussion on having in person training for management. Requires sufficient tracking to ensure staff are doing a refresh.</p> <p>Action 3.1–3.5 increasing employment and development opportunities.</p> <p>Action 3.6 retention may be closely aligned with potential instances and experiences of racism.</p> <p>There could be a more proactive approach in monitoring First Nations staff experiences of racism, and ensuring options for reporting are clear and accessible.</p>	Proactive	Neutral – Not directly
ABC Code of Conduct	N/A	<p>The Code highlights the standards include: Ensure activities do not constitute an actual, potential or perceived conflict of interest compromising the integrity, independence, impartiality and high standards of the ABC.</p>	Neutral – no direct reference to racism or racial discrimination	Neutral – no direct reference to racism or racial discrimination



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		Standards refer to not engaging in any behaviour including bullying, discrimination, harassment (including sexual harassment) or victimisation of others. However, it does not refer to racism or racial discrimination. This would strengthen the Code of Conduct.		
Anti-Discrimination, anti-bullying and anti-harassment policy	N/A	References race under unlawful harassment, but does not explicitly include anti-racism under their commitments. Would benefit from: <ul style="list-style-type: none"> • Having an anti-racism policy or a section in this policy addressing anti-racism as its own heading to signify its importance as a standalone issue; • Clearer definitions of overt and covert racism (organisation wide). 	Potentially insufficient	Potentially insufficient
Grievance Resolution Guidelines	Guidelines apply to racism. Refers to seeking supports from EAP, a Peer Supporter, the Indigenous & Diverse Employee Support Lead or another colleague.	Guidelines direct first steps in early resolution to speak with immediate managers. This may not be suitable where employees are experiencing racism from their direct manager. Does not refer to microaggressions, or the build-up of microaggressions. Would benefit from clearer definition of overt and covert racism (organisation-wide). Staff appear not to trust grievance resolution mechanisms	Insufficient – where the racism is from a manager, it does not adequately provide guidance for culturally appropriate support or alternative options	N/A



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<p>Workplace Grievance Form</p>	<p>The form does include an additional information question asking if the employee requires the support from the Indigenous & Diverse Employee Support Lead.</p>	<p>Does not include racism as an option for the complaint – presumably to be captured under ‘Discrimination’ box. This may discourage people from reporting microaggressions. Beneficial to add more context in the tick box “What is your complaint about?” section, to include (including racism or racial discrimination). This will also assist in monitoring and reporting on grievances directly relating to racism if there was a clear category.</p> <p>Would benefit from referring to clearer definitions of overt and covert racism (organisation wide).</p>	<p>Insufficient</p>	<p>Insufficient</p>
<p>Work Health, Safety and Wellbeing Policy</p>	<p>N/A</p>	<p>No reference to cultural safety in the workplace. Stronger emphasis needed on the role of cultural safety in psychosocial safety. Beneficial to include a commitment for all staff (especially for managers), that they are obligated to provide and support culturally safe work environments and proactively support the safety and wellbeing of employees. This should be emphasised as promoting consistency with psychosocial obligations.</p>	<p>Insufficient</p>	<p>Insufficient</p>
<p>Guidance Note: Dealing with trauma and survivors of trauma</p>	<p>Mentions self-care for staff.</p>	<p>Only brief mention to self-care for staff. Refers to the ABC’s Trauma and Resilience Program. More emphasis required on impacts of vicarious trauma to staff. Does not appear to create firm obligations for managers and senior</p>	<p>Insufficient</p>	<p>Insufficient</p>



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		leadership to proactively check on staff who report on traumatic events.		
Guidance Note: Hate Speech, Terrorism and Mass Killings	Provides guidance on how care should be taken to prevent harm to relevant communities, and care taken in reporting to prevent broadcasting or platforming hate speech.	Could be more focus: <ul style="list-style-type: none"> On impacts of vicarious trauma to staff; Importance of those with lived experience from relevant communities being able to contextualise events. 	Insufficient	Insufficient
Guidance Note: Impartiality	Provides guidance on objectivity or impartiality.	Could be more emphasis on the role of lived experience in journalism, that everyone brings their own lived experience and biases, and that diverse lived experiences in story-telling strengthen journalism.	Insufficient	Insufficient
Guidance Note: Moderating User Generated Content	Under 2a, 'Role and responsibility of the moderator', it states that it moderates to ensure language doesn't include <i>"abusive, aggressive, bullying or intimidating, or contain inappropriate personal attacks"</i> .	<i>"All user generated content (UGC) published on ABC platforms must be moderated – either pre-moderated, post-moderated or reactively moderated."</i> This Guidance Note could include a process to have additional moderators or to be prepared in advance when stories of First Nations, diverse people, or stories regarding race, are published. This Guidance Note could include a direct reference to racism. We heard that First Nations and diverse journalists are attacked in ways that do not always specifically mention race, but it is clear that the attack has a race element.	Insufficient	Insufficient



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		The Guidance Note does not include any reference to moderators having cultural awareness training or guiding documentation to know what may or may not be considered offensive. Participants shared examples where racially derogatory phrases were kept online. It is important that those in moderation roles know what to look out for.		
Guidance Note: Operating Official ABC Social Media Accounts	Provides guidance on dealing with racist comments	States under “Dealing with comments and trolls” section that you should not respond to racist comments other than through the usual moderation procedures. This highlights the need for the moderation procedures to be direct when dealing with racism. The guidance to simply not respond may not be sufficient, particularly if staff are receiving a barrage of commentary.	Insufficient	Insufficient
Guidance Note: Personal Use of Social Media Guidelines	The Guidance Note states: <i>“Be aware that using social media can often attract adverse responses from members of the public (e.g. online bullying and trolling). Advice and support are available and should be sought in the first instance by raising with your manager and/or with People & Culture. It is important to take steps to remain safe and Cyber safety resources are available to help prepare for and respond to incidents or concerns, including trolling, harassment, and exposure to distressing content.”</i>	States <i>“It is important to note that the ABC does not require or encourage Workers to be active on personal social media accounts as part of their employment.”</i> However, participants have stated otherwise for certain content roles. Many participants said that having a social media presence is a necessity for career progression and growth, and felt it is unrealistic to ask staff not to have any social media presence. Many participants noted that the barrage of attacks was often directed at their personal social media accounts.	Insufficient	Insufficient



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		<p>States <i>“Do not mix the professional and the personal in ways likely to bring the ABC into disrepute.”</i></p> <p><i>“Avoid anything that could be construed as personal disapproval or personal support for policies and actions or inactions of public figures.”</i></p> <p>Recommend that where staff choose to have a social media account associated with the workplace, where they feel this is necessary for their work and progression, that moderation capability be available for those accounts. More flexibility and common sense is needed for when the ABC steps in to protect staff, whether or not a social media account is considered 'official' or not.</p>		
<p>Guidance Note: Removing Online content</p>		<p><i>“It is important that the ABC not retreat from presenting content on social media that deals with controversial subjects or subjects likely to generate offensive comments and draw the attention of trolls.”</i></p> <p>The starting position is that published materials adhered to editorial policies, and therefore a request to take down materials should not be considered lightly</p> <p><i>“Embarrassment, discomfort and distress at the publication of accurate factual</i></p>	<p>Insufficient</p>	<p>Insufficient</p>



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		<p><i>material which complies with the ABC's editorial standards in relation to fairness, accuracy, impartiality, etc. are not normally sufficient reasons to abandon that editorial decision."</i></p> <p>This could be problematic if the ABC only reports on negative statistics for example on a certain community – factually correct, but causes distress.</p> <p>There were a few references throughout consults to having material removed, while some material presented is factually correct, it lacks nuance or key messages of importance to diverse communities.</p> <p>Many First Nations participants reported raising concerns about harmful stereotypes being perpetuated in content about their people throughout the editorial process. These concerns were often not heard, and required escalation to more senior staff. At times the material was published. Some staff were successful in getting the content removed or the nuance updated, but many did not. These staff felt unheard and frustrated that their perspectives were not valued.</p> <p>This Guidance Note would benefit from explanation that those with relevant lived experience on the relevant subject matter</p>		
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		<p>should be considered as experts in their own right.</p> <p>“Removals for cultural reasons <i>The ABC respects Indigenous bereavement practices. Sometimes, when an Indigenous person dies, it may be appropriate to temporarily remove some ABC online content featuring the person’s name, image or voice. Consult the Indigenous content guidance note for further advice.”</i></p> <p>This should be updated to reflect: in consultation with appropriate family and connections of the person concerned, take their advice on whether content should be temporarily or permanently removed from ABC content.</p>		
<p>Guidance Note: Respecting Indigenous people and culture in ABC content</p>	<p><i>“The balance between daily reporting and respect for Aboriginal and Torres Strait Islander protocols has not always been easy to strike. Therefore, First Nation practices and community consultation must be prioritised as the importance of being first does not outweigh the importance of being culturally safe.”</i> This position is a strength.</p> <p>This is good advice around cultural warnings.</p>	<p>States employees should prioritise a considered, robust engagement strategy before and during commissioning for Indigenous stories, however, there’s limited guidance on what that is and how to do it.</p> <p>This creates a situation where First Nations staff are relied on too heavily for contacts and direction. If it is not their role to assist with engagement, this can create cultural load. Further guidance would be beneficial.</p>	<p>Mostly sufficient</p>	<p>Mostly sufficient</p>



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	There is an “Indigenous Cultural Protocols at ABC Events” document, but it is not publicly available.	Provides tips for working with Indigenous peoples and communities. It would be helpful to include a line that it is each employee’s responsibility to build relationships and trust with individuals and communities, ensuring that the labour of finding First Nations talent does not rest solely on First Nations staff.		
Editorial Guidance on Passing on Clause	Beneficial – however, appears in draft stage. Formalising this resource would be useful for ABC wide matters. ⁴⁹		Sufficient – however needs to be formalised	Sufficient – however needs to be formalised
Indigenous Employment stats – April 2024 (Provided by Bonner Committee)	4 areas have reached their target (ABC Legal, Audiences, Editorial Policies, People & Culture). It is not clear who/what type of seniority there is in the First Nations Editorial staff across the organisation.	There is no representation in Managing Director’s Office. 7 areas have failed to reach their target (ABC Commercial, Content (although close with 52 of 54), Finance, Managing Director’s Office, News, Product & Technology and Strategy).	N/A	N/A
Support options	<ul style="list-style-type: none"> • Indigenous, Diversity & Inclusion team within People & Culture • Bonner Committee • Indigenous & Diversity HR Case Advocate • Diversity Advocates Network (DAN) • Weekly Yarning Circles facilitated by an Indigenous counsellor 	There are many support options, including for various cultural groups. The majority of participants stated that they did not know where to go to seek support. For those who did, they reported mostly positive experiences. Some were afraid or unsure if the support options were culturally safe. Individuals reported their experiences as culturally unsafe when accessing external support options provided by the ABC.	Sufficient – however requires awareness and clarity	Sufficient – however requires awareness and clarity

⁴⁹ Note, because this Editorial Guidance is in draft, it is not discussed further at **Part 8: Guiding Frameworks**.



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	<ul style="list-style-type: none">• Trauma program – Specialist support for ABC employees dealing with work related trauma, including from social media. This includes access to the Trauma Programs Manager• Social Media support – including access to the ABC’s Social Media Wellbeing Advisor• Peer Supporters• Employee Assistance Program• Employee Network Groups• ABC Belong• ABC Pride• ABC Inclusive• ABC Mob• People and Culture Helpdesk	<p>Many participants did not know the Trauma Counsellor existed, or if they did, they originally thought the Trauma Counsellor was only available for frontline journalists reporting on war or highly traumatic environments.</p> <p>While there are many options, there is a lack of awareness and clarity for staff. This needs to be improved, potentially by a centralised point describing all the support options and their offerings.</p>		
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5.3 ABC Complaints Process

The ABC has guidelines for grievance resolution as of November 2023.

At the time of writing, the ABC is in the process of reviewing and amending the grievance process, guidelines and templates (**'ABC internal review'**).

The aim of the ABC internal review is to incorporate the results of this Review, to improve and streamline the grievance process, to make this more accessible for employees to use, and for HR to conduct investigations.

A new Support Portal was launched following recommendations made from the ABC News Gender Survey on 5 June 2024, to make it easier for staff to report instances of bullying and harassment. ABC staff have been advised that any reports will be treated confidentially and any staff member making a report will be supported. Reports can be made anonymously. The ABC has noted to staff while anonymous reports may at times result in limited action, these reports will allow the ABC to monitor areas or any trends of concern.

Grievance guidelines for issues between staff

The Grievance guidelines outline the process where staff can raise a complaint about another staff member.

Staff, past and present, may provide written details of the grievance to their manager, next-level manager, or People and Culture as soon as possible. They can also raise a grievance by completing the ABC Workplace Grievance Form and emailing to People and Culture.

There are other avenues which employees can disclose information that could include information about another employee:

- Fraud Hotline (through Audit);
- Public Interest Disclosures;
- Noggin (Work Health and Safety (**'WHS'**) complaints);
- General ABC Complaints (on ABC website); and
- Working with Children Incident Notification Form or disclosure to the ABC's Child Protection Officer or Child Safety and Wellbeing Advocate.

Observations from the Review Team

- How to make a complaint is not straightforward to participants, and information available across the organisation on how to make a complaint is inconsistent.
- All methods of raising a grievance generally rely on reporting to the direct supervisor. This is not always appropriate. Participants expressed that complaints sometimes involve their supervisors, or they were not confident that their supervisor would keep the complaint confidential.
- It is unclear if there are alternative methods available for staff to raise a grievance relating to their supervisor.
- It is not clear whether staff identifying as First Nations or CALD are in the teams involved in processing grievances.
- There is no guidance on what constitutes overt or covert racism.

- It is not clear if there is an appeals process regarding the outcome of complaints, or if there is, who manages the appeals process.
- The anonymous portal is a positive step forward in making complaints processes feel safer for participants and encouraging staff to report incidents.
- Participants noted that managers often had conflicts of interest when dealing with disclosures and therefore felt that the manager could not deal with the issue effectively. This resulted in people being unhappy with the outcome. In some cases, the working environment deteriorated. The AHRC's *Guide to Racism Complaints Handling Policy*, maintaining impartiality in the management of the complaint, recommends ensuring that each party to the complaint has an opportunity to present their perspective, and the opportunity to respond to any matters raised.
- The complaints process would be strengthened by:
 - Clarifying what a complaint is, and how staff make a complaint. Currently, there appears to be language used colloquially within the ABC, about an 'informal' versus 'formal' complaint, however people appear to define these differently across the organisation;
 - Providing clearer definitions of racism and racial discrimination (overt and covert);
 - Providing options for aggrieved persons to seek objective support from those not in their reporting line (refer to [5.6 Human Resources](#) for further discussion);
 - Considering a Restorative Justice approach – focussing on the affected people, their experiences, and opportunities for learning, healing and reparations;⁵⁰ and
 - A trauma informed approach and ensuring that persons involved are kept up to date with progress and offered appropriate supports. This also includes ensuring the progression of the complaints process is transparent to aggrieved persons.

5.4 Cultural Advisor

In June 2023, the ABC commenced hiring 'Cultural Guidance Advisors' to ensure that 'culturally informed decisions' are made when making content.⁵¹ Cultural Guidance Advisors are designed to be the first point of contact for enquiries about diversity in content, centralising this process and ensuring that advice is consistent. They will connect content makers with appropriate resources to make culturally informed decisions.⁵²

⁵⁰ 'Workplaces', *Australian Association for Restorative Justice* (Web Page) <https://www.aarj.org.au/restorative-practices/workplaces/>; 'Pillars of Reparative Justice', *New England Board of Higher Education* (Web Page) <https://nebhe.org/reparative-justice/pillars-of-reparative-justice/>.

⁵¹ The ABC, *Diversity, Inclusion and Belonging Plan 2023-26* (Report, 2023) 17 <https://www.abc.net.au/corp/dib-plan-2023-2026/>.

⁵² Ibid.



Observations from the Review Team

- This is a positive development. Participants commented that this role is crucial, however, that more capability is needed.
- First Nations and CALD participants described being heavily relied on for their contacts, sometimes without attribution or acknowledgment. To prevent this burden, it appears that more First Nations and CALD Cultural Advisors would support First Nations and CALD staff, and broader staff.

5.5 Employee Network Groups

Several employee network groups function at the ABC:

- The Bonner Committee is the ABC's primary advisory and representative body on matters relating to Aboriginal and Torres Strait Islander employees, content, and communities.
- ABC Belong is for CALD employees and their allies.
- Diversity Advocates Network is to empower employees to foster a culture of inclusion and deal with issues of racism and discrimination.
- ABC Inclusive is for employees with disability, care givers and their allies.
- ABC Pride is for LGBTQIA+ employees and their allies.
- Gender Equity and Inclusion Network is for women, trans and gender diverse employees and their allies.
- Divisional action groups are to promote diversity and inclusion efforts at a divisional level.⁵³

Observations from the Review Team

- Many participants described the necessity of these groups, due to fostering cultural safety, networks, connecting with others outside their immediate team, and mentoring.
- However, participants emphasised that involvement in these groups is in addition to current duties.
- These groups are listed as support options for staff. This is an area of risk for the organisation, as while well intended, it is possible that not all staff in these groups are trained to, or have the resources to, support people in psychological distress. This presents a risk of vicarious trauma, and psychosocial hazards, to those in the groups, and to those seeking help.
- Many First Nations staff reported creating their own cultural safety amongst their networks. However, this was not described in the same way by CALD participants. To improve cultural safety for CALD participants, strengthening efforts and resources for a sense of community, gatherings and support would be beneficial.

⁵³ Ibid.

5.6 Human Resources

Observations from the Review Team

To protect confidentiality and anonymity, the Review Team will aggregate our understandings here. Broadly, participants described structural issues in how HR handle complaints:

- There appears to be gaps in how HR stores information about complaints, resulting in inconsistent approaches across the organisation.
- Partially, these inconsistencies arise from differing understandings of what is an 'informal' or 'formal' complaint. This means not all grievances are stored in a centralised place, and some are stored with supervisors across the organisation.
- Even when participants described lodging a complaint through to HR, many participants noted an absence of HR, or a lack of follow-up from HR, despite ongoing unresolved complaints.
- Many participants reported a lack of trust in HR, and described their supervisors as discouraging going through the official complaints process due it being bureaucratic and drawn out.
- Within formal complaints, some participants explicitly described the emotional distress they were in, and still received no check-in from HR.
- This presents significant risks for the organisation, as complaints were described as remaining unresolved for long periods (at times several months, or over twelve months) where psychosocial impacts have worsened.
- If reporting is not streamlined, this limits the ability of HR and Senior Leadership to have visibility and awareness of the key work health and safety, and psychosocial risks in the organisation.
- This situation significantly impacts on the ability for ABC Leadership to fulsomely satisfy their legal responsibility to ensure a safe workplace.
- It is urgent that:
 - There is less emphasis on what is an 'informal' and 'formal' complaint, and that there is a platform available for staff to raise grievances anonymously, including microaggressions;
 - Supervisors are aware of their obligations to report racism, and are trained on what is overt and covert racism;
 - Databases and systems be reviewed to ensure that reporting lines cover the aggrieved person, their supervisor, an alternative person if it is not appropriate for the supervisor to be involved, and their whole reporting line up through middle management through to the Managing Director;
 - The aggrieved person must be able to select when it is not appropriate for those certain individuals to see the information;
 - HR improve its systems so that there are no gaps, and prevent any situation where there are no case managers proactively watching cases; and
 - An external option other than HR be made available where aggrieved persons are not comfortable to go through HR, or where they are unsatisfied with the outcome (refer [Recommendation 8](#)).

5.7 Training

In the ABC's new RAP, the ABC has committed to, across July 2024 to 2027:

- Ensure all staff receive online cultural awareness training as part of their induction process.
- Provide face-to-face inclusive workforce training for all managers and content leads that will develop their understanding of cultural competence, expand their capabilities to lead organisational change and learn strategies to recognise and challenge racism.
- Ensure all team leaders have created inclusive team plans.
- Review cultural awareness training strategy annually and adjust as required to ensure at least 70% of ABC staff have completed training at the end of the life of the RAP.

Observations from the Review Team

Cultural safety

- While many teams reported to the Review Team that there had been cultural awareness or competency training throughout the organisation, the following issues were noted by participants:
 - Often the roll-out of training is in response to a particular incident, and this feels reactive and disingenuous;
 - The roll-out of training appears to be fragmented across the organisation, many participants noted that it had not been offered or completed in their area for over two years;
 - Some participants described at various times having culturally unsafe experiences. Extreme examples were given, of verbal altercations that occurred in sessions. Participants expressed their concerns about how the sessions were facilitated, and that they did not feel the issues were adequately addressed during or after; and
 - Many First Nations and CALD staff reported attending sessions that were not appropriately adapted for the team, for example where they were spoken to like an Ally rather than from their actual background.
- The ABC's renewed commitments are positive in the training space. However, it is noted that this training plan forms part of the RAP, and does not consider relevant training around culturally diverse communities. This is a gap that should be addressed.
- There is a need to ensure that cultural competency training is tailored to a particular team's specific context, and there is accountability for ensuring that all areas complete the training. Training should be face to face to ensure staff actually engage with the content.

Psychosocial safety

Racism has impacts on mental health and wellbeing. Managers should have open discussions which acknowledge this. Understanding when a team member may be affected, and encouraging open dialogue about cultural safety, is a step towards creating safe spaces where employees feel they can share their experiences, and changing organisational culture. Refer to [Recommendation 9](#) which proposes a full suite of training to improve mental health literacy, trauma-informed practice, understanding of vicarious trauma, and coaching around difficult conversations.

Mental Health First Aid provides staff with skills to provide support to their colleagues who are experiencing mental health issues, including those affected by racism. By understanding how racism can lead to anxiety, depression, and other mental health challenges managers can be more empathetic to identify and respond to another colleague's needs. Just like there is training for regular First Aid, there are many courses available, and some focus on First Nations Mental Health. See Mental Health First Aid Australia.

Trauma-informed approach

The AHRC book *Racism Nobody Wins: Guidelines for Working with a Trauma-Informed Approach* provides five foundation principles – safety, trustworthiness, choice, collaboration and empowerment.⁵⁴ This outlines how leaders can respond to disclosures of racism with a trauma-informed approach that recognises the intersectional impact of racism and racial discrimination. The training should aim to ensure that the voice and experiences of the targets of racial discrimination as at the centre of any disclosure. The guide emphasises the importance of first educating yourself on what a trauma-informed approach is. Note that trauma informed approaches should include resources, training, and educational tools. The Guidelines recommend involving someone with lived experience of racism to provide training in trauma-informed responses.⁵⁵

Vicarious trauma training

Vicarious trauma training should be provided to ensure that individuals who are indirectly exposed to trauma through another person's first-hand experience are properly supported by colleagues and leaders. Vicarious trauma is where individuals are indirectly exposed to trauma through another person's first-hand experience, including through online or video sources.

In the context of racism, vicarious trauma can affect individuals who witness or hear about the traumatic racial experiences of others. This can include supervisors or peers who support CALD or First Nations staff and deal with their reported experiences of racism. This type of trauma can lead to mental health issues for the supervisor or bystander. Supervisors need to be able to recognise the signs of trauma in themselves and others.

Coaching on managing difficult conversations

Coaching on handling difficult conversations should be introduced. Talking about racism can be a difficult conversation so there is a need for education, training and resources for the ABC to use. Supervisors should be given support in this process. See the AHRC's *Let's Talk Race: A Guide on How to Conduct a Conversation About Racism*.⁵⁶

⁵⁴ Australian Human Rights Commission, *Racism. Nobody Wins* (Guidelines for Working With a Trauma-informed Approach) https://humanrights.gov.au/sites/default/files/ahrc_sr_2021_8_trauma-informed_approach_a4_r2_0.pdf.

⁵⁵ Ibid 5.

⁵⁶ Australian Human Rights Commission, *Let's Talk Race: A Guide on How to Conduct a Conversation About Racism* (Guidelines, 2019) https://humanrights.gov.au/sites/default/files/document/publication/ahrc_racism_conversation_guide_2019_0.pdf.

5.8 Diversity Tracking at ABC News

ABC News content makers and producers track the representation of diversity in the people they choose to include in their stories under the Talent Diversity Tracking program.

This program does not cover representation of ABC staff on air. It is designed to help ensure representation of the diversity of modern Australia in ABC News stories and content. This tracking is one measure in line with the ABC Charter's expectation that the ABC will broadcast "programs that contribute to a sense of national identity and inform and entertain, and reflect the cultural diversity of, the Australian community".

The teams are tracking representation of gender, disability, Indigeneity, and cultural and linguistic diversity.

A target of 50% female representation is set for all teams.

Teams are provided with state and national benchmarks. The national benchmarks align with the ABC's workforce targets, state benchmarks are based on population figures supplied by the ABS.

Observations from the Review Team

The focus of the Talent Diversity Tracking Program appears to be on who is featured in stories, rather than who is telling the story.

This is a step in the right direction to ensure there is visible representation to the Australian public. However, it is equally important to focus on who is telling the story, as it is crucial for people to be able to tell stories from their lived experience and perspective. We received feedback from participants that the organisation focusses on content rather than the people. A shift towards a people first approach is needed.

There are statistics available for First Nations staffing numbers at the ABC. However, data for culturally diverse people is more limited (noting that only 54.8% of the workforce has completed the relevant forms to indicate whether they identify as CALD). It is therefore challenging for the ABC to understand the true numbers of CALD representation across the organisation generally, and this also means there are challenges in setting targets for CALD representation in who tells stories.

The ABC would benefit from improving its data collection on CALD identification, and setting clearer targets for First Nations and CALD people in story-telling roles, with on air visibility. However, to avoid being tokenistic, these targets must be underpinned by deeper organisational understanding of the value that First Nations and CALD perspectives bring to the ABC.

5.9 Recruitment

This section sets out the current guidelines on diversity in recruitment for the ABC.

Diversity

The ABC's vision is to ensure that all Australians see themselves represented in media, fostering a sense of belonging and inclusion. This will include whether they can see and hear themselves on the ABC. A key priority to achieve this vision is to recruit a workforce that reflects Australia's cultural diversity.

Staff are encouraged to consider the make-up of the panel to reflect the diversity of the candidates that are being interviewed – diversity in terms of age, gender, CALD and/or staff who identify as living with a disability.

Forming the Selection Panel

The ABC's current guidelines are that there should be least 2 people for the panel (ideally no more than 3), and the panel should comprise of:

- The immediate manager;
- Someone that will work closely with the new employee with the relevant expertise to assess candidates against the selection criteria, and preferably hold a position that is at a higher band than the vacancy; and
- An Indigenous staff member for roles advertised as targeted Indigenous, or under our affirmative measure, or when interviewing any Indigenous applicants.

Depending on the panel's size and the nature of the role, panel members can be involved at different stages of the interview process, particularly where more than 3 panel members are felt necessary. For instance, there could be an additional panel member in a second less formal interview with the final recommended candidates.

Observations from the Review Team

- Many participants described a lack of representation on recruitment panels, and feeling disadvantaged by their cultural background in being successful in job applications.
- It is recommended that for any vacancies, a diverse selection panel should be established, for both the screening and interviewing process.
- Equally, First Nations and CALD staff described an additional workload of being requested to be on recruitment panels.
- It appears a balance needs to be struck of increasing representation on recruitment panels, whilst not overloading current staff.
- First Nations and CALD staff on recruitment panels at times described feeling tokenised. It is important that those staff have opportunities in different decision-making roles around recruitment, including as delegates.
- Some participants described that many vacancies are only advertised very briefly to a smaller pool of internal applicants, and that in their opinion, this prevents new talent from entering the organisation.
- Several very experienced participants described that despite being highly qualified, they were told they were the 'risky' option. In the view of the participants, this was implicating that to recruit a First Nations or CALD person was a riskier choice than someone who is Anglo/Caucasian/White. Many very experienced participants described being continually unsuccessful for opportunities and only being able to move to different roles or more senior roles through networking and relationship building, rather than being successful in the formal recruitment processes.
- There does not appear to be a central merits list (or equivalent) whereby staff can be called on for future opportunities. A centralised merits list would support the organisation to see who is successful in job applications, and who is not. This should be designed to reveal any bias in recruitment processes. Recruitment processes should be reviewed to enable new talent to enter into the organisation.

5.10 Previous internal diversity forums

Observations from the Review Team

To protect confidentiality and anonymity, the Review Team will aggregate what we heard here:

- Many participants reported that they found the internal diversity forums and 'listening sessions' retraumatising, challenging, and frustrating as they felt the pressure was on them to do the "emotional labour" and "heavy lifting".
- Participants expressed their frustration about the forums:
 - Appearing rushed and reactive;
 - Conducted with a lack of cultural safety, and lack of understanding of the key issues for First Nations and CALD staff;
 - Inconsistent messaging, and sometimes participants reported not receiving the message regarding the forums taking place, or received it very last minute before the meeting from another colleague;
 - At times, participants reported that managers appeared to make subjective assessments who to send the message onto regarding the forums. For example, some participants described that did they did not receive messaging about the forums, as from their perspective, it appeared that a manager made an assumption about their racial background, because their name is not "stereotypically culturally diverse";
 - Despite participating in these forums, they felt no action had been taken afterwards.

This suggests that different approaches for staff consultation where cultural background and race are a factor, are needed in the future:

- ABC Leadership should seek external advice on how to consult staff to ensure cultural safety, avoiding placing the emotional labour on current staff to guide these sessions;
- Where First Nations and CALD staff offer feedback on how staff are to be consulted, this needs to be heard and taken seriously;
- Staff consultation should be planned carefully, not reactively, keeping in mind that the subject matter can be traumatising for staff;
- Transparency needs to be improved on actionable items, their progress and regular updates to ensure ABC Leadership are accountable;
- Visibility of the Board on these issues would assist with bottom-up and top-down accountability.

6 RELEVANT LAWS AND REGULATORY CONDITIONS

6.1 ABC Act, ABC Charter and PGPA Act

The *Australian Broadcasting Corporation Act 1983* (Cth) ('**ABC Act**') established the ABC. Section 6 of the ABC Act sets out the ABC Charter, outlining the functions and responsibilities of the ABC. More detail on this is discussed in **Part 8.3 Guidance Note: Impartiality**.

The ABC is a corporate Commonwealth entity operating under *Public Governance, Performance and Accountability Act 2013* ('**the PGPA Act**'), imposing responsibilities on the Board and Executive, and on all ABC employees to act honestly, in good faith and for a proper purpose. The PGPA Act imposes obligations on officials to act with due care and diligence, honestly, in good faith and for a proper purpose, regarding how information is used, and to disclose interests.

Further relevant laws include the *Freedom of Information Act 1982* (Cth); the *Privacy Act 1988* (Cth); the *Archives Act 1983* (Cth); the *Public Interest Disclosure Act 2013* (Cth); the *National Anti-Corruption Commission Act* (Cth).

6.2 Employment, equal opportunity laws and discrimination laws

As a Commonwealth authority employer, the ABC is bound by the:

- *Equal Employment Opportunity (Commonwealth Authorities) Act 1987* (Cth) ('**EEO Act**');
- *Racial Discrimination Act 1975* (Cth);
- *Sex Discrimination Act 1984* (Cth);
- *Australian Human Rights Commission Act 1986* (Cth);
- *Disability Discrimination Act 1992* (Cth);
- *Age Discrimination Act 2004* (Cth); and
- *Fair Work Act 2009* (Cth).

The EEO Act requires the ABC to promote equal opportunity in employment for women, Aboriginal and Torres Strait Islander people, people from a non-English speaking background ('**NESB**')⁵⁷ and people with a disability.

The *Racial Discrimination Act 1975* (Cth) states that it is unlawful for a person to do any act involving a distinction, exclusion, restriction or preference based on race, colour, descent or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of any human right or fundamental freedom in the political, economic, social, cultural or any other field of public life.⁵⁸

⁵⁷ The ABC has traditionally used the term 'non-English speaking background' or NESB when referring to culturally and linguistically diverse (CALD) representation in the workforce. Since the launch of the *Diversity & Inclusion Plan 2019-2022*, the ABC stopped using the NESB terminology, referring only to CALD.

⁵⁸ Fair Work Commission, 'Race', *General Protections Benchbook* (Web Page) <https://www.fwc.gov.au/race>; *Racial Discrimination Act* (n19) s9.

Refer to the next part for further discussion on human rights laws.

6.3 Australian Human Rights Commission

The AHRC protects and promotes human rights in Australia and internationally. The AHRC is an independent statutory organisation, established by an act of Federal Parliament.⁵⁹ ABC staff may utilise the services or resources of the AHRC regarding their human rights, including those regarding discrimination in the workplace, including racism.⁶⁰ The AHRC relies on federal discrimination laws, noting that there is no federal, singular human rights legal framework. There is also a statutory Race Discrimination Commissioner.⁶¹

Separately, there are anti-discrimination laws in the states and territories, with their own commissions, and commissioners. Queensland, Victoria and the Australian Capital Territory have their own human rights legislation.

This Review focusses on laws at the federal level as the ABC is a Commonwealth entity. However, it is noted that there are pathways and remedies available under state and territory law regarding human rights.

Racial discrimination occurs when a person is **treated less favourably**, or not given the same opportunities as others in a similar situation **because of their race, the country where they were born, their ethnic origin, or their skin colour**.⁶²

The *Racial Discrimination Act 1975* protects people against discrimination in all areas of public life including in the workplace. There are some very limited exceptions. The Act also makes racial hatred unlawful. Employers have a **legal responsibility to take all reasonable steps to prevent racial discrimination**. 'Reasonable steps' may include policies and procedures to eliminate discrimination, and appropriately handling allegations of discrimination and harassment made by employees or customers.⁶³

6.4 Gaps in laws and structural inequity

Discrimination law sets high thresholds to be met, that are often difficult to prove. This section provides a hypothetical example of how structural inequity can play out in practice.⁶⁴

To use this hypothetical example, the pay bracket for a particular job role may be the same for two individuals, one who is a First Nations or CALD person (Person 1), and for another who is not First Nations or CALD (Person 2). However, what the Review Team has heard from participants is that First Nations or CALD colleagues do not always receive the same

⁵⁹ 'About', *Australian Human Rights Commission* (Web Page) <https://humanrights.gov.au/about>.

⁶⁰ 'Race Discrimination', *Australian Human Rights Commission* (Web Page) <https://humanrights.gov.au/our-work/race-discrimination>.

⁶¹ Ibid.

⁶² 'Quick guide to discrimination law', *Australian Human Rights Commission* (Web Page)

<https://humanrights.gov.au/education/employers/quick-guide-discrimination-law#:~:text=Discrimination%20is%20against%20the%20law,gender%20identity%20or%20intersex%20status>.

⁶³ Ibid.

⁶⁴ Women of Colour, *Workplace Survey* (Report, 2021) <https://womenofcolour.org.au/wp-content/uploads/2022/02/WOMEN-OF-COLOUR-AUSTRALIA-WORKPLACE-SURVEY-REPORT-2020-2021.pdf>; Sarah Hill, 'A lack of intersectional data hides the real gender pay gap', *Womens Agenda* (Blog Post, 27 August 2020) <https://womensagenda.com.au/latest/a-lack-of-intersectional-data-hides-the-real-gender-pay-gap/>.

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level of mentorship or support for career progression compared to their Anglo/Caucasian/White colleagues. The First Nations or CALD person is more likely to have additional responsibilities placed or expected on them in the workplace, being asked to contribute to more content or initiatives related to their identity, tracking down and providing contacts, and participating in diversity networks. Many participants we spoke to also described voicing issues regarding cultural safety to advocate for themselves or others. While some participants expressed that they are comfortable to do this in support of their communities, this is necessary to note to understand equity, because these additional responsibilities are not expected of Anglo/Caucasian/White staff.

Additionally, Person 1 may have more specific cultural obligations to family, community and cultural practices than Person 2. These responsibilities take up time, energy and emotional capacity. Person 2, however, does not always have these responsibilities.

This means Person 2 may not experience the same level of barriers to career progression, meaning they are more likely to progress through the bands quicker, and reach higher pay brackets, including promotions. Class differences also cause more barriers to reaching the same opportunity in the first place.⁶⁵

This is an example of how structural equity plays out in practice, even though the employment opportunity, on its face, is equal. The starting point and barriers vary across individuals and their circumstances.

It is not the role of this Review to make deliberations on whether the relevant thresholds for discrimination law have been satisfied for any of the circumstances disclosed to the Review Team. However, in general terms, this situation may be hard to prove as discriminatory in law, or to the extent that individuals may feel they could make a complaint with the AHRC, or to a grievance process. This kind of circumstance was explained to the Review Team by many participants. Structural inequity is difficult to explain to people who have not faced, or are not aware of, these barriers.

Understanding equity and privilege

Equity and privilege are increasingly recognised as being fundamental to an individual's experiences and perspectives.⁶⁶ Equity refers to giving people fair treatment, access and opportunities, while identifying that for some groups, like First Nations and culturally diverse people, there are barriers that keep them from getting ahead. Privilege is when some people get special advantages just because of things like their race, gender, socio-economic status, just because of who they are. White Privilege includes being treated more fairly by other White people in management, seeing more people that look or sound like yourself on television or radio, and having better access to education and employment. White Privilege

⁶⁵ See, Brendan Churchill et al, 'Difficult conversations: Race, class and gender in White Australia' in SA Jackson (ed), *Routledge International Handbook of Race, Class and Gender* (Routledge, 2015) 21-28 https://figshare.utas.edu.au/articles/chapter/Difficult_conversations_race_class_and_gender_in_White_Australia/23058806.

⁶⁶ 'What is White Privilege?', *Racism No Way* (Web Page) <https://racismnoway.com.au/about-racism/understanding-racism/white-privilege/>; *Understanding White Privilege* (n37).



can be hard to see, but it makes a big difference in people's lives.⁶⁷ White Privilege is not only the receipt of special advantages, but also the absence of barriers that exist for those who experience racism.⁶⁸ It is the absence of barriers that can be particularly difficult to identify. These are challenging discussions that require continuous learning.

It is important to note that having White Privilege does not inherently make a person racist, but it is important to identify and acknowledge the advantages White Privilege carries in order to avoid reinforcing existing hierarchies.⁶⁹ However, anti-racism requires proactive action. Privilege is about access and those who have the power to provide that access within the organisation. Most people who have access to leadership often reflect privilege, and it is important for individuals to be mindful of the privilege in their position. A leading approach is for corporations to train their teams to understand these principles. Training about equity and privilege helps people see their own biases and understand how privilege works and to consider different viewpoints in their work and everyday life.

Observations from Review Team

Legal pathways or regulatory bodies are not always easy, straightforward or accessible to seek redress. It would be beneficial to have options for redress that are more inclusive of structural inequities that are not always as easily understood, or as recognised under the law.

In practice, staff require an independent, impartial party to assist in providing them with support, and guiding them through available options. An independent welfare function is recommended (refer to [Recommendation 8](#)).

6.5 Fair Work Commission

The Fair Work Commission ('**FWC**') is the workplace relations tribunal and registered organisations regulator. The FWC makes awards, approves enterprise agreements, and helps resolve issues at work.⁷⁰ The ABC liaises with the FWC on enterprise bargaining, workplace conditions, and related matters.

ABC staff may approach the FWC regarding workplace disputes if they believe an adverse action is being taken against them in the workplace due to discrimination.

An employer must not take adverse action against a person who is an employee, or prospective employee, of the employer because of the person's race, colour, sex, sexual orientation, age, physical or mental disability, marital status, family or carer's responsibilities, pregnancy, religion, political opinion, national extraction, or social origin.⁷¹

⁶⁷ National Indigenous Australians Agency and the Australian Institute of Health and Welfare, 'Aboriginal and Torres Strait Islander Health Performance Framework – 2.8 Income' (Web Page) <https://www.indigenoushpf.gov.au/measures/2-08-income>.

⁶⁸ 'What is White Privilege?' (n37); Understanding White Privilege (n37).

⁶⁹ Ibid.

⁷⁰ 'Fair Work Commission', *Fair Work Commission* (Web Page) <https://www.fwc.gov.au/>.

⁷¹ *Fair Work Act 2009* (Cth) s351.



The remit of the FWC is contained to the workplace under the Fair Work Act. The AHRC has a broader remit, including the power to investigate and conciliate complaints considering further discrimination laws.

6.6 Australian Communications and Media Authority

The Australian Communications and Media Authority ('**ACMA**') sets and manages rules about communications and media services and markets, looks into [complaints and problems](#), and takes action when rules aren't being followed.⁷² This includes oversight of the ABC and its content, and ensuring that it is operating consistently with its Code of Practice and Editorial Guidelines.

Observations of the Review Team

The ACMA's focus is on content, rather than the welfare of those producing content.

However, there appears to be a gap where there is little external accountability or options for ABC staff to advocate for their own welfare, or that of their peers.

Staff require an independent, impartial party to assist in providing them with support, and guiding them through available options. An independent welfare function is recommended (refer to [Recommendation 8](#)).

⁷² 'What We Do', *Australian Communications and Media Authority* (Web Page) <https://www.acma.gov.au/what-we-do#:~:text=We%3A,rules%20aren't%20being%20followed>.

7 PSYCHOLOGICAL SAFETY

The ABC has legal responsibility to ensure a safe workplace.⁷³

Under the WHS laws, a person conducting a business or undertaking ('PCBU') has the duty to ensure health and safety and eliminate risks as far as 'reasonably practicable'.⁷⁴

Psychosocial wellbeing is included. A PCBU has the duty to provide a safe workplace. A PCBU includes ABC Leadership. Officers must keep up to date with WHS knowledge, understand hazards, ensure resources are available and follow reporting processes.

SafeWork Australia describes psychosocial hazards as "anything that could cause psychological harm (e.g. harm someone's mental health)", and states that common psychosocial hazards at work include:

- Job demands;
- Low job control;
- Poor support;
- Lack of role clarity;
- Poor organisational change management;
- Inadequate reward and recognition;
- Poor organisational justice;
- Traumatic events or material;
- Remote or isolated work;
- Poor physical environment;
- Violence and aggression;
- Bullying;
- Harassment, including sexual and gender-based harassment; and
- Conflict or poor workplace relationships and interactions.⁷⁵

The laws impose broad-reaching obligations, and it would be expected that an organisation the size of ABC would conduct a thorough assessment to identify the risks that cause harm to people. This risk assessment should be done in consultation with ABC staff members.⁷⁶ Consultation is vital for psychosocial risk assessment. Surveys, meetings, discussions, WHS Committee, and open conversations are ways to consult.

Consider how can ABC staff members extract themselves from difficult situations, and whether the structure is there to ensure there are mechanisms for employees to raise issues. The ABC would then be required to implement controls. Whilst it is not required that every hazard be eliminated, it is highly inadvisable to ignore the broader issues.

Leadership should be aware of their duties and drive a positive workplace culture.

⁷³ Trent Wallace, 'Psychosocial risk to remedy: reconciliation and First Nations employment', *First Nations Law Bulletin* (online, October 2023) https://www.lexisnexis.com.au/_data/assets/pdf_file/0003/516594/Psychosocial-risk-to-remedy-reconciliation-and-First-Nations-employment-2023-11-FNLB-6-2.pdf.

⁷⁴ WHS Act (n5) s17.

⁷⁵ Safe Work Australia, 'Psychosocial Hazards', *Mental Health* (Web Page) <https://www.safeworkaustralia.gov.au/safety-topic/managing-health-and-safety/mental-health/psychosocial-hazards>.

⁷⁶ WHS Act (n5) ss 47-49.

Race is a factor that potentially puts some workers at significantly higher risk of psychosocial injury.⁷⁷ Some examples include:

- Workplace disagreements or racist and disparaging comments made by colleagues;
- Exposure to humiliating and threatening comments made via social media, the public or the media;
- Racial discrimination and harassment;
- Exposure to unpleasant and discriminatory work environments;
- Lack of support for work progression and not getting enough guidance for the tasks required to do; and
- Aggression, discrimination or harassment through colleagues or clients.

All but one participant in this Review, whether they were a First Nations person, culturally diverse or an Ally, described feeling psychologically unsafe at work.

It is noted that whether staff are out in public reporting on content, within the walls of ABC buildings editing and describing content, or in corporate and support roles, they are often exposed to the same material as first responders, yet recognition of this is not immediately apparent. The ABC needs to acknowledge and better protect its staff, in recognition of the exposure to traumatic material and also the attacks that can occur from many angles: social media, exposure to the public, and criticism by external journalists.

Psychosocial safety is a significant area of risk for the ABC.

8 GUIDING FRAMEWORKS

8.1 ABC Code of Conduct

The ABC Code of Conduct outlines the values, behaviours, and standards which all ABC staff must demonstrate. This includes contractors, suppliers, students, interns and volunteers.⁷⁸ The ABC's values are integrity, respect, collegiality and innovation. The standards include treating colleagues with respect and courtesy and not engaging in bullying and discrimination. Whilst 'sexual harassment' is included in the text, 'racial harassment' is not. The text states that such behaviour will not be tolerated by the ABC.

Additionally, an ABC worker must ensure that their activities do not constitute a conflict of interest, including personal and political relationships. The Code of Conduct also states that activities should not constitute an actual, potential, or perceived conflict of interest that "compromises the integrity, independence, impartiality, and high standards of the ABC". Other relevant parts of the Code of Conduct include being "conscious of the responsibility to protect the ABC's reputation, impartiality, independence, and integrity where personal use of social media may intersect with their professional life." The team is also required to operate in line with ABC Principles, including being accountable and open and transparent.

⁷⁷ 'Managing the risk of psychosocial hazards at work Code of Practice 2022', *WorkSafeQLD* (Web Page) <https://www.worksafe.qld.gov.au/laws-and-compliance/codes-of-practice/managing-the-risk-of-psychosocial-hazards-at-work-code-of-practice-2022>.

⁷⁸ ABC Policy – Code of Conduct, last reviewed in 2023 and endorsed by the ABC Board 9 June 2023.

The Code of Conduct states that any breaches of ABC policies, guidelines and procedures must be dealt with according to the relevant ABC employment agreement (for employees) or contract (for contractors), and may lead to disciplinary action, including possible termination. Where breaches of policy constitute breaches of any law, legal action may be taken by the ABC or concerned third parties.⁷⁹

Observations of the Review Team

- The Code of Conduct sets expected behaviours for staff. However, it is not clear to the Review Team how the Code of Conduct is monitored and dealt with internally. For example, whether there are tangible examples for staff on what is acceptable or unacceptable behaviour. Ensuring such examples are clearly available for staff, and assessed regularly within performance appraisals, would assist in these behaviours being exemplified in practice.

8.2 ABC Code of Practice

The ABC has a Code of Practice as required by section 8(1)(e) of the ABC Act. The Code of Practice sets out the fundamental standards to which the ABC must adhere, to prioritise and strengthen the trust of its audiences, including guardrails on:

- Accuracy;
- Impartiality;
- Fair and honest dealing;
- Privacy;
- Harm and offence;
- Children and young people; and
- Classification.

The Code of Practice also makes this statement: *“To fulfil its Charter, the ABC must create innovative and challenging content and pursue strong public interest journalism. In doing so, the ABC will at times cause offence, discomfort, even outrage. Brave public broadcasting can ruffle feathers. It can also bring people together, reflect the nation back to itself, disinfect with sunlight, and give a platform to diverse communities and perspectives.”*⁸⁰

Further relevant parts of the Code of Practice set standards that require the ABC to:

- Uphold the fundamental journalistic principles of accuracy and impartiality, to protect the ABC’s independence and integrity;
- Recognise that ABC content must be created in a way that is respectful towards audiences and mindful of community standards in areas like harm and offence;
- Simultaneously, recognise that the ABC needs to be adventurous, brave and creative;

⁷⁹ Ibid.

⁸⁰ ABC, *Code of Practice* (Code of Practice, 1 January 2024) <https://live-production.wcms.abc-cdn.net.au/ef432a28208d110deef1feec3ec5ee61>.

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- Be adventurous in encouraging new and sometimes confronting forms of art and entertainment;
- Be brave in reporting without fear or favour, even when that might be uncomfortable or unpopular; and
- Be creative in finding new ways of telling Australian stories, reflecting Australian culture and sharing in the Australian conversation.

By holding to these principles and standards, the ABC seeks to be accountable to the Australian people who fund them.

Observations of the Review Team

- The Code of Practice makes bold statements, framing the ABC's role as a robust public broadcaster.
- The Review Team notes that participants have described that at times, the focus or nuance in First Nations and CALD reporting is influenced by unconscious bias. Participants have expressed that this approach can at times change narratives in story-telling in ways that perpetuate harmful stereotypes, and that this could be prevented if First Nations and CALD voices and lived experiences are truly heard and listened to in the organisation.
- Many participants described the organisation as 'risk averse' when it relates to topics regarding First Nations and culturally diverse people. The Code of Practice provides permission to be brave and courageous on these topics, and this is also a responsibility of the ABC under its Code of Practice and Charter.

8.3 Guidance Note: Impartiality

The requirement for the ABC to be impartial is in its enabling legislation as well as its own policies.

Under the ABC Act, the functions of the ABC include (section 6(1)):

- a) provide within Australia innovative and comprehensive broadcasting services of a high standard as part of the Australian broadcasting system consisting of national, commercial and community sectors and, without limiting the generality of the foregoing, to provide:
 - i. broadcasting programs that **contribute to a sense of national identity and inform and entertain, and reflect the cultural diversity of, the Australian community**; and
 - ii. broadcasting programs of **an educational nature**.

Section 6(2)(a)(iv) goes on to state that in the provision by the Corporation of its broadcasting services within Australia, the Corporation shall take account of the multicultural character of the Australian community.



The ABC Act also requires that it is the duty of the Board (section (8)(1)):

- i. to ensure that the functions of the Corporation are performed efficiently and with the maximum benefit to the people of Australia;
- ii. to maintain the independence and integrity of the Corporation;
- iii. to ensure that the gathering and presentation by the Corporation of news and information is **accurate and impartial according to the recognised standards of objective journalism**.

The Standards of Impartiality are set out in the Guidance Note: Impartiality (**‘Guidance Note on Impartiality’**).⁸¹

What is impartiality?

There is no specific, general legal meaning of the word ‘impartial’ in the context of media or journalism, although it does exist in terms of impartiality in the judiciary, as a foundation of the rule of law.

The Oxford Reference defines ***impartiality*** as:

1. A democratic ethical principle that official judgements and reports should be based on objective and relevant criteria, without bias or prejudice, and not take sides (as opposed to being *partial*; see also neutrality; political bias). Impartiality involves treating everyone as an equal rather than necessarily treating them in exactly the same way since it has been argued that sometimes individuals may be objectively judged to require different treatment. See also objectivity.⁸²
2. (journalism) An umbrella term for a cluster of associated concepts in professional ethics. In broadcast journalism these are reflected in editorial policies such as the need for programmes to reflect a wide range of views and opinions, to avoid bias or an imbalance of views on controversial issues (see also balance), and, where a single view is expressed, to avoid misrepresenting opposing views and allow a right of reply. This particular list is adapted from the BBC's editorial guidelines.

The Guidance Note on Impartiality states at **4.1 Gather and present news and information with due impartiality**:

- while the ABC should on all occasions be fair, accurate and open-minded it is ***not required to deliver equal treatment or equal time to all perspectives on all occasions***; and
- what is duly impartial is determined by a wide range of factors:
 - the type, subject and nature of the content;
 - the circumstances in which the content is made and presented;
 - the likely audience expectations of the content;
 - the degree of contentiousness to the matter;
 - the range of principal relevant perspectives on the matter of contention; and

⁸¹ ABC, ‘Impartiality’, *Editorial Policies* (Web Page, 13 December 2023)

<https://www.abc.net.au/edpols/impartiality/13645770>.

⁸² ‘Impartiality’, *Oxford Reference* (Web Page)

<https://www.oxfordreference.com/display/10.1093/oi/authority.20110803095959924>.

- the timeframe within which it would be appropriate for the ABC to provide opportunities for the principal relevant perspectives to be expressed, having regard to the public importance of the matter of contention and the extent to which it is the subject of current debate.⁸³

Importantly, the Guidance Note on Impartiality requires the ABC to:

4.2 Present a diversity of perspectives within a reasonable timeframe, aiming to reach a similar audience, so that no significant strand of thought or belief within the community is knowingly excluded or disproportionately represented.

The ACMA also states:

Many of the broadcasting codes also contain impartiality provisions. These vary between codes, but usually require broadcasters to present factual content in a way that is distinguishable from comment and analysis, to make reasonable efforts to ensure balance or coverage of diverse viewpoints, and to not present facts out of context or in a way that will mislead the audience. Accuracy and impartiality concerns in broadcasting are a key focus of public complaints made to the ACMA, including for matters where facts may be contested or not settled.⁸⁴

Impartiality does not require that every perspective receives equal time, nor that every facet of every argument is presented.⁸⁵

Impartiality and lived experience

The ABC is required to undertake an analysis to determine “likely audience expectations of the content” – intending to reflect the views of its audiences. While data is available for the ABC to understand the demographics of its audiences, to determine the likely audience expectations of the content, a degree of subjective analysis is needed. All ABC staff conduct this subjective analysis, through the lens of their own lived experience generally, irrespective of racial background or identity.

First Nations and diverse voices are needed in journalism and content creation to have authentic understandings of the likely audience expectations of content, in the same way that a spectrum of metropolitan and regional perspectives, and different socio-economic perspectives are needed.

In the general Australian media industry, including outside of the ABC, 1.2% are First Nations people (aged between 18–65). The median age for First Nations people is 24 years with one-third under 15 years of age.⁸⁶ As of 30 June 2021, there were 983,700 Aboriginal and

⁸³ *Impartiality* (n81).

⁸⁴ Australian Communications and Media Authority, *What audiences want – Audience expectations for content safeguards* (Position Paper, June 2022) 11 <https://www.acma.gov.au/sites/default/files/2022-06/What%20audiences%20want%20%20Audience%20expectations%20for%20content%20safeguards.pdf>.

⁸⁵ ABC, *Australian Broadcasting Corporation Annual Report* (Report, 2022) 213 <https://live-production.wcms.abc-cdn.net.au/cfc2f5c6b4c17089619383b9af6b6c19>.

⁸⁶ ‘2021 Census Aboriginal and/or Torres Strait Islander people QuickStats’, *Australian Bureau of Statistics* (Web Page, 2021) <https://www.abs.gov.au/census/find-census-data/quickstats/2021/IQSAUS>.

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Torres Strait Islander people, representing 3.8% of the total Australian population.⁸⁷ With 3.8% of the Australian population identifying as First Nations, this means First Nations perspectives in the media are generally underrepresented.⁸⁸ The ABC is leading the way in this sense, as current First Nations staffing levels at the ABC are at 3.2%, which is well above the national average for the media.

Statistics on culturally diverse people in the media industry generally are less available, focussing more on representation on screen rather than in media roles more generally.⁸⁹ However, research in 2022 found 78% of presenters, commentators and reporters had an Anglo-Centric background.⁹⁰

The Human Rights and Equal Opportunity Commission recommended in 1991 that media organisations develop strategies to recruit and promote Indigenous and culturally diverse journalists, to assist in more balanced reporting, noting that the voice of lived experience promotes better outcomes in relevant communities.⁹¹ Research by Media Diversity Australia in 2022 reviewed representation in front of and behind the camera for First Nations and culturally diverse people. Highlights from this research indicate that many Australians still feel that representation needs to be improved, that they would like more diversity represented among presenters and stories told, and that non-European individuals still hold significant concerns around bias.⁹²

As the public broadcaster responsible for representing Australia's diverse stories and perspectives, the ABC should be held to high standards in featuring First Nations and culturally diverse voices, both in its content and among those creating it.

⁸⁷ 'Estimates of Aboriginal and Torres Strait Islander Australians', *Australian Bureau of Statistics* (Web Page, 31 August 2023) <https://www.abs.gov.au/statistics/people/aboriginal-and-torres-strait-islander-peoples/estimates-aboriginal-and-torres-strait-islander-australians/latest-release>.

⁸⁸ Ibid.

⁸⁹ Sora Park, Jee Young Lee, Kieran McGuinness, 'Australia's media improve on diversity – but there's still a long way to go' (Web Page) <https://theconversation.com/australias-media-improve-on-diversity-but-theres-still-a-long-way-to-go-200452#:~:text=According%20to%20Census%202021%2C%20only,had%20an%20Anglo%2DCeltic%20background>.

⁹⁰ 'Who gets to tell Australian stories?' (n36).

⁹¹ Ibid, 11.

⁹² Ibid.



Observations of the Review Team

This Review has been conducted by lawyers – not media experts. We are not recommending changes to the Guidance Note on Impartiality, noting that this is a fundamental principle for Australia’s public broadcaster. However, we do wish to emphasise what we heard from participants.

The relevant themes described by participants are aggregated here:

- Many participants recounted their perception that their supervisors appeared to assume that the perceived standard for ‘objectivity’ or ‘impartial’ appears to be an Anglo/Caucasian/White male.
- First Nations and CALD staff described their perception that they appear to be questioned more frequently than their other colleagues, regarding their ability to be objective and impartial in their reporting. They note that their colleagues who are not First Nations or CALD do not appear to be questioned in the same way – many participants even described their Anglo/Caucasian/White colleagues progressing with the same stories without question, whereas the participant would be questioned ruthlessly on their impartiality. In some instances, the content was repeated verbatim.
- Participants recounted having their impartiality questioned on a story related to a certain cultural background, when their actual cultural background had been mistaken. Incorrect assumptions on their cultural background had been made due to their name, or the colour of their skin. This suggests that at times, the concern for bias was factually unfounded.
- Participants frequently described in their opinion, unconscious bias of their peers and supervisors would result in inaccurate or unbalanced reporting, and that despite them raising issues regarding this, those concerns are often ignored. Participants described such reporting as influencing harmful stereotypes.

The Review Team notes that this presents significant risks to the ABC in delivering on its requirements under the Charter, and its Code of Practice. We recommend the ABC improve awareness for staff on how the lens of lived experience adds value to the ABC, and that it is not a deficit.

We also recommend developing protocols on Indigenous Cultural and Intellectual Property (‘ICIP’) to guide the ABC team on how to respect First Nations’ knowledge, art, First Nations’ people and stories at the ABC. We recommend that the ABC also consider how protocols can be expanded for culturally diverse groups.

8.4 Guidance Note: Dealing with Trauma and Survivors of Trauma

There is a Guidance Note on *Dealing with Trauma and Survivors of Trauma* (‘**Guidance Note on Trauma**’).⁹³ This Guidance Note mentions self-care, and that staff reporting on trauma are at risk of vicarious trauma, referring staff to the Trauma and Resilience Program.

Our analysis of this Guidance Note is combined within the next section.

⁹³ ABC, ‘Dealing with trauma and survivors of trauma’, *Editorial Policies* (Web Page, June 2020) <https://www.abc.net.au/edpols/dealing-with-trauma-and-survivors-of-trauma/13644724>.

8.5 Guidance Note: Hate Speech, Terrorism and Mass Killings

This Guidance Note provides guidance on how care should be taken to prevent harm to relevant communities, and care taken in reporting to prevent broadcasting or platforming hate speech (**'Guidance Note on Hate Speech'**).⁹⁴

Observations of the Review Team

- Many participants described not knowing where to go to seek support, or that when they did know, they felt that the Trauma Program and Counsellor was reserved only for journalists reporting on the frontline in war, rather than being available for all staff. When they did reach out for this support, they reported this as helpful.
- In industries such as defence, law enforcement, and for first responders, over decades past, understanding has improved on Post Traumatic Stress Disorder (**'PTSD'**), and that this is unfortunately common. While still stigmatised, PTSD is certainly less stigmatised than years past, and affected personnel may be more inclined to seek help. Industries like defence, law enforcement and first responders set up more protective supports in recognition of this.⁹⁵
- However, despite journalists, camera crew, news, and all ABC staff commonly being on the frontline of traumatic events, reporting on it as it unfolds, editing footage and creating content of such events, there appears to be less understanding in the industry of the risks of PTSD and vicarious trauma to those in media.
- The ABC has an opportunity to be a leader in improving industry understandings of the risk of trauma to media staff, and putting in place stronger protective barriers, supports and follow ups to prevent, mitigate and address risks to staff of psychosocial hazards.
- This can be done by considering the following:
 - Ensuring staff are aware of all resources available to them, on trauma, vicarious trauma, and the risks this presents to staff;
 - Managers upskilling in trauma informed approaches, including understanding vicarious trauma and mental health first aid, to recognise when staff might need help and know where to refer them;
 - Setting expectations of Senior Leadership driving proactive conversations and urging middle managers and their staff to have more proactive conversations to destigmatise seeking help;
 - Through cultural competency training, improving the understanding of the intersection between racism and trauma;
 - Emphasising the importance of those with lived experience from relevant communities being able to contextualise events, with culturally safe supports in place.

⁹⁴ ABC, 'Hate Speech, Terrorism and Mass Killings' *Editorial Policies* (Web Page)

<https://www.abc.net.au/edpols/hate-speech-terrorism-and-mass-killings/13644814>.

⁹⁵ Dominic Hilbrink, 'The role of social connectedness in protecting first responder mental health and wellbeing' (2022) 37(4) *Australian Journal of Emergency Management* 65-68 <https://knowledge.aidr.org.au/resources/ajem-october-2022-the-role-of-social-connectedness-in-protecting-first-responder-mental-health-and-wellbeing/>; Phoenix Australia, *Australian Guidelines for the Prevention and Treatment of Acute Stress Disorder, Posttraumatic Stress Disorder and Complex PTSD* (Guidelines, 2020) <https://www.phoenixaustralia.org/wp-content/uploads/2022/08/Chapter-9-3.-Emergency-services-personnel-1.pdf>.

8.6 Guidance Note: Moderation

There is a Guidance Note on Moderating User Generated Content (**‘Guidance Note on Moderation’**).⁹⁶

The relevant parts state:

- *All user generated content (‘UGC’) published on ABC platforms must be moderated – either pre-moderated, post-moderated or reactively moderated;*
- *Any threats of violence, self-harm or harm to other people or property or other security issues must be referred to the ABC Security Manager, as well as upward referred to the relevant Editorial Manager. In the event that a threat appears to be insincere or a hoax, the matter must be referred as if it were genuine.*

Observations of the Review Team

- It is unclear if potentially challenging content regarding racism is pre, post or reactively moderated, and who makes decisions on same, and if those making those decisions have relevant lived experience.
- The Guidance Note on Moderation would benefit from:
 - Clearer identification of potential psychosocial hazards to staff who are First Nations and CALD;
 - Have protective barriers in place, such as pre-moderation, with ‘flags for escalation’ in place;
 - Noting that pre-moderation on certain sites (including Facebook) is not always possible, ensuring psychosocial risks to staff are understood in advance, and enough capability exists to manage and escalate commentary as appropriate;
 - Having people with lived experience or cultural competency in decision making roles in how content is moderated;
 - Ensuring culturally safe supports are in place for any staff involved in the moderation process;
 - Ensuring all processes regarding moderation are logged, to ensure data can be kept and reviewed if necessary;
 - Making it clear to staff and managers when and how to escalate content; and
 - Ensuring that enough resourcing exists for staff within the ABC to proactively maintain awareness on staff that are being targeted, or where comments made are particularly problematic, akin to approaches undertaken by law enforcement when their officers are being targeted.

⁹⁶ ABC, ‘Moderating User Generated Content’, *Editorial Policies*, (Web Page, 26 March 2021) <https://www.abc.net.au/edpols/moderating-user-generated-content/13635430>.

8.7 Guidance Note: Operating Official Social Media Accounts

This Guidance Note ('**Guidance Note on Official Social Media**') sets out guidance for staff on the operation of official ABC social media accounts.⁹⁷

Relevant excerpts of the Guidance Note on Official Social Media are as follows:

- *In rare occasions, 'trolling' can escalate into direct threats of violence and other illegal activity;*
- *There are a range of approaches on how best to deal with trolls. Some advocate depriving them of oxygen by deleting their comments and blocking them from your account. Others take a more assertive view, engaging them in argument and retweeting offensive posts for all to see. The ABC does not have an official position on a single approach to dealing with aggressive behaviour on official sites [examples given as guidance].*

Note that our analysis of this Guidance Note is combined within the next part.

8.8 Guidance Note: Personal Use of Social Media Guidelines⁹⁸

This Guidance Note ('**Guidance Note on Personal Social Media**') sets out guidance for staff on the personal operation of social media. The relevant parts state:

- *It is important to note that the ABC does not require or encourage Workers to be active on personal social media accounts as part of their employment.*
- *Do not mix the professional and the personal in ways likely to bring the ABC into disrepute.*
- *Avoid anything that could be construed as personal disapproval or personal support for policies and actions or inactions of public figures.*

Observations of the Review Team

- There is a grey area in these policies between what is an official social media account and what may be considered 'unofficial' or 'personal'.
- We heard from participants that while many social media accounts by staff are not understood to be 'official', having a social media presence is a necessary part of the role, often to build a public figure and support career progression. Even if a staff member does not publicly identify themselves, it is still a necessary part of the role to keep up to date with social media.
- These policies would benefit from clearer definitions of racism and racial discrimination. This leaves it open to interpretation of middle and senior managers when these thresholds are met. Noting that middle and senior management has lower representation of people who are First Nations and CALD, there is likely less lived experience of racism and racial discrimination, leading to a possibility that in areas of the organisation, there is less understanding of the seriousness of the 'trolling' related to racism, racial discrimination and racial hatred.

⁹⁷ ABC, 'Operating Official ABC Social Media Accounts', *Editorial Policies* (Web Page, 26 March 2021) <https://www.abc.net.au/edpols/operating-official-abc-social-media-accounts/13635434>.

⁹⁸ ABC, 'Personal Use of Social Media Guidelines', *Editorial Policies* (Web Page, 26 March 2021) <https://www.abc.net.au/edpols/personal-use-of-social-media-guidelines/13635440>.

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- The Review Team heard in some areas of the organisation that supervisors and Senior Leadership take ‘trolling’ seriously and escalate sufficiently. While flexibility is needed in these policies, it leaves open room for interpretation in ways that could result in inconsistency in escalation. It also means supportive approaches are applied inconsistently throughout the organisation.
- We recommend that where staff choose to have a social media account and this is to support their employment, where they feel this is necessary for their work and progression, that moderation capability be available for those accounts. Supervisors should listen to their staff on this issue. It need not be that the content is ABC related, but if it can be reasonably inferred that the staff member is getting racially attacked and they are an ABC staff member, common sense should prevail. If it is unclear whether a social media account is personal or not, this needs to be approved at a senior level. This clarity would provide assurance to staff as to what or is not appropriate.
- These Guidance Notes would benefit from:
 - Clearer definitions of racism, racial discrimination, racial hatred (these should be linked to broader organisation definitions on these terms);
 - The ABC could also refer to the detailed guidance made for the Australian Public Service (‘APS’) to develop clearer guidelines on social media use;⁹⁹
 - Clearer guidance on what kinds of ‘trolling’ or attacks require escalation, erring to caution, and ensuring that the decisions on this are culturally informed – either with those with lived experiences, or someone with a requisite level of cultural competency, and ensuring supervisors understand the processes for escalation; and
 - Erring toward moderation support being available to any ABC staff member if they are being attacked relating to their race. Again, this approach would be similar to approaches undertaken by law enforcement when their officers are being targeted.
- This new approach should be focussing on people first, rather than only focussing on content.

⁹⁹ APSC, ‘Social media: Guidance for Australian Public Service Employees’ (17 September 2020) <https://www.apsc.gov.au/working-aps/integrity/integrity-resources/social-media-guidance-australian-public-service-employees-and-agencies>. Noting that these challenges followed case law: *Comcare v Banerji* (2018) HC https://www.hcourt.gov.au/cases/case_c12-2018.



8.9 Guidance Note: Removing Online Content¹⁰⁰

This Guidance Note (**'Guidance Note on Removing Online Content'**) assumes that published materials have already adhered to the editorial policies.

Observations of the Review Team

- There were references throughout consults to having material removed – while some material presented is factually correct, it lacks nuance or key messages of importance to First Nations and culturally diverse communities.
- Many First Nations participants reported raising concerns about harmful stereotypes being perpetuated in content about their people throughout the editorial process. These concerns were often not heard and required escalation to more senior staff. At times the material was still published. Some staff were successful in getting the content removed or the nuance updated, but many were not. Many required significant efforts for the participant to continue escalating.
- These staff felt unheard and frustrated that their perspectives were not valued. At times this led to participants feeling tokenised – this relates to the ABC's narrative of wanting First Nations and culturally diverse people in the workplace, but not feeling heard when they raise issues.
- This Guidance Note would benefit from explanation that those with relevant lived experience on the relevant subject matter should be considered as experts in their own right, and that listening to people with relevant lived experience forms part of robust journalism. This approach should be embedded across ABC practices, not only applying reactively after content is already published.

8.10 Guidance Note: Respecting Indigenous People and Culture in ABC content¹⁰¹

This Guidance Note (**'Guidance Note on Respecting Indigenous People and Culture'**) has strengths, including *"the importance of being first [to publish] does not outweigh the importance of being culturally safe"*.

Observations of the Review Team

- While this Guidance Note has strengths, the lack of guidance in this Guidance Note influences a situation where First Nations staff are relied on too heavily for contacts and direction. This is the cultural load.
- This Guidance Note would benefit from including text to indicate that it is each employee's responsibility to build relationships and trust with individuals and communities, ensuring that the labour of finding First Nations network and contacts not rest solely on First Nations staff.

¹⁰⁰ ABC, 'Removing Online Content', *Editorial Policies* (Web Page) <https://www.abc.net.au/edpols/removing-online-content/13645942>.

¹⁰¹ ABC, 'Respecting Indigenous People and Culture in ABC Content', *Editorial Policies* (Web Page) <https://www.abc.net.au/edpols/respecting-indigenous-people-and-culture-in-abc-content/13633944>.



8.11 Reconciliation Action Plan

At the time of writing, the ABC is awaiting the status decision on its *Elevate RAP 2024–27* from Reconciliation Australia, however all the deliverables have now been finalised.

Reconciliation Australia assesses progress on the RAP. However, the Review Team notes that many of the goals of the previous RAP have been achieved.

In the draft RAP yet to be finally approved, the following text is noted:

... We also set targets for Indigenous employees in content-making, editorial decision-making and management roles and for Indigenous staff at the Executive level.

In practice, the overall employment target of 3.6% proved difficult to achieve in a competitive employment market – according to the 2021 Census, 1.9% of the people employed across the Information Media and Telecommunications and Arts and Recreation Services industries were Indigenous Australians. Nonetheless, Indigenous employment at the ABC was consistently above 3.2% from the second year of the Elevate RAP onwards and consistently averaged 3.3% during the February–October production period. In our second Elevate RAP, we will reduce this target to 3.4%, which we believe is achievable.

The Review Team notes that at the time of writing, the ABC has reported it has reached its target, with 3.8% overall employment of First Nations people organisation-wide. This is a significant achievement to be celebrated, and is well above the industry average.

The ABC notes the improving retention rates is a further focus – on December 2022, Indigenous voluntary turn-over was roughly 3 percentage points higher than the ABC average. The following excerpt is of note:

To support Indigenous staff in the workplace, we introduced the executive position of Indigenous and Diversity HR Case Advocate (now referred to as Indigenous & Diverse Employee Support Lead) to disrupt culture and processes that lead to inequitable outcomes and significantly revised our grievance policy. During the period, we introduced employee forums offering opportunities for Aboriginal and Torres Strait Islander employees to speak directly with the Managing Director about their workplace experience as Indigenous employees. These initiatives will continue during our second Elevate RAP. This again reflected a competitive market for Indigenous talent in media and we have long recognised the wider benefits to the media industry of Indigenous employees leaving the ABC to advance their careers.

Observations of the Review Team

- The Review Team notes that many of the participants emphasised the importance of the Indigenous and Diversity HR Case Advocate (now Indigenous & Diverse Employee Support Lead), and the usefulness of direct access to the Managing Director.
- The ABC would benefit from taking a closer look at the difference between the ongoing and short-term roles held by First Nations people in the organisation. It is important to ensure that representation data across the organisation is not exaggerated by having more First Nations employees on short-term contracts, especially if turnover is high. There should be better oversight of casual roles that end, or contracts that aren't renewed, with a focus on improving the exit interview process.

8.12 Diversity Action Plan

The ABC has released its Diversity, Inclusion and Belonging Plan 2023–2026.¹⁰²

Observations of the Review Team

- It became apparent to the Review Team throughout the course of the Review that while available statistics on First Nations staff are reasonably comprehensive, statistics on culturally diverse staff are less available. This includes a lack of definitions on CALD throughout the organisation, and a lack of data in the organisation regarding who identifies as CALD. It is important the ABC improves its data collection to gain a more accurate holistic picture.
- The ABC set a higher 30% target for CALD workers in both content maker and executive roles, at 24.2% and 20%. CALD staffers make up 25.7% of overall total staff – the broadcaster has not set a target for this.¹⁰³
- The Review Team notes that there is no equivalent organisation to Reconciliation Australia that has oversight and independent external accountability on the Diversity and Inclusion Plan. In responding to this Review, this presents an opportunity for the ABC to set a leading industry standard, and consider ways to facilitate independent external accountability over the Diversity Action Plan and its progress. The ABC could consider this over the longer-term, liaising with stakeholders.

¹⁰² *Diversity, Inclusion and Belonging Plan* (n51).

¹⁰³ Nathan Jolly, 'ABC resets its diversity targets – some of which it's meeting and some it's not', *Mumbrella* (online, 5 July 2023) <https://mumbrella.com.au/abc-resets-its-diversity-targets-792944>.



8.13 ABC Ombudsman

The ABC Ombudsman reports to the ABC Board and leads the ABC Ombudsman's Office, an investigations team which is separate to and independent of the ABC content making areas. The ABC Ombudsman's Office assesses, investigates and reviews complaints from the public about specific ABC content.¹⁰⁴

The ABC Ombudsman's Office investigates complaints relating to content published or broadcast on ABC platforms. The ABC Ombudsman's Office does not investigate complaints relating to ABC staff, complaints about ABC staff interacting with social media, or more general complaints relating to taste and preferences of audience members (these are matters dealt with by ABC management).

Observations of the Review Team

The ABC Ombudsman plays a crucial role in ensuring ABC accountability for content, and supports establishing precedents for the ways that editorial policies are to be interpreted and applied. However, we note that the focus is on content rather than people.

The Review Team recommends that a new independent function be established, with a focus on people and staff welfare. Refer to [Recommendation 8](#).

¹⁰⁴ ABC, 'ABC Ombudsman's Office', *About the ABC* (Web Page) <https://www.abc.net.au/about/ombudsman>.

9 RECOMMENDATIONS: WHAT NEEDS TO BE DONE

<i>Recommendations of the Independent Review into ABC systems and Processes in Support of Staff who Experience Racism</i>		
<p>Recommendation 1:</p> <p>That the ABC, its Board, Managing Director, Senior Leadership Team and all staff read this Report in full and listen deeply to the grievances of First Nations and CALD current and former staff.</p>	<ul style="list-style-type: none"> a. The Board, Managing Director and Senior Leadership Team ('ABC Leadership') should prioritise reading and reflecting on the full Report, particularly the staff accounts contained in it. ABC Leadership should genuinely listen to the grievances of First Nations and CALD staff. ABC Leadership should encourage all staff to read the Report in full and create safe environments for staff to have conversations about the Report's findings with managers and colleagues. b. The ABC Board and Senior Leadership Team should deliver a statement of acknowledgement and apology that recognises the harm that racism and racial discrimination has had on ABC's staff and former staff. The statement should also include commitments to accountability and the implementation of the recommendations contained in this Report in full. c. ABC Leadership should take full ownership of the findings in this Report and the implementation of the recommendations. This is critical for a healing and truth-telling process to commence. d. ABC Leadership should visibly commit to providing a workplace that is anti-racist, culturally safe, inclusive, and respectful. e. ABC Leadership should aim for best practice prevention and response strategies when dealing with workplace health and safety as it applies to the impact of psychosocial hazards. f. ABC Leadership should communicate to their teams their understanding and personal reflections of the impacts of racism described in this Report, provide a response to the recommendations, and develop a clear implementation plan. 	<p>Best practice principles:</p> <ul style="list-style-type: none"> 1. Commitment from top-down 2. Leadership and accountability

<p>Recommendation 2:</p> <p>That the ABC commit to being proactively anti-racist.</p>	<ul style="list-style-type: none"> a. The ABC must accept that racism exists in the organisation, and that ABC staff are subjected to racism from external sources. ABC should implement measures to make the workplace safe for all, including to formulate a comprehensive anti-racism policy. Staff should be made aware of the impacts of racism (for First Nations, CALD and all staff). An internal communications awareness campaign should be developed and disseminated throughout the ABC. b. The ABC should ensure that all staff are educated: <ul style="list-style-type: none"> i. About why diversity and inclusion are organisational imperatives; ii. About how diversity and inclusion enhances the ABC and its services to the Australian public; and iii. That cultural safety forms a part of its psychosocial obligations. c. Cultural safety should be a leadership priority and the goal for all areas of the ABC including on TV, film, online and radio settings. d. Actions should be embedded into the work level standards for supervisors, to be assessed at each performance appraisal. The actions should demonstrate the ABC Leadership’s commitment to ensuring that all staff members are actively contributing to a culture of good leadership that values and promotes diversity, equity, and inclusion; fosters cultural safety; and upholds psychosocial obligations. These key overarching work level standards should be reflected in employment and contractor agreements. This approach not only helps to address and mitigate racism within the ABC but also enhances the organisation’s overall performance and employee satisfaction. This approach also allows recognition and celebration for the good work already being done within the ABC. e. All managers should demonstrate tangible examples of how they are proactively ensuring a safe workplace and meeting psychosocial obligations with respect to racism. There should be foundational expectations for all staff, and higher expectations for managers. How this is defined will vary across the organisation. The ABC Leadership should have oversight on what this looks like in practice in job descriptions at all levels, including middle management. Some practical examples may look like: 	<p>Best practice principles:</p> <ul style="list-style-type: none"> 1. Commitment from top-down 2. Leadership and accountability 3. Public commitment to anti-racism 5. Comprehensive policies and procedures 8. Cultural safety 10. Education, public awareness, and truth-telling
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	<ul style="list-style-type: none">i. Creating and supporting pathways for people who are First Nations and CALD to enter, stay in, and advance through the organisation;ii. Developing networks and partnerships with people who are First Nations and CALD, internal and external to the organisation;iii. Contributing to employee network groups;iv. Providing organisation-wide relevant, ongoing training delivered by independent experts and with input from First Nations and CALD staff;v. Developing and practicing (1) training regarding cultural safety and (2) training on broader psychosocial safety;vi. Delivering on or exceeding targets regarding First Nations and CALD story-telling. <p>Specific additional measures should be included for middle managers, ensuring they are accountable for all of their reporting lines and people.</p>	
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<p>Recommendation 3:</p> <p>That the ABC should enhance understanding of how lived experience shapes story-telling.</p>	<ul style="list-style-type: none">a. The ABC should raise awareness amongst staff on how lived experience adds value to story-telling, and assists the ABC delivering on its mission to display a diversity of perspectives in its content.b. All staff should be provided with appropriate training to report on First Nations and CALD stories. This training should ensure that employees have a good level of understanding of their own potential unconscious biases, and assist them to develop their cultural competencies. This must be an element addressed within Training: Recommendation 6.	<p>Best practice principles:</p> <ul style="list-style-type: none">4. Representation throughout the organisation5. Comprehensive policies and procedures8. Cultural safety10. Education, public awareness, and truth-telling12. Self-determination
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<p>Recommendation 4:</p> <p>That the ABC improve its responses to public attacks.</p>	<ul style="list-style-type: none">a. Procedures should be improved on how the ABC responds to external attacks of its staff, including by establishing a new policy, which should cover the elements contained in Recommendations 6 and 7.b. An option should be available for staff to report to a centralised team when they are being targeted by external media organisations or individuals. There should be obligations on supervisors organisation-wide to ensure the matter gets reported, but only with the consent and wishes of the aggrieved person. This presumption towards reporting is to align with psychosocial safety and duty of care, noting the responsibility of supervisors to ensure a safe workplace.c. Supervisors must be upskilled (refer Recommendation 6), to work closely with the affected staff member to determine their needs regarding the incident/s. Overall, attacks on staff need to be taken seriously, and with consent of the aggrieved person, managers and ABC Leadership should be made aware of each incident and proposed responses.d. Ideally, managers should be involved in upward referral. However, an option should exist for staff when they do not want to talk to their manager about it. Procedures must be improved, to ensure that:<ul style="list-style-type: none">i. A staff member has an option to immediately report a public attack to a centralised and independent team, which is then responsible for liaising with the staff member, and agreeing to an approach for management.ii. Staff members do not end up isolated and moderating comments targeted at themselves. This is particularly important for anyone in junior or mid-level roles.e. The centralised team for managing this process should be appropriately trained in the elements as highlighted in Recommendation 6, and:<ul style="list-style-type: none">i. Include staff with lived experience of marginalisation.ii. Have their own additional supports to ensure their wellbeing.f. The above processes should be reflected in the new policy to ensure consistency across the organisation, and to ensure all supervisors understand the policy. The policy should set examples to guide the seriousness of attacks	<p>Best practice principles:</p> <ul style="list-style-type: none">5. Comprehensive policies and procedures6. Robust complaints and reporting procedures8. Cultural safety9. Support for affected employees10. Education, public awareness, and truth-telling
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	<p>and their necessary escalation. The policy should also state that moderation support should be made available to any ABC staff member if they are being attacked on the basis of their race when this is related to their employment at the ABC – irrespective of whether it is an ‘official’ ABC social media account or not.</p> <p>g. Note: referral pathways of this nature may already exist in a fragmented way across the organisation. It is recommended that the ABC consider this recommendation organisation-wide to ensure consistent practices.</p>	
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<p>Recommendation 5:</p> <p>That the ABC improve diverse representation in ABC management and leadership.</p>	<ul style="list-style-type: none"> a. Improve representation of people who are First Nations and CALD at all levels of the organisation, including the Board and Senior Leadership Team, and improve responses to issues of racism from management and leadership. Senior Leadership should advocate for changes to the ABC Act for these positions to be embedded in the legislation. Improving representation at all levels of the organisation for women, LGBTQTIA+ people, and people with disabilities, is essential to ensuring all perspectives are present and heard, and to appropriately reflect the broader Australian community. b. ABC Leadership, middle management and all supervisors must be trained on their obligations to ensure that the workplace is free from racism and other psychosocial hazards. This duty of care should be emphasised and reinforced across risk management, including reporting to the Board. All supervisors should be assessed on whether they are fostering a culturally safe environment in their performance appraisals (Refer Recommendation 6). c. A psychosocial risk approach should be implemented that includes racism being recorded as a workplace hazard to be dealt with effectively in accordance with WHS obligations, including by ABC Leadership. This needs to be reflected in a risk matrix reported the Board at least quarterly. d. ABC Leadership is responsible for improving organisation-wide awareness of the complaints system. Regular information sessions should be held and an easily accessible web page on the intranet should be available to provide clarity to staff. These processes should be available from induction. e. ABC Leadership should be provided, quarterly with the following: <ul style="list-style-type: none"> i. Data on all racism complaints, including the nature of the complaint, the gender and background of the complainant and the respondent, the length of time of the process, and the outcome of the complaint. ii. Information on staff exiting the ABC or turnover of teams within the ABC should be used to determine whether there are any patterns or trends relating to whether staff exited because of racism. f. 360-degree feedback: All supervisors should be assessed through a 360-degree feedback process on how they are meeting their psychosocial obligations which should be assessed in their performance appraisals. Reports should 	<p>Best practice principles:</p> <ul style="list-style-type: none"> 1. Commitment from top-down 2. Leadership and accountability 5. Comprehensive policies and procedures 8. Cultural safety 9. Support for affected employees 11. Legal protections
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	<p>include the views of their team, including junior staff on whether and how their manager has met this requirement. Staff should be able to do this anonymously. All staff, particularly junior staff should be able to provide this information anonymously and without fear of repercussions. For example, making feedback generalised amongst a broader group.</p> <p>g. The impact of racism as a wellbeing risk should be recorded and managed in the Workplace Health and Safety registers.</p> <p>h. The ABC Leadership and the Minister for Communications should strengthen efforts to ensure greater diversity on the ABC Board (First Nations, CALD, LGBTQIA+, disability and intersectionalities). This should be on the agenda for future legislative amendments to the ABC Act.</p>	
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<p>Recommendation 6:</p> <p>That the ABC should increase and enhance organisation-wide education and training.</p>	<p>This recommendation for training is separated into two components: 6A Improving Cultural Safety and 6B Improving Broader Psychosocial Safety.</p> <p>We recommend the ABC provide their staff and management with training on a range of matters. We recommend face to face training because many people said that training session attendees can zone out and do other work when attending courses online. Courses should be regularly evaluated and consider feedback from staff.</p> <p>As urgent priorities, this training should be mandatory for all new incoming staff on induction, and mandatory for all supervisors. ABC Leadership should work towards 100% completion rate for the rest of the organisation by end 2025.</p> <p>a. 6A: Training to improve cultural safety</p> <p>Note that the elements of Anti-Racism – Recommendation 2 should be addressed across this suite of training.</p> <ul style="list-style-type: none"> i. Anti-racism training rolled out across the organisation conducted on a biannual basis and reviewed annually to ensure equity. Anti-racism training must also address intersectionality, with a particular focus on the additional barriers faced by women of colour, those who identify at LGBTQIA+ and people with disability. The training should cover how to be an Ally and an Upstander, including how to advocate for peers.¹⁰⁵ ii. Unconscious bias training to assist ABC staff and leaders to be alert to harmful stereotypes, and to prevent this harming staff, the public, and translating to reporting and content. iii. Cultural safety and cultural awareness training on First Nations and CALD cultures, and also for understanding and managing cultural load – like having ICIP protocols, or Indigenous engagement guides, or the guide that was created for the Referendum. Positions such as Cultural Advisors are also good initiatives put in place by the ABC, but there needs to be more. Noting the diversities of First Nations and CALD cultures, the kind of training throughout teams should be tailored to contexts of teams. Responsibility should rest with managers to ensure cultural safety of their staff, and any guests. <p>The training made available should improve understandings of truth-telling. Improving understanding of First Nations approaches and principles in truth-telling will assist ABC</p>	<p>Best practice principles:</p> <ul style="list-style-type: none"> 1. Commitment from top-down 2. Leadership and accountability 5. Comprehensive policies and procedures 7. Robust complaints and reporting procedures 8. Cultural safety 9. Support for affected employees 11. Legal protections 14. Regulations and standards 15. Ongoing learning
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	<p>Leadership better understand historical and ongoing injustices faced by First Nations individuals and communities. This training should enhance leaders' cultural competence and empathy, enabling them to create a more inclusive workplace. Topics could include ongoing impacts of colonisation, which can inform more equitable decision-making and policy development. Additionally, the training should provide practical skills for facilitating open, respectful dialogues and recognising the importance of First Nations perspectives in shaping workplace practices.</p> <p>b. 6B: Training to improve broader psychosocial safety</p> <ul style="list-style-type: none">i. Psychosocial obligations must be emphasised and explained clearly to all staff.ii. Mental health First Aid that provides staff with skills to provide support to their colleagues who are experiencing mental health issues, including those affected by racism.iii. Trauma-informed practice can guide staff on how to support staff disclosures of racism, including recognising the intersectional impact of racism and racial discrimination. The training should aim to ensure that the voices and experiences of the targets of racial discrimination are at the centre of any disclosure.iv. Vicarious trauma training should be provided to ensure that individuals who are indirectly or directly exposed to trauma through another person's experience are properly supported by colleagues and leaders.v. Coaching around difficult conversations and conflict should be introduced, in the first instance drawing on the Australian Human Rights Commission's <i>Let's Talk Race: A Guide on How to Conduct a Conversation About Racism</i>.¹⁰⁶ ABC Leadership should establish a training program for supervisors to equip them with advanced conflict skills to foster a more inclusive and equitable workplace. These programs should cover strategies for identifying, recognising and addressing microaggressions the impacts of these behaviours, and facilitating open, and respectful dialogue among staff. All supervisors	
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¹⁰⁵ *Racism. Nobody Wins* (n5). https://humanrights.gov.au/sites/default/files/2021-11/ahrc_sr_2021_4_keyterms_a4_r3.pdf/

¹⁰⁶ *Let's Talk Race: A Guide on How to Conduct a Conversation About Racism* (n56).



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	<p>also ensure responses to disclosures are timely and individuals are kept informed of action being taken. Skills that would enhance leaders' responses include active listening and empathetic communication and the ability to create a psychologically safe space for individuals to come forward.</p> <p>vi. Leadership: Best practice leadership training and coaching should be introduced that educate leaders about racism, including providing foundational knowledge on its history and on such key concepts as privilege, structural inequity, and unconscious bias. Leadership training and coaching should promote self-reflection and awareness, enhance empathy and emotional intelligence, and teach practical skills in communication and conflict resolution. Courses should also cover legal obligations under the <i>Workplace Health and Safety Act</i> (Cth) and other legal obligations; support systems; and developing inclusive policies. Supervisors should have actionable personal plans, commit to continuous learning, and regularly evaluate their own personal progress. Supervisors should be clear on when to check-in with staff, including after instances of racism, and have skills to encourage staff to seek therapeutic support when needed.</p>	
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<p>Recommendation 7:</p> <p>That the ABC should revise and improve the complaints framework.</p>	<p>According to the Australian Human Rights Commission – <i>Good Practice Guidelines for Internal Complaints Process</i>, “The complaint process should be easy to access and understand, and everyone should be able to participate equally.”¹⁰⁷ Many people reported that they did not know the processes, and also that they did not trust them. The ABC must strengthen its efforts to revise and improve the complaints system as follows:</p> <ul style="list-style-type: none"> a. Consistent definitions: The ABC should ensure there are consistent definitions of racism, racial discrimination, microaggressions, overt racism, covert racism, systemic racism, intersectionality, structural inequity, race-based bullying and harassment. This is essential to ensure clarity for staff. b. Education and awareness of systems: The ABC should develop a communications plan to ensure that staff are aware of how to make complaints about racism, and promote trust by clearly explaining the confidentiality of the process. This could include guidance for supervisors on how to have conversations with their team; intranet guides, how to access employee networks; and how to present on these systems in induction processes. c. Training for managers on impartially handling disclosures: There should be training for managers on how to handle disclosures impartially, including assisting them to develop mediation skills and also processes that are transparent and considered, including referring to external people where necessary. Managers should also be applying a trauma-informed process for managing disclosures. d. Clearer guidance on reporting racism, including microaggressions: All staff need to be educated on what is overt and covert racism, and feel safe to report. This process needs to be trauma-informed, and with the consent of the aggrieved person. This can only occur by building trust in the processes over time. e. Improve trust in confidential complaints process and record-keeping: Staff trust in the confidentiality of complaints must be improved, by reviewing systems and explaining clearly how complaints are managed and kept confidential. Records must be kept so complaints do not ‘slip through the cracks’ of the system. 	<p>Best practice principles:</p> <ul style="list-style-type: none"> 2. Leadership and accountability 5. Comprehensive policies and procedures 7. Robust complaints and reporting procedures 8. Cultural safety 9. Support for affected employees 11. Legal protections 13. Justice 14. Regulations and standards 15. Ongoing learning
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	<p>f. Data collection and reporting: This will assist with transparency as well as measure the prevalence of issues. Collected data about the complaints should be kept with due respect for confidentiality and privacy, and for the gravity of the content. This is about not only encouraging people to come forward, but also building staff trust in the processes. De-identified results should be tracked to identify any patterns and trends of concern.</p> <p>g. Explore a restorative justice approach: Restorative justice has a focus on aggrieved people’s experiences, reparations and healing. The ABC should explore introducing a restorative justice approach regarding complaints. A restorative justice pathway for internal complaints handling should be an additional option available for staff who do not wish to resolve grievances through the current pathway. Any processes should have due regard for cultural sensitivity and safety.</p> <p>h. Anonymous complaints: An anonymous complaints process should be introduced to encourage greater reporting of racism and microaggressions. It is important that an anonymous complaints platform has capability to consider overt and covert racism. This may assist in encouraging individuals to come forward without fear of reprisal or retaliation. While this anonymous option should be available, it should be made clear to staff that an anonymous complaint is often difficult to action. By building trust in the process of lodging a confidential complaint, over time staff may trust that confidential pathway, rather than staying anonymous.</p> <p>i. Independent investigator: We recommend revising the complaints process to include an option for an independent person, such as an investigator, to ensure impartiality and provide complainants with expert guidance, for particularly serious complaints, or where a complainant does not feel the process can be managed efficiently internally. This could come at no cost to those making the complaint.</p> <p>j. The Managing Director and the Board: Responsibility for resolving complaints should rest with HR, with independent advisors, including cultural and legal,</p>	
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¹⁰⁷ Australian Human Rights Commission, *Good practice guidelines for internal complaint processes* (Guidelines 2014) https://humanrights.gov.au/sites/default/files/GPGB_good_practice_guidelines_0.pdf.



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	<p>brought in where needed, and opportunities for escalation and appeal. However, with the informed consent of the aggrieved person, the Managing Director and the Board should have visibility of complaints, ensuring they give each complaint the importance and attention it deserves and to ensure that action and responsibility for eliminating racism is taken up by the Board. De-identified summaries of all complaints, including the outcomes should be provided to the Managing Director and the Board.</p>	
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<p>Recommendation 8:</p> <p>That the ABC should establish a new independent function with a focus on staff welfare.</p>	<p>a. Establish a new independent function with a focus on staff welfare and wellbeing. This new function should be a team, and focussing on the welfare of people, rather than content. This new function should have capability to:</p> <ul style="list-style-type: none">i. provide immediate, culturally informed, therapeutic professional support, and be reasonably mobile – for example, if a staff member is in distress, there should be capability for the team to be physically available for those staff, and for capability to be bolstered during significant events. This function would be similar to welfare teams available for first responders.ii. Provide an option for staff to seek support and guidance when options they have utilised internally that are not going well – for example, when they are unhappy with how a complaint is being handled. The team should have knowledge of ABC systems and be able to provide independent guidance on how to navigate those systems. <p>Staff and stakeholders should have an opportunity to be involved in the co-design of this new function.</p>	<p>Best practice principles:</p> <ul style="list-style-type: none">2. Leadership and accountability5. Comprehensive policies and procedures7. Robust complaints and reporting procedures8. Cultural safety9. Support for affected employees11. Legal protections13. Justice14. Regulations and standards15. Ongoing learning
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<p>Recommendation 9:</p> <p>That the ABC should create culturally safe support systems.</p>	<p>Create culturally safe support systems to acknowledge and respect the cultural identities of individuals, providing them with an environment where they feel valued, understood, and supported. The capability of professional supports such as the EAP and trauma counsellors should be bolstered with First Nations and CALD representation, to incorporate those with lived experiences into the support system. It is not sufficient to rely on volunteer-based networks to do this – additional, professional, rigorous supports are needed. Inclusive practices within support systems should be made available, such as providing flexible options for accessing services including support people and group sessions. More targeted support should be offered when staff are going through a hardship, such as a complaints process, ensuring all staff involved have access to independent culturally safe support.</p>	<p>Best practice principles:</p> <ul style="list-style-type: none">5. Comprehensive policies and procedures7. Robust complaints and reporting procedures8. Cultural safety9. Support for affected employees10. Education, public awareness, and truth-telling14. Regulations and standards
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<p>Recommendation 10:</p> <p>That the ABC must improve recruitment processes and pathways.</p>	<p>The ABC must be innovative and creative in its hiring processes to improve pathways for individuals from diverse groups into the organisation. Recruitment processes need to be flexible and inclusive to promote pathways for those with lived experience and cultural skills rather than placing sole importance on university degrees as a key criteria to gain employment at the ABC. This will promote cultural and socio-economic diversity, and thereby properly reflect the Australian public.</p> <p>Less focus should be placed on quotas and numbers of people in the organisation and instead more focus on the perspectives of people who are First Nations and CALD being valued and heard across the organisation.</p> <p>The ABC should improve its recruitment processes, as follows:</p> <ol style="list-style-type: none">a. Commit to continually attracting, onboarding and retaining First Nations and CALD talent.b. Establish merit lists, akin to the process in the Australian Public Service. When applicants are considered as satisfactory but deemed as unsuccessful for a particular role, there should be centralised lists that those undertaking recruitment processes can access to select individuals from the merit list when appropriate.c. Establish procedures ensuring that more job vacancies are advertised for longer periods of time, and available to both external and internal applicants.d. Enhance accountability by ensuring all delegate decisions are reviewed, and that comprehensive feedback regarding all recruitment decisions is provided. If an applicant would like feedback on the decision this must be made available and there should be further options to appeal the decision up to ABC Leadership.e. First Nations and CALD voices should be represented on recruitment panels and in recruitment processes. However, to prevent additional undue burden on those staff these additional duties need to be recognised. A system for recognition should be considered, including remuneration. It may also be appropriate to bring in external talent to ensure representation on panels.	<p>Best practice principles:</p> <p>4. Representation throughout the organisation</p> <p>5. Comprehensive policies and procedures</p> <p>8. Cultural safety</p> <p>14. Regulations and standards</p>
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<p>Recommendation 11:</p> <p>That the ABC establish a robust and psychologically safe exit interview process.</p>	<p>To further the ABC's commitment to eliminating racism in the workplace, a robust exit interview process, that is psychologically safe for an individual to be candid, should be made available. Specific questions relating to experiences of discrimination and bias should be included. It will assist collecting data to identify patterns and recurring issues. An option for anonymity is important, however, identification should be encouraged as this assists in actioning any issues. Insights learnt can be used to inform improvements as the organisation strives for accountability. There also needs to be more oversight on the casual arrangements that end, or contracts that do not get renewed, for First Nations and culturally diverse staff. De-identified data should be made available to the Managing Director and Board to support accountability.</p>	<p>Best practice principles:</p> <ul style="list-style-type: none">4. Representation throughout the organisation5. Comprehensive policies and procedures7. Robust complaints and reporting procedures8. Cultural safety9. Support for affected employees10. Education, public awareness, and truth-telling14. Regulations and standards15. Ongoing learning
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<p>Recommendation 12:</p> <p>That the ABC should progress protocols on voice coaching for diversity.</p>	<p>The ABC should progress protocols on voice coaching standards and expectations to ensure that staff feel welcome, safe and supported to use their authentic voice. The ABC should ensure a broader spread of cultural, linguistic and socio-economic diversity in voices, across all of the ABC, in its public facing and internal facing activities. This is necessary to fully reflect the diversity of Australian society. The goal should be for a diverse spread of cultural and socio-economic backgrounds to be heard and seen in ABC content.</p>	<p>Best practice principles:</p> <p>4. Representation throughout the organisation</p> <p>5. Comprehensive policies and procedures</p> <p>8. Cultural safety</p> <p>9. Support for affected employees</p> <p>10. Education, public awareness, and truth-telling</p> <p>14. Regulations and standards</p>
<p>Recommendation 13:</p> <p>That the ABC should conduct pay audits.</p>	<p>The ABC should conduct a pay audit of all First Nations and CALD staff, including clarifying ongoing and non-ongoing staff, pay brackets and duties, and track career progression. This audit should correct pay discrepancies with Anglo/Caucasian/White peers.</p> <p>This audit should be conducted regularly to ensure equity.</p>	<p>Best practice principles:</p> <p>4. Representation throughout the organisation</p> <p>5. Comprehensive policies and procedures</p> <p>8. Cultural safety</p> <p>9. Support for affected employees</p> <p>10. Education, public awareness, and truth-telling</p> <p>14. Regulations and standards</p>

<p>Recommendation 14:</p> <p>That the ABC commit to ongoing evaluation, accountability and implementation, by establishing a Systems Implement Team.</p>	<ul style="list-style-type: none"> a. Establish a new team (Systems Implementation Team, or similarly named), led by a new Director on the ABC Leadership Team, reporting directly to the Managing Director. The new Director role should be First Nations. The team should have its own budget and staff, including First Nations and culturally diverse people, with responsibility for implementing the recommendations of the Report. The team should work to embed responsibilities for implementation throughout the organisation. This is essential to ensure implementation is everyone’s responsibility, not only the newly established team. b. The Systems Implementation Team is responsible for establishing the new independent staff welfare function (Recommendation 8). c. The Systems Implementation Team is responsible for implementation. However, the Managing Director should work with all employee networks, specifically the Bonner Committee, to clarify the resources they need to have advisory capability, and provide those resources. d. While the Systems Implementation Team should be responsible for implementing the recommendations of this Report, this needs to carefully balance the collective expertise of the networks, whilst also preventing undue burden on employee networks. The Managing Director should seek advice from the Bonner Committee and employee networks regarding their needs and how they wish to be involved. The Managing Director should also take action and be informed by that advice in a meaningful way. e. Adequate funding and resources should be provided to implement all the recommendations. f. The Systems Implementation Team, Bonner Committee and employee networks should have a direct reporting line to the Managing Director and the Board. This new governance structure could be conceptualised as a “Standing Committee for the Systems Review” (‘Standing Committee’), or similar. Again, the Managing Director should seek advice from the Bonner Committee and employee networks 	<p>Best practice principles:</p> <ul style="list-style-type: none"> 1. Commitment from top-down 2. Leadership and accountability 3. Public commitment to anti-racism 4. Representation throughout the organisation 5. Data that empowers 8. Cultural safety 9. Support for affected employees 10. Education, public awareness, and truth-telling 14. Regulations and standards 15. Ongoing learning
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	<p>regarding the governance. It is important that culturally diverse voices are embedded in this governance.</p> <ul style="list-style-type: none">g. ABC Leadership should also report regularly to the (proposed) Standing Committee on progress on the implementation of the recommendations. This supports two-way accountability.h. In consultation with the Bonner Committee, ABC Leadership should look at systemic approaches to improve cultural safety. One option is a First Nations Elder in-residence program which could bring cultural leaders with psychological and counselling skills to offer support. This Elder could assist with running courses, provide support during crises, and generally be available for yarning whenever needed.i. A priority for the Systems Implementation Team should be to improve data collection for culturally diverse staff as this is essential for understanding the ABC's current state and setting firmer targets for representation at all levels.	
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<p>Recommendation 15:</p> <p>That the ABC develop a framework for implementation.</p>	<ul style="list-style-type: none"> a. The Systems Implementation Team should progress an Action Plan to guide implementation, with responsibility resting with ABC Leadership. The Action Plan should: <ul style="list-style-type: none"> i. focus on how to improve data on recruitment, retention, and complaints; ii. develop metrics for ABC Leadership for implementation of the recommendations of this Report. b. There should be an independent progress review in one year, and the ABC should report publicly on progress. There should be further independent progress reviews every year thereafter. c. Protocols on Indigenous Cultural and Intellectual Property should be developed to guide the ABC on how to respect First Nations’ knowledge, art, First Nations’ people and stories at the ABC. d. ABC Leadership is responsible for continuing discussions with all supervisors, as the leaders of cultural change. e. Frequent reporting should be developed by ABC Leadership for all ABC staff on the progress against the recommendations and eliminating racism at the ABC. This reporting to all staff should be at least quarterly. 	<p>Best practice principles:</p> <ul style="list-style-type: none"> 1. Commitment from top-down 2. Leadership and accountability 3. Public commitment to anti-racism 4. Representation throughout the organisation 5. Data that empowers 8. Cultural safety 9. Support for affected employees 10. Education, public awareness, and truth-telling 14. Regulations and standards 15. Ongoing learning
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Attachment 1: Domestic and International Best Practice

Company	Key Issues/Areas Identified	Procurement and Advancement	Community and Consultation	Programs/Strategies	Staff Training/Programs
<p>Radio New Zealand (RNZ)</p> <p><i>RNZ Annual Report 2022/2023</i>¹⁰⁸</p>	<p>Reflect New Zealand's cultural identity, including Māori language and culture</p> <p>Include an international service to the Pacific in both English and Pacific languages</p>	<p>Commitment to fostering Māori journalism</p> <p>Māori and Pacific Islander staff had a 9.6% remuneration gap between them and non-Māori and Pacific Islander staff</p> <p>Developing ways to decrease this gap through increasing the number of Māori and Pacific Islander staff in senior positions</p>	<p>Strengthening partnerships with Māori media and communities</p> <p>Supporting independent Māori producers, e.g. Mata with Mihingarangi Forbes</p>	<p>Increasing Māori content and developing a strategy to normalise the use of Māori language</p> <p>Broadcast 193 hours of Māori content</p> <p>RNZ Rautaki Māori strategy Committed to upholding the Treaty of Waitangi</p> <p>Targeted language and cultural training to non-Māori employees</p> <p>Pasifika Talent Retention Program Two Pasifika journalism graduates will join the Pacific Media Network for a year, with funding provided by RNZ</p> <p>Aiming to develop a pipeline of Pacific journalists to reflect 8% Pasifika population</p>	<p>Cultural training to provide staff with knowledge of Treaty of Waitangi</p>

¹⁰⁸ Radio New Zealand, *Kokiri Whakamua: Moving Forward* (Annual Report 2022/2023) https://www.rnz.co.nz/assets/cms_uploads/000/000/470/RNZ_Annual_Report_2022-23.pdf.



<p>BBC</p> <p>BBC Diversity and Inclusion Plan 2021–2023¹⁰⁹</p>	<p>Issues raised from consultation:</p> <p>Lack of accountability within the organisation</p> <p>Lack of inclusivity</p> <p>The BBC does not have a culture of active listening</p> <p>The BBC is resistant to deep-rooted change</p> <p>Inconsistent approach to inclusion and people management</p>	<p>Expansion of diverse succession pipelines for senior roles</p> <p>Introduction of a focused high potential leadership program for underrepresented groups for 20–30 participants with career progression opportunities</p> <p>Investment in a program to ensure continuous workforce refreshments across all departments</p>	<p>Consultations included:</p> <p>An online survey with responses from over 8300 staff from all divisions of the public service and BBC Studios</p> <p>Over 50 focus groups targeted at all different divisions and staff</p> <p>One-on-one interviews with internal and external stakeholders</p> <p>Dedicated email account for individual confidential consultations</p>	<p>Commitment to reforming Diversity and Inclusion staff networks</p> <p>50:20:12 Framework Working toward achieving gender balance and increase minority ethnic staff representation in leadership</p> <p>Minimum requirement aim of 20% Black, Asian and minority ethnic staff</p> <p>12% disability staff target</p>	<p>Ensure 95% of staff have completed mandatory training in Unconscious Bias and Disability Confidence</p> <p>Develop an ‘inclusion toolkit’ that provides guidance and resources on how to embed inclusivity into our day-to-day work and management practices, including a framework for anti-racism and tools for improved listening and decision-making</p>
<p>The Australian Public Service Commission</p> <p>Australian Public Service (APS) Culturally and Linguistically</p>	<p>Issues raised from consultation:</p> <p>Recruitment and progression processes</p> <p>Senior representation</p> <p>Cultural literacy</p> <p>Cultural safety</p>	<p>Modernise the APS recruitment and promotion processes to apply a rigorous understanding of merit</p> <p>Recognition of the value that people with diverse experiences and backgrounds bring to the workplace</p>	<p>An APS-wide Interagency CALD SES Champion Network will promote and advocate for the specific needs and expectations of CALD employees.</p> <p>Has shown that the number of CALD</p>	<p>Introduce an APS Statement of Leadership to Support Cultural Diversity to ensure that the standard for culturally respectful and safe workplaces is upheld.</p> <p>Different APS agencies will have to show that they have implemented initiatives showcasing different leadership</p>	<p>Part one of the Multicultural Capability Uplift program will be available for all staff to complete through internal learning program. It focuses on growing cultural awareness and</p>

¹⁰⁹ BBC, Diversity and Inclusion Plan 2021-2023 (Diversity and Inclusion Plan Report, 2021) <https://www.bbc.com/diversity/documents/bbc-diversity-and-inclusion-plan20-23.pdf>.



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<p>Diverse Employment Strategy and Action Plan¹¹⁰</p>	<p>Barriers and challenges include: Alleged discrimination and racism</p> <p>A preference for traditional norms that do not foster cognitive diversity</p> <p>A lack of cultural literacy that blocks understanding and inhibits CALD employees from contributing their knowledge and perspectives</p>	<p>Introduce a reportable benchmark of 24% for CALD representation in the SES</p>	<p>employees across the APS represents the Australian population</p> <p>CALD employee rate drops at the senior executive levels</p> <p>Part 2 of the Multicultural Capability Uplift program will focus on how leaders can attract, recruit and develop multicultural teams, support career progression of CALD employees and build an inclusive workplace culture</p>	<p>styles, mentorship programs and sponsorship programs</p> <p>Agencies will report twice a year to the Secretaries Board on their progress with the plan</p>	<p>applying it in the workplace.</p>
<p>CBC Canada</p> <p>Strengthening Relations, Walking Together 2024–2027 National Indigenous Strategy¹¹¹</p>	<p>CBC developed this strategy to give direction, provide objectives and goals that reflect our collective commitment to strengthen relations with First Nations, Inuit and Métis across all areas of CBC/Radio-Canada.</p>	<p>Increase equitable access for Indigenous individuals to jobs, leadership positions, and professional development opportunities</p> <p>Improve and promote culturally appropriate benefits and support for First Nations, Inuit and Métis staff</p>	<p>CBC/Radio-Canada has set targets to increase its expenditures on programming created and produced by Indigenous creators over the next five years.</p> <p>30 internal engagement sessions</p>	<p>Key initiatives: CBC will continue to build partnerships with Indigenous-owned broadcasters</p> <p>Reduce harms against Indigenous story sharers, contributors and audiences for example through trauma-informed journalism and the ethical handling of culturally</p>	<p>Incorporate more First Nations, Inuit and Métis perspectives in the offerings of our Learning & Development sector</p>

¹¹⁰ Australian Public Services Commission, *APS Culturally and Linguistically Diverse Employment Strategy and Action Plan*, (Strategy and Action Plan, 2024) https://www.apsc.gov.au/sites/default/files/2024-05/APS%20Culturally%20and%20Linguistically%20Diverse%20Employment%20Strategy%20and%20Action%20Plan%20-%20Accessible_0.pdf.

¹¹¹ CBC Radio Canada, *Strengthening Relations, Walking Together 2024-2027* (National Indigenous Strategy, 2024) <https://strategies.cbrc.ca/media/hjnilknv/national-indigenous-strategy.pdf>.



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	<p>The Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls¹¹² recommended that Canada’s media is integral in upholding reconciliation through truth-telling</p>	<p>Support economic reconciliation, for example by implementing a strategy to include more Indigenous-owned vendors in the procurement process</p>	<p>enabled CBC to reach 130 staff</p> <p>21 engagement sessions were held across Canada, fourteen in English and seven in French, to meet audience members, broadcasters, content creators and industry experts</p> <p>An online survey provided further opportunity for public engagement</p> <p>“CBC needs to come out to the communities – not when stuff hits the fan or if there is a pow wow event – they need to come and reach out to the communities all year long. Build that bridge of trust. Follow up with the community and ask the community what story they would like covered.” –</p>	<p>significant materials and subjects</p> <p>Initiate a study of CBC/Radio-Canada’s past coverage to better understand its reflection and representations of First Nations, Inuit and Métis</p> <p><u>Espaces Autochtones online</u> An online platform where Indigenous and non-Indigenous can meet, learn and interact with Indigenous realities</p> <p>The site offers comprehensive coverage of Indigenous news, covering current issues, challenges and achievements, as well as the history and culture of Indigenous communities</p> <p><u>CBC North Service</u> Offers coverage in English, French and eight Indigenous languages</p>	
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¹¹² Government of Canada, *Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls* (Final Report, 2019) https://www.mmiwg-ffada.ca/wp-content/uploads/2019/06/Calls_for_Justice.pdf.



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			<p>Participant from the Kahnawake, QC engagement session</p> <p>Diversifying partnerships with Indigenous Peoples and growing respectful relationships between staff and local First Nation, Inuit and Métis Elders and Knowledge Keepers</p> <p>Seek guidance from Indigenous Peoples on best practices for Indigenous-led verification of Indigenous identity or authenticity</p>	<p>CBC Indigenous Elevates First Nations, Inuit and Métis perspectives and experiences</p> <p>In 2018, CBC Indigenous launched Beyond 94 to measure Canada's progress in addressing the Truth and Reconciliation Commission's 94 Calls to Action</p>	
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Attachment 2: Anti-Racism in Australia

Organisation	Purpose	Recommendations/Submissions	Consultation
<p>Australian Human Rights Commission (AHRC)</p> <p>National Anti-Racism Framework Scoping Report 2022 Community Guide¹¹³</p>	<p>The purpose of a National Anti-Racism Framework is to provide a long-term, central reference point for the implementation of anti-racist standards and initiatives</p>	<p>Preliminary recommendations: Increase resourcing for community-controlled media</p> <p>Increase the cultural safety of the media sector</p> <p>Implement better regulation of media, especially social media, including legal protections against online hate</p>	<p>Consultations found that First Nations and negatively racialised people are not adequately represented in the media</p> <p>Found that when First Nations and negatively racialised people do appear in the media, they are often misrepresented or stereotyped</p>
<p>ANTAR</p> <p>Anti-Racism Work¹¹⁴</p>	<p>ANTAR provided submissions to the AHRC for their National Anti-Racism Framework Scoping Report 2022</p> <p>Nilmini Fernando, a racial literary scholar and educator, explains that anti-racism is a practice that goes beyond individual actions and attitudes. Being anti-racist means addressing racism in “your practices, your procedures, your policies, the way you do things, how you put your communications out to the world”</p>	<p><u>ANTAR’s submissions suggesting the three main areas of focus:</u></p> <p>Comprehensive public education that addresses racism</p> <p>Addressing systemic or institutional racism that perpetuates structural prejudices</p> <p>Ensuring protections are in place for individuals and also suitable and safe avenues of recourse where people suffer racism</p>	

¹¹³ Australian Human Rights Commission, ‘National Anti-Racism Framework Scoping Report 2022 – Community Guide’ (Scoping Report 2022) https://humanrights.gov.au/sites/default/files/narf_scoping_report_2022_-_community_guide_0.pdf.

¹¹⁴ ANTAR, ‘Racism’, *Anti-Racism Work* (Web Page, 7 December 2023) <https://antar.org.au/issues/racism/anti-racism-work/>.



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		<p><u>Anti-Racism from a First Nations perspective includes:</u></p> <p>Education / Truth-Telling – to address the misinformation that has been shared throughout history and which has had an inter-generational impact on the experience of racial discrimination by First Nations communities</p> <p>Inclusion – of First Nations voices, experiences and knowledge on matters that affect them at all levels to ensure that they are represented and provided with equal opportunity to have their say</p> <p>Right to self-determination – to live a life that is equal to others and free from racial discrimination</p>	
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Attachment 3: What is Best Practice?

This Review

This Review is unique as it looks at Australia's public broadcaster and how it measures against best practice in anti-racism.

The Review Team has researched best practice frameworks internationally and domestically in dealing with racism in the workplace. The Review Team has drafted a distilled version of **15 best practice principles** based on the cumulative work of leading bodies. We summarise the key elements below that generally make up a best practice framework, for the purposes of this Review.

Anti-racism best practice principles

- 1. Commitment from top down**
- 2. Leadership and accountability**
- 3. Public commitment to anti-racism**
- 4. Representation throughout the organisation**
- 5. Comprehensive policies and principles**
- 6. Data that empowers the organisation's decision-making**
- 7. Robust complaints and reporting procedures**
- 8. Cultural safety**
- 9. Support for affected employees**
- 10. Education, public awareness, and truth-telling**
- 11. Legal protections**
- 12. Self-determination**
- 13. Justice**
- 14. Regulation and standards**
- 15. Ongoing learning**

These best practice principles guide the analysis and recommendations of this Review.

Foundation of the best practice principles

An overarching summary of the leading frameworks for anti-racism is discussed below.

In 2022, the Australian Human Rights Commission (**AHRC**) conducted consultations on anti-racism and released its scoping report for a National Anti-Racism Framework. Key findings suggested the following principles for an effective anti-racism framework:¹¹⁵

- 1. Data:** the need for comprehensive data on prevalence, nature and impacts of racism.
- 2. Education and public awareness:** improving understanding of racism in Australia is an opportunity to connect people through common understandings and build momentum for change.
- 3. Cultural safety:** offered as a solution to ineffectiveness and limits of workplace diversity and inclusion initiatives.

¹¹⁵ Australian Human Rights Commission, *National Anti-Racism Framework* (Scoping Report 2022) 11-12.

4. **Legal protections:** that are enforceable and reflective of Australia's international human rights obligations. Enhanced access to rights, the safety and accessibility of reporting mechanisms, are urgent priorities.
5. **Justice:** oversight and accountability is needed, particularly regarding systemic discrimination.
6. **Media regulation and standards:** stronger media standards and effective regulation is needed, particularly on the harmful impacts of racial profiling and stereotyping in the media on public perceptions of communities and perceptions of themselves.

ANTAR provided a submission to the AHRC and noted the following principles from First Nations perspectives:¹¹⁶

7. **Education / Truth-Telling:** to address the misinformation that has been shared throughout history and which has had an inter-generational impact on the experience of racial discrimination by First Nations communities.
8. **Inclusion:** of First Nations voices, experiences and knowledge on matters that affect them at all levels to ensure that they are represented and provided with equal opportunity to have their say.
9. **Right to self-determination:** to live a life that is equal to others and free from racial discrimination (i.e. access to healthcare, education, employment).

On 20 October 2023, the Australian Government committed to expedite a new national racism strategy.¹¹⁷

Further, the Diversity Council Australia defined 10 additional truths to centre Indigenous Australians' voices to create workplace inclusion:¹¹⁸

10. **Commit** to unearthing and acting on workplace truths – however uncomfortable this may be.
11. **Ensure** any Aboriginal and Torres Strait Islander-related work is Indigenous led and informed.
12. **Develop** organisational principles to make it clear how Indigenous community engagement and employment should work in practice.
13. **Focus** on workplace readiness (cultural safety) rather than worker readiness.
14. **Recognise** identity strain and educate non-Indigenous staff about how to interact with their Indigenous colleagues in ways that reduce this.
15. **Recognise** and remunerate cultural load as part of an employee's workload.
16. **Consult** with Indigenous staff on how to minimise cultural load while maintaining organisational activity.
17. **Focus** on sustainable careers and career development, rather than just short-term appointments.

¹¹⁶ ANTAR, 'Racism', *Anti-Racism Work* (Web Page, 7 December 2023) <https://antar.org.au/issues/racism/anti-racism-work/>.

¹¹⁷ Ibid.

¹¹⁸ 'Understand the 10 truths to centre Indigenous Australians' voices to create workplace inclusion', *Diversity Council of Australia* (Web Page) <https://www.dca.org.au/resources/aboriginal-and-torres-strait-islander-peoples/aboriginal-and-torres-strait-islander-peoples-leading-practice>.

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18. Take action to address workplace racism.

19. Look to high-impact initiatives – those that research shows are linked to better wellbeing and retention for Indigenous staff.¹¹⁹

¹¹⁹ See further, 'Gari Yala: Speak the truth', *Diversity Council Australia* (Web Page) <https://www.dca.org.au/research/gari-yala-speak-truth>.



Attachment 4: Protocol for the Independent Review into ABC Systems and Processes in Support of Staff who Experience Racism (2024)

1. Definitions & Acronyms

1.1. Definitions

Approach for definitions

This Protocol uses a variety of terms to refer to individuals and groups who may choose to identify in a myriad of diverse and different ways, according to race, ethnicity, culture, sexual identity, gender identity, family, community, language, genealogy, history, and other factors. While we make every effort to be inclusive, we acknowledge that identifying is inherently personal, and that some terms that individuals identify with may be considered problematic by others. We acknowledge that no group is homogenous, and that people may identify with multiple groups. The definitions in this document are categorised not to create separation, but to be inclusive of the many ways that individuals and groups may choose to identify.

Terms	Meaning
Advocate	In this Review, a person who is a current or former staff member of the ABC, who may not have experienced racism or racial discrimination personally, but wishes to participate in this Review. This includes witnesses of racism/racial discrimination.
Copyright	Copyright provides legal protection for people who express original ideas and information in certain forms.
Country	Country refers to the lands, waterways and seas to which Aboriginal peoples are connected, and describes Aboriginal people's ideas and understanding of law, spirituality, cultural practices, place, customs, family and identity. ¹²⁰
Culturally and Linguistically Diverse or CALD	In an Australian context, refers to cultural backgrounds different from Anglo-Celtic culture. This includes individuals and communities who communicate in languages other than English, either exclusively or alongside English. This includes communities with diverse languages, ethnic backgrounds, nationalities, traditions, societal structures, and religions. For the purposes of this Review, 'First Nations people' are also defined, however it is noted that many individuals may identify with multiple groups.

¹²⁰ AIATSIS, 'Welcome to Country' (Web Page) <<https://aiatsis.gov.au/explore/welcome-country>>.

Cultural protocols	The rules, principles, expectations and norms expected to be followed with a cultural group.
Indigenous	Refers to Aboriginal and Torres Strait Islander peoples in Australia.
Indigenous community	Indigenous community refers to a community of Indigenous people, connected by language group, location, purpose or sector. It should be noted that there are many different Indigenous communities with their own identities, cultures and languages. Many Indigenous people may choose to identify in different ways, for example, by their clan group.
People/Person of Colour	Refers to a person who is not considered 'white' in how they choose to identify. In this document, unless it is expressed to the contrary, People of Colour is not used in reference to First Nations people/s, although individuals may identify with both terms.
Racism/Racial Discrimination	Any direct or indirect act involving a distinction, exclusion, restriction, preference or hatred, based on race, colour, descent or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing of any human right or fundamental freedom in the political, economic, social, cultural or any other field of public life. ¹²¹

2. About the Review

The Australian Broadcasting Corporation ('**ABC**') has engaged Terri Janke and Company ('the **Review Team**') to review and report on the effectiveness of existing institutional systems and processes in addressing racism and/or racial discrimination when it occurs. The Review Team will examine work already undertaken in this regard over the past three years and provide an opportunity for current and former ABC staff to share first-hand experiences of racism and/or racial discrimination ('the **Review**').

All current and former ABC staff that identify as a First Nations person, as culturally and linguistically diverse ('**CALD**'), and/or a Person of Colour are invited to participate. **Advocates** for these staff are also welcome to participate.

The Review Team will produce a public report ('the **Report**') containing the de-identified experiences and observations of ABC current and former staff, key findings and recommendations of the Review.

¹²¹ *Racial Discrimination Act 1975 (Cth)*, s 9.



The Review Team understands that it may be distressing to discuss racism and racial discrimination. Support resources can be found at **Part 10 – Support**.

2.1. Guiding principles

The Review Team operates under the following principles that guide all work relating to the Review:

1. **Deep listening** – we will listen deeply to facilitate genuine understanding and learning.
2. **Humility** – we are leaders in what we do, while acknowledging that we cannot be experts in cultures and experiences that are not our own. We will question our own understandings and learn from you.
3. **Respect** – we highly value your worldviews, perspectives and experiences, and will facilitate conversations with sensitivity and respect.
4. **Cultural protocols** – we will follow cultural protocols for respectful engagement to ensure we deal with cultural content in a sensitive manner.
5. **Integrity** – we will represent your perspectives with integrity in a fair and transparent manner.

2.2. Independence

The Review Team is independent of the ABC and has been engaged to report to the ABC on the effectiveness of existing systems and processes to address racism and/or racial discrimination and to support staff who experience racism and/or racial discrimination. This means we will work with the ABC, but not on its behalf. This independence is necessary for participants to feel safe to honestly and openly share their experiences with the Review Team.

Your participation in the Review is voluntary. Anything that you share with us in the consultations will be kept confidential and will only be accessible by the Review Team, and not by the ABC. The ABC will only see the draft outline of the Report, the Draft Report and the Final Report. The Final Report will be made public. Further information can be found in **Part 6 – Confidentiality**.

2.3. Who is on the Review Team?

The Review Team will be led by Solicitor Director of Terri Janke and Company ('TJC'), Dr Terri Janke (Wuthathi, Yadhaghana and Meriam), and supported by TJC Solicitors Emma Fitch (non-Indigenous); Shekira Cardona (Barunggam, Bardi and Kungarakan), with support from two Paralegals. You can find more information about the team on our website: <https://www.terrijanke.com.au/about>. We are a 100% First Nations-owned legal and consulting firm with expertise in empowering First Nations



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people to succeed, including providing advice on dismantling systemic racism within organisations. We are committed to diversity in all of its forms in support of inclusive workplaces.

An Advisory Panel has been established to provide guidance to the Review Team on the methodology for the Review and the drafting of the report. The members of the Advisory Panel are:

- Professor Tom Calma AO
- Natalie Walker
- Tim Goodwin
- Alex Shehadie.

The Review Team is grateful for their expert guidance for the Review.

The Review is funded by the ABC. The Review Team and Advisory Panel remain independent – funding does not and will not influence the work or findings of the Review.

2.4. Scope

The focus of the Review is on the way the ABC responds and supports ABC current and former staff (in this document, now abbreviated to '**staff**') who experience racism and/or racial discrimination, particularly, Aboriginal and Torres Strait Islander peoples.

Hearing and considering the spectrum of experiences of racism and racial discrimination is essential for the Review Team to formulate its findings and recommendations and report to the ABC accurately. Racism is complex and pervades all aspects of life. These experiences are not homogenous and there is diversity of experiences and impacts amongst many levels of intersectionality, including but not limited to gender identity, sexual identity, and disability.

The Terms of Reference provides the full scope of the Review.

It is not the role of the Review Team:

- To make findings on individual matters, or refer matters for external investigation, including to lawyers, the Fair Work Commission, police or the courts; or
- to act as your lawyer, or provide you with legal advice.

The Review Team are not officers for the purposes of whistleblowing disclosures.

In the unlikely event a participant discloses potential harm to a person or other criminal offence, we may report the matter to police.



2.5. Methodology

Our approach will be a mix of desktop research, quantitative and qualitative research. The Review Team will review literature and data from the ABC, including:

- The ABC editorial guidelines
- Internal policies and frameworks
- Previous de-identified complaints including process and outcomes
- Data from existing diversity forums.

To further understand the lived experiences of ABC staff, participants will be invited to any or all of the below (confidentially):

- participate in individual meetings and/or group forums
- provide a written submission via email.

The Review Team will also conduct confidential individual interviews with current and former leaders.

2.6. Timeline

Stage of Work	Delivery
Stage 1: Start Project <ul style="list-style-type: none"> • Project planning and design • Announcement and initial Invitations to the ABC current and former staff. 	October-December-January 2023/24
Stage 2: Methodology, Design and Planning <ul style="list-style-type: none"> • Research and planning • Developing Protocols, and Confidentiality and Consent Forms • Consulting expert peer reviewers on methodology. 	November-December-January 2023/24
Stage 3: Consultations <ul style="list-style-type: none"> • Further information, consent forms and times for consultations sent to participants February 2024, and communications to ABC staff about participating • Consultations with current and former ABC staff commence February and run across March 2024. 	February-March 2024
Stage 4: Analysis <ul style="list-style-type: none"> • Review and analysis of participant data from consultations and existing sources • Check in with participants for any further consents as required. 	March-April 2024
Stage 5: Audit <ul style="list-style-type: none"> • Assess support systems to address racism and racial discrimination reports. 	April 2024
Stage 6: Interviews with Current and Former ABC Leaders	April 2024
Stage 7: First Draft Report Outline <ul style="list-style-type: none"> • Identifying key findings and recommendations, and developing outline of Report • Providing draft outline to ABC. 	May-June 2024

Stage 8: First Draft Report <ul style="list-style-type: none">• Consulting expert peer reviewers on initial recommendations• Providing a first draft of the report to the ABC.	May-June 2024
Stage 9: Final Report <ul style="list-style-type: none">• Meet with the ABC Executive first, and Bonner Committee second, to present the Final Report.• The ABC publishes the Final Report.	July 2024

3. How to take part

You may participate in any or all of the ways listed below. You must complete and sign the consent form to participate. Participants can sign up at this link ([Participant Consent Form](#)).¹²² Support persons for Participants can sign up at this link ([Support Persons Consent Form](#)).

Group Forums: The Review Team will send invitations for one-hour online group forums via Microsoft Teams. Two lawyers and a Paralegal from the Review Team will be present. At least one of these lawyers will be First Nations. Group consultations will take place across February and March. In the registration, you can express preference for attending a particular group, such as First Nations only, CALD only, women only, men only, or ‘open to all’, and also ask for other group types. The Review Team will endeavour to facilitate this.

Individual Meetings: The Review Team will send invitations for 30 mins to one-hour individual online meetings via Microsoft Teams. Each confidential conversation will have two lawyers from the Review Team present. At least one of these lawyers will be First Nations. Individual meetings will take place across February and March.

Written submissions: Participants also have the option to provide a confidential written submission. A submission template will be sent out to you, but you may also ask the Review Team for the template ([\[contact removed\]](#)). All written submissions must be submitted by email.

Note that Group Forums and Individual Meetings will be recorded, unless you opt out of the recording in the consent form. Recording will only be undertaken for the purposes of accurate transcription. If you opt out of recording for a Group Forum and/or Individual Meeting, the Review Team may include a Paralegal to assist with accurate transcription. Refer to **Part 8 – Managing Data** for more information.

¹²² **Note:** contact details and hyperlinks have been removed from this version for publication.

4. Code of Conduct

Participants and Review Team members are expected to adhere to the following Code of Conduct.

1. Treat one another fairly, courteously and respectfully.
2. Conduct themselves in ways that are culturally safe and sensitive. This includes taking care when repeating or recounting potentially hurtful language or experiences.
3. Ensure that experiences and observations shared in a group forum remain confidential to that forum and should not be disclosed to another person outside of that forum.
4. Acknowledge and respect each other's individual experiences, perspectives, values, beliefs, contributions and ideas, including where these are different to their own.
5. Abstain from unacceptable or unlawful behaviour.
6. Disrespectful, discriminatory, inappropriate or hostile behaviour will not be tolerated, and anyone failing to adhere to these expectations may be asked to not engage with the Review. Any such decisions are at the discretion of the Chair of the Review Team.

5. How will information be used?

Sharing your experiences and observations will help us to inform the report we provide to the ABC and underpin the recommendations we make.

Information you share with us will assist us to:

- learn more about experiences of racism and racial discrimination at the ABC,
- gather data about the issues we are looking at, and
- identify themes to support us making recommendations for improvement.

This Review looks at systemic issues. It is not within the scope of this Review to make findings on individual complaints or experiences.

6. Confidentiality

We will respect your confidentiality by not identifying you directly or through a scenario you describe, when we prepare and finalise the Report. Our sessions will be both group and individual, so that people can elect to provide information on a confidential individual basis.

There are high standards set through the consent form to protect the confidentiality of all participants, to enable individuals to be frank and open with the Review Team if you wish to.



What are the limits on confidentiality?

We reserve the right to disclose any information held if compelled to do so under any law, or if a participant provides express consent. In this Review, the identity of all participants is highly protected and confidential, unless a participant indicates expressly in writing they wish to be identified in the Report.

The Review Team will only provide to the ABC:

- a Draft Report outline
- a Draft Report, and
- a Final Report for publication.

The Review Team will take special care to ensure there is no identifying information in the Draft Report outline and Reports. The ABC will not have access to copies of notes from interviews, written submissions, participant names or details.

The Review Team will seek your additional consent before incorporating any of your direct quotes into the final Report which you will be entitled to grant or refuse.

Should further information be requested from the ABC, TJC complies with the Privacy Act which protects the disclosure of any identifying information about you without your consent. The TJC privacy policy can be reviewed on the TJC website.

7. Consent Form

Participants can sign up at this link ([Participant Consent Form](#)). Support persons for Participants can sign up at this link ([Support Persons Consent Form](#)).

If you require a hard copy form, please ask the Review Team (see **Part 11 – Contacts**).

Please note that if you choose to participate in an interview, group forum, or provide a written submission, you must read the consent form carefully, to ensure you fully understand the document, and provide a signed copy electronically or in physical format.

8. Managing Data from Participants

Your information

People wanting to participate in the Review will be asked for their name and contact details, to assist us to communicate with participants. The consent form asks how you identify (for example) as a First Nations person, as a Person of Colour, and/or as member of a particular community or group. We acknowledge that how people choose to identify is inherently personal and sensitive, and we encourage you to use the terms that feel best for you. We ask for this information due to the nature of the Review, to help us better understand your experiences of racism, or witnessing racism.

Only staff at TJC will access this information which will be stored securely. See the consent form for further information.

The Review Team will store the data and information collected from you in this Review for a maximum of 12 months after the completion of the Project. This excludes any film or sound recordings created during the project, which will be destroyed when the project is complete. Audio recordings, including film and sound recordings (if any) will be stored by the Consultant until the completion of the Project.

Audio recordings will only be used to verify interview notes after which they will be deleted. You can elect not to be recorded by film or sound in the consent form.

The information held about you internally by TJC will be stored in an identifiable format to assist us with drafting the Reports. All participants will be de-identified in any version of the Reports provided to the ABC.

TJC may also retain a copy of de-identified transcripts.

See **Part 6 – Confidentiality** for how the Review Team safeguards your confidentiality.

9. Copyright

Copyright in recordings (written notes, film or sound recordings) will be owned by TJC.

Copyright in written submissions will be owned by the author. The consent form requests that a licence is provided to the Review Team to reproduce the content – this is for the Review Team to provide a report.

Filming and sound recordings are only used to support accurate transcription.

Copyright in the Report will be owned equally between the Review Team and ABC. You can refer to the consent form for further information.

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If we are using a direct quote, we will seek additional consent from the quoted participants. You are entitled to grant or refuse that additional consent in your discretion.

10. Support

The Review Team can facilitate support from an independent counsellor or psychologist for those who need it.

When participating in group or individual consultations, you are entitled to have a support person attend with you.

If you find the topics discussed across the review or sharing experiences distressing or challenging, please know that there are support services available. See the below links to organisations that can provide support:

- [Beyond Blue](#) (24/7 crisis support) – 1300 224 636
- [13YARN](#) (24/7 crisis support) – 13 92 76
- [Media, Entertainment & Arts Alliance \(MEAA\)](#)
- [The National Ethnic and Multicultural Broadcasters' Council](#)
- [Lifeline](#) (24/7 crisis support) – 13 11 14

Please also see ABC services, programs, groups and support arrangements to promote safety and wellbeing below:

- Indigenous, Diversity & Inclusion team within People & Culture
- Bonner Committee
- Indigenous & Diversity HR Case Advocate
- Diversity Advocates Network (DAN)
- Weekly Yarning Circles facilitated by an Indigenous counsellor. Contact [\[contacts removed\]](#)
- Trauma program - Specialist support for ABC staff dealing with work related trauma, including from social media. This includes access to the Trauma Programs Manager
- Social Media support – including access to the ABC's Social Media Wellbeing Advisor
- Peer Supporters
- Employee Assistance Program
- Employee Network Groups
 - ABC Belong
 - ABC Pride
 - ABC Inclusive
 - ABC Mob
- People and Culture Helpdesk.



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For specialist advice and support around Indigenous issues, the First Nations Converge/EAP helpline is [1300287432](tel:1300287432). Consultants can also arrange for referral to other Aboriginal and Torres Strait Islander Peoples services.

If you are ever subjected to abuse online, please report it to your manager. A range of resources for dealing with issues such as being harassed via text line, email and social media are available in the Cybersafety Hub.

Support is always available via the Employee Assistance Program, which is a free and confidential service for all ABC staff and their families.



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