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AMNESTY INTERNATIONAL AUSTRALIA 2022 HUMAN RIGHTS BAROMETER

WHAT ARE AUSTRALIANS CURRENT ATTITUDES TO
THEIR RIGHTS AND THE RIGHTS OF OTHERS?

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Amnesty International is a global movement of more than 10 million people who campaign for a world where human rights are enjoyed by all.

Our vision is for every person to enjoy all the rights enshrined in the Universal Declaration of Human Rights and other international human rights standards.

We are independent of any government, political ideology, economic interest or religion and are funded mainly by our membership and public donations.

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EXECUTIVE SUMMARY

In the 12 months since Amnesty International Australia launched its inaugural Human Rights Barometer there has been a change of government, with an unprecedented number of independent candidates unseating major party candidates elected to the House of Representatives, and the Australian Greens were elected in record numbers.

The electorate also voted emphatically on climate action – many of the successful independent and Greens candidates were elected on platforms with ambitious climate targets as well as more progressive policies on refugee rights and First Nations justice than the incumbents. Labor also went to the election with a commitment to a 43% reduction in emissions by 2030.

Australians clearly care about human rights; the inaugural Human Rights Barometer in 2021 proved that and the latest wave reaffirms that support, despite a slight softening in overall opinions.

Privacy (74%), and free and low-cost healthcare (70%) were seen as the most important rights, while the right to work and equal pay, the right to vote and freedom of speech were considered personally important by 67% of the sample.

Do Australians know if these rights are protected?

Awareness of which rights are currently protected under Australian law remains varied and seemingly not well understood. There was an overall softening of results in 2022, but similar patterns to 2021. Bare majorities of the sample said that the right to vote (61%), freedom from discrimination (55%) and the rights of children (54%) were protected by Australian law. Similarly, only half the sample believed there were laws that protected Australians from torture (51%) and slavery (51%), with the other half saying there weren't or they were unsure. There were similar anomalies for the other rights tested in the survey.

Although Australia is a signatory to the core human rights treaties, Australia's current federal laws only protect people from discrimination on the basis of their sexuality, gender, age, race and disability, and many of those human rights treaties are not reflected in domestic law.

The Australian Human Rights Commission can investigate and respond to complaints about human rights abuses and discrimination through a conciliation process, and if these complaints are not resolved through a conciliation process, then discrimination complaints may be taken to court. Bills are also subject to scrutiny by the Joint Committee on Human Rights. The High Court has held that some rights, such as freedom of political communication, are implied in the Constitution.

These laws and framework are insufficient, and mean the government is failing to protect, respect, and fulfil human rights, as is its responsibility under international law.

There was a slight increase in clarity around whether Australia currently has a Human Rights Act (HRA). About half (51%) said that we did (down from 58% in 2021),

which indicates that while awareness about our lack of protections is increasing, there remains a significant gap in knowledge about what human rights protections are in place in Australia.

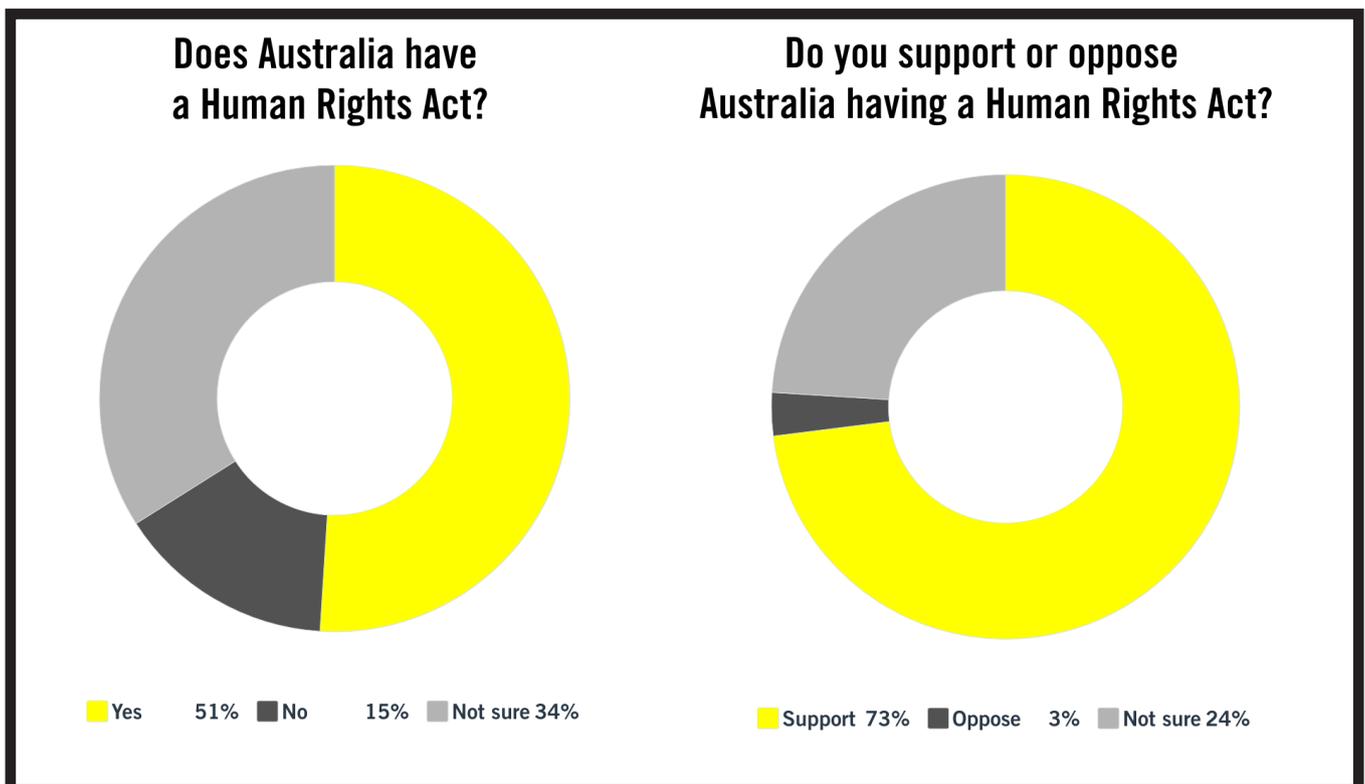
Support for a Human Rights Act (HRA) is still strong

When told Australia doesn't currently have an HRA, 73% show support for its introduction (38% strongly support and 35% support). Three percent show some level of opposition (only 1% strongly), while 16% were non-committed (neither oppose or support) and 7% were unsure. While a slight decrease from 2021 levels, the shifts are mostly within the survey's margin of error.

Twenty-two percent of Australians surveyed identified protecting vulnerable people, including asylum seekers, as one of their top reasons for supporting the introduction of a Human Rights Act in Australia.

In 2022, one-fifth of supporters (22%) felt a HRA would provide important protection for vulnerable people and those who could not speak up for themselves. There was also a more generic response around human rights being a fundamental entitlement for everyone (22%). These respondents often expressed surprise that Australia currently does not have a HRA. Ten percent felt that an HRA would simplify current laws and provide commonly agreed standards.

Knowing that Australia is the only liberal democracy without an HRA again bolsters the case for its introduction: 59% of the sample become more supportive when they know this (similar to 2021).

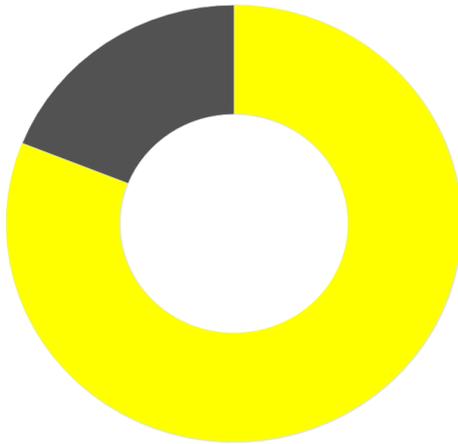


FIRST NATIONS PEOPLES' RIGHTS

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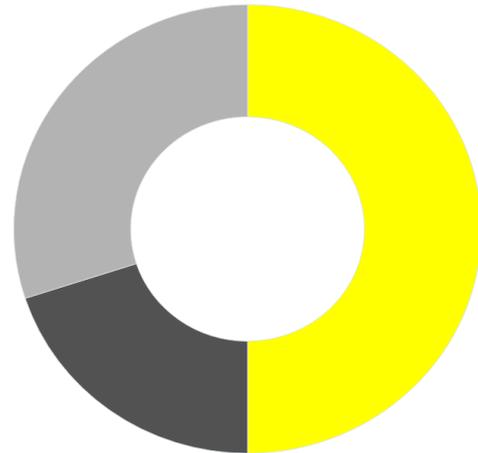


For children who break the law...



■ Alternatives should be looked at 81%
■ Should be imprisoned 19%

Australia should raise the age of criminal responsibility to 14



■ Support 50% ■ Oppose 20% ■ Not sure 30%

In just the second year of measuring Australians' attitudes to human rights, we have seen increased rates of First Nations people incarcerated in Australia. According to Australian Bureau of Statistics data, the Aboriginal and Torres Strait Islander imprisonment rate increased by 5% from 2,294 to 2,412 prisoners per 100,000 Aboriginal and Torres Strait Islander adult population.

At 30 June 2021, Aboriginal and Torres Strait Islander prisoners made up 30% of all prisoners.

The situation is dire for young First Nations people who make up 50% of 10- to 17-year-olds in Australian youth detention, but just 6% of the overall population. While 50% of respondents to the AIA Human Rights Barometer 2022 believe that First Nations people need the most protection within Australia, we have seen conditions and treatment deteriorating for young Aboriginal and Torres Strait Islander people in detention, including removal to adult prisons, solitary confinement, increasing incidents of self harm and the continued use of tools of torture such as spithoods.

There is strong support among those surveyed in AIA's Human Rights Barometer for raising the minimum age of children who can be held criminally responsible from 10 to 14. Half of those surveyed agreed with raising the minimum age and only 20% did not agree. The move to raise the age of criminal responsibility to 14 years was supported by half the sample and only one in five people didn't agree with this option.

There remains a limited awareness of the wide gaps in experience between Indigenous and non-Indigenous Australians.

Reasons given for the high levels of Indigenous youth detention remain similar to the 2021 Barometer, including systemic issues of disadvantage and racism.

Australians believe that alternatives to youth imprisonment must be explored

Australians acknowledge that youth detention should be reformed, with 62% agreeing that 10-year-olds should not be imprisoned. A significant number (81%) of Australians surveyed agreed that there are better options than locking kids up, which is supported by diversion program evidence.

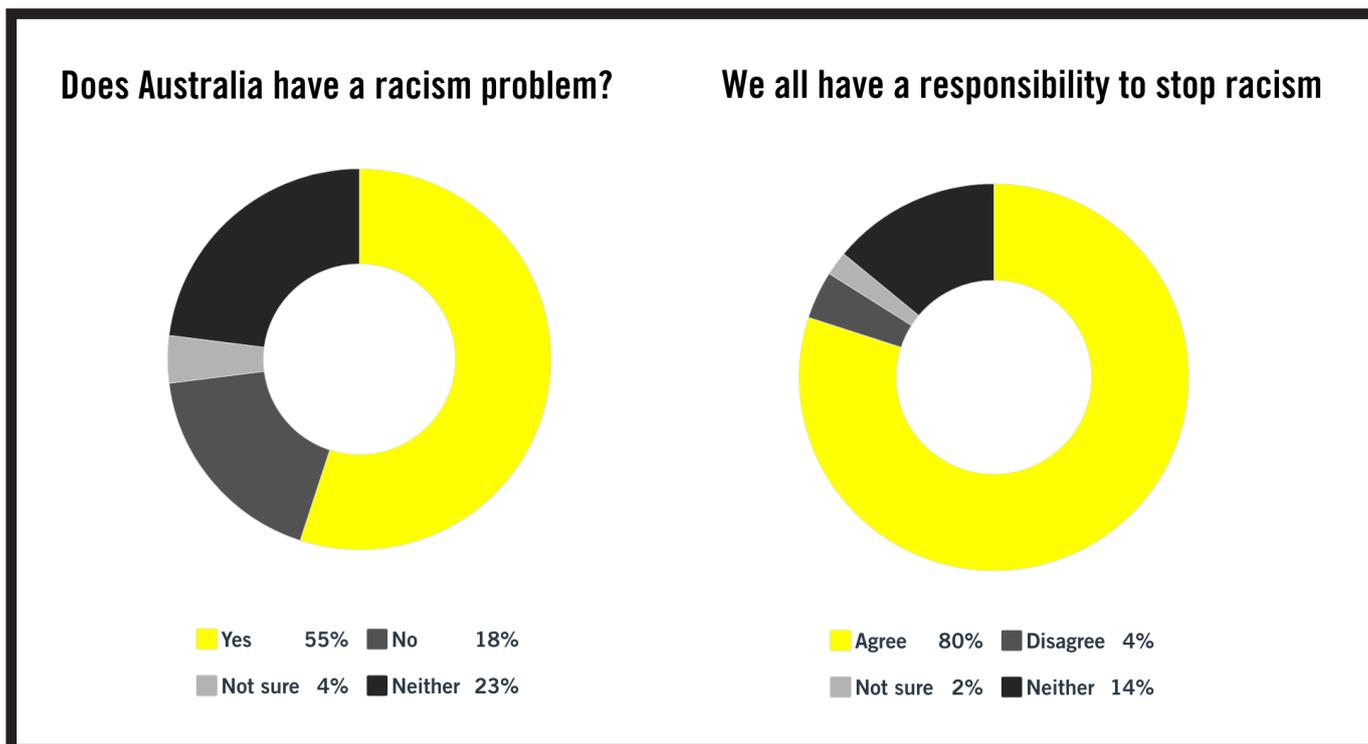
When Australians were asked what human rights were important to both themselves and others, 77% agreed that freedom from discrimination is one of the most important human rights that must be protected, along with equal treatment before the law.

AIA's Community is Everything campaign, established in 2015, works in tandem with several Indigenous-led organisations with the goal of getting kids out of prison. It would appear the majority of Australians agree that it is high time Australian governments act to raise the age.

CASE STUDY

Aboriginal women are the fastest growing prisoner group in Victoria and are significantly over-represented compared with non-Aboriginal women. The Victorian Equal Opportunity and Human Rights Commission undertook research on how to reduce the rate at which Aboriginal women were being imprisoned. Drawing on Charter rights, including the right to equality, Aboriginal cultural rights and the protection of children, the Commission recommended changes including improved access to diversion programs, accommodation support to improve access to bail, and culturally and gender appropriate programs in prison to promote rehabilitation.

Source: Victorian Equal Opportunity and Human Rights Commission, Charter Report, 2013.



For those who don't experience racism first hand, Australia projects itself as a successful multicultural society. But the evidence tells us that Australia has a problem with racism. From high-profile athletes like Adam Goodes retiring prematurely due to the constant and vicious racial attacks he faced for simply doing his job, to systemic racism that lies behind the stark disparity in life expectancy of First Nations people compared with non-Indigenous people, racism is a very real human rights issue in contemporary Australia.

According to AIA's Human Rights Barometer, most Australians (55%) agree that Australia has a problem with racism to some degree, with 14% of Australians strongly agreeing with this statement, indicating there is a significant amount of work to be done addressing the issue.

While the Barometer showed a variety of views on racism in Australia, there was consensus that we all have a responsibility to stop it, with 80% of respondents agreeing or strongly agreeing with this statement.

Issues around multiculturalism should be more freely discussed

A majority of Australians still believe some cultures and ethnic groups do not want to fit into the 'Australian' way of life. While this is a lower number than 2021 (down 57% from 63%) this is still a large figure which points to the need for a broader conversation around multiculturalism in Australia.

When asked if different cultures and ethnic groups should do more to fit in, a similar percentage agreed (55%) and 18% of respondents strongly agreed. Disappointingly, this indicates that a majority of the population believe that a successful and harmonious Australian community is reliant upon some form of cultural homogeneity, again pointing to the need for more discussion surrounding multiculturalism and diversity.



Australians are not sure if Australia is a successful multicultural country

In 2021, the statement was framed as “Australia is a successful multicultural country” which elicited results stating 64% agreed or strongly agreed, and only 12% disagreed entirely. In 2022 this statement was flipped to a negative statement that “Australia is NOT a successful multicultural country.” This produced more fragmented results, with less than half of respondents disagreeing with the notion (46%), while a fifth agree that Australia has not been successful (21%). The ‘not sure’ respondents increased from 25% to 32%. This suggests that positively framing Australia’s multicultural success is easier to agree with, however a negative framing creates confusion and difficulty, with less positive views on Australia’s multicultural success.

CASE STUDY

The Diversity Council of Australia released its report into racism in the workplace earlier this year. The report included personal stories from people about how racism affected them in the workplace. The lived experience ranged from direct and aggressive to consistent microaggressions, but all of the data and first-person stories reveal the significant and detrimental effect racism has on people in every aspect of their lives.

“I am a woman of colour and a migrant. I have a long list of microaggressions perpetuated in my workplace that include patterns of behaviour... [such as] being told ‘You can always have a job at a call centre as a fall back’ (I am a professional), at a group lunch ‘Oh no, they don’t have curry here (steakhouse), what will you do?’ (because clearly that is the only thing we eat). Being told my naturally curly hair is ‘messy’ when it is not tied up, when white colleagues with long hair have it out and no one comments. My workplace has a person who managed me and consistently and constantly pronounced my name wrong over a period of many years. I could go on, as I expect many Women of Colour could.”

Source: Diversity Council of Australia - Racism at Work

COVID-19 IMPACTS ON HUMAN RIGHTS

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There have been limitations imposed on Australians over the course of the global COVID-19 crisis since 2020. As a result, human rights for people across Australia have been affected. While Australians have generally been supportive of lockdown orders and other restrictions designed to limit the spread of the virus, as we come to the close of the third year of the pandemic, people's attitudes have shifted.

Since 2021, there has been an increase in the percentage of Australians who feel that COVID-19 restrictions and orders have infringed their rights. Forty-three percent of Australians feel that COVID-19 lockdowns have limited their rights, compared with 32% in 2021.

There has also been an 11% decline in support for the effectiveness of the COVID-19 measures imposed, compared to the previous year.

In comparison to 78% in 2021, 67% of Australians feel that any impact that COVID-19 restrictions and lockdowns have had on their rights has been worth it to slow the spread of the virus.

A total of 67% of the sample agree that the impact of restrictions and lockdowns have been worth it to slow the spread of COVID-19. Of the sample, 14% disagree with the statement. In comparison to the 2021 Barometer findings, the percentage of those who agree with the statement has decreased by 11%, and the percentage of those who disagree has increased by 6%.

Concern varies across Australia

Queenslanders were slightly more concerned about their rights being limited compared with other states (47%). Victorians were once again relatively less enthused about whether the restrictions were worth it, although the majority still supported them (61%). Whereas, consistent with other polling on the issue, Western Australians bucked any trend, with only 29% saying restrictions limited their rights and a strong majority of 74% saying they were worth it to slow the spread.

CASE STUDY

In response to the ongoing COVID-19 pandemic, the Victorian Government introduced legislation into Parliament which, if passed, would have allowed an officer, authorised under public health legislation, to detain people based on the officer's belief about what the person might do. At the same time, the Government sought to expand the type of people who could be authorised as officers; under the proposal, a member of the public could have been appointed as an authorised officer and given the power to detain people. The Government specifically flagged the use of the controversial powers against people with



mental illness. A range of bodies raised human rights concerns with the legislation. A Victorian Parliamentary committee, which reviews proposed legislation for compatibility with Victoria's Charter, also raised human rights questions about the proposal. The Government agreed to amend the legislation and did not proceed with the proposed detention powers.

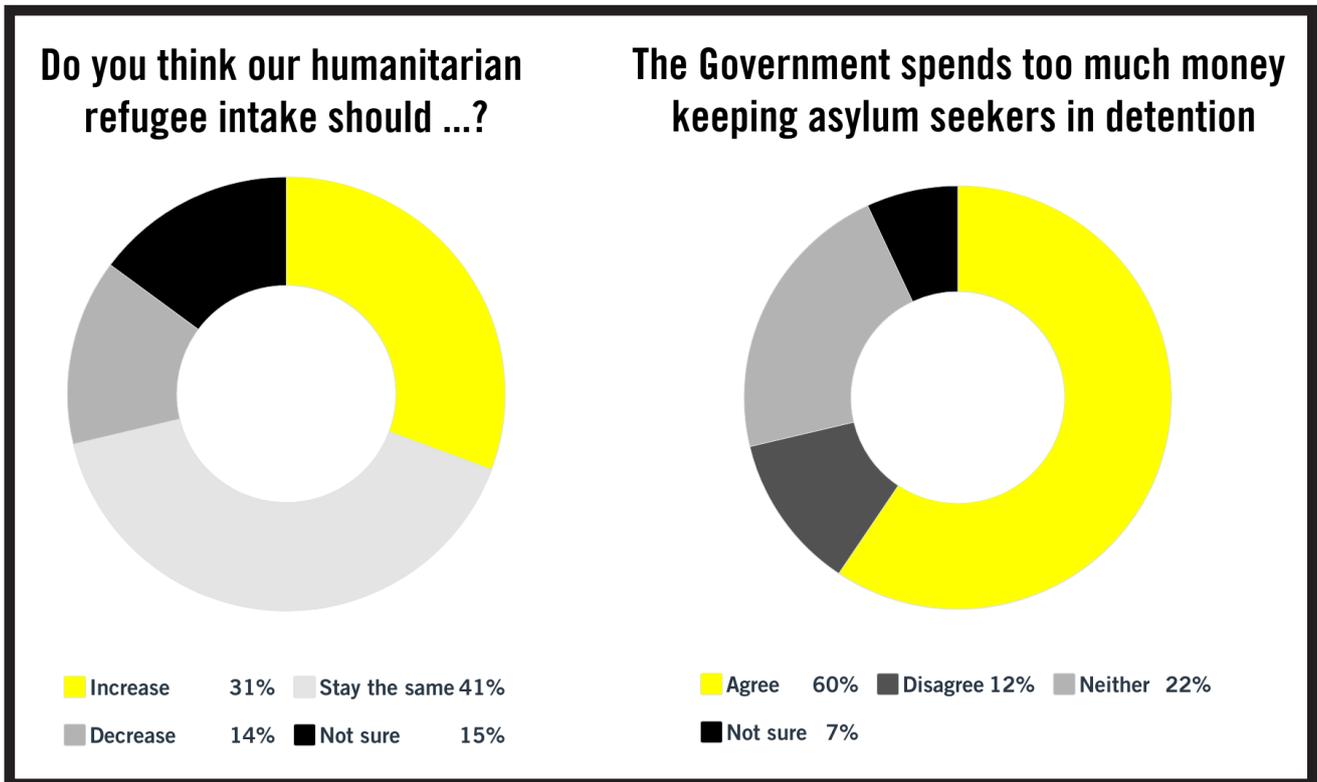
Source: Human Rights Law Centre 2021, Parliament of Victoria Scrutiny of Acts and Regulations Committee Alert Digest No.9 of 2020.

Which rights are important to you personally?



REFUGEE RIGHTS

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During the 2022 Human Rights Barometer survey period, there were approximately 219 people seeking asylum detained in Papua New Guinea and Nauru. Many had been in detention for several years. They were seeking protection in Australia owing to a fear of persecution in their home country.

Amnesty International Australia has called on the Australian Government to end its policy of offshore detention and to immediately bring the refugees and asylum seekers on Manus Island and Nauru to safety in Australia. In 2022, 54% of Australians agreed that if people are found to be refugees, they should be settled in Australia, with 20% strongly agreeing.

Additionally, the 2022 Human Rights Barometer showed that the majority of Australians believe the Federal Government spends too much money on detention. In 2022, 60% of respondents agreed that 'the Federal Government spends too much money on keeping asylum seekers in detention' the amount of spending was similar to figures from 2021 (\$9 billion+ over the past nine years).

There are significant laws in the Australian Government's current community sponsorship program for refugees

Every time a community group successfully sponsors a refugee through the community sponsorship program, our government reduces Australia's humanitarian intake quota. The high costs for sponsors and refugees mean that not everyone who wants to take part can do so.

According to the Barometer, there is less opposition to refugee settlement and community sponsorship than there was in 2021. While there were no dramatic shifts in support for



refugee settlement in Australia and community sponsorship, those who strongly agreed with both ideas did increase slightly (settlement up from 16% to 20%, sponsorship up from 17% to 20%). The 2% increases in the total 'agree' figures for both are within the margin of error, however there was a decrease in those who disagreed with both ideas (total disagreeing with settlement down from 17% to 14%, sponsorship down from 18% to 13%) reflecting diminishing opposition to refugee resettlement.

However, when asked, the most common response was that Australia's humanitarian refugee intake level should remain the same (41%), although around one-third said it should be increased (31%) and only 14% said it should decrease. Another 15% were unsure. Amnesty International Australia has called for an increase in Australia's annual humanitarian intake to a minimum of 30,000 places per year.

CASE STUDY

Education is a human right, but for some refugees and most asylum seekers in Australia, finishing high school after the age of 18 or going to TAFE or university is denied. After August 2012, the Australian Government introduced punitive deterrence policies for people who arrive by boat. This has left many on various classifications of temporary, safe haven, bridging and community detention visas, many without basic rights to work and study. Of particular concern are young people who arrived as children with their families and cannot progress their education. Sara's* family fled Iran in 2013 when Sara was 10. They ended up in offshore detention in Nauru where Sara spent five years without access to any formal education. Passionate about learning English, reading and writing, Sara educated herself through donated books and resources. When her family came to Australia in 2018 for medical reasons, they were put on community detention visas which deny the right to work and the right to study after the age of 18. The family is also subject to curfew at night, restricting their ability to build social connections. Sara was able to go to high school when she first arrived in Australia at the age of 16, but her older sister was denied any access to study. Sara completed her HSC in 2020 but had to engage a lawyer to convince the Department of Immigration to allow her to do so once she had turned 18 in her final year. Sara is now 20 and lives with her family, unable to work or study and progress her life. "What crime did I commit to be treated like this?" Sara asks.

**Names have been changed for privacy reasons*

Pragmatic Research designed and implemented the Amnesty International Australia's (AIA) Barometer survey and analysed and reported on the results for the 2022 wave. The same methodological approach of the 2021 wave was employed for the 2022 wave.

Questionnaire

The Wave 1 questionnaire was refined and added to in conjunction with AIA to cover the following areas of enquiry amongst the Australian population:

- Current attitudes to human rights: which rights are important on a personal level and which are important to others. A total of 21 rights were tested, derived from the Universal Declaration of Human Rights.
- Awareness and support for an Australian Human Rights Act (HRA)
- Attitudes towards asylum seekers and refugees
- Attitudes towards multiculturalism and racism in Australia
- Attitudes towards child imprisonment (2022)
- Experiences of discrimination and attitudes towards current laws (2022)
- The impact of the COVID-19 pandemic on people's rights.

The questionnaire also contained questions covering demographics, the level of political engagement and activism, voting intentions of respondents and information sources accessed. The Appendix contains a full version of the questionnaire used.

Fieldwork

The online survey fieldwork was conducted by Ipsos from April 11 to April 25, 2022. Ipsos programmed and hosted the survey and used their national Online Access panel of more than three million Australians to derive the final sample. Reminder emails were sent to non-responders after their initial survey invitation. The median time taken to complete the survey was 11 minutes.

Sample

To ensure a broad cross-section of respondents was obtained quotas were set on region, gender and age. A total of n=1,606 people completed the survey nationally in 2022. The Appendix contains a full breakdown of the sample profile.

The margin of error for a 50% result from the survey data is +/- 2.5% at a 95% confidence level. That is, if the result to a particular question is 50%, we can be 95% confident the result is between 47.5% and 52.5%.

Analysis and reporting

Our analysis focuses on the total results for each question within the different sections and then drills down into the data to look for any patterns of responses based on gender, age, location, ancestry, voting preferences and information sources. We have tracked shifts in results for those questions that were asked in both 2021 and 2022.

Where relevant we have applied tests to determine the statistical significance of particular results. However, it is our view that greater value can be gained by looking at the broader patterns of response across key variables, rather than focusing on isolated numbers. As such, the body of the report provides commentary on each of the questions based on this approach.

NB. In some charts results will add up to more than 100% because of multiple response options and/or rounding errors.

A note to the reader

In preparing this report, Pragmatic Research has presented and interpreted information that we believe to be relevant for completing the agreed task in a professional manner. It is important to understand that while we have sought to ensure the accuracy of all the information incorporated into this report, information has been gathered through sample-based surveying. The results are, therefore, broadly representative of the community of interest.

Where we have made assumptions for data interpretation purposes, we have sought to make those clear. Similarly, we have sought to make clear where we are expressing our professional opinion rather than reporting findings. The project was conducted by Pragmatic Research's Principal, Pete Wilson, who is a full member of The Research Society. The research was conducted under strict privacy laws with the confidentiality of respondents assured.

ACKNOWLEDGMENTS

The authors of this report would like to acknowledge the traditional custodians of the lands on which we work and live. Sovereignty was never ceded and this is, was and always will be Aboriginal land.

With thanks to the Human Rights Law Centre and its report [*Charters of Human Rights Make our Lives Better: Here are 101 cases showing how.*](#)

Thanks to the Diversity Council of Australia for the use of information from its [*Racism at Work*](#) report.