Aboriginal and Torres Strait Islander Anti-Racism Policy

Introduction

The Aboriginal and Torres Strait Islander Anti-Racism Policy addresses the pervasive, ongoing and unique impact of racism on Aboriginal and Torres Strait Islander Peoples. This policy outlines Ahpra's commitment to ensuring a culturally safe and respectful environment for all Aboriginal and Torres Strait Islander Peoples working with or engaging with Ahpra.

Purpose and Scope

The policy defines racism as a system that results in avoidable and unfair inequalities in power, resources, access, or opportunities. Ahpra recognises the specific historical and contemporary impacts of racism on Aboriginal and Torres Strait Islander Peoples, stemming from colonisation, dispossession, and assimilation policies. This policy applies to all Ahpra workers, including employees, contractors, and board members.

Commitment to Cultural Safety

Cultural safety, as defined by Aboriginal and Torres Strait Islander individuals and communities, is a core aspect of this policy. Ahpra is dedicated to creating and maintaining a workplace free of racism and committed to continuous improvement through the National Scheme's Aboriginal and Torres Strait Islander Health and Cultural Safety Strategy 2020-2025, and the Aboriginal and Torres Strait Islander Employment Strategy 2020-2025.

Policy

Guiding Principles

The policy is founded on several guiding principles:

- **Recognition of Unceded Lands**: Ahpra acknowledges that its work is undertaken on unceded Aboriginal and Torres Strait Islander lands.
- **Positive Duty to Address Racism**: Racism is acknowledged as a workplace hazard requiring management and intervention.
- **Shared Responsibility**: All workers are expected to actively oppose and address racism.
- **Fair and Consistent Handling**: Reports of racism will be handled in a manner that is fair, transparent, and timely, ensuring the safety and dignity of all involved.
- **Restorative Justice**: Ahpra prioritises restorative approaches over punitive measures, focusing on healing and relationship restoration.

Understanding and Addressing Racism

Racism against Aboriginal and Torres Strait Islander Peoples can manifest in various forms, including verbal abuse, exclusion, and institutional practices. This policy outlines the immediate and long-term

health impacts of racism and provides detailed examples of racist behaviours and incidents. It emphasises the importance of recognising and addressing both overt and subtle forms of racism, including microaggressions and lateral violence.

Resolution Pathways

Ahpra expects and supports individuals to take action against racism through direct discussion, anonymous reporting, or seeking support from managers, Respect@Ahpra officers, or other trusted parties. Reports can be made confidentially or identified and will be supported by the racism-related Aboriginal and Torres Strait Islander-only special issues committee (RATSISIC) in accordance with Ahpra's existing policies and procedures. This committee will assess and respond to reports within set timeframes, prioritising the safety and wellbeing of affected persons and ensuring appropriate actions are taken according to Ahpra's existing discipline policy and / or Ahpra's Enterprise Agreement as appropriate. Confidentiality is maintained throughout the reporting and resolution process, with information shared only as necessary to ensure safety and compliance with legal obligations.

Conclusion

This policy underscores Ahpra's unwavering commitment to combating racism and fostering a culturally safe and respectful environment for Aboriginal and Torres Strait Islander Peoples. It provides a comprehensive framework for recognising, reporting, and addressing racism, ensuring that all individuals can work and engage in a space that honours their dignity and cultural identity.

Purpose and Scope

The Australian Health Practitioner Regulation Agency founded in 2010 is governed by the Health Practitioner Regulation National Law and regulates 16 health professions by nationally consistent legislation under the National Registration and Accreditation Scheme (The Scheme).

Racism is an organised system underpinned by the belief that people can be grouped into 'races' which are ranked from superior to inferior. Racism is a phenomenon that results in avoidable and unfair inequalities in power, resources, access or opportunities across racial groups in society. It is expressed through beliefs, prejudices, stereotypes or behaviours/practices that vary by race.

Racism is an ongoing and pervasive experience in Australian society, with many individuals and groups continuing to be subjected to racism (Ben et al 2024). For Aboriginal and Torres Strait Islander Peoples experiences of racism are unique in that they follow from historical and contemporary forms of assimilation (i.e., eradication of Aboriginal and Torres Strait Islander culture via inculcation into dominant Eurocentric cultural norms), colonisation, dispossession and genocide directed at Aboriginal and Torres Strait Islander Peoples, the custodians of this continent, since time immemorial.

This policy commits Ahpra and the National Boards (hereafter Ahpra) to ensuring the environments and workplaces which Aboriginal and Torres Strait Islander board, committee, panel and staff members (as well as Aboriginal and Torres Strait Islander practitioners, students and patients accessing The Scheme) operate within, actively address racism and are safe and culturally respectful. What we expect as the national regulator of Australia's registered health practitioners in relation to providing healthcare free of racism, is the same standard of safety that Aboriginal and Torres Strait Islander Peoples within The Scheme, or accessing services within The Scheme, should expect.

Nationally, racial discrimination is generally unlawful under the Racial Discrimination Act 1975.This policy defines, and provides examples of decisions, behaviours and actions that constitute racism, the approaches and procedures to manage reports and disclosures of racism, and resolution pathways for responding to racism at Ahpra.

Coverage

This policy applies to all Ahpra workers, defined in accordance with Definitions – people policies and procedures PC002 as a person who carries out work with Ahpra including: the Ahpra Board, National Executive, employees, contractors, agency workers, volunteers, interns, work experience staff and statutory employees (board, committee, and panel members). The policy also applies to Aboriginal and

Torres Strait Islander practitioners, students and patients accessing the Scheme, who may experience racism in their dealings with Ahpra.

This policy applies to all workers at any time when they are engaging in work duties, interacting with others in the course of working, and/or when they are at the workplace (including when engaging with others over technology, working remotely, and/or when at social or off-site events in connection with their work).

The policy extends to prospective Ahpra workers (e.g., those applying, shortlisted or interviewed for a position at Ahpra or within the Scheme). This policy also extends to former Ahpra workers who have ceased Ahpra employment but still wish to report racism experienced during their employment within The Scheme. There is no time limitation on reporting racism, however the length of time between an incident and the reporting of an incident may limit Ahpra's ability to take action on a matter.

Commitment

Cultural safety is determined by Aboriginal and Torres Strait Islander individuals, families and communities. Culturally safe practice involves ongoing critical reflection on knowledge, skills, attitudes, behaviours and power differentials in providing environments free of racism for Aboriginal and Torres Strait Islander Peoples. Ahpra is committed to creating a workplace that is culturally safe and free from racism for Aboriginal and Torres Strait Islander Peoples. The National Scheme's commitment to this is detailed in the National Scheme's Aboriginal and Torres Strait Islander Health and Cultural Safety Strategy 2020-2025, and Ahpra's Aboriginal and Torres Strait Islander Employment Strategy 2020-2025.

Cultural safety is also a legislative requirement under the National Law. Ahpra will respond to any and all forms of racism in accordance with this policy as well as Ahpra's code of conduct, code of conduct for board and committee members, discipline policy, unsatisfactory performance and conduct policy, and other relevant policies (see, for example, the list below in the related Ahpra documents section of this policy).

The Respect @ Ahpra framework in conjunction with Ahpra's health, safety and wellbeing policy define key roles and relevant responsibilities in relation to creating and maintaining a healthy and safe work environment. Ahpra will promote, implement and – through co-development with Aboriginal and Torres Strait Islander staff, Scheme and community members – continuously refine anti-racist strategies utilising appropriate reporting mechanisms, processes, procedures and learning opportunities, in order to:

- acknowledge and foster self-awareness, self-reflection, education and learning about, as well as action to address colonisation, institutional, internalised and interpersonal racism, unconscious and conscious racism, stereotypes and prejudices (see glossary), as well as their impacts and effects on Aboriginal and Torres Strait Islander Peoples and communities; and
- recognise the importance, and respect the self-determination (see glossary), of Aboriginal and Torres Strait Islander Peoples and communities to take action to prevent and reduce racism, and to seek redress when racism occurs.

Throughout this policy the terms report and immediate action are used in relation to the national racism-related Aboriginal and Torres Strait Islander special issues committee (RATSISIC). These terms should not be confused with the special meaning and processes that they have under Part 8 of the National Law.

Policy

1. Guiding Principles

1.1. Ahpra:

1.1.1. recognises that its work is undertaken on unceded Aboriginal and Torres Strait Islander lands and that both historical and contemporary forms of colonisation continue to exist and are reproduced within workplaces, with detrimental impacts for Aboriginal and Torres Strait Islander Peoples; who drawing from their lived experience, are best placed to respond to racism and will be supported in doing so;

1.1.2. acknowledges that racism is a workplace psychosocial hazard for which there exists a positive duty under relevant legislative instruments to manage and address;

1.1.3. considers it a shared responsibility to take reasonable steps to address racism and, hence, will expect, support, train and facilitate active bystanders and witnesses to speak up when encountering racism in the workplace;

1.1.4. seeks to handle incidents of racism and provide support to all affected person(s) in a fair, proportionate, practical, contextual, confidential, consistent, transparent and timely manner;

1.1.5. in upholding the sacredness and inherent dignity of all life, will respond to racism utilising principles of natural, restorative and transformative justice; empowering and providing choice through meaningful collaboration and dialogue in how racism is approached, responded to and resolved at every and all stages – only resorting to punitive sanction-based responses (e.g., disciplinary action) when other options have been exhausted or are insufficient; and

1.1.6. advises that workers may be personally liable if reports of racist behaviour are substantiated and that some instances of racism may be investigated by external enforcement authorities (such as police, discrimination tribunals or health and safety regulators), and that individuals may also be subject to civil litigation and/or criminal prosecution.

2. Understanding racism against Aboriginal and Torres Strait Islander Peoples

2.1. Racism (see glossary below) can occur without conscious awareness or intent. Sometimes well-intentioned people or organisations can engage in racism even though they do not see themselves as racist. The important thing is not whether they meant to be racist but whether a racist impact resulted from their actions or behaviours. While racism can be hard to hear and talk about, it is important to acknowledge the negative impact of racism and engage in changes to policy, practice or behaviour to reduce the likelihood of racism occurring in the future.

2.2. It is crucial to understand that accusations, implications or suggestions that a person(s) conduct is racist are very rarely forms of racism in themselves. In other words, it is almost never racist to suggest that someone may have engaged in racist behaviour.

2.3. Lateral violence is also a form of racism in which anger, blame or jealously are directed by Aboriginal and Torres Strait Islander Peoples towards other Aboriginal and Torres Strait Islander Peoples. Lateral violence occurs when people who are targets of, and who have internalised, racism and colonisation turn on each other instead of confronting the system that oppresses them. Lateral violence is also known as horizontal violence, intra-racial racism or internalised colonisation (see glossary).

2.4. Racism against Aboriginal and Torres Strait Islander Peoples can take many forms. Within a workplace context racism is a form of disrespectful or inappropriate behaviour that is unprofessional, uncivil, rude, unpleasant, disturbing, demeaning or offensive. More generally, and sometimes in more subtle ways (see microaggressions in glossary), racism can restrict, marginalise, mock, silence, isolate, ignore, repress, exclude, gaslight, neglect, offend, intimidate, insult, abuse, humiliate, belittle, threaten, disadvantage, harm, deprive, injure or oppress Aboriginal and Torres Strait Islander Peoples.

2.5. For example, racism can take the form of bullying or harassment (see Ahpra's workplace bullying and harassment policy), and, more generally, can include offensive language or comments (in person, via email or other correspondence) and subtle institutional manifestations such as white fragility and cultural load (see glossary) as well as neglecting, underfunding or a lack of consideration or undue scrutiny and criticism of issues and decisions deemed to be about Aboriginal and Torres Strait Islander Peoples or topics.

2.6. Racism can include:

- verbal abuse;
- aggressive and intimidating conduct, including threatening body language;
- belittling, humiliating or stereotyping comments;
- refusal to interact or cooperate;
- incitement;
- victimisation (see glossary);
- practical jokes;

- mimicking;
- hazing;
- offensive gestures;
- unjustified criticism or complaints;
- questioning the authenticity of someone's Aboriginal and Torres Strait Islander identity;
- undermining a person's work performance;
- deliberately withholding necessary information or resources that are necessary for effective work performance;
- supplying incorrect information in the workplace;
- changing deadlines at short notice;
- setting timelines or tasks that are unreasonably below or beyond a worker's skill level;
- limiting or expecting Aboriginal and Torres Strait Islander employees to work solely on, or deal with all, Aboriginal and Torres Strait Islander cultural matters;
- unfair allocation of tasks and/or working hours;
- denying access to information, supervision, consultation, or resources to the detriment of the worker;
- unequal or unreasonable exclusion from, or access to, training, support or leave (including cultural leave);
- spreading misinformation or malicious rumours or innuendo;
- deliberately changing work arrangements such as flexible working, rosters and leave to inconvenience a worker;
- unfair application of work rules and benefits;
- inappropriate interference with personal belongings, offices or work equipment;
- inappropriate surveillance or monitoring;
- deliberately excluding someone from work-related activities (such as social gatherings with colleagues);
- unreasonably isolating a worker; and
- display or circulation of racist material (including in electronic format).

2.7. At the individual level, racism can cause immediate sequelae such as: shock, denial, anger, rage, frustration, fear, anxiety, guilt, shame, sadness, suppression, distress, disappointment, doubt, humiliation, helplessness, stress, confusion, contempt, amusement, disgust, powerlessness, rejection, withdrawal, panic, bodily pain, stomach-ache, headache, muscular tension, breathing difficulties, tremors, shaking, flashbacks, blurred vision, physical weakness, dizziness, vertigo, nausea, vomiting, constipation or diarrhea (Paradies 2006; 2015; 2016).

2.8. In the medium to long-term at a population level, racism has been linked to a range of mental and physical health outcomes, including: anxiety, depression, suicidal ideation, high blood pressure, cardiovascular disease, diabetes, genetic damage, inflammation, poor immune functioning, preterm, low birthweight or small for gestational age, angina, arthritis, asthma, cancer, stroke, ear infection, gastrointestinal infection and disease, kidney and liver ⁄ gallbladder problems, neurological conditions, childhood illnesses, osteoporosis, Parkinson's disease, respiratory infection, rheumatism, scabies, sickle cell disease, sickle cell trait and skin infection, obesity, poor sleep quality and insufficient exercise, as well as maladaptive behaviours such as smoking, alcohol, and substance misuse, risky sexual behaviours and delays in seeking healthcare (Cottonham 2018; Cuevas et al. 2020; Lockwood et al. 2018; Paradies 2015; 2016; Pereira et al. 2022; Rudes et al. 2022; Samari et al. 2018; Selvarajah et al. 2022; Whitfield et al. 2023).

2.9. This policy will support Ahpra to determine where and how racism has played a part in certain situations. The following examples illustrate instances of clear and/or potential racism:

- onerous standards in the procurement of a contract for an Aboriginal and Torres Strait Islander service;
- refused approval for appropriate intellectual property clauses because the contract is with an Aboriginal or Torres Strait Islander organisation;
- disciplinary action under the code of conduct against Aboriginal and Torres Strait Islander staff that isn't taken against non- Aboriginal and Torres Strait Islander staff for similar behaviour;
- work pertaining to Aboriginal and Torres Strait Islander Peoples is questioned and de-prioritised by non-Aboriginal and Torres Strait Islander people because of its proximity to or focus on Aboriginal and Torres Strait Islander work, projects, people or outcomes;

- decisions by Aboriginal and Torres Strait Islander people are overturned by non-Aboriginal and Torres Strait Islander people at the last minute;
- non-Aboriginal and Torres Strait Islander people needing to be involved and insert themselves into safe Aboriginal and Torres Strait Islander spaces because of suspicion or mistrust;
- tone-policing (see glossary) of Aboriginal and Torres Strait Islander Peoples who are too 'angry';
- questioning whether someone is Aboriginal and Torres Strait Islander because of the way they look;
- suggesting that an Aboriginal and Torres Strait Islander person being part of committee decisions about Aboriginal and Torres Strait Islander topics is a conflict of interest because of their Aboriginal and Torres Strait Islander identity;
- non-Aboriginal and Torres Strait Islander staff complaining around an Aboriginal and Torres Strait Islander staff member that they didn't want to complete Aboriginal and Torres Strait Islander cultural safety training;
- non-Aboriginal and Torres Strait Islander board members who have completed Aboriginal and Torres Strait Islander cultural safety training who now believe they can provide culturally safe decisions for Aboriginal and Torres Strait Islander Peoples without involving Aboriginal and Torres Strait Islander Peoples;
- resistance to the inclusion of an Aboriginal and Torres Strait Islander staff member on selection panels for Aboriginal and Torres Strait Islander-identified positions; and
- not supporting an Acknowledgement of Country at a public forum.

2.10. A legitimate, reasonable and soundly based managerial action to direct and control how work is done in the workplace does not constitute racism. Legitimate managerial actions may include:

- providing constructive and appropriate feedback on a staff member's work performance;
- managing performance or underperformance issues;
- transferring, terminating or taking action to make a staff member redundant where the process is conducted fairly and equitably;
- taking justifiable decisions related to recruitment, selection, promotion and other development opportunities;
- allocating work in compliance with systems and policies;
- ensuring that workplace policies are implemented and followed; and
- undertaking disciplinary procedures for proven misconduct, or for actions involving significant breaches of policies and procedures.

3. Responding to racism against Aboriginal and Torres Strait Islander Peoples

3.1. Anyone who perpetrates, experiences, or witnesses racism has the opportunity to contribute to its resolution. Ahpra expects and supports you to take action which may help resolve the problem, if you feel comfortable and safe to do so.

3.2. Action can range from:

- direct discussion with other affected persons;
- providing support to those subject to racism during or following an incident;
- anonymous or confidential reporting through several available avenues (see below);
- confronting perpetrators (including taking responsibility for your own racist behaviour); and
- avoiding participating, or refusing to participate, in racist behaviour, actions, processes or procedures

3.3. Reports of racism can be made directly by someone who has noticed their own racist behaviour, people directly affected by racism or others who observe (i.e., witnesses/bystanders), or have learnt about, racist conduct, behaviour, actions, process or procedures.

3.4. Regardless of how the matter is handled, also consider recording racist incidents or hazards using the Ahpra health, safety and incident management system, Log It, to facilitate ongoing de-identified data collection, analysis, reporting and monitoring.

3.4.1. You have every right to make someone aware that their behaviour or conduct is making you feel uncomfortable, distressed, angry, hurt and/or unsafe. You may wish to speak to your manager or others first to seek guidance on how to have this conversation. It is possible that someone is not aware of the effect of their behaviour and will refrain from behaving in this way again if the negative impacts of their behaviour are shared with them. If it feels comfortable and safe to do so, you can discuss the matter in an honest but respectful manner with the person(s) concerned and make it clear what impact a decision/action/behaviour had on you. It may not necessarily be productive to use the words 'racism' or 'racist' in the first instance and it may be more fruitful to convey the specific problems with, and impacts of, a behaviour before naming it as racism or racist. Listen actively to their response and discuss how to avoid similar incidents in the future, perhaps also agreeing on the best course of action if racist behaviour arises again in the future.

3.4.2. It is best to respond to workplace racism in a manner that works best for you and centres care for your own health and safety. Ignoring racist behaviour could be taken as tacit approval by the person engaging in such behaviour and may lead to further experiences of racism, which could potentially be avoided if the matter was raised earlier. At the same time, people will share their experiences of racism when they feel comfortable doing so, and it may take people time to process what has happened and feel ready to share with others within or beyond the workplace.

3.4.3. In some circumstances, the self-management approach may be inappropriate, such as if there is a significant power imbalance between the affected person and the respondent, if previous attempts to discuss similar concerns have been unsuccessful, or if there are safety concerns. Self-management is never appropriate if it is unsafe or against your wishes. Further guidance on responding to disrespectful workplace behaviour can be found in Ahpra's disclosure and complaint management procedure.

3.4.4. If you do not feel comfortable or safe discussing the matter with the person(s) concerned, consider contacting a respect officer, your manager, their manager or the manager of other involved or affected persons, a People and Culture business partner, or the independent respect hotline. More details on the respect hotline, the role that bystanders, managers, respect officers and People and Culture business partners can play are provided in Ahpra's workplace complaints and reporting procedure.

People perpetrating racism

3.4.5. For those who may have engaged in racist actions or behaviour: listen deeply, be respectful, try not to become immediately defensive, don't suggest in the first instance that the incident is best explained by a 'misunderstanding' or 'miscommunication', that 'you didn't mean it' or 'thought it was funny'. Try to engage in honest personal reflection rather than kneejerk personal protection.

3.4.6. In Australian society, we are all immersed in racist environments from an early age and, as such, we will all engage in some form of racism at least once in our lifetimes (often many more times). Our socialisation in racially saturated environments also means that many forms of systemic racism are invisible and imperceptible to us. Rather than taking suggestions of racism as an individual attack or offence, embrace the possibility that you have made an unintentional mistake and engage with processes to help you only make unique (rather than repeated) mistakes in the future. Such an approach means adopting the stance of an ally or critical friend (see glossary).

4. Resolution Pathways

4.1. Reporting Racism

4.1.1. Reports of racism may be received anonymously (where Ahpra doesn't know the identity of the reporter), confidentially (where Ahpra knows the identity of the reporter but are asked not to disclose it) or in an identified manner wherein the persons affected and the respondent are aware of each other's identity. All reports of racism will be managed sensitively and fairly, with integrity, adopting a trauma informed, person-centred,

compassionate and culturally safe approach that actively and deeply listens to, and respects, the needs of all those involved; ensuring that the safety and wellbeing of the involved person/s is a priority.

4.1.2. Where appropriate, an alternative person such as a manager/colleague or People and Culture business partner may report an incident on behalf of an affected person. Collective reports can also be made by several people who have experienced racism. Ahpra recognises that what most people want is to have their experience validated, their organisation to know what happened, for racist behaviour to stop, and for it not to happen again to them or anyone else.

4.1.3. Racist incidents should be assessed, investigated and responded to in genuine collaboration with affected persons. Such assessment will take place using a balance of probabilities approach that is contextualised within what is already known about the level, extent and ubiquity of racism against Aboriginal and Torres Strait Islander Peoples. We know that the vast majority (about 99%) of racism-related reports are genuine (rather than vexatious) (Morris et al. 2017).

4.1.4. Given this context, the approach adopted by this policy is to accept complaints of racism as authentically made and sincerely felt. This means Aboriginal and Torres Strait Islander Peoples who make a complaint should not be expected to prove the substance of the complaint: that is a matter for management assessment, resolution and action.

4.1.5. In this regard, the policy recognises that some complaints may raise serious issues of individual conduct. In such cases, Ahpra's formal disciplinary or conduct complaints process will be adopted, including application of due process in assessment, notice and decision making.

4.1.6. Individuals who report experiencing racism should be empowered to determine their preferred reporting method and to be actively involved in decisions regarding the response. For example, Ahpra will consider requests to shift between resolution pathways if the initial process is deemed unsuitable, such as moving from an investigation to a more informal resolution. It is essential to engage those raising complaints in shaping the outcome. However, caution is necessary when the case involves disciplinary issues, as these are subject to evidence and legal requirements.

4.1.7. A person-centred approach provides multiple avenues for people to raise their concerns while avoiding the need for them to outline their concerns multiple times to multiple people. Person-centred approaches empower affected persons to choose how they wish to report racism and involves them in decisions about how to respond to racism. Person-centred approaches respect the wishes and best interests of affected persons. For example, affected persons may choose to submit (and engage in ongoing dialogue about) their concern in writing, have a phone call, or meet in person followed by the sharing of food to restore and heal the mind and spirit after challenging discussions. Alternatively, they may request a healing or talking circle, with family and/or friends present or request another restorative justice approach.

4.1.8. However, this does not mean that Ahpra's response or consequences are solely at the discretion of persons experiencing racism. Ahpra has a duty of care to others. Any decisions by Ahpra to escalate issues are made only after considering the wishes of the persons affected, the seriousness of the behaviour, mitigating circumstances, the impact on the individual, the risk to the psychological and physical safety of others, and the likelihood that the behaviour is also a criminal offence. Whenever possible, Ahpra will prioritise early intervention and informal pathways that deliver these types of outcomes.

4.2. Complaint management process

4.2.1. Where possible and appropriate, reports should be managed as informally and as locally as appropriate. The resolution pathways for responding to racism draw, to some extent, from Ahpra's administrative complaint handling policy and procedure and Ahpra's workplace complaints and reporting procedure as well as Ahpra's grievance and discipline policy, which provide further details on aspects of these pathways.

4.2.2. There are unique approaches to responding to racism against Aboriginal and Torres Strait Islander Peoples, as outlined in this policy, which make the Aboriginal and Torres Strait Islander Anti-racism policy the preferred and paramount policy in response to instances of racism against Aboriginal and Torres Strait Islander Peoples. This is not to the exclusion of other policies, which will be referred to in responding to complaints, disclosures of racist behaviour or conduct, and remedial and disciplinary actions.

4.2.3. Racism-related Aboriginal and Torres Strait Islander special issues committee (RATSISIC):

- Racism-related reports will be deliberated on by a pre-convened Aboriginal and Torres Strait Islander-only immediate-action national special issues committee composed of Ahpra staff, board and committee members, practitioners, members of peak organisations (e.g., the National Indigenous Health Leadership Alliance), and community members to provide advice on racism-related reports.

- Appointments to this 5-person advisory committee will be made on 2-yearly rotation jointly by the CEO (or Ahpra Board) on recommendation from the National Director Aboriginal and Torres Strait Islander People and Culture Programs and the National Director Aboriginal and Torres Strait Islander Health Strategy Unit who will co-convene the RATSICIC.

4.2.4. All deliberations by RATSISIC will be undertaken using Aboriginal and Torres Strait Islander approaches which privilege deep listening, yarning (i.e., dialogue) and, wherever possible, decision-making through consensus. All RATSISIC appointees (who are not Ahpra staff) will be appropriately remunerated. For Ahpra staff, participation in RATSISIC will form part of their workload. Potential or perceived conflicts of interest are to be managed as per Ahpra's staff code of conduct or Ahpra's code of conduct for board and committee members, as relevant. All decision-making processes and subsequent outcomes and recommendations will be documented.

4.2.5. Reports of racism will be handled in the first instance by RATSISIC co-convenors (currently the National Director Aboriginal and Torres Strait Islander Health Strategy Unit and the National Director of Aboriginal and Torres Strait Islander People and Culture Programs) or at least two other RATSISIC members, whose contact details will be provided to those reporting racism, and who will provide regular and timely updates to all involved persons on an, at least, weekly basis.

4.2.6. All stages of the process (including the initial assessment) must be clearly documented by RATSISIC. Self-management between those experiencing racism and those perpetrating racism is the first possible stage of resolution (see section 6 above). More generally, racism reports can be received via first, second or third-person, managers, email, independent hotline, a Respect Officer etc. anonymously, confidentially or through identifiable reporting.

4.2.7. Within 24 hours of receipt, an initial assessment is to be undertaken jointly by RATSISIC co-conveners (or RATSISIC member delegates) to determine whether a report may constitute racism for the purposes of ongoing action, investigation or resolution. Where it is not possible to undertake an assessment within 24 hours, the reasoning should be communicated to those involved, with new expectations on time set. It may also be appropriate for the organisation to refer incidents of racism to the Fair Work Commission, the jurisdiction-relevant work health and safety regulator, a national or state/territory human rights and equal opportunity commission or the police.

4.2.8. If determined to not constitute racism this will be discussed with the person reporting racism and, if relevant, referred to Ahpra's policies on discipline; bullying and harassment; anti-discrimination and equal opportunity; sexual, sex and gender-based harassment; violence and aggression; code of conduct for staff and for board and committee members; grievance resolution; Respect@Ahpra framework; unsatisfactory performance and conduct; and framework for identifying and dealing with vexatious reports.

4.2.9. Before engaging in a process of reviewing report claims, RATSISIC will identify, assess, and respond to potential risks to the safety and wellbeing of affected persons, including the risk of victimisation; in collaboration with affected persons face-to-face, by phone or virtually (not only via email or other correspondence).

4.2.10. Ahpra will implement interim measures as appropriate within 5 business days, to be reviewed by RATSISIC, while the matter is still under consideration, every 20 business days in collaboration with affected persons.

4.3. Investigation process

4.3.1. An investigation is necessary where there is uncertainty or dispute about the relevant facts or complex issues or mitigating circumstances which require clarification. For employees, investigations are to be undertaken in accordance with the Discipline Policy and relevant clauses under the Enterprise Agreement. For Statutory appointees, investigations are to be undertaken in accordance with the Resolution Management Procedure for members.

4.3.2. The purpose of an investigation is to gather and analyse all relevant information to help identify whether a report can be substantiated. The report must be acted upon, regardless of whether affected persons are still employed at Ahpra. The outcome of the investigation is to be communicated to those affected, regardless of whether they are still employed at Ahpra.

4.3.3. Where an informal investigation is required, it is to be undertaken by one or more RATSISIC members in consultation with the People and Culture directorate. Where a formal investigation is required, it is to be conducted by an appropriately qualified and experienced internal or external Aboriginal and Torres Strait Islander investigator recommended by RATSISIC. An investigation is to be completed within 20 business days of commissioning such an investigation or agreed alternate timeframe. A list of external Aboriginal and Torres Strait Islander investigators who are available to investigate such matters is to be kept on file by RATSISIC to enable timely appointment and engagement. Investigations may take the form of:

- an informal internal investigation (1);
- a formal internal investigation (2); or
- a formal external investigation (3).

4.3.4. Investigations should consider, among other things:

- any submission from the person against whom a racism report has been made regarding adverse findings;
- previous history between affected persons and the respondent;
- the extent to which there is uncertainty about the facts involved (i.e., the strength of evidence);
- possibility of a vexatious or misconceived report;
- previous relevant history of reports;
- duration and severity of alleged racism;
- severity, frequency, and extent of impact;
- views and wishes of affected persons;
- wellbeing of affected persons;
- degree of risk;
- potential workplace disruption;
- the potential for reprisal and vilification;
- undue advantage or disadvantage for any affected persons;
- any identified extenuating circumstances;

4.3.5. Clear and justified findings and written recommendations are to be provided through RATSISIC to Ahpra's delegated decision makers, in accordance with the Delegation, Sub-delegation and Administrative Authorisation Manual.

4.3.6. As an important aspect of empowerment and self-determination, requests for a formal investigation are to be accommodated.

4.3.7. To ensure accountability and reasonable timeframes, each stage of an investigation should seek to reach an outcome within 20 business days. Where this is not possible, the reasoning should be communicated to those involved, with new expectations on time set. Potential or perceived conflicts of interest are to be managed as per Ahpra's staff code of conduct or the code of conduct for board and committee members, as relevant.

4.3.8. While Ahpra recognises the potential validity of counter-reports (where persons reported as engaging in racist behaviour subsequently make a report of racism in turn against the persons who reported them in the first instance), such counter-reports should not detract from a sufficient response and timely focus on the original report of racism.

4.3.9. Such counter-claims may be forms of victimisation (see glossary) that require risk assessment and management for those reporting racism in relation to a particular incident, as victims, bystander, advocates, support persons, managers, champions, whistle-blowers etc. Any such counter-reports may also be considered under the Ahpra framework for identifying and dealing with vexatious reports.

4.3.10. Under no circumstances will weaponisation of this policy (i.e., deliberate use beyond its intended purposes in order to cause harm to others) against anyone who has used the term 'racism' and/or 'racists' be tolerated.

4.4. Disciplinary process for Ahpra employees

4.4.1. After risk assessment and response, RATSISIC will recommend the appropriate action to respond to a racism-related report within 20 business days. Responses will be specific to the situation, context and circumstances. This could include manager discussion to gain a commitment that the behaviour is to cease

4.4.2. Other responses could, with appropriate approvals, include:

- requesting an acknowledgement from the person who has engaged in racism to the person who has been subject to their behaviour, of the impact of their behaviour and offering an apology;
- reinforcing the requirement for all staff to refrain from racist conduct;
- providing racism-related personal leave (for those experiencing racism);
- changed supervision; reporting lines or work location;
- suspension with pay;
- informal or formal investigation;
- grievance resolution;
- allocation of advocate, support person and/or union representative;
- conciliation;
- counselling;
- direct or indirect internal/external mediation;
- performance management and monitoring;
- training or learning plans in anti-racism and/or cultural safety training;
- training in communications skills;
- training in managing workplace relationships or giving feedback;
- referral to relevant policies;
- broader education and organisational change, development or transformation; or
- other disciplinary action including;
- warnings;
- undertakings; or
- termination

4.4.3. This will entail notifying, discussing and implementing determined actions and recommendations in collaboration with the reporter of racism, those subject to the report and their managers. The form of action to be taken should be decided on a case-by-case basis.

4.4.4. However, it is expected that some action will be taken in response to substantiated instances of racism (i.e., no further action is rarely, if ever, an appropriate determination in response to a racist incident or pattern). Action should include a focus on preventing a continuation / repetition of racist behaviour at both the individual as well as micro-, meso- and macro-organisational levels while also managing, repairing and bringing back into balance, as far as practicable, work relationships.

4.4.5. This may involve a broader and more comprehensive investigation that considers various factors such as individual behaviours, systemic issues, and organisational culture that enable racism in the workplace environment.

4.4.6. The reporter and any other persons made aware of the incident (e.g., supporters, champions and whistle blowers) must also be protected against any victimisation.

4.4.7. For Board and Committee members, the Resolution Management Procedure for members will be enacted with advice from the RATSISIC.

4.5. Resolution reporting

4.5.1. Ahpra will provide de-identified aggregate data on racist reports pertaining to Aboriginal and Torres Strait Islander Peoples on a quarterly basis to Senior Managers and all Aboriginal and Torres Strait Islander staff. In cases where the data set is too small to effectively de-identify without risking the identification of individuals involved, Ahpra will ensure that any reporting respects privacy and confidentiality by:

- anonymising any personal identifiers where possible;
- aggregating data at a higher level of analysis to ensure anonymity; and/or
- providing data in a way that avoids any potential re-identification of individuals

Ahpra will implement procedures to monitor anti-racist strategies pertaining to Aboriginal and Torres Strait Islander Peoples, review their ongoing relevance and capture information about any reports of racism against Aboriginal and Torres Strait Islander Peoples in order to evaluate and improve existing policies, procedures and practices. This will involve consideration of what systems and processes have enabled incidents of racism to occur and how these can be improved, with a view to organisational transformation, as well as individual accountability.

4.5.2. Both the reporter and the person who is the subject of the report must be provided with the following information at the appropriate time and in a timely fashion:

- any immediate action deemed necessary;
- an overview of how the report will be managed;
- an assurance that their right to privacy and confidentiality will be maintained by Ahpra and that no information in relation to the report will be provided to third parties unless considered necessary and / or where reporting obligations apply;
- that they will be given a fair opportunity to describe their experiences, perceptions and interpretations;
- that it is expected they will make themselves available in order to assist in resolving the racism-related report and, where necessary, facilitate this availability by providing contact details and numbers, including when on leave;
- that they will be provided with information on progress of the investigation and any decisions made that may affect them; and
- that various forms of support are available, including counselling, independent advice, union / association representative advice, one or more support persons or advocates and a reporter support service with a qualified Aboriginal and Torres Strait Islander social worker.

5. Support

5.1. Immediately following a racist incident, it is important to seek support. Ahpra's network of specially trained respect officers can assist with initial advice and guidance. In addition to the support of your manager, respect officer or People and Culture business partner, you should also consider seeking help from a support person and/or advocate of your choice either within or outside of Ahpra, who can be involved at any or all stages of the processes outlined in this policy.

5.2. The important role played by Ahpra staff acting as advocates and support persons is recognised by Ahpra as constituting part of their work duties, rather than something undertaken in addition to such duties.

5.3. Ahpra's Employee Assistance Program (EAP) is a confidential counselling, coaching and wellbeing service that is available to all employees and their immediate family members. Alternatively, the Indigenous Cultural Assistance and Response for Employees (I-CARE) program (as part of Ahpra's EAP offering) provides Aboriginal and Torres Strait Islander Peoples with access to qualified, specialist, counselling services provided by Aboriginal and Torres Strait Islander Peoples. Any EAP or I-CARE counselling taken in relation to a racism-related report will

be in addition to any limit on the number of sessions normally accessible by affected persons. Additional specialist support is also available externally. Contact numbers for these services can be found in the Appendix A of both Ahpra's anti-discrimination and employment opportunity policy and Ahpra's workplace complaints and reporting procedure. In addition, there is also the 13YARN (13 92 76) and Yarning SafeNStrong (1800 959 563) helplines, providing 24 hours a day 7 days a week support for Aboriginal and Torres Strait Islander Peoples.

5.4. It is recognised that affected persons may need to share details of racism-related reports with managers, respect officers, investigators, support persons, advocates, counsellors and union representations as well as friends, family members and extended kin for support, processing and to maintain their own health and wellbeing.

5.5. This sharing may occur anytime from immediately after an incident up until decades following an incident. Ahpra recognises the right of individuals to share their experiences with whomever they deem it necessary and appropriate to do so.

5.6. However, it is expected that affected persons (and others who have been informed of the matter in question) will abide by the public comment requirements detailed in Ahpra's staff code of conduct. In addition, Ahpra encourages affected persons who choose to share details of a racism-related incident to do so in a way which does not risk impacting any investigation, and which is respectful of the privacy of others who may be involved in the incident.

5.7. Ahpra will only share information with third parties when required to comply with the law, to obtain legal advice, to report a matter to the police, discrimination tribunals or a health and safety regulator, to facilitate access to support services or to allow for investigation into a report. In some instances, a matter may need to be referred to seek specialist advice, to those who need to be informed to take steps to ensure that the workplace is safe, or to a third party in circumstances that constitute a criminal offence or a health, safety or wellbeing risk.

6. Non-compliance

6.1. Non-compliance with this policy will be managed in accordance with Ahpra's code of conduct, code of conduct for board and committee members, discipline policy, unsatisfactory performance and conduct policy, and other relevant policies (see, for example, the list below in the related Ahpra documents section of this policy).

Related documents

- A framework for identifying and dealing with vexatious notifications
- Administrative complaint handling policy and procedure
- Anti-discrimination and employment opportunity policy
- Ahpra's Enterprise Agreement 2022 – 2025
- PC011 – Code of Conduct
- Ahpra's health, safety and wellbeing policy
- Code of Conduct for Board and Committee Members
- HSW014 – Health, safety and wellbeing policy
- HSW010 – HSW Responsibilities guideline
- Discipline policy
- Disclosure and complaint management procedure
- Privacy Policy
- Information and IT Acceptable Use Policy – Ahpra staff – IS002
- Information and IT Acceptable Use Policy – Board and Committee Members IS010
- Grievance resolution policy
- Respect@Ahpra Framework
- Sexual, sex and gender-based harassment policy
- Unsatisfactory performance and conduct policy
- Workplace bullying and harassment policy
- Workplace violence and aggression policy
- Workplace and family violence policy
- Workplace complaints and reporting procedure

Related external documents

The 'National Scheme's Aboriginal and Torres Strait Islander Health and Cultural Safety Strategy 2020-2025'

The October 2022 legislative amendments to National Law to prioritise culturally safe health care provision and to eliminate racism from healthcare

The April 2023 Work, Health and Safety regulations on managing psychosocial hazards

Related legislation

- Age Discrimination Act 2004 (Cth)
- Anti-Discrimination Act 1977 (NSW)
- Anti-Discrimination Act 1966 (NT)
- Anti-Discrimination Act 1991 (Qld)
- Anti-Discrimination Act 1998 (Tas)
- Australian Human Rights Commission Act 1986 (Cth)
- Disability Discrimination Act 1992 (Cth)
- Discrimination Act 1991 (ACT)
- Equal Opportunity Act 1984 (SA)
- Equal Opportunity Act 2010 (Vic)
- Equal Opportunity Act 1984 (WA)
- Fair Work Act 2009 (Cth)
- Racial Discrimination Act 1975 (Cth)
- Racial and Religious Tolerance Act 2001 (Vic)
- Racial Vilification Act 1996 (SA)
- Sex Discrimination Act 1984 (Cth)

Definitions

Term	Definition
Anti-racism	Anti-racism is an active process, unlike the passive stance of non-racism. Anti-racism work requires consistent, committed, conscious, reflective and targeted attention and action. Anti-racism involves focusing on all level of racism, including internalised, interpersonal and institutional racism.
Allies	Allies can assist by calling out racist behaviour, by confronting or disagreeing with the perpetrator at the time (if it is safe to do so) or at a later point in time; calling out something as racism (if it is productive to do so); interrupting or distracting a perpetrator (if it is safe to do so); directly supporting the victim and expressing empathy (as long as this doesn't add to the burden of the target); seeking assistance and reporting the incident to others; or helping the target to seek internal and/or external wellbeing supports. More broadly, in being an active bystander or ally, it may be useful to: foster reflection on feelings, values, behaviours; question the validity/morality of racism and highlight alternatives; express emotional reactions, note offense and hurt caused; disagree, interject or ask for clarification while racism is occurring; or mobilise support and create supportive organisational environments. If someone shares their experience of racism with you: - listen – remember this moment is not about you and your feelings or experiences; don't compare: making

	comparisons to your own experiences can feel invalidating to the person who is sharing;
	• don't dismiss – a response like, 'I'm sure they didn't mean it' can feel to the person sharing like you're minimising or brushing off their experience;
	• acknowledge – statements like, 'I'm sorry you experienced that' or, 'no one should have to go through that' help the person sharing to feel heard and validated;
	• support – it can mean so much for someone to hear a simple statement like, 'I'm here for you';
	• validate racist incidents at face value as a subjective experience that 'hurts' regardless of their 'objective' validity;
	• remember that neither you nor those experiencing racism are responsible for fixing someone's response to racism, but rather for finding ways to respond to racism itself; and
	• accept expressions of anger and frustration as appropriate responses to racism.
	Examples of what not to say in response to racism:
	• surely, that couldn't have happened in this day and age!
	• are you sure that you heard things correctly?
	• maybe they didn't mean it that way
	• what could you have done to bring this on yourself?
	• do you often see yourself as a victim?
	• well, it's a good thing that doesn't happen every day
	• perhaps you are being too sensitive (Elliot 2008)
Colonisation	Colonisation refers to a combination of territorial, juridical, cultural, linguistic, political, mental/epistemic, and/ or economic invasion and domination of a group of people or groups of people by another group of people (Murrey 2020).
Colonial load	The load placed knowingly and unknowingly on First Nations people by Settlers and Institutions.
	It includes biases, assumptions, expectations and entitlement held by Settlers. Settlers are often ignorant and in denial of the load's existence.
	The load is highly visible to us as First Nations Peoples. When the burden to carry the load is placed on us to carry the load, it causes harm. It can lead to burnout and impact our ability to maintain our Cultural Responsibility. (Weenthunga Health Network, 2023).
	https://www.instagram.com/p/Czsq_vDLn0h/?utm_source=ig_web_copy_link&igsh=MzRlODBiNWFlZA==
Cultural load (also known as colonial load)	Cultural load results from the accumulation of stress, trauma and difficulties accruing from additional responsibilities of Aboriginal and Torres Strait Islander Peoples, such as health inequities; socio-economic issues; cultural obligations such as caring for family members; participating on local advisory councils and boards; being held accountable within the community for decisions made by your organisation; racism; intergenerational trauma; lateral violence; living and working off Country; and expectations of representation and responsibility that form a largely unacknowledged load placed on Aboriginal and Torres Strait

	Islander Peoples to provide knowledge, education and support to their non-Aboriginal and Torres Strait Islander colleagues.
	https://vpsc.vic.gov.au/workforce-programs/aboriginal-cultural-capability-toolkit/supporting-aboriginal-staff/
	https://healingfoundation.org.au/app/uploads/2017/02/Healing-Informed-Organisatons-FINAL-SCREEN-INTERACTIVE.pdf
	https://theconversation.com/attention-managers-if-you-expect-first-nations-staff-to-do-all-your-indigenous-stuff-this-isnt-support-its-racism-176143
	https://www.sbs.com.au/nitv/article/cultural-load-means-mob-taking-on-extra-work-and-its-not-ok/7y4cayk6x
Critical friend	Critical friends are different to allies; they are prepared to accept critiques of their own practice and their complicity in oppressions. They see themselves are part of the problem.
	Critical friends see themselves as having greater responsibility to raise the issues and to work for social change and justice. They do not leave it to the oppressed and marginalised.
	Critical friends focus on dismantling their own power and privileges.
	Critical friendship is a mindset that challenges the saviour complex (i.e., the "I am going to help them" syndrome).
	Critical friends will acknowledge their own complicities and implications in colonial violence.
	Critical friends go out of their way to affirm the legitimacy of Aboriginal and Torres Strait Islander knowledges, philosophies, and perspectives (p. 75 in Styres & Kempt 2022).
Duty of Care	Ahpra has an obligation to all persons impacted by reports of racism including victims, bystanders, notifiers and witnesses. This policy does not dimmish Ahpra's HSW obligations to all affected person/s and ensuring their wellbeing and safety throughout any process.
Intersectionality	Intersectionality refers to the interconnected nature of social categorisations/positionality such as race, gender, class, sexual orientation, disability etc. that create overlapping and interdependent systems of oppression and privilege.
	Intersectionality acknowledges that experiences of oppression and privilege cannot be fully understood by looking at individual identity traits in isolation. Rather these traits intersect and interact, leading to unique experiences and challenges that are not adequately addressed by examining each aspect in isolation (Crenshaw 1989).
Lateral violence	• Lateral violence is a form of racism in which anger, blame or jealously are directed by Aboriginal and Torres Strait Islander Peoples towards other Aboriginal and Torres Strait Islander Peoples. • Lateral violence occurs when people who are targets of, and who have internalised, racism and colonisation turn on each other instead of confronting the system that oppresses them. Lateral violence is also known as

	horizontal violence, intra-racial racism or internalised colonisation. • As with (inter-racial) racism more generally, there are many forms of lateral violence from innuendo, verbal abuse, favouritism, gossiping, belittlement and bullying to exclusion, ostracism, isolation, scapegoating, shaming, blaming and physical assault. • A common form of lateral violence is questioning someone's authenticity, Aboriginal and Torres Strait Islander identity and/or cultural/spiritual connections. • Lateral violence results from cycles of abuse due to systems of racism, oppression, colonisation and intergenerational trauma in which the oppressed become the oppressors of themselves, turning on each other. • Unfortunately, lateral violence is common and normalised at all levels of Aboriginal and Torres Strait Islander communities in Australia, with significant impacts on health and wellbeing (Whyman et al. 2021). • https://nit.com.au/18-05-2022/3081/lateral-violence-is-rampant-in-the-aboriginal-community-so-what-is-it
Microaggressions	Microaggressions include subtle, often unintentional, everyday racist actions, comments, or behaviours towards, or about, members of marginalised or oppressed groups (sometimes also called casual racism). These actions can be verbal or nonverbal and may reflect underlying biases, prejudices or stereotypes. Microaggressions collectively contribute to a hostile or unwelcoming environment, impacting the psychological well-being and sense of belonging of those who experience them (leading to what is called racial battle fatigue). Microaggressions are a common form of racism and can include microassaults, microinsults and microinvalidations. While these forms of microaggressions are distinct in theory, there can be significant overlap in practice (Sue et al. 2019). Microassaults occur when a person intentionally behaves in a racist manner while trying to appear inoffensive. Examples include: commenting on the skin tone or colour of an Aboriginal and Torres Strait Islander person; treating Aboriginal and Torres Strait Islander people as tokens, e.g., 'we've ticked our diversity box'; saying 'I'm not racist, but …; and criticising the cultural values of Aboriginal and Torres Strait Islander Peoples, such as communication, behaviour, and dress styles. Microinsults encompass comments or actions that are unintentionally racist, including: 'what percentage Aboriginal/Torres Strait Islander are you?'; or making occupational or educational assumptions about people from certain cultural backgrounds; or making a joke about an Acknowledgement of Country at the start of a meeting. Microinvalidations occur when a person's comment or action invalidates or undermines the experiences of a marginalised group member. For example, accusing the other person of being oversensitive when they are harmed by a microaggression or questioning whether racism is really still a problem for Aboriginal and Torres Strait Islander in this day and age.

Prejudice	Prejudice refers to biased judgments, attitudes and evaluations towards individuals or groups based on their (perceived) membership in a particular social category.
	These evaluative biases can be explicit or implicit and may stem from societal norms, cultural influences, personal experiences, or psychological mechanisms, leading to the tendency to generalise characteristics, behaviours, or traits onto individuals due to their association with a specific category.
	Prejudice can manifest as both conscious beliefs and automatic, unconscious reactions, often influencing social interactions and decision-making processes (Eagly 2004).
Race	Some people continue to think of 'race' as a biological category – a way to divide and label different groups according to a set of inborn biological traits (e.g., skin colour, eye, nose, face or hair characteristics).
	Despite this view, there are no valid biological criteria for dividing people into distinct racial categories.
	Rather, different cultures classify people into racial groups according to a set of characteristics that are socially significant, such as descent, physical appearance, dress, manner, language, accent, nationality, ethnicity, religion, Indigeneity and other biological and social relationships together with self-identification (Lewis et al. 2019).
Racial vilification	Racial vilification is used in state and territory anti-discrimination legislation to refer to public acts that incite hatred towards, serious contempt for, or severe ridicule of a person or group of persons on the grounds of their race.
	Examples of racial vilification include but aren't limited to: someone wearing a racially offensive t-shirt to the workplace, or racially offensive comments posted on a work chat forum with that include negative stereotypes about an oppressed group.
Racism	Racism is an organised system underpinned by the belief that people can be grouped into 'races' which are ranked from superior to inferior. Racism is a phenomenon that results in avoidable and unfair inequalities in power, resources, access or opportunities across racial groups in society. It is expressed through beliefs, prejudices, stereotypes or behaviours/practices that vary by race (Paradies 2005).
	Although drawing from deeper social patterns, racism can be a single act. Neither behaviours, decisions nor actions need to be repeated or continuous to constitute racism. Racism is best understood within the context of power, oppression and privilege.
	Racial privilege and racial oppression are two sides of the same coin, racial privilege describes unearned advantages based on race, while racial oppression refers to unfair disadvantages based on race.
	If racism is examined exclusively as a problem of oppressed racial minorities, then anti-racist responses will only ever focus on the

	needs of these groups, without addressing and transforming the social structures causing racism (Paradies 2005).

Racism can present in different and varied ways, including conscious or unconscious, active or passive, obvious or subtle, direct and indirect, vilification, harassment, lateral violence, casual racism and microaggressions. Examples of direct racism include:

- denying employment to a prospective employee because she is Aboriginal and Torres Strait Islander;
- making derogatory comments about Aboriginal and Torres Strait Islander Peoples; and
- denying ceremonial leave for an Aboriginal and Torres Strait Islander person to attend a cultural event.

Examples of indirect racism include:

- setting a meeting outside or standard hours which precludes an Aboriginal and Torres Strait Islander person from attending due to their extended kinship obligations;
- unexamined barriers to staff participating in NAIDOC Week activities; and
- advertising job vacancies in media that don't effectively reach potential Aboriginal and Torres Strait Islander applicants.

Internalised (or intrapersonal) racism are racial beliefs, ideologies, stereotypes and prejudices (either negative or positive) held by and within individuals about either their own or other groups.

For Aboriginal and Torres Strait Islander Peoples, internalised racism can include believing negative views and perspectives about one-self or one's racial group (Paradies 2005).

Interpersonal racism entails racist inter-actions between people. When we act upon our stereotypes, prejudices or (un)conscious bias — whether intentionally, visibly, verbally or not — we engage in interpersonal racism. Interpersonal racism can also be wilful and overt and can include racial vilification and racial violence (Paradies 2005).

Institutional racism refers to racial inequity within institutions, organisation and social systems, such as places of employment, education, government agencies and social services.

It can take the form of unfair policies, practices and procedures that result in inequitable power, resources, access or opportunities across racial groups (Paradies 2005). There tends to be significant minimisation, ignorance, silence, indifference, neglect, and denial of institutional racism. |
| **Restorative justice** | Restorative justice (closely related to relational, transformational and transitional justice) is a holistic, collaborative, person- and trauma-centred approach to justice. It is often contrasted with punitive or retributive approaches to justice, which were established in Europe at the end of the Middle Ages (Barmaki 2022).

Restorative justice focuses on addressing harm and conflict by repairing relationships and engaging with the needs of all parties involved; including victims, offenders, and the community. In restorative justice processes, the emphasis is on inclusion, |

	accountability, healing, empowerment, empathy, dialogue, reconciliation, reparation and restoration (Barmaki 2022). While there are many understandings and definitions of justice itself, Aboriginal and Torres Strait Islander approaches to justice are grounded in collective responsibility and a commitment to right relationships between the spiritual realm, nature, and among humans; encompassing ethical behaviours such as seeking truth, harmony, balance, and healing (Chioneso et al. 2020).
Self-determination	Sovereignty, self-governance and self-determination are similar concepts that have a range of political, legal, social and cultural aspects. Some consider sovereignty for Aboriginal people as constituting the inherent rights of a colonised people to, within and from land (or Country) that was never ceded. Self-determination is sometimes encapsulated by the phrase 'nothing about us without us', highlighting the importance of involving Aboriginal and Torres Strait Islander people (or people more broadly) in decision-making to the extent that such decisions impact and affect them. Self-governance is something that can be achieved in communities or larger groups of people. For example, the self-governing independent state of Nunavut in Canada (https://en.wikipedia.org/wiki/Nunavut).
Stereotypes	A stereotype is a widely held and oversimplified belief or perception about a particular group of people. Stereotypes can be positive, negative or neutral and are based on assumptions, generalisations or preconceived notions. These beliefs may not accurately reflect the individuality and diversity of the group being stereotyped and can lead to biased judgments and unfair treatment. Stereotypes can be harmful when they contribute to discrimination, prejudice, and oppression.
Tone policing	While it is not appropriate to speak to others with disrespect, aggression or in an abusive, threatening or demeaning manner; tone policing is the intentional or unintentional deflection from the substance or content of what someone is saying to focus instead on the emotional tone (usually anger or frustration) or manner (raised voice etc.) in which something is being conveyed. This can have the effect of discrediting or dismissing the speaker's argument or information rather than engaging with the substance of what they are saying, regardless of, or in addition to, their tone (https://www.purewow.com/wellness/what-is-tone-policing).
Unconscious or implicit racism	Unconscious or implicit racism is a form of subtle bias that occurs automatically, without conscious control, sometimes despite well-intentioned efforts to be non-racist or anti-racist. Implicit bias occurs more often in stressful, intense, sudden and ambiguous situations which entail high cognitive load. For example, the sudden appearance of a dark-skinned person may trigger feelings or beliefs about aggressiveness or criminality,

	which act as a filter through which that person's actions are interpreted and influence one's judgements of, and/or responses towards, them.
Whiteness and white fragility	Whiteness is about more than simply skin colour. It also encompasses often unmarked, unnamed, default, normalised and invisibilised racial identities; cultural practices; ideologies; and power structures which confer dominance, supremacy and unearned privilege (https://theconversation.com/whiteness-is-an-invented-concept-that-has-been-used-as-a-tool-of-oppression-183387). One aspect of whiteness is white fragility in which white people can exhibit strong distressed, dismissive, defensive or hostile reactions when confronted with discussions or situations that challenge their understanding of race, racism; or their own racial privilege or racial innocence (DiAngelo 2011).
Victimisation	Victimisation is subjecting another person to any detriment, or threatening to do so, because they have, or are believed to have, asserted their rights under the law, made a report about racism, helped someone else make, or supported someone who has made, a report about racism; or it is believed they intend to undertake any of these actions. Victimisation is against the law.

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Appendix

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