ISLAMOPHOBIA REGISTER AUSTRALIA

For more than 65,000 years First Nations people cared for country. We acknowledge the Traditional Owners of Country throughout Australia and recognises the continuing connection to lands, waters and communities. We pay our respect to Aboriginal and Torres Strait Islander culture and to Elders past and present.

13/10/2023

By email: *multiculturalaffairs@homeaffairs.gov.au*

Dear Immigration, Citizenship and Multicultural Affairs, the Hon Andrew Giles MP

Multicultural Framework Review Submission

Thank you for the opportunity to provide a submission as part of the Multicultural Framework Review (MFR).

The Islamophobia Register Australia (The Register) is a not-for-profit organisation that tracks and tackles Islamophobia in Australia. We provide a unique platform for incidents of Islamophobia to be reported, recorded, and analysed into a published report.

The Register has published 4 academic reports on Islamophobia in partnership with the Islamic Sciences Research Academy and Charles Sturt University. Our reports show us that Islamophobia is a problem that continues to persist in Australia, both online and offline.

Earlier this year the Register launched its 4th report on the International Day for the Elimination of Racial Discrimination. The event, held at Old Parliament House in Canberra included speakers such as the Minister for Immigration and Multicultural Affairs Andrew Giles, Minister for Youth Dr Anne Aly, Deputy Leader of the Australian Greens Senator Mehreen Faruqi and Senator Fatima Payman. The informative and engaging panel discussion at the event featured Minister Anne Aly, Kylea Tink MP, and Sally Sitou MP, facilitated by the Register's Founding Chair Mariam Veiszadeh.

Aside from our academic research, the Register also offers victim support services, and has formed partnerships with mental health and psychology clinics that offer culturally sensitive counselling. Further, the Register has also established partnerships and working relationships with a range of top tier commercial law firms who have agreed to provide pro bono legal support to victims of islamophobia. These include some of the largest law firms in Australia as well as a range of mid-tier and smaller law firms. They provide advice on such as areas as employment law, workers compensation and criminal law.

Further information about the Register’s work and Executive team are set out below.

Our hands on work with victims renders us well-positioned to analyse the steps the Australian government should take to improve the lives of Muslims in Australia, particularly Muslim women who are disproportionally the victims of Islamophobia.

There are over 800,000 Muslims in Australia. Given our research, influence and wide-ranging partnerships with community organisations, law firms, mental health organisations, and human rights organisations, this review of the Multicultural Framework is of great interest to us. As the leading organisation tracking and tackling Islamophobia in Australia, we are optimistic that our insights and recommendations will prove valuable to this Review.

Our recommendations with respect to the Review are outlined below.

Please feel free to contact Sharara Attai on sharara@islamophobia.com.au should you require any further information.

Yours sincerely,

Sharara Attai
Executive Director

Sabreen Hussain
Legal Advocacy Officer

ABOUT US

The Islamophobia Register Australia (The Register) is the leading organisation tracking and tackling islamophobia in Australia. The Register was founded on 17 September 2014 in response to growing anecdotal evidence suggesting a rise in incidents of Islamophobia.

The Register is unique in that it is led by women with lived experience of Islamophobia. This allows the team to adopt an empathetic approach when working with and supporting victims, especially as women are the majority of victims of islamophobia.

ABOUT OUR PEOPLE

Mariam Veiszadeh, Founding Chair, Islamophobia Register Australia

Mariam Veiszadeh is an award-winning human rights advocate, lawyer, diversity and inclusion practitioner, contributing author and media commentator. She is also the CEO of Media Diversity Australia.

Mariam has been involved in the anti-racism space for over a decade and has sat on numerous former and current Advisory groups including the recently formed National Anti-Racism Framework Project, Multicultural Advisory Group. Mariam was also a finalist award at the AHRC's Human Rights Awards (Racism. It Stops with me Category) and appointed as an Anti-Racism Ambassador.

Sharara Attai, Executive Director, Islamophobia Register Australia

Sharara Attai is a human rights lawyer who had practised refugee law for 8 years. During her years of practice, she gave legal advice, assistance and representation to countless asylum seekers and refugees from a wide variety of countries.

Under Sharara's leadership the Islamophobia Register Australia was nominated for the 2023 ZEST awards in the category of 'Outstanding Project: Building Stronger Inclusive Communities'. Sharara is currently leading the development of a number of exciting new initiatives for the Register.

Sharara is passionate about helping victims of Islamophobia to regain confidence, working to create an environment where Muslims in Australia can feel safe, open and comfortable about their faith and showcasing the beauty and diversity of the Muslim community in Australia. Sharara is also a picture book author and is passionate about featuring diversity in books.

Dr Derya Iner, Deputy Chair, Islamophobia Register Australia

Derya Iner is the author and Principal Researcher of the Islamophobia in Australia Reports (2017, 2019, 2022, 2023). These reports have had wide influence and reach in Australia and beyond.

Derya Iner is also the Associate Professor and research coordinator at the Centre for Islamic Studies and Civilisation at Charles Sturt University. Derya completed her PhD in Cultural Studies (major) and Gender and Women's Studies (minor) at the University of Wisconsin-Madison (UW), USA in 2011.

Dr Susan Carland, Board Member, Islamophobia Register Australia

Susan is an academic, writer, and social commentator. She completed her PhD in the School of Political and Social Inquiry at Monash University in 2015. Her research and teaching specialties focus on gender, sociology, contemporary Australia, terrorism, and Islam in the modern world. She was recently awarded a Churchill Fellowship in which she will investigate which practices have proven to be most effective over time to fight Islamophobia.

In 2012, Susan was named on the 20 Most Influential Australian Female Voices list by The Age. She has also been listed on the 500 Most Influential Muslims in the World list, and as a "Muslim Leader of Tomorrow" by the UN Alliance of Civilizations.

Hilal Yassine, Board Member, Islamophobia Register Australia

Hilal Yassine is an experienced Entrepreneur & Business executive with an extensive background in business, management and law.
Hilal is the Group Managing Director of First Quay Capital and serves as a non-executive director of (ASX listed) DomaCom, Crescent Group, and several private family companies.

Hilal holds Bachelor's degrees in both Business and Law (UNSW, Sydney), a Master of Laws (UNSW, Sydney) and a Master of Business Administration,
Hilal is also a Graduate of the Australian Institute of Company Directors (AICD) and is admitted to practice as a Solicitor and Barrister in the Supreme Court of NSW and the High Court of Australia.

Mobinah Ahmad, Board Member, Islamophobia Register Australia

Mobinah Ahmad is a digital strategist, an academic, writer, mentor, public speaker, media personality and educator in social media. She is known for her development of a socio-cultural Friendship Theory in 2015. Mobinah has served the multicultural interfaith community for fifteen years with her engagement in community work. She

has been featured in world-class media outlets representing her ideas, community work, faith and identity.
Mobinah is a successful business operations and management professional with over 15 years of progressive leadership experience in diverse settings, including media, corporate, community, and social justice and implementing strategies.

Diana Sayed, Board Member, Islamophobia Register Australia

Diana is the Chief Executive Officer (CEO) of the Australian Muslim Women's Centre for Human Rights. She joined the organisation in October 2019 as an international human rights lawyer with experience working in both Australia and the United States.

With a Master in International Human Rights Law she is an expert on issues pertaining to gender equality, social justice, and human rights. She has worked as a lawyer, advocate, and campaigner for over a decade, and has the lived experience of being a visible Muslim woman of colour in Australia, as a former refugee from Afghanistan.

Dr Nora Amath, Board Member, Islamophobia Register Australia

Dr Nora Amath is an expert community developer whose research focuses on multiculturalism, social inclusion, diversity, leadership and community development. She is a published author and an adjunct Research Fellow at Griffith University. She works at the Islamic Women's Association of Australia and is also a co-founder of Sakina Refuge. Nora also chairs Islamic Relief Australia, the first woman to lead this humanitarian aid organisation.

Nora was a member of the Minister's Queensland Multicultural Advisory Council and the Culturally and Linguistically Diverse Domestic, Family and Sexual Violence Prevention Roundtable. Most recently she has been appointed to the Australian Multicultural Advisory Council. In recognition of her contribution to Australian society, in 2017, she was a finalist for Australian of the Year.

Basim Alansari, Board Member, Islamophobia Register Australia

Basim has extensive experience in executive management in Australia and internationally. While his undergraduate and postgraduate studies have taken him from management to medicine, science, bioethics and public health; his career has been the sum of it all. His multidisciplinary expertise and modern leadership style have enabled him to lead healthcare and disability executive teams in various roles.

Basim is the CEO of psychCentral, a leading multidisciplinary mental health and health care organisation in Western Sydney. He sits on a number of community boards, university advisory boards and governmental committees.

Silma Ihram, Board Member, Islamophobia Register Australia

Silma Ihram has been an educator since establishing Al Noori Muslim Primary School in 1983, working continuously in education for almost 40 years. She was the founder of two Muslim Schools and a Vocational College. She has held the position of Principal in 4 schools during that time.

A Muslim convert since 1976, she has been an active member of Muslim Women's Associations since the 70s and has been a community activist and frequent media spokesperson. She was also a founding member of the Australian Council for Islamic Education in Schools. Silma has conducted research on Muslim youth in Sydney, Muslim women converts and the barriers that exist for Muslim women's employment and most recently Islamic pedagogy. She was awarded the Centenary Medal for her work in the community. Silma is currently studying permaculture and working as an education consultant.

Safiah Rind, Board Member, Islamophobia Register Australia

Safiah Rind is a Yamatji Badimaya woman based in Boorloo (Perth) on Wadjuk Country has connections in Jambinu (Geraldton) and Mount Magnet region. Safiah has experience working in community initiatives and research. She has a Bachelor of Arts in Mass Communications with a focus on journalism and photography.

Safiah also has experience in organisational development and strategic writing. Safiah has been working with organisations for the last five years in multi-media and content creation. She has experience and a passion in documentary filmmaking, photography and script writing.

Naima Ibrahim, Secretary, Islamophobia Register Australia

Naima Ibrahim is a writer, community worker and early childhood professional. Her work has appeared in various publications and she has been shortlisted for Kat Muscat Fellowship and Monash Prize in Creative Writing. She is currently working on her debut novel.

WHAT WE DO

The Register engages in various kinds of work.

Academic Research

The Register collects data on hate incidents, crime, discrimination, whether online or in the physical world. This data is collated in national research reports that are published in partnership with Charles Sturt University and the Islamic Sciences Research Academy.

Having published 4 academic reports, the Register codifies the Islamophobic incidents that happen across Australia, analysing trends in the data, and working towards preventing hate crimes and discrimination on the basis of religion. In this way the Register aims to increase harmonisation, unity, and understanding across Australian society.

The Register's academic reports are a first of their kind in Australia and have helped bridge a unique gap in terms of research in this under-resourced area. These reports have had widespread media coverage via SBS, the ABC, Women's Agenda, and The Conversation Australia. A link to some of the media coverage our reports have received can be found here.

Victim Support Services

Mental Health

The Register supports victims of islamophobia who are suffering psychologically as a result of trauma, by offering warm referrals to our mental health partners. These partners provide culturally sensitive mental health support and counselling.

Legal referral pathways

The Register works to improve the justice experience of victims who are navigating police and the legal system.

The Register has established multiple partnerships with law firms that provide expertise across a range of legal areas including criminal law, workers compensation, employment law, defamation, insurance law, and discrimination. These firms, which include some of Australia's biggest commercial firms in Australia, have agreed to provide pro bono legal support to victims of Islamophobia.

Advocacy

In some circumstances, the Register can also provide advocacy support to victims of Islamophobia. This advocacy support can take various forms depending on the circumstances of the individual case.

Policy and law Reform

The Register also engages in policy and law reform work. Earlier this year the Register put forward a submission regarding the proposed Counter-Terrorism Legislation Amendment. In particular, the Register focused on the legislations inclusion of the ISIS flag and highlighted how the flag included core tenants of the Islamic faith. The Register concluded that banning the flag would thereby inextricably link Islam and terrorism, resulting in increased Islamophobic sentiment. The list of submissions for this Bill can be found here (the Register's submission is number 90).

Education

The Register has also published educational resources tailored to different segments of the community, in order to assist in understanding and tackling Islamophobia. In this way the Register aims to nurture networks for knowledge-sharing, skill-building, and education, as well as empowering Muslims and Muslim-allies concerned about racism, and the broader community.

Future work

In the near future the Register will be launching:

- An activation of bystanders campaign that is aimed at urging bystanders to step in and assist if they witness an incident of islamophobia.
- A video series on islamophobia and mental health in partnership with a Victorian-based community organisation.
- A cross-community alliance in order to help diverse communities be prepared for any future catastrophes, such as the Christchurch attack which sparked an increase in Islamophobia. Further, the Register will also be expanding its academic research work.
- Delivering youth workshops by the end of 2023.

WHAT THE RESEARCH TELLS US

Under-reporting of Islamophobic Incidents

The number of cases reported to the Register does not reflect the reality. As with other forms of hate crimes, Islamophobia is consistently underreported in Australia, and this was addressed in the second iteration of the Register's report.[1] It is difficult to ascertain to what extent Islamophobia is underreported but we note that NSW Police launched an anti-hate crime campaign in February 2023 where they noted in their press conference that hate crimes are majorly underreported and that research

[1] Dr Derya Iner et al, 'Islamophobia in Australia II – 2016 – 2017', *Islamophobia Register Australia and Charles Sturt University*, 2019, page 24, available at: https://islamophobia.com.au/wp-content/uploads/2021/12/Islamophobia-Report-2019LOW-Res.pdf

tells us that only 10-15% of these are reported to the Police.[2] The Register receives reports of anti-Muslim hate crimes as well as incidents, and we believe that hate incidents as distinct from hate crimes, are even more severely underreported at present, given that victims often do not see any tangible benefits to reporting these incidents to organisations such as the Register.

The report suggests that people may be demotivated to report, knowing they will be told nothing can be done.[3]

Mental Health concerns

Our reports have found that 70% of reporters of offline Islamophobia and 47% of reporters of online Islamophobia expressed an emotional impact, such as fear or fright, sadness and worry.[4] This is particularly unsurprising given that one of the common forms of online Islamophobia were various forms of death threats.[5] At the moment, the Register is only able to offer warm referrals for mental health support to culturally sensitive mental health partners.

However, this mental health support is not financially supported or subsidised by the Register and so these referrals offer limited value for victims when compared to financially supported channels of seeking mental health support. We believe one reason Islamophobia is so underreported in Australia is that there is limited tangible benefit regarding mental health support that can be accessed through reporting. The need for mental health support for victims, witnesses and those affected by Islamophobia is therefore crucial, and the mental health issues involved in situations of hate can be multi-faceted and compounded. Victims of islamophobia often need targeted, culturally sensitive mental health support, and many victims may be financially unable to access that support. Any form of abuse or harassment can lead to poor mental health for people, but where that abuse or harassment is bias motivated, those poor mental health effects can be amplified.[6]

Training

The Islamophobia Register's second report highlights that due to the Islamophobic incidents that occur to Muslims in the workplace, there is a need for cultural literacy and sensitivity training in places of employment.[7] The 2021 Australian Human Rights

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[2] Assistant Commissioner Mark Walton, NSW Police Launch Campaign to Increase Reports of Hate-Motivated Incidents, Channel 7 News, 19 January 2023, at 2:05 onwards, available at: NSW Police launch campaign to increase reports of hate-motivated incidents | 7NEWS - YouTube.

[3] Above note 1.

[4] Dr Derya Iner et al, 'Islamophobia in Australia IV – 2014 – 2021', *Islamophobia Register Australia and Charles Sturt University*, March 2023, page 104 & 106, available at: UPDATED_IslamophobiaInAustralia_ReportIV_digital_lowres_spread_update.pdf (csu.edu.au)

[5] Above note 5, page 74.

[6] Caroline Mellgren et al, 'For Whom Does Hate Crime Hurt More? A Comparison of Consequences of Victimization Across Motives and Crime Types', *J Interpers Violence.* 2021 Feb;36(3-4):NP1512-1536NP. doi: 10.1177/0886260517746131. Epub 2017 Dec 18. PMID: 29295032.Caroline Mellgren, available at: For Whom Does Hate Crime Hurt More? A Comparison of Consequences of Victimization Across Motives and Crime Types - Caroline Mellgren, Mika Andersson, Anna-Karin Ivert, 2021 (sagepub.com)

[7] Above note 1, page 69.

Commission survey found that 48% of Muslims face discrimination in the workplace or when seeking employment.[8] The report discussed how reports pertaining to workplace discrimination were amongst the least reported due to concerns around job security.[9] Both of the Register's subsequent reports continued to showcase incidents of Islamophobia in the workplace.

For example, one incident reported to the Register was where a woman was denied employment on the basis of her hijab and modest dress. The prospective employer said she was unsure how 'clients would react to dealing with someone like me (her)'.[10] Another report made to the Register involved comments made by an employee to a Muslim employee, regarding the fact that the Muslim employee was reading a book about foreign policy and relations between the US and Pakistan, and their involvement in Afghanistan. The comments were, "*don't read books, such that you may end up blowing yourself up in Australia*", and "*Do you read the Qur'an, have you read the Qur'an?*".[11]

For this reason the report highlighted the importance of offering cultural and religious literacy packages to a broad range of professionals, in order to improve understandings and acceptance in the workplace.

HOW WE CAN HELP?

Under-reporting of Islamophobic Incidents – government funded research and outreach

As outlined above, the number of cases reported to the Register does not reflect the reality. It is difficult to **address barriers that prevent Australian Muslims from fully participating in Australian society** in accordance with the MFR's Terms of Reference, if these barriers are not adequately understood. Experiences of islamophobia and the fear of being subjected to it, is one such barrier that needs to be properly measured and understood.

The Register's reports have helped to bridge an important gap in research in this under-resourced area. However, the Register does not have sustainable or adequate research funding.

The Register proposes that through government funded research and outreach it will be able to increase the reporting of Islamophobia. This will allow the Register to further its research and understanding as to the scale of Islamophobia in Australia and how it manifests. Both of these represent **important strategies to promote multiculturalism, social cohesion and inclusion** for Australia's 800,000+ Muslims.

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[8] Dr Derya Iner et al, 'Islamophobia in Australia III – 2018 – 2019', *Islamophobia Register Australia and Charles Sturt University*, 2019, page 40, available at: https://researchoutput.csu.edu.au/ws/portalfiles/portal/208330970/Islamophobia_Report_3_2022_LR_Spreads_RA.pdf

[9] Above note 1, page 63.

[10] Above note 5, page 38.

[11] Above note 5, page 30.

The Register proposes to hire a government funded outreach officer to attend mosques and community events to collect reports of incidents of Islamophobia. This officer will be able to educate Muslims about the importance of reporting, as well as highlight the pathways available to victims of Islamophobia. Through this proactive approach to research, the Register's future reports will be more likely to better reflect the true number of Islamophobic incidents that occur in Australia. This will ultimately widen the depth and breadth of the academic work the Register is able to produce, including programs and educational materials about Islamophobia and hate-crimes.

Mental Health concerns

To help tackle the mental health concerns outlined prior, and ensure that victims or anyone significantly impacted by Islamophobia (such as witnesses or family members) get the mental health support they need, the Register suggests funding the delivery of free or heavily subsidised mental health support to victims of Islamophobia who report to the Islamophobia Register Australia. We propose a government-funded partnership between the Register and a culturally and religiously sensitive mental health organisation that the Register works with, so that counselling can be provided freely to victims of Islamophobia. It is proposed that the Register would project manage the mental health service and make the referrals to the mental health partner for service delivery.

By offering free mental health support to victims of Islamophobia who report to the Register, victims and others affected by Islamophobia will be able to access the crucial mental health support they need. More people will report to the Register in order to be able to access mental health support and begin their healing journey. We believe this will also have the benefit of increasing the number of incident reports to the Register for the purpose of data collection of which is crucial to help tackle Islamophobia, which can help with advocacy against Islamophobia and which ultimately has a circular affect as reduced Islamophobia will mean a reduction in poor health outcomes. This will represent a crucial **service to support multicultural Australia**, in accordance with the MFR's Terms of Reference.

Training

As a community-based organisation founded and run by people with lived experiences of Islamophobia, the Register is in a unique position to orchestrate, organise, and run government-funded religious diversity training in workplaces. Through the academic research undertaken at the Register, as well as through the expertise of those who work there, the Register is well-equipped to assist, guide and inform about Islam, how to be religiously sensitive and appropriate, and the requirements Muslim employees may have. This will help to **support a cohesive and inclusive multicultural society**, and help to **ensure that workplaces are fit for purpose in harnessing the talents of Australian Muslims** per the Terms of

Reference. When workplaces become more inclusive and have a better understanding of the needs of their Muslim employees, it is also likely to assist with the **promotion of Australian Muslims into leadership roles.**

FEDERAL LEGISLATIVE AND REGULATORY FRAMEWORKS

One of the key focuses of the MFR is to consider the effectiveness of existing federal legislative and regulatory frameworks and legal settings. We encourage the MFR to consider the following key issues.

Amending Australia's terrorism laws

Australia's terrorism definition refers to an action or threat that is ''made with the intention of advancing a political, religious or ideological cause''.[12] This law leads to authorities mischaracterising the actions of groups such as the Daesh as religiously motivated, even though their actions would more appropriately be classed as ideologically and/or politically motivated. The Register believes that using this term is highly problematic and inaccurate as it conflates Islam and terrorism, which will contribute to Islamophobia. The Register requests this language be removed from the Criminal Code Act.

Formally adopting a definition of Islamophobia

Islamophobia is a major impediment to social cohesion. However, it is difficult to tackle something without, as a starting point, defining it and using appropriate terminology. The Islamophobia Register proposes that the Australian Government use the term Islamophobia when speaking to this issue, and also adopt a formal definition of Islamophobia. In Britain an All-Party Parliamentary Group on British Muslims' was formed to construct an official definition of Islamophobia. The working definition decided upon was:

'Islamophobia is rooted in racism and is a type of racism that targets expressions of Muslimness or perceived Muslimness.'[13]

This working definition has been adopted by the Labour party and the Liberal Democrats in Britain as well as the Scottish Tories.[14] A similar approach should be taken in Australia, along with the inclusion of Islamic community groups to give their input.

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[12] *Criminal Code Act 1995* (Cth) s 100.1(1)(b)

[13] Commons Library Debate Pack 8, *The definition of Islamophobia* (House of Commons Paper No CDP-0140, Session 2021). Available at: https://researchbriefings.files.parliament.uk/documents/CDP-2021-0140/CDP-2021-0140.pdf

[14] Government criticised for rejecting definition of Islamophobia | Islamophobia | The Guardian

OUR RECOMMENDATIONS

Based on the key evidence-based issues identified above, the Islamophobia Register Australia recommends the following:

1. Funding to increase reporting of Islamophobia in Australia, which will aid further research on how islamophobia impacts Australia's social cohesion.
2. Funding outreach officers to proactively encourage people to report Islamophobia and collect incident reports
3. Funding to provide culturally-sensitive mental health support and counselling to victims of Islamophobia.
4. Commissioning and funding the creation of practical handbooks and related training to deliver to workplaces. This would include religious diversity training for employers with a focus on Islamic requirements.
5. That the Counter-Terrorism Legislation Amendment not include the ISIS flag.
6. The term 'religious' be removed from the *Criminal Code Act 1995* (Cth) definition of terrorism in s100.1(1)(b) of the Act.
7. That the Government adopts a formal definition of Islamophobia in consultation with the Australian Muslim community including key organisations such as the Register.