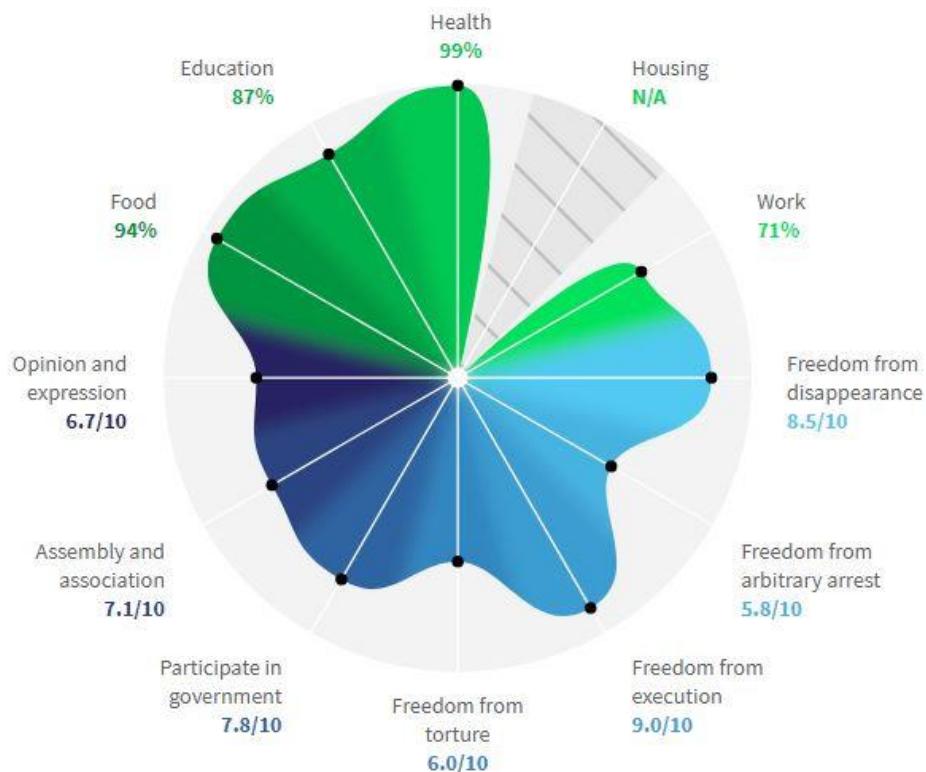


# New data on Australia's human rights performance highlight serious problems

Most Australians are probably aware of some of the stories of torture and abuse of teenagers in the prison system that have emerged over recent years. Many may assume that these are rare exceptions in a developed country. But the [Human Rights Measurement Initiative's](#) (HRMI) new dataset suggests that Australia's human rights challenges are more significant than many may realise.

The chart below summarises Australia's performance across 12 human rights. In this chart, each axis represents a right. The further from the centre of the circle the country's score is, the better the performance of the country on that human right.

Scores for seven civil and political human rights are shown around the bottom half of the chart (each in a different shade of blue) and scores for four of five economic and social human rights are shown around the top part of the chart (each in a different shade of green). Data on the right to housing are shown as missing. The shape of the chart tells us that Australia is performing better on some human rights than on others.



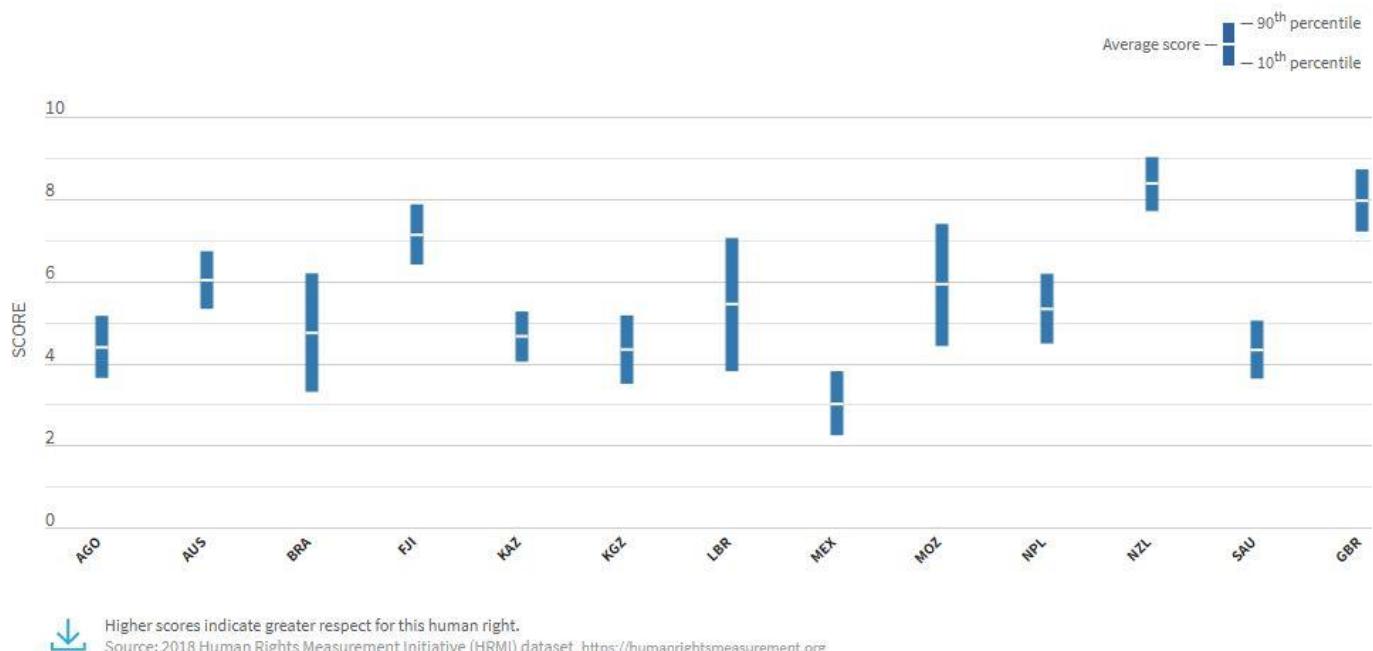
Let's dig into this in more detail, starting with Australia's performance on the right to freedom from torture and ill-treatment, which is scored 6/10. There are no objective statistics on things like torture because it tends to take place in secret or be framed in other terms. To circumvent this problem, we surveyed human rights experts in Australia and calculated scores based on the information they provided.

In the chart below, Australia's (AUS) performance on this human right is compared with that of the 12 other countries in our pilot sample of civil and political rights. The two other high-income OECD countries we have data for so far are New Zealand (NZL) and the United Kingdom (GBR). The chart below suggests that Australia's performance on the right to freedom from torture and ill-treatment is likely a good deal worse than both New Zealand and the United Kingdom's performance.

We draw this conclusion from the fact that there is no overlap of the blue bars for Australia and those for New Zealand and the United Kingdom; i.e. the top of the bar representing Australia's score is well below the bottom of the bars for the United Kingdom and New Zealand. Indeed, our data suggest that there is only about a 1% chance that Australia's torture score is equal to or better than the United Kingdom's score, and even a smaller chance that it is equal to or better than that of New Zealand. Instead, Australia's performance is more in line with countries such as Brazil, Fiji, Mozambique, and Nepal, as indicated by the fact that there is substantial overlap of the blue bars with these countries.

### Right to freedom from torture and ill-treatment

Scores for all 13 countries in HRMI pilot sample



A number of things are driving this result – notably Australia's mandatory and prolonged detention of people, including children, who are refugees or who are seeking asylum in Australia. Since 2013 the Australian government has operated a policy of refusing to allow settlement of any refugees attempting to reach Australia by boat. Instead, refugees and asylum seekers are routinely sent to Nauru and Papua New Guinea where they are at risk of violence. They also have restricted access to food, medical care, and sanitation, and have not been issued with local documentation, which means their freedom of movement within those countries is restricted.

While the refugees and asylum seekers in those facilities in Nauru and [Papua New Guinea](#) are under the control of those governments, the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, has stated that "Australia bears responsibility for the treatment of immigrants and asylum seekers in those centres". This is because they are being held there for the sole purpose of implementing Australia's policies of interdiction in the high seas and discouragement of asylum seekers.

The disproportionate ill-treatment of refugees and asylum-seekers shows up clearly in the word cloud below, which illustrates the population groups that survey respondents said were particularly at risk of torture and ill-treatment in Australia. The size of the font shows how frequently respondents indicated the group concerned was indicated as being especially vulnerable. In this case, 100% of our respondents selected refugees and asylum seekers as a group particularly at risk of torture or ill-treatment in Australia. If you visit this chart on our data visualisation website, you can find this word cloud, and other information, by clicking on the Australia bar of the chart.

### Groups considered by survey respondents to be most at risk of torture and ill-treatment

#### Refugees or Asylum Seekers Indigenous Peoples

People with Disabilities

Children

Immigrant Status

Race

Human Rights Advocates

Homeless

Low Social or Economic Status

Cultural Background

The other group particularly at risk of torture and ill-treatment, as illustrated by this word cloud, is Indigenous peoples. Indigenous peoples are grossly over-represented in

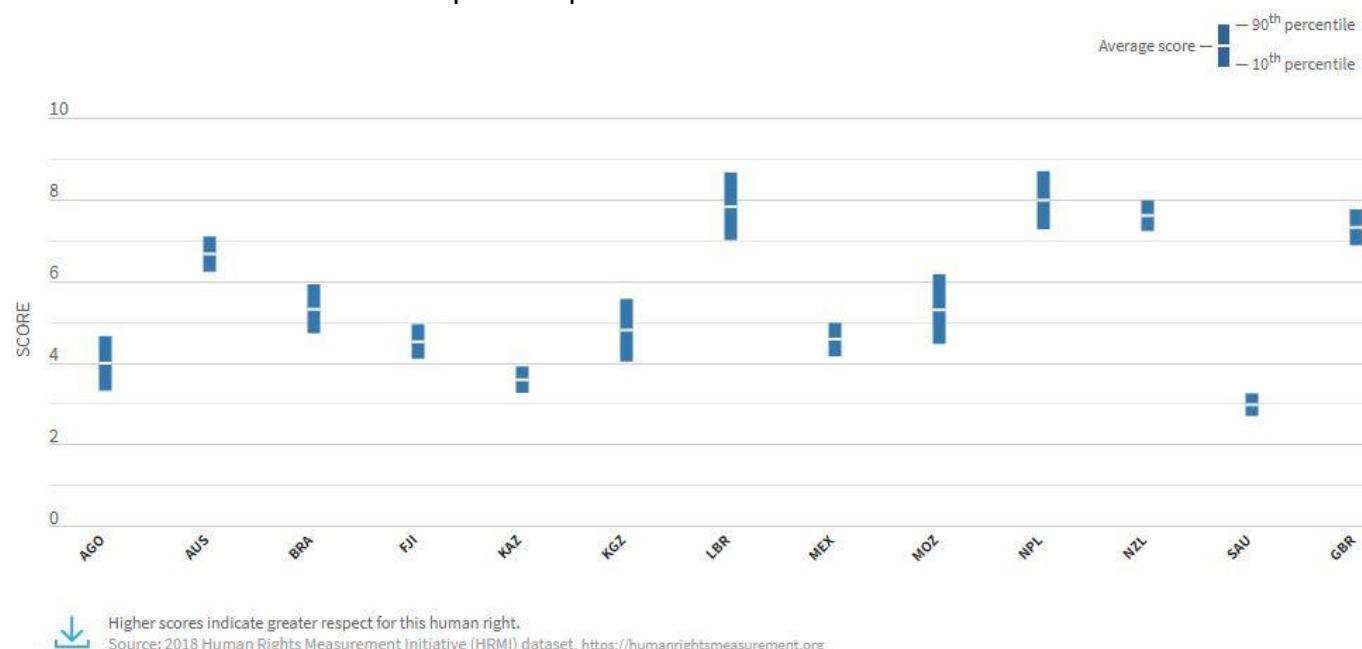
the Australian justice system and reports of ill-treatment of prisoners are common. [Various reviews](#) including a Royal Commission have found evidence of Indigenous youth in detention centres being subject to torture, such as being tear-gassed, restrained, choked, and placed in solitary confinement.

Turning now to another area that has been in the spotlight recently, the right to opinion and expression, you can see in the radar chart at the top of this profile that Australia's score on this human right is 6.7/10. One law that may have influenced this score is the Australian Border Force Act (2015) that made it a crime for offshore detention workers (except medical staff) to reveal abuses committed against asylum seekers.

Human Rights Measurement Initiative data on this human right is illustrated in the chart below. While Australia's performance is above that of most countries in the pilot sample, there are a number of countries doing much better, including Liberia (LBR), Nepal (NPL), New Zealand (NZL), and the United Kingdom (GBR).

### Right to opinion and expression

Scores for all 13 countries in HRMI pilot sample



Looking ahead, there are concerns that Australia's performance in the area of freedom of opinion and expression could slip further. Proposed legislation, such as the Espionage and Foreign Interference Bill and the Electoral Funding and Disclosure Reform Bill, threatens to further impede the work of journalists, whistleblowers, human rights activists, charities, and others disclosing information in the public interest. Indeed, these are already the groups that survey respondents said were most at risk of having their right to opinion and expression violated (see word cloud below).

## Word cloud showing groups considered to be most at risk of violations of their right to freedom of opinion and expression

Human Rights Advocates

Journalists

Professionals

Political Activity or Affiliation

Refugees or Asylum Seekers

Academics

Labour unions

Detainees or suspected criminals

Homeless

Low Social or Economic Status

Turning now to economic and social human rights, international law recognises that most countries do not have enough resources to completely and immediately fulfil their people's economic and social rights (such as the rights to food and education). Countries are, however, obliged to put as many resources as possible into progressively fulfilling these human rights. HRMI scores country performance on each right by expressing the right enjoyment level as a percentage of the country obligation level.

The radar chart at the top of this profile evaluates Australia's performance using our high-income OECD country assessment standard, which is the default standard for Australia.

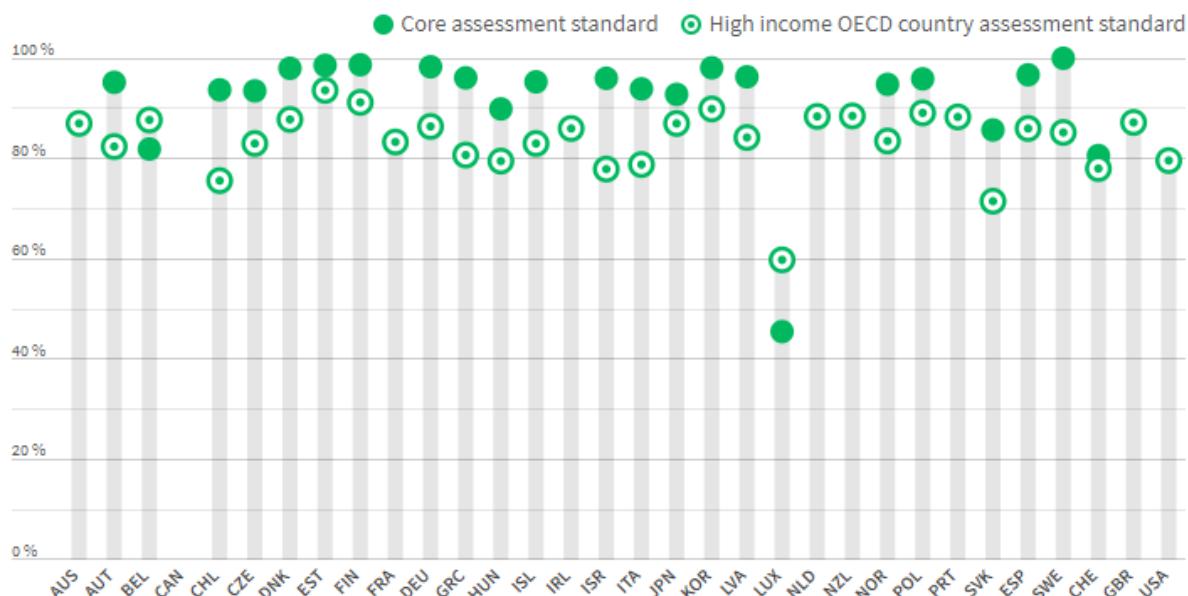
Internationally comparable data on the housing challenges that are prominent in high-income OECD countries are not available at this time and, as a result, this dimension is omitted from our high-income OECD country assessment standard.

Australia's scores across the four economic and social human rights we do evaluate range from 71% for work to 99% for health. That means that Australia is ensuring between 71% and 99% of the enjoyment level that should be possible given Australia's available resources. However, even a score of 99% does not mean that Australia is meeting its obligations to all ethnic or other population groups equally, as we will see below. Specifically, we take a closer look at those rights for which Australia is most deficient in meeting its obligations: the rights to education and work.

Comparing Australia's performance with that of other high-income OECD countries on the right to education (see chart below), we see that Australia's score of 87% is not only among Australia's poorer scores, but also that quite a number of high-income OECD countries succeed in outperforming Australia on this right.

## Right to education in High-income OECD countries

Percentage level of human right enjoyment achieved, relative to what should be feasible



Looking at the sub-components of the high-income OECD country right to education score, it becomes clear where Australia's greatest challenges lie. Australia's right to education score is the average of its combined school enrolment score and its education quality score (shown below). You can find these scores on our data website by clicking on the education axis of the Australia radar chart.

Right to education	87%
○ Combined school enrolment score	100%
○ Education quality score	74%

The first of the two sub-scores shows that Australia does exceptionally well on ensuring access to all levels of education; its combined school enrolment score of 100% indicates that it is meeting its obligation on this dimension of the right. In fact, at Australia's per capita income level, no other country does a better job of ensuring access to education across all levels, from primary to tertiary – it is the trendsetter. Australia's policies of compulsory and free primary and secondary education, along with student subsidies and loan programmes for tertiary education, have been effective in ensuring broad access to all levels of education.

However, Australia has a major challenge in the area of education *quality*. Our education quality score looks at student performance on the maths and science components of the Program for International Student Assessment (PISA). Australia's education quality

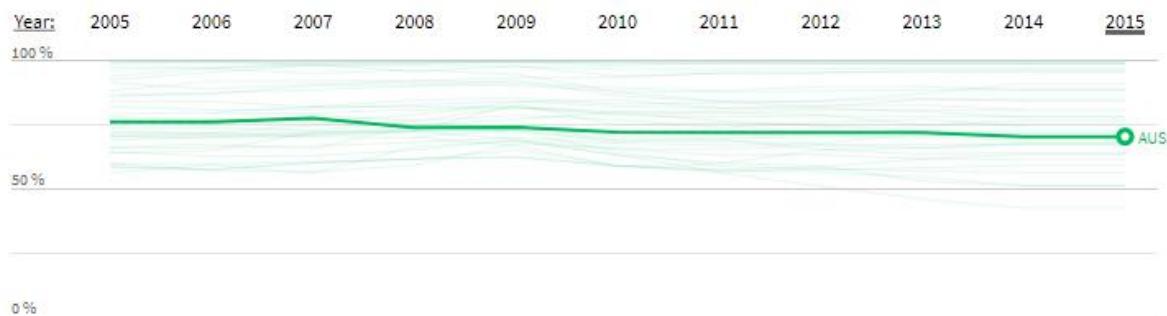
score in 2015 (the most recent year available) was only 74% of the enjoyment level that it ought to be able to achieve given its per capita income level. Further disaggregating the school quality score across indigenous and non-indigenous students, we find that in 2015, the school quality score for indigenous students was a deeply concerning 47% as compared to 75% among non-indigenous students. The trend over the past decade is also heading in the wrong direction, although the gap in learning outcomes between indigenous and non-indigenous students has decreased slightly. The comparable scores on education quality in 2006 were 51% and 84% for indigenous and non-indigenous students, respectively.

Although we haven't yet undertaken a disaggregated analysis of Australia's very high aggregate health score (99% in the chart to the left), it is likely that disaggregating the health indicators for indigenous vs non-indigenous people would show similarly concerning results.

Turning now to the right to work, Australia's low score in part reflects the challenge of recovering from the 2007 global recession; but longer-term structural issues are also evident. The graph below shows Australia's right to work score over time. Australia's best performance was in 2007 just prior to the recession, yet even then its score was a troubling 78%.

### Right to work trend over time, Australia 2005–2015

Percentage level of human right enjoyment achieved relative to what should be feasible



Our right to work assessment standard for high-income OECD countries has two components, one reflecting access to work (the “not long-term unemployed score”) and the other reflecting the quality of work (the “not relatively poor score”). While ensuring access to work remains a serious problem, Australia’s greatest challenge is ensuring people have access to productive work that provides a decent income. Between 2007 and 2015, Australia’s performance on our “not relatively poor” score fell from 72% to 65%.

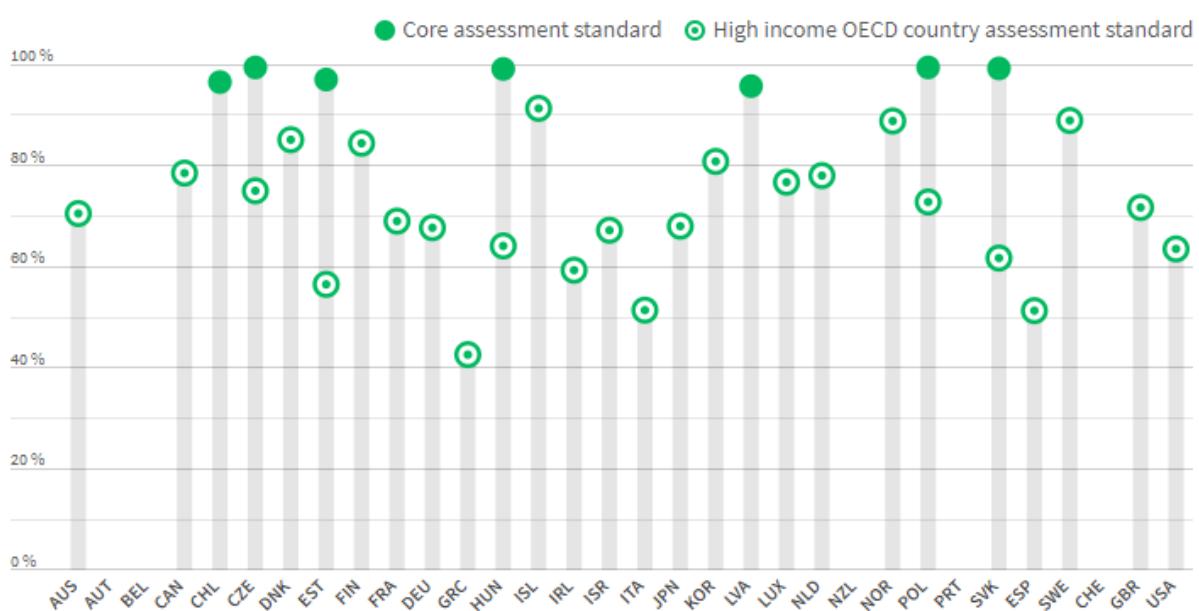
## Right to work 71%

- Not long-term unemployed score 77%
- Not relatively poor score 65%

Ensuring the right to work remains a challenge for most high-income OECD countries, as can be seen from the chart below. Australia's performance is better than several other countries' performance, including Greece and Spain. However, this does not excuse Australia from taking far-reaching measures to remedy the deficit. Indeed, despite the challenges of the 2007 recession, several high-income OECD countries have already succeeded in rebounding to scores of 90% or more.

### Right to work in High-income OECD countries

Percentage level of human right enjoyment achieved, relative to what should be feasible



Overall, the rights of Indigenous people and those seeking asylum in Australia feature prominently amongst Australia's human rights concerns – in Human Rights Measurement Initiative data, in the media, and in social conscience. Counter-terrorism efforts that threaten to erode existing human rights protections have already inspired public debate. We hope that HRMI data will be helpful in furthering this conversation and encouraging steps to ensure that all people have their human rights respected.