Cyber-racism

What is cyber-racism?

Racism can take many forms, such as jokes or comments that cause offence or hurt; name-calling or verbal abuse; harassment or intimidation, or public commentary that inflames hostility towards certain groups.

When racism takes place online it is known as cyber-racism. Cyber-racism can include words and images and may be communicated via websites, blogs and social networking sites, videos or email.

When is cyber-racism against the law?

Cyber-racism will often be unlawful under the Federal *Racial Discrimination Act 1975* which prohibits racial hatred (sometimes known as racial vilification). This is doing something in public based on the race, colour, national or ethnic origin of a person or group of people which is likely to offend, insult, humiliate or intimidate.

Just over 40 per cent of complaints of racial hatred received by the Australian Human Rights Commission in 2012–13 related to cyber-racism.

Some forms of cyber-racism may also be covered by other laws (see *What can you do?*).

Examples of complaints conciliated by the Commission

A Chinese man complained that a social networking site contained negative images of people from Asian/Indian backgrounds and that he found comments from the group administrators and group members offensive and derogatory towards people from Asian/Indian backgrounds. He claimed that this amounted to racial hatred. When the Commission contacted the site about the complaint, the site removed the group and warned the group administrators.

A woman married to an Aboriginal man complained that pages on a social networking site contained comments and images demeaning to Aboriginal people and claimed that this amounted to racial hatred. The complaint was resolved by the Commission with an agreement that the social networking site would block access to the page in Australia.

Good resources for dealing with cyber-racism

- **Online Hate Prevention Institute:** www.ohpi.org.au
- **Anti-hate:** www.antihate.vic.gov.au
- **Cyber-smart:** www.cybersmart.gov.au

What can you do?

There are a number of different places to report cyber-racism depending on where you find the material. It is a good idea to keep a record of the material by taking a screen shot or copying the content into a Word document.

Where the material was found	What to do	What will happen
All websites	Make a complaint to the Australian Human Rights Commission. For information go to: www.humanrights.gov.au/complaints-information	The Commission will investigate whether the *Racial Discrimination Act 1975* applies to the material and, where it can, will help you resolve your concerns.
	Make a complaint to the Australian Communication and Media Authority (ACMA). For information go to: www.acma.gov.au/Citizen/Take-action/Complaints/Internet-content-complaints	ACMA will investigate whether the material is prohibited content under the *Broadcasting Services Act 1992*.
	For serious complaints, such as threats of violence, contact the police by phoning 131 444. This is a national police assistance line which allows you to report crime over the phone.	It may be a criminal offence to publish the material on the internet if it is offensive, harassing or menacing. Most State and Territory Police services have special units working on computer crime and may be able to help you further.
YouTube	Flag the video or file an abuse report.	YouTube will review the video to determine whether it violates its Terms of Use and may remove it. More information is available in its Community Guidelines.
Facebook	Click the 'report' tab which appears alongside the content. You can also report abuse on Facebook through its Security Help Centre.	A Facebook administrator will investigate whether the content violates its Community Standards and may remove it.
Twitter	You can report an abusive user through Twitter's Help Centre.	Twitter may suspend accounts that violate its Terms of Service. More information is available in the Twitter Help Centre.