

# 2018–19 Challenges, risks and opportunities analysis

Table 1 External challenges, risks, management and opportunities for the Commission 2018–2019

Factor	In full control	In partial control	Beyond control	4 year outlook, analysis and risk management
<b>Challenges, risk management</b>				
<b>Effective implementation of reforms to the Commission's functions</b>	✘			<p>Legislative amendments that commenced in 2017 affected the Australian Human Rights Commission Act complaints and reporting, and discrimination complaints.</p> <ul style="list-style-type: none"> <li>There is public interest in the impact of the changes, particularly in relation to early termination of applications and the impact of shorter timeframes for receipt of complaints.</li> <li>Judicial interpretation will shape the operation of the new provisions over the next four years.</li> <li>The impact of the changes on Australian Human Rights Commission Act complaints will be felt this year — particularly in relation to reporting processes and the impact of a best endeavours requirement for finalisation within 12 months.</li> </ul>
<b>Ongoing risk to reputation from high profile issues</b>		✘		<ul style="list-style-type: none"> <li>Continued scrutiny of Commission activities.</li> <li>Managed through rigorous internal decision-making processes and a focused approach to building positive partnerships and relationships with governments and parliament.</li> </ul>
<b>Budget allocations and economic climate</b>		✘		<ul style="list-style-type: none"> <li>Fiscal restraint across government means continued constraints on appropriations, despite increases in Commission Executive. Additionally, the impact of efficiency dividends on small agencies continues to drive tight internal budgeting. In this context the return of funding that was redirected to the Royal Commission into Institutional Abuse is of critical importance in supporting our 2018–19 workplan.</li> <li>Whole of government approaches to shared services places some uncertainty on our continued shared service arrangements.</li> <li>Managed through a) further coordination and improvements to business development and sourcing external funding; b) refocusing our educational activities on diversity and inclusion and business/sectoral engagement, including fee for service training and technical advisory capacity.</li> </ul>
<b>Federal election</b>			✘	<ul style="list-style-type: none"> <li>Federal election due in late 2018 or early 2019. Election commitments could impact positively or negatively on the Commission.</li> </ul>

Factor	In full control	In partial control	Beyond control	4 year outlook, analysis and risk management
<b>Opportunities</b>				
<b>Our unique role as Australia's National Human Rights Institution</b>	✘			<ul style="list-style-type: none"> <li>As a National Human Rights Institution we offer unique expertise and perspectives with a legal mandate to exercise the powers to promote and protect human rights, free from political direction.</li> </ul>
<b>Significant reports released or to be released that will inform human rights outcomes over next four years</b>		✘		<ul style="list-style-type: none"> <li>Implementation of recommendations of Royal Commission into institutional abuse are expected by end of 2018 with potential role for the Commission.</li> <li>Ongoing focus on implementation of the 2017 Australian Law Reform Commission's reports on elder abuse and disability, and release of indigenous incarceration report.</li> <li>Forthcoming release of religious freedoms panel report may a) identify future policy priorities for Commission; and b) place increased focus on operation of SDA and exemption processes.</li> <li>The Commission is well placed to play key role in the implementation of such reports.</li> </ul>
<b>National and international focus on violence and harassment issues</b>		✘		<ul style="list-style-type: none"> <li>International focus through #MeToo and #TimesUp movement on sexual harassment contributing to significant national focus on this issue.</li> <li>The Commission is well placed to advance policy focus on this issue – for example, through the national sexual harassment prevalence study and follow up to universities work.</li> </ul>
<b>Creating 'rights mindedness' in the community</b>		✘		<ul style="list-style-type: none"> <li>The recent erosion of trust in many public institutions creates an opportunity to promote and educate the broader community about their rights.</li> <li>Promote our mandated human rights education role and especially our core work in developing school and training resources.</li> <li>The 70th anniversary of the Universal Declaration of Human Rights provides a vehicle for these discussions.</li> </ul>
<b>International engagement</b>		✘		<ul style="list-style-type: none"> <li>Australia's election to the United Nations Human Rights Council for 2018–2020 places greater prominence on engagement through Human Rights Council processes and human rights more generally.</li> <li>Discussions with Department of Foreign Affairs and Trade about how to leverage Commission's A status as National Human Rights Institution in Human Rights Council related processes.</li> <li>Mid-term of Australia's Universal Periodic Review cycle in 2018 provides opportunity for focused discussion on implementation of human rights.</li> <li>Convention on the Elimination of All Forms of Discrimination Against Women appearance July 2018, Convention of the Rights of the Child 2019, and Convention against Torture and Convention on the Rights of Persons with Disabilities likely by 2019, and one-year report backs on International Covenant on Civil and Political Rights, International Covenant on Economic, Social and Cultural Rights and International Convention on the Elimination of all forms of Racial Discrimination in 2018.</li> <li>Opportunity to build awareness of international-domestic human rights compliance and to seek voluntary commitments to implementation by the Australian government.</li> </ul>
<b>Sustainable Development Goals</b>		✘		<ul style="list-style-type: none"> <li>A new paradigm shift in international processes is centred on the 2030 Agenda and Sustainable Development Goals.</li> <li>Domestic application is expected and National Human Rights Institutions have a key role to play.</li> <li>Sustainable Development Goals are relevant to almost every aspect of the Commission's work program. Building internal knowledge and specialisation on Sustainable Development Goals and other key human rights issues will be an ongoing priority.</li> <li>International and technical cooperation opportunities may become increasingly dependent on specialist knowledge of Sustainable Development Goals and how to apply them.</li> </ul>

Table 2: Internal and capability challenges, risks, management and opportunities for the Commission 2018–19

Factor	In full control	In partial control		4 year outlook, analysis and risk management
<b>Challenges, risk management and opportunities</b>				
<b>Building partnerships and financial support to expand our work program</b>		✘		<ul style="list-style-type: none"> <li>Reliance upon external partnerships and fund-raising to support achievement of the Commission’s overall work plan.</li> <li>Reputational risk from seeking funding and partnerships in a manner that is not strategic or is duplicative. An immediate focus will be to review internal guidance material to improve the principles and decision-making process applied to partnership opportunities.</li> <li>Recognising that some work areas are less susceptible to external funding arrangements – need to ensure support through core budget for such activities to ensure that the Commission maintains a balanced work program across all Commissioners and areas of responsibility.</li> <li>Management review and implement a revised partnership policy and process.</li> </ul>
<b>Embedding a ‘new Commission’</b>	✘			<ul style="list-style-type: none"> <li>Consolidate new working methods to appropriately support the Commission — including by reforming decision making to streamline process; clarifying expectations across the life cycle of a commissioner; adjusting staffing support.</li> <li>Likely return of Royal Commission resources will enable support for priorities that have not been possible in recent years due to funding restraints.</li> <li>New Race Discrimination Commissioner appointment due August 2018.</li> </ul>
<b>‘Living within our means’: realistic work planning</b>	✘			<ul style="list-style-type: none"> <li>Limited core-resourcing has an impact on our work program. This is managed through strict adherence to robust project planning to ensure manageable workloads for our committed staff.</li> </ul>