

Summary of Recommendations

The following sections summarise recommendations that appear with background explanation and context throughout this report.

Recommendations

Number	Page	Recommendation
1	10	TikTok and Twitter should commission research into anti-Asian racism on their platform as experienced by Australian users.
2	10	The Australian Government should commission an extension of this research to collect anti-Asian content across a wide range of platforms.
3	12	More needs to be done to exclude online trolls from online communities, they are the single most frequent sources of anti-Asian racism and their impact is negatively impacting most Asian Australian users.
4	12	Social media managers should be better trained to avoid giving the impression of racism as 48% sometimes experienced racism from brands or companies online.
5	12	Data needs to be collected on both racist incidents and anti-Asian hate speech. This data needs to inform public education efforts to help Australians better recognise anti-Asian racism. This data must be consistent nationally and able to be aggregated.
6	12	Data collected on anti-Asian racism should be crowdsourced from the community. The data should improve transparency around the removal of hate speech on social media, as well as creating visibility on the consequences for those who promote racism online.
7	12	Self-regulation of the media is currently failing to prevent the media playing a prominent role in the spread of anti-Asian racism. Media outlets and the Australian Press Council should seek to address the role of the media in the spread of anti-Asian racism. If self-regulation cannot provide an answer, greater government regulation through the Australian Communications and Media Authority should be considered.
8	12	Government and private donors should fund efforts to monitor the media and facilitate the filing of complaints over racist and biased content with media outlets, and with escalation to the Australian Press Council or the Australian Communications and Media Authority as appropriate. Transparency reporting should be provided on the complaints lodged and their ultimate disposition.
9	12	The Australian Senate's Standing Committee on Environment and Communications should carry out an inquiry into racism and the media, including on new actions being taken to reduce anti-Asian racism in the media.
10	12	Politicians who engage in racist speech should be called out and, where appropriate, sanctioned. The calling out of racism should be undertaken in a collaborative and across party manner rather than as part of partisan politics.
11	15	The Online Hate Prevention Institute's schema of anti-Asian hate should be used more widely in classifying such content.
12	16	Attempted humour is not an acceptable excuse for racism and racist memes, even if presented as being for entertainment, should be removed.
13	77	Australian Made Campaign Limited needs to monitor and take action to prevent the use of the Australian Made logo in racist online content.

14	83	Posters should be able to set the type of reactions they will accept. E.g. All, None, the “bad news” set of Care and Sad, the “good news” set of thumbs up and love.
15	84	The Online Hate Prevention Institute should seek funding to keep the reporting software operational for anti-Asian hate, hire a project officer to focus on anti-Asian hate, collaborate with Asian-Australian community groups on further data collection from the public, and produce a further report based on this data in 2023.
16	85	Content which cites discrimination, hostility or violence against a protected class of people, including on the basis of race, ethnicity, or nationality, should be removed without the need to consider any other factors.
17	86	Social media platforms should prohibit gratuitously offensive images of religious, national or ethnic symbols.
18	87	Where imagery or words are so blatantly excessive that they offend the common standards of decency in society, the content should be removed.
19	87	Posts highlighting hate speech should do in a clear and transparent manner. The use of sarcasm when highlighting hate speech should be left to parody accounts that are clearly labelled as such to avoid misinterpretation.
20	88	Messages calling out racist posts should include an image of the racist post, but with all names and profile pictures redacted, including that of the poster of the hate speech. Exceptions might be made where the post of the hate is not a person but a group or brand, or where the poster is a public figure, particular when they are a candidate for public office.
21	88	Messages encouraging the reporting of hate speech should do so explicitly and link to the content that is to be reported. They should not name the poster of the hate, allowing the person to become anonymous when the hate speech content itself is removed either by the poster or the platform.
22	88	Content on third party sites, including blogs and petitions, should generally redact the names and images of any people, including the poster of the hate speech. Exception might be made for repeat posters of hate speech or those who directly targeting anti-hate-speech activists or organisations. If identifying individuals, legal advice may need to be sought to review the content.
23	89	A pool of grant funding should be made available by platforms to support, as public service announcements, content promoting societal harmony. Registered charities should be able to apply to join a platforms program to promote social harmony and, once approved, should be able to nominate specific posts to be considered by the platforms for a grant to increase their visibility. The platforms may delegate the selection of posts to a relevant government agency, a non-profit, or a committee of volunteers appointed by the platform to manage the program.
24	89	Pages and groups with a dominant focus of fostering racist communities should be closed by platform providers.
25	89	Those providing a space, such as a Facebook page, should have the primary responsibility for moderating comments on the content they post. Failure to do so effectively should result in a temporary or permanent loss of ability to manage the space (including posting new content).
26	89	To facilitate those providing a space in managing the comments in that space, a mechanism should be provided for reports of content to be anonymously shared with the page managers for their review. Complaints they reject should be escalated to the platform for review. Repeated failure to moderate comments that the

		platform then removes would count as a failure to effectively moderate the space, as would a failure to respond at all within a reasonable time.
27	90	Websites dedicated to fake news and conspiracy theories should not be allowed a presence in social media. Pages and groups relating to such sites should be closed.
28	91	Those providing a space where users can interact should be able to require that interactions by new community members be reviewed before they become public. Review should be able to be by either designated people, or by those who regularly interact with that space.
29	91	Those providing a space where users can interact should be able to temporarily suspend user interactions and hide recent user interactions as a response if the space has been infiltrated and is under attack.
30	93	Individuals who have liked or shared false information should be directly informed by platforms once the content has been verified as false.
31	93	Government, foundations, and donors should financially support the Online Hate Prevention Institute's efforts to maintain our proved and world class tools for reporting and monitoring online hate.
32	94	A lower threshold state enforced penalty should be introduced, such as a fine or civil penalty, to address more minor issues of vilification both online and offline. A system which allows multiple such fines or penalties to lead to an increase in the amount of future fine or potentially more serious consequences such as community service orders would increase the deterrent effect.
33	94	If a fine was introduced for vilification that fell short of the current criminal standard, the existing criminal provisions could be adjusted so that a history of such fines could be taken into account during sentencing.
34	94	Platforms, either on their own volition, or as a requirement of legislation, should provide a tool that, given a URL of user content, list the legal jurisdiction of the poster.
35	95	Training be provided to police on responding to complaints about online racism and other forms of online abuse.
36	95	Platforms should provide an additional system in which police can report an item of online content and receive an update on what action the platform takes on it (regardless of the jurisdiction of the poster). The platform should also provide police with a score indicating the level of past complaints against this user by police, or escalation of sanctions by the platform itself, and whether the user is in the reporting officer's legal jurisdiction.
37	95	The threshold for any new civil penalty or fine should that the act / content causes fear, humiliation or a sense of isolation from the wider community. These should be considered a sufficient level of harm to the individual and the social fabric of the community for action to be taken.
38	97	Serious hate speech, that which makes threats of violence or incites either violence or hatred, should be immediately reported to authorities. Other forms of hate speech should be removed by the platform, but a log of the incident including the user's account and IP address should be recorded. Users should be informed when a platform takes action against them and should be warned repeated breaches could lead to a report being made to authorities. Where platform sanctions prove ineffective at altering behaviour, the history of breaches and IP address of the user should be referred to authorities.

39	97	Once a user has been referred to authorities by a platform, a summary of any further hate speech incidents involving that user on that platform should be notified to authorities periodically (for example monthly) by the platform.
40	97	Once a user has been referred to authorities, the authorities should seek to convert the IP address into details of the account holder and add it to the record. Where the account holder is a company, the company should be notified with a request to identify the specific user. Where a company cannot provide information on the person who committed a breach of the law against serious or repeated hate speech, assistance should be provided. Where a company will not provide information on the person who committed a breach of the law against serious or repeated hate speech, the company itself should be liable to corporate fines.
41	97	Users referred to authorities by platforms for repeated breaches that do not involve incitement to violence should initially be issued a warning, potentially after a discussion with authorities around the user’s actions. Further breaches should lead to fines which can escalate with repeat offences. If fines fail to provide a deterrent, more serious measures including imprisonment should be available.
42	99	The US Congress should amend the Stored Communications Act to explicitly permit disclosure to US and foreign governments of a purpose specific identifier for a user, along with details of sanctions the platform has applied to the associated user and the reasons those sanctions were applied.
43	100	<i>Online Safety (Basic Online Safety Expectations) Determination</i> should be refined to define “unlawful” as a contravention of a law of the Commonwealth, a State or a Territory, with respect to content that is visible in that jurisdiction.
44	101	The Australian Human Rights Commission, in consultation with its state counterparts, should investigate and express an opinion on a periodic basis on whether the basic expectations are being met with regards to content that would, in the opinion of the Australian Human Rights Commission, be unlawful under S 18C of the Racial Discrimination Act, and under state anti-vilification laws based on the opinions of the relevant state based human rights commissions.
45	101	To facilitate a determination of whether basic expectations are being met, the Australian Human Rights Commission, and Human Rights Commissions in the States and Territories, should have the ability to issue a determination with regards to whether specific items of content are “more likely than not” to breach S18C or relevant state and territory anti-vilification laws.