

# Media release

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## **We need a better system to prevent sexual harassment at work**

A diverse coalition of health professionals, legal experts, unions, sexual assault and community organisations have submitted a Joint Statement to the Australian Human Rights Commission's national inquiry into sexual harassment at work.

The statement, which is endorsed by over 100 organisations, calls for a range of reforms, including greater efforts to prevent sexist attitudes in the community, as well as stronger legal duties on employers and a better complaints process, to stamp out sexual harassment.

Women's Health Victoria CEO Rita Butera said, "Until we address sexism and gender inequality in our community, we cannot hope to eliminate sexual harassment in the workplace."

The Joint Statement calls for workplace regulators to play more of a critical role and address sexual harassment as a health and safety issue.

"Sexual harassment is damaging to people's mental and physical health, it's too common and it needs to be taken seriously as the health and safety hazard that it is. We can no longer rely on individuals to deal with sexual harassment alone," said Melanie Schleiger, Program Manager of Equality Law at Victoria Legal Aid.

"Work health and safety agencies should help employers to create environments that discourage sexual harassment and hold them accountable when they fail to do so. Employers must be legally required to take proactive steps to prevent harassment and face penalties for failing to do so.

"At the moment even a successful complaint from a victim almost never leads to meaningful change in their workplace, that would stop future harassment from happening," said Ms Schleiger.

ACTU President Michele O'Neil said, "People have no faith in the existing processes to deliver justice and are afraid of negative repercussions for even engaging with them."

Ms O'Neil said victims of sexual harassment should also have the option of taking complaints to the Fair Work Commission.

"Sexual harassment is a workplace issue and people who experience it should be able to take it up through the workplace umpire. We need access to fair, effective and efficient complaints mechanisms that support people who've been harassed and deliver justice."

Karen Hogan, Convenor of CASA Forum said "Centres Against Sexual Assault see many people, mostly women, who experience sexual harassment in the workplace. Often what starts as sexual harassment can become sexual assault. Survivors need specialist, expert support to help them deal with the impact of the behaviour, to navigate relevant service systems and to access legal redress. CASAs can and do provide these services now with finite resources."

Ms Hogan said victims need access to safe reporting tools and avenues. "Anonymous reporting platforms have worked for some survivors of sexual assault, helping to link them to services and make choices about further action they might want to take.

"We think there needs to be a parallel national anonymous reporting platform to enable victims of sexual harassment to safely report the abuse and provide them with access to information and support," said Ms Hogan.

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Read our attached **Joint Statement** below and please note, some organisations have spokespeople available for interview.

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For Women's Health Victoria: Rita Butera, Executive Director, phone 03 9664 9300 or [whv@whv.org.au](mailto:whv@whv.org.au)

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## Power to Prevent: Urgent Actions Needed to Stop Sexual Harassment at Work

### Joint statement

We are a group of diverse organisations, unions, researchers, peak bodies, health professionals and lawyers who have come together to say we need to do more to stop sexual harassment in workplaces. Our organisations and research efforts see the effects of sexual harassment on people around Australia every day and how our systems are not working to respond to the issues.

Everyone deserves to be safe at work and in their community. Yet the rates of sexual harassment in Australia are alarming, particularly for women, with 85% having experienced it in their lifetime. Sexual harassment is about more than just individual behaviour. It is a problem that is deeply entrenched within our society and occurs because gender inequality is ingrained in our social and cultural norms, structures and practices.

It's time that employers and workplaces stamp out sexual harassment. Sexual harassment causes significant harm to individuals, workplaces and society. We know what the solutions are, but we need governments and employers to implement them. We need strong action to prevent and respond to sexual harassment, and we need it now.

We call on State, Territory and Federal Governments across Australia to take urgent and coordinated action to implement the following solutions.

1. **Dedicated prevention efforts to address the underlying gendered drivers of sexual harassment**, which should be part of a holistic strategy to prevent violence against women and promote gender equality in line with *Change the story: A shared framework for the primary prevention of violence against women and their children in Australia*.
2. **Stronger and clearer legal duties** on employers to take proactive steps to prevent sexual harassment at work, and strong and effective regulators that have the full suite of regulatory tools and resources necessary to effectively tackle sexual harassment, including as a cultural, a systemic and a health and safety issue.
3. **Access to fair, effective and efficient complaints processes**, including a new right of action under the Fair Work Act, extended time limits, increased transparency of conciliation outcomes where appropriate, and other amendments and resources necessary to address the unique barriers that currently prevent workers who experience sexual harassment from taking effective legal action.
4. **Appropriate advocacy and support for workers** who experience sexual harassment, including access to information, counselling and legal services that are appropriately resourced and coordinated.
5. **Accessible reporting tools**, including piloting an online reporting tool that assists people to report and address problem behaviour and seek support, and identifies trends to assist with prevention and enforcement efforts.

We stand together to call for change to create sexual harassment free workplaces.

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## List of Signatories (as at 28 February 2019)

1. Alice Springs Women's Shelter
2. Annie North Inc
3. Australasian Meat Industry Employees Union - Victoria Branch
4. Australian Council for International Development
5. Australian Council of Social Service
6. Australian Council of Trade Unions (ACTU)
7. Australian Discrimination Law Experts Group, Academic forum
8. Australian Education Union - Victoria
9. Australian Lawyers' Alliance
10. Australian Manufacturing Worker's Union Victorian Branch
11. Australian Services Union Victorian and Tasmanian Authorities & Services Branch
12. Australian Women Against Violence Alliance
13. Basic Rights Queensland
14. Centres Against Sexual Assault Forum
15. CFMEU Construction and General Division Victoria and Tasmanian Branch
16. Community and Public Sector Union - PSU Group
17. Community Legal Centres' NSW
18. Disability Discrimination Legal Service
19. Djirra
20. Domestic Violence NSW
21. Domestic Violence Victoria
22. Dr Alysia Blackham, Academic
23. Dr Belinda Smith, Associate Professor of Sydney Law School, University of Sydney
24. Dr Cristy Clark, Legal Academic
25. Dr Dominique Allen, Legal Academic
26. Dr Karen O'Connell, Associate Professor of Faculty of Law, University of Technology, Sydney
27. Dr Paula McDonald, Professor, Queensland University of Technology
28. Dr Sara Charlesworth, Professor in the School of Management, RMIT University
29. Drummond Street Services
30. Emeritus Professor Margaret Thornton of Australian National University College of Law
31. Emma Coetsee, Human Rights Consultant
32. Equality Rights Alliance
33. Fair Agenda
34. Federation of Community Legal Centres
35. Finance Sector Union of Victoria
36. Fitted for Work
37. Gender Equity Victoria (GEN VIC)
38. Gippsland Sexual and Reproductive Health Alliance
39. Gippsland Women's Health
40. Good Shepherd Australia New Zealand
41. Gordon Legal
42. Health and Community Services Union
43. Human Rights Law Centre
44. Independent Education Union Victoria and Tasmania
45. International Women's Development Agency
46. Job Watch
47. Jumbunna Institute for Indigenous Education and Research, UTS
48. Justice Connect
49. Karen Willis, Executive Officer, Rape and Domestic Violence Services Australia
50. Kingsford Legal Centre

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51. Liam Elphick, Legal Academic
52. Maritime Union of Australia
53. Maurice Blackburn
54. Media Entertainment and Arts Alliance
55. Minus18
56. National Association of Community Legal Centres (NACLC)
57. National Working Women's Centres
58. Not in My Workplace
59. NOW Australia
60. Northern Territory Legal Aid Commission
61. NT Working Women's Centre
62. Professor Beth Gaze, Academic
63. Public Health Association of Australia
64. Public Interest Advocacy Centre
65. Rail Bus and Tram Union
66. Redfern Legal Centre
67. RMIT Centre for People, Organisation & Work (CPOW)
68. Ruby Gaea Darwin Centre Against Sexual Violence
69. Sexual Assault Support Service Inc
70. Shop Distributive and Allied Employees' Association (SDA) National
71. St Kilda Legal Service
72. Switchboard Victoria
73. Thorne Harbour Health
74. Unions NSW
75. United Voice
76. University of Melbourne Students Union
77. Victoria Legal Aid
78. Victorian Aboriginal Legal Service
79. Victorian Council of Social Service
80. Victorian Trades Hall Council (VTHC)
81. Victorian Women's Lawyers
82. Victorian Women's Trust
83. Villamanta Disability Rights Legal Service Inc.
84. WestJustice
85. Women in Adult and Vocational Education (WAVE)
86. Women with Disabilities Victoria
87. Women's Electoral Lobby
88. Women's Health and Wellbeing Barwon South West
89. Women's Health Goulburn North East
90. Women's Health in the South East (WHISE)
91. Women's Health NSW
92. Women's Health Victoria
93. Women's Health West
94. Women's Legal Service NSW
95. Women's Legal Service Victoria
96. Women's Legal Services Australia
97. Women's Property Initiatives
98. Working Women Queensland
99. Working Women's Centre South Australia Inc
100. Youth Affairs Council Victoria
101. YWCA Australia

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