

**Australian Human Rights Commission**

**National Inquiry into Sexual Harassment in Australian  
Workplaces**

**Submission**

**by**

**National Council of Women of NSW Inc.**

It gives National Council of Women of NSW Inc. (NCW NSW) great pleasure to provide some comments to the Australian Human Rights Commission's Inquiry into Sexual Harassment in the workplace.

NCW NSW is a non-political voluntary organisation made up of delegates from various women's organisations and individual members. It has been advocating for the rights and status of women and children since 1896.

Even though sexual harassment has been recognised as illegal in the workplace through the Commonwealth's *Sex Discrimination Act* since 1984 and is also recognised as a form of sex discrimination, it still remains a problem in Australia.

Women are more likely than men to experience sexual harassment. A 2012 national survey conducted by the Australian Human Rights Commission found that a quarter of women (25 per cent) and one in six men (16 per cent) aged 15 years and over have experienced sexual harassment in the workplace in the past five years. In Australia, one in two women (53 per cent or 5 million) and one in four men (25 per cent or 2.2 million) aged 18 years and over had experienced sexual harassment during their lifetime.<sup>1</sup>

Workplaces have a responsibility to prevent sexual harassment and to respond appropriately if it occurs. Not only does it severely affect workforce participation, particularly for women, but is also costly to organisations and the broader community. All forms of harassment adversely affect the health of the victim and workplace productivity.

It saddens NCW NSW that women and men who make complaints about discrimination (particularly women) are usually victimised and their careers are damaged. NCW NSW believes that there is a need for sexual harassment claims to be better managed.

This is supported by the 2012 Sexual Harassment Survey conducted by the Australian Human Rights Commission, where more people experienced negative consequences because of reporting sexual harassment compared to previous surveys held in 2008 and 2003. Nearly one-third (29 per cent) of respondents who reported sexual harassment indicated that their complaint had a negative impact on them (e.g. victimisation or demotion). This is an increase from 2008 (22 per cent) and 2003 (16 per cent). The same study also found that low reporting rates 'suggest a need to improve access to reporting mechanisms'.<sup>2</sup>

NCW NSW welcomes the New South Wales Minister's Domestic Violence Corporate Leadership Group which supports employee understanding of the right to have a workplace free from harassment.

It is also pleased to see that the New South Wales Chamber of Commerce<sup>3</sup> and the New South Wales Law Society<sup>4</sup> have information pages on how to approach sexual harassment particularly in the workplace.

NCW NSW also supports the fact that The Greens NSW has a sexual harassment policy<sup>5</sup>.

NCW NSW also supports the research that the Australian Human Rights Commission undertook in relation to sexual harassment at Australian Universities and the resulting nine recommendations it made in relation to this issue.

NCW NSW trusts the above comments add value to your inquiry.

National Council of Women of NSW Inc.

27 January 2019.

## References

1. New South Wales Government (2018), *NSW Sexual Assault Strategy*,  
[https://www.women.nsw.gov.au/violence\\_prevention/nsw-sexual-assault-strategy](https://www.women.nsw.gov.au/violence_prevention/nsw-sexual-assault-strategy)
2. New South Wales Government (2018), *NSW Sexual Assault Strategy*,  
[https://www.women.nsw.gov.au/violence\\_prevention/nsw-sexual-assault-strategy](https://www.women.nsw.gov.au/violence_prevention/nsw-sexual-assault-strategy)
3. New South Wales Business Chamber (2018), *Sexual harassment in the workplace*,  
<https://www.nswbusinesschamber.com.au/Media.../sexual-harassment-in-the-workplace>
4. Law Society of New South Wales (May 2018), *Managing sexual harassment in the workplace*,  
<https://www.lawsociety.com.au/advocacy-and...and.../managing-sexual-harassment>
5. The Greens New South Wales (October 2018), *Preventing and responding to sexual harassment policy document*,  
[https://greens.org.au/.../Greens\\_NSW\\_Preventing-and-Responding-to-Sexual-Harassment](https://greens.org.au/.../Greens_NSW_Preventing-and-Responding-to-Sexual-Harassment).