



# National Inquiry into Sexual Harassment in Australian Workplaces

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Submission

Women's Health in the South East (WHISE)  
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## Acknowledgement of the Traditional Owners

Women's Health in the South East acknowledges the traditional owners of the land of the Southern Metropolitan Region of Melbourne including the Bunurong People and Wurundjeri People of the Kulin Nation. We pay our respects to elders past, present and emerging. WHISE acknowledges that sovereignty of this land has never been ceded and we are committed to honouring Australian Aboriginal and Torres Strait Islander peoples in our work.



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# WHO IS WHISE?

Women's Health in the South East (WHISE) is the regional women's health service for the Southern Metropolitan Region.

WHISE is a not-for-profit organisation that focuses on empowering women. We work to improve the health and well-being of women in our region by providing health information and education to governments, organisations, education providers, and community groups.

Our team of health promotion professionals work to promote gender equality, sexual and reproductive health and the prevention of violence against women.

WHISE proudly provides settlement services for refugee and migrant women. Funded through the Federal Government, our team assist women to access mainstream services, increase their knowledge of Australian society, and to help them better participate in the broader community. We run support sessions, provide assistance to liaise with government departments and referrals when required.

## Primary prevention

Primary prevention in health promotion is at the very core of what we do. It is a deliberate way of changing the underlying causes of poor health. Rather than treating disease, our work seeks to prevent disease. WHISE work aims to reduce incidence of poor health of women in our community.

We train and raise understanding about gender equality because we know that this is the root cause of violence against women. We work in partnership with communities on sexual and reproductive health to support women to take control over their own health and well-being.

Health Promotion and Primary Prevention increases community well-being and most importantly for us, empowers women.

## Where we work

We work across 10 local government areas. Our area of work is called the South Metropolitan Region and consists of approximately 1.3 million people, representing about one-quarter of the state's total population.

We cover Port Phillip, Bayside, Kingston, Frankston, Stonnington, Glen Eira, Dandenong, Cardinia, Casey and Mornington Peninsula.



## Introduction

WHISE welcomes the opportunity to contribute to the national inquiry into sexual harassment in Australian Workplaces. As a Women's Health Service, WHISE recognises the significance of this inquiry. This submission closely aligns with several key themes and strategies enshrined in the work and values of WHISE and other women's health services including gender equity, drivers of family violence and primary prevention.

WHISE believes this inquiry is a vital component to not only reducing the rates of sexual harassment in Australian workplaces but to also further the community's aspirations to better understand the drivers and possible causes of sexual harassment in the workplace. To that end WHISE congratulates the commission for instigating this inquiry.

## Understanding sexual harassment as a gendered issue

### To what extent is sexual harassment a gender issue and what is the evidence

Research reveals that sexual harassment is predominantly experienced by women and that men continue to be perpetrators to a large extent. Statistics found in various reports and research material highlight this trend.

In 'Women and the Future of Work: Report 1 of The Australian Women's Working Futures Project', (Baird, et al., 2018) the authors reveal that one in ten women (10%) said they experienced sexual harassment at work. The report found that some groups of women were more likely to "agree that they experienced sexual harassment at work ... women currently studying and women with a disability were more likely to say they experienced sexual harassment at work (14% of women studying compared to 8% of those not currently studying, and 18% of women with disability in comparison to 9% of women without disability)" (Baird, et al., 2018). In addition, the report found that "women born in Asia and culturally and Linguistically Diverse women were twice as likely as others to say they experienced sexual harassment (18% of women born in Asia compared with 9% born in Australia, and 16% of CALD women compared to 8% of those who are not CALD)" (Baird, et al., 2018). It appears that women who have multiple marginalities are more likely to experience sexual harassment in the workplace. For example, women who have ethnic or cultural backgrounds other than the dominant group or gender diverse identities.

*The Australian Human Rights Commission* conducted a national telephone survey in 2012 to investigate the nature and extent of sexual harassment in Australian workplaces (The Australian Human Rights Commission, 2012). The findings from this survey found that:

*Sexual harassment is an ongoing and common occurrence, particularly in workplaces. Just over one in five (21%) people in Australia has been sexually harassed since the age of 15, a slight increase since 2008 (20%). A majority (68%) of those people were harassed in the workplace. Just over one in five (21%) people*



*aged 15 years and older has experienced sexual harassment in the workplace in the past five years, based on the legal and behavioural definitions of sexual harassment. Sexual harassment continues to affect more women than men. One-third of women (33%) have been sexually harassed since the age of 15, compared to fewer than one in ten (9%) men (based on the legal definition). A quarter of women (25%) and one in six men (16%) aged 15 years and older have experienced sexual harassment in the workplace in the past five years (based on the legal and behavioural definitions). Awareness of sexual harassment remains limited. Thirteen per cent (13%) of the Australian population aged 15 years and older has witnessed sexual harassment in the workplace firsthand or been informed about it subsequently (The Australian Human Rights Commission, 2012).*

Several reports looking into the prevalence of sexual harassment in a variety of workplaces have also identified sexual harassment predominantly as a gendered issue where a majority of victims are women. This can be seen in various workplaces including higher educational institutions such as universities.

In Sexual Harassment of Women: Climate, Culture, and Consequences in Academic Sciences, Engineering, and Medicine (2018) it was revealed that “In a survey conducted by the University of Texas System about 20 percent of female science students (undergraduate and graduate) experienced sexual harassment from faculty or staff, while more than a quarter of female engineering students and more than 40 percent of medical students experienced sexual harassment from faculty or staff. The Pennsylvania State University System conducted a similar survey and found similar results with 33 percent of undergraduates, 43 percent of graduate students, and 50 percent of medical students experiencing sexual harassment from faculty or staff. Other survey data reveal similarly high rates of sexual harassment of students and faculty in our colleges and universities” (National Academies of Sciences, Engineering, and Medicine, 2018).

This report explores the historically high rates of sexual harassment amongst educational institutions that are male dominated, particularly because “men in high positions can directly influence career options of women who are subordinate to them. The gender inequity and resulting power differential between men and women on college and university campuses has existed for years, and while some fields and institutions have been making progress in closing this gap, it persists” (National Academies of Sciences, Engineering, and Medicine, 2018). In addition, the report reveals, “that 58 percent of female academic faculty and staff experienced sexual harassment.”

Furthermore, it was reported that “42 percent of their sample of women working in academia (as faculty, staff, or administrators) had encountered sexually harassing conduct from men at lower levels in the organizational hierarchy. Echoing many other studies, most of this subordinate-perpetrated harassment was gender harassment (e.g., insulting remarks about women, vulgar gestures, lewd jokes)”. Likewise, Grauerholz (1989) reported that 48



percent of women faculty at a large research university had encountered sexually harassing conduct from students; most commonly, this behaviour entailed sexist comments (defined as “jokes or remarks that are stereotypical or derogatory to members of your sex”). Virtually all instances (99 percent) involved men as perpetrators” (Grauerholz, 1989).

The report further reveals that in the United States “gender harassment is the most common form of sexual harassment and that women are sexually harassed more often than men. The overall rates of sexual harassment for students at two university systems (the Penn State University System and the University of Texas System) ranged between 20 and 50 percent depending on what level of education (undergraduate or graduate) they were in and what the student’s major was” (National Academies of Sciences, Engineering, and Medicine, 2018). In another study from the United States (Clancy et al, 2017) it was found that women were more likely to observe remarks that they interpreted as racist or sexist. The findings revealed that 33% of women reported having observed sexist remarks in contrast to 22% of men.

In a survey conducted by *The Australia Institute* in 2015, the prevalence of harassment amongst women’s everyday experiences was shown to be considerable. It was found that “87 per cent of Australian women have experienced at least one form of verbal or physical street harassment. Among those who had experienced street harassment, 56 per cent of women were alone when they last experienced street harassment; three in four women (74 per cent) were harassed by a man or a group of men; a majority of women (54 per cent) were younger than 18 when they first experienced street harassment; 40 per cent of Australian women do not feel safe when walking alone at night in the area where they currently live, compared to 17 per cent of men; and 87 per cent of Australian women have taken at least one action to ensure their own personal safety in the last 12 months (e.g. avoiding walking home alone at night)” (Johnson & Bennett, 2015).

In the report outlining cultural change in the Australian Federal Police (conducted by the Australian Human Rights Commission) ‘*Cultural Change: Gender Diversity and Inclusion in the Australian Federal Police 2016*’, it was revealed that “sexual harassment and bullying are significant issues for the organisation and require urgent action” (Elizabeth Broderick & Co., 2016). The results of surveys utilised for the report reveal unsettling statistics. For example, the report shows that “46% of women and 20% of men report that they have been sexually harassed in the workplace in the last five years. These percentages are almost double the national average” (Elizabeth Broderick & Co., 2016). Moreover, it was found that, “younger female employees in the AFP are far more vulnerable to sexual harassment than other employees. Fifty-four percent of women aged between 18 and 29 reported they had experienced sexual harassment within the AFP workplace, just under half (49%) of women aged 30 to 49 having been sexually harassed and more than a quarter (29%) of older women” (Elizabeth Broderick & Co., 2016).



In its 2012 *report*, the Australian Human Rights Commission estimated that 1 in 5 women (25%) had experienced some form of sexual harassment in the workplace in the last five years.

In a report commissioned by Victoria Police into harassment within its workplace, it was found that;

*40 per cent of women and seven per cent of men who responded to the survey answered yes to the question 'Have you ever personally experienced sexual harassment?' For women, that lifetime prevalence rate is higher than that found in the community (33 per cent) and the Australian Defence Force (25 per cent). For men, lifetime prevalence is higher than in the ADF (3 per cent) and lower than in the community (9 per cent). Almost one in five female survey participants and one in 20 male survey participants had experienced harassment in a Victoria Police workplace that started in the last five years. The survey showed that two thirds of female survey participants and over half of male survey participants had witnessed at least one form of sexual harassment in the workplace in the past five years (Victorian Equal Opportunity and Human Rights Commission, 2015).*

Similarly, a 2012 survey conducted to review the prevalence and nature of sexual harassment within the ADF found that one in four women and one in 10 men in the ADF had experienced sexual harassment. The survey found that “in the last five years 25.9% of women and 10.5% of men in the ADF have experienced sexual harassment in an ADF workplace. This compares to prevalence rates in the wider Australian workforce of 25.3% of women and 16.2% of men in the last five years” (Australian Human Rights Commission, 2012). It was also found that several women and men in the ADF had experienced a behaviour that could be identified as sexual harassment but had not reported it because many did not have a clear understanding or awareness about what exactly constituted sexual harassment or about appropriate workforce behaviours. In addition, the survey found that several women who had experienced sexual harassment had not reported it due to concerns about career prospects, not being believed, or distrust of the process in place to deal with such complaints.

The Australian Bureau of Statistics' (ABS) *2016 Personal Safety Survey* (Australian Bureau of Statistics, 2018), revealed that

- Two in five people (39% or 7.2 million) aged 18 years and over experienced sexual harassment during their lifetime.
- One in two women (53% or 5 million) and one in four men (25% or 2.2 million) had experienced sexual harassment during their lifetime.
- In the last 12 months, one in six women (17% or 1.6 million) and one in eleven men (9.3% or 836,700) experienced sexual harassment.





- For both men and women, younger age groups were more likely than older persons to experience sexual harassment in the 12 months. Approximately **38% of women** (421,400) and **16% of men** (185,200) aged 18-24 years had experienced sexual harassment in the 12 months prior to the survey.

In addition, the survey found that “women were more likely to experience sexual harassment by a male perpetrator than by a female perpetrator”. Around one in two women (52% or 4.9 million) had experienced sexual harassment by a male perpetrator and approximately one in ten (11% or 989,900) women had experienced sexual harassment by a female perpetrator during their lifetime. Men were as likely to be sexually harassed by a male perpetrator as by female perpetrator (16% or 1.5 million and 16% or 1.4 million, respectively).

In the 2017 report into sexual assault and sexual harassment at Australian universities, *Change the course: National report on sexual assault and sexual harassment at Australian universities*, the Australian Human Rights Commission found the prevalence of sexual harassment was substantial. It found that;

*51% of students were sexually harassed on at least one occasion in 2016. 21% of students were sexually harassed in one of the following university settings: on campus, at an off-campus event organised by or endorsed by the university, at university employment or, for technology-based harassment, where some or all the perpetrators were students, teachers or other people associated with the university. 26% of students were sexually harassed in one of the above university settings and/or while travelling to or from university in 2016. Women were almost twice as likely as men to have been sexually harassed in a university setting in 2016. 44% of students who identified as bisexual and 38% of students who identified as gay, lesbian or homosexual were sexually harassed in a university setting in 2016, compared with 23% of students who identified as heterosexual. Trans and gender diverse students (45%) were more likely to have been sexually harassed in a university setting in 2016 than women and men (Australian Human Rights Commission, 2017).*

It appears that sexual harassment is highly gendered. As the above statistics and data reveals, overwhelmingly, it is predominantly women who experience some form of sexual harassment and it is primarily men who are the perpetrators. While men are also victims of sexual harassment, data shows that men do not experience sexual harassment to the extent that women do.



## Harassment of women in cyberspace - Gendered cyberhate

Of what we understand to be online abuse is gendered. A 2015 survey conducted by RMIT University (The Conversation, 2015) for example, found that 21.8% of women experienced sexual harassment online compared to 17.7% of men. Moreover, the study found that perpetrators of digital harassment are twice as likely to be male than female. It was also revealed that 68% of females were “significantly more likely than males (32%) to report digital harassment and abuse from males only” (The Conversation, 2015). While the study revealed that men also experienced digital harassment, men were more likely to be harassed or abused by both men and women and in equal numbers.

A United Nations report ‘Cyber Violence against Women and Girls’ (UN Broadband Commission, 2015) revealed other staggering statistics. It found that in 2013, 73% of women around the world had experienced online abuse. Moreover, the report found that “Women aged 18 to 24 are at a heightened risk of being exposed to every kind of cyber violence” (UN Broadband Commission, 2015). The report also found that many users feel unsafe using the internet.

While the prevalence and effects of online bullying and harassment have been explored regarding child safety for example, the impact of online harassment and its gendered nature has received less attention. Despite this, the gendered nature of online harassment and cyberhate has recently become more widely studied and understood. Importantly, studies have focused on the way in which technology and the online interactions that have developed, have for the most part being shaped and mediated by the very social and cultural norms they find themselves in. Once viewed as platforms where anonymity and equality might prevail given the internet’s ability to mask actual identities or make them redundant (this is discussed more widely below), it is clear that this ideal has not been attained. As the book *Gender, Technology and Violence* argues, “online interaction remains underpinned and shaped by the same social dynamics that are manifested offline in ways that challenge the offline/online dichotomy” (Segrave & Vitis, 2017). In this instance, gender. In addition, online interactions and the platforms that are enabled through these technologies not only replicate or shape gender dynamics online but also facilitate gender violence in specific and nuanced ways not previously seen. In this new technological sphere, i.e. internet, social media, email and text etc., the intersection between the *social* (that is social norms; what is acceptable and power dynamics) and how technology is utilised needs to be better understood because norms around gender roles and power structures do impact on the way in which these platforms are utilised.

As explained above, while the internet was initially viewed as a utopian ideal where gender, class or race would not be significant (or so it was hoped), “Despite early aspirations of gender neutrality”, an increasingly hostile online environment has shown how the harassment of women has intensified. Through a myriad of online platforms, women have become targets of specific forms of violence that have impacted on their personal and professional life. This can be seen in the various “violent anti-feminist hash tags that reinforce traditional gendered norms and target women” on forums like Twitter or other forms of social media.” (Cole, 2015). As Henry and Powell (2015) have argued,



practices such as bullying or harassment that have long existed have become amplified via technology (Henry & Powell, 2015). This can be seen in rising rates of hate speech particularly against feminist commentators. One need only look at various commentaries and blogs that have come under attack from so called trolls. Gendered cyberhate has become more prevalent, visible and noxious. The author Emma Jane (2017) has written about the way in which “the rhetoric of sexualised gendered violence has become so common online” (Jane, 2017). As an example of this ongoing and noxious online environment, a myriad of female journalists have faced ongoing online harassment as part of their work, particularly when “commentating has been normalized as part of journalists’ routines. As Chen et al reveal, “the digital space has created a new sphere where women journalists might face harassment ... [it is] a digital sphere that invites harassment along with a requirement that they engage in this space as part of their jobs” (Chen, et al., 2018). In addition, as Emma Jane has highlighted, “the androcentrism, sexism and misogyny underpinning the phenomenon [of gendered cyberhate] are old and depressingly predictable” (Jane, 2017).

## What is Digital Harassment

Digital Harassment can take various forms. It may include behaviours such as naming-calling, social embarrassment and offensive language as well as sexual harassment, unwanted sexual behaviours, exploitation or abuse which may include the taking and distributing of sexually explicit images without consent. Digital harassment can also include threats and cyberstalking.

## The impact of cyberhate on women’s well being

Gendered cyberhate has the potential to cause emotional, social, financial and professional and political harm. In addition, cyberhate has started to spill over into real life harassment as various reports have documented. These reports have documented threats of sexual and physical violence, following online stalking, surveillance via social media, email and text (Gorman, 2017).

The gendered nature of online harassment can be seen in the very explicit and sexualised forms of abuse targeted against women. In the report ‘Online harassment, digital abuse and cyberstalking in America’ (Lenhart, et al., 2016), it was revealed that while “Men and women are equally likely to face harassment, women experience a wider variety of online abuse, including more serious violations. Young people and sexual minorities are also more likely to experience online harassment or abuse—and more likely to be affected by it” (Lenhart, et al., 2016). Interestingly, many of the women who encounter online harassment do so in terms of gendered forms. That is, they are more likely than men to have comments made about their physical appearance and “more than twice as likely to be sexually harassed online” than men (Veletsianos, et al., 2018). Moreover, in a survey of faculty members at one Canadian university, it was found that there existed “a highly gendered experience of harassment. Female faculty staff reported a higher level of online harassment (22% reported being harassed in the past year compared to 6% of males)” (Veletsianos, et al., 2018).



In general terms, online harassment is certainly experienced both by women and men. It was found that almost three-quarters (72%) of American internet users have witnessed online harassment or abuse, and almost half (47%) of Americans have personally experienced harassing behaviours (Veletsianos, et al., 2018). The report, however, also found that women were more likely to be concerned about harassment online, with “women being almost three times as likely as men to say the harassment made them feel scared, and twice as likely to say the harassment made them feel worried. Meanwhile, men who said they had been harassed were more likely than women to say they were ‘not bothered’ by the experience” (Veletsianos, et al., 2018).

In many ways, cyber abuse could be equated with being an occupational health and safety issue that should be viewed as part of workplace harassment. As more and more individuals use online platforms as part of their daily work, it is especially important that online abuse be an aspect of workplace harassment. In a study conducted to better understand women scholars’ experiences of harassment and abuse online Veletsianos et al noted, “scholars are encouraged to be online as part of their jobs or want to be online for a variety of scholarly purposes such as knowledge mobilization.” (Veletsianos, et al., 2018). Yet many of them become subject to ongoing cyber abuse. As mentioned above, female journalists, who as part of their job must engage with online forums and provide commentary online, are often subject to sexual harassment on an ongoing nature.

In the same way sexual harassment in the workplace impacts adversely on women’s health and well-being, so too can online abuse. Research has found that online abuse can lead to distress, including fear, shame, and self-loathing. Interestingly, however, is the way in which many women victims also take pre-emptive steps to stop the harassment through actions such as self-censorship or through the removal of profiles and blogs from online spaces which constrains women’s efforts to find work, network, socialise or engage politically (Eckert, 2018). Such responses, however, highlight the “broader social implications: if women curtail their online participation as a result of harassment, the end result is likely a reduction in diversity of thought and opinion in the commons as well as within academia more generally” (Eckert, 2018). Research has found that the Internet offers competing forces for women: it can both empower them by giving them a space to speak out in way that they may not be able to in the nondigital world, but it can also constrain them as sexist gendered norms are perpetuated online in the same way they are offline.



## To what extent does sexual harassment impact on women's health and wellbeing? What is the evidence?

Sexual harassment has been shown to have several negative consequences for a victim's health and well-being.

In 'Workplace Harassment – A Health Issue', it was revealed that sexual harassment impacted on women's health and well-being in various ways including poor sleep, low self-esteem, anxiety and depression (Guthrie, et al., 2009). O'Leary-Kelly et al revealed similar findings. They found, sexual harassment in the workplace had "significant relationships with mental health; physical health; and PTSD" (O'Leary-Kelly, et al., 2009).

In 'The Impact of Sexual Harassment on Depressive Symptom During Early Occupational Career', Houle et al (2011) explore the role of sexual harassment on individual's experiences and development of depression. Through surveys and interviews conducted, the authors found that "women and men who experience more frequent sexual harassment at work have significantly higher levels of depressed mood than non-harassed workers, even after controlling for prior harassment and depressive symptoms" (Houle, et al., 2011). They reveal that "a growing body of high-quality research has consistently shown negative effects of workplace harassment on mental health" and that the effects of harassment are long lasting, "harassment experiences early in the career were associated with heightened depressive symptoms nearly ten years later." (Houle, et al., 2011). This is further evidenced by Willness et al (2007) where they explain that, "perhaps one of the most impactful outcomes of SH is that some victims may exhibit symptoms of post-traumatic stress disorder (PTSD) and have much higher incidence rates and lifetime risk for the disorder than do non-victims" (Willness, et al., 2007).

Similarly, Friborg et al (2017) revealed similar findings. They found that, "that exposure to workplace sexual harassment was associated with a higher level of depressive symptoms compared to employees not exposed to sexual harassment" (Friborg, et al., 2017). In addition, it was found that when the sexual harassment was directed from a supervisor or manager, victims were less likely to report the harassment due to concerns about their jobs, or work position. The role of any power imbalance between a supervisor and an employee was also viewed as impacting on a victim's experience of sexual harassment.

Nielsen and Einarsen (2012) also found that "Sexual Harassment is a severe social stressor with significant negative consequences among women". In a longitudinal study over a two-year period, the authors found that women were more likely than men to "report psychological distress at follow-up interviews" (Nielsen & Einarsen, 2012). Likewise, Cortina and Leskinen (2013) found that "the association between sex-based harassment and victims' mental health are many ... including symptoms of depression, stress and anxiety and generally impaired psychological well-being" (Cortina & Leskinen, 2013). Further, Richman et al (2002) found a link between increased alcohol use and the experience of sexual harassment at work. They found that "for women, the onset of sexual



harassment (SH) is predictive of frequency of drinking and drinking to intoxication, whereas sexual harassment chronicity is predictive of quantity of drinking and heavy episodic drinking. For men, the onset of sexual harassment is predictive of escape and interpersonal stress motives for drinking, problem drinking, heavy episodic drinking and drinking to intoxication" (Richman, et al., 2002).

In, 'Harmful Workplace Experiences and Women's Occupational Well-being: A Meta-Analysis' (Sojo, et al., 2016), the researchers found that harmful workplace experiences affected women's attitudes towards their workplace revealing an ongoing dissatisfaction with co-workers and supervisors. Similarly, Willness et al (2007) found that sexual harassment causes "a significant negative effect on victims' overall satisfaction with their jobs and their work. Overall, and without exception, SH experiences negatively affected victims' feelings about their job" (Willness, et al., 2007). Additionally, the authors found that victims of sexual harassment also felt anger, resentment and a lack of commitment towards the organisation, particularly because sexual harassment is seldom a one off incident, "SH experiences have a negative effect on one's psychological attachment to the organization as a whole" (Willness, et al., 2007). The authors also cited other forms of impact including loss of productivity and withdrawal from the organisation through lateness, avoidance or refusal to undertake certain tasks.

While sexual harassment can impact on a woman's well-being in a variety of ways, it is noteworthy to mention that it is not just so called 'traumatic' forms of sexual harassment such as sexual assault or coercion that result in victim's being negatively impacted. Indeed, as the article 'Harmful Workplace Experiences' reveal, low intense but high frequency forms of sexual harassment are as deleterious to women's well-being as other forms of more intense or violent forms of sexual harassment. Just as harmful for a victim's health and wellbeing is the continuous and high frequency experience of low intense forms of sexual harassment such as naming/calling etc. Moreover, women working in environments and organisations with persistent high levels of tolerance for more implicit and "often unchallenged gender harassment, sexist discrimination, and sexist organizational climate" (Sojo, et al., 2016) were found to be at least as detrimental for women's well-being as the existence of more direct or ongoing sexual harassment targeting specific individuals. The authors found that the exposure to such environments should not be considered lesser forms of sexism.

It is important to acknowledge that measuring the impact (if any) of sexual harassment on an individual's well-being has at times been viewed as problematic. This has been partly due to the number of variables that could impact on how specific individuals respond to sexual harassment but also because, particularly in the legal system, the way in which sexual harassment is understood or defined could be open to conjecture or debate. As McLaughlin et al (2017) reveal, "At the individual level, victims who pursue legal action must demonstrate that employers or harassers caused measurable harm" (McLaughlin, et al., 2017). This is often difficult to show. Moreover, as Uggen and Blackstone explain, "because consciousness of sexual harassment is likely to vary across social groups [as well as cultural groups]" (Uggen & Balckstone, 2004) its impact and definition may therefore also vary.



Equally important to understanding the impact of sexual harassment is the way in which harassment can serve to 'put women in their place'. This can be understood as a power dynamic that seeks to align individuals and gender roles with established norms when these are seen to be out of place. This is particularly visible with female supervisors or managers. This dynamic can also be seen in the way in which CALD women or individuals identifying with other genders are viewed, as well as males and females that are seen to not conform to hegemonic notions of masculinity or femininity. These vulnerabilities not only allow the targeting of specific people but also reinforce stereotypes and social norms (McLaughlin, et al., 2012).

In addition to the impact on women's health and well-being, sexual harassment can also impact on a woman's income and career advancement as McLaughlin et al (2017) reveal. They highlight the way in which victims may need to voluntarily or involuntarily cease work due to ongoing harassment. This can have a direct effect on the victim's income which can lead to additional stress. Moreover, the authors found that victims' careers may also be impacted due to, for example, their inability to obtain references from managers or employers. They write, "Exiting a harassing work environment may be costly for women's long-term careers if they sacrifice firm-specific tenure and human capital, lose access to social networks, experience gaps in employment, or cannot find comparable work" (McLaughlin, et al., 2017). As the authors found, however, when women do leave a harassing workplace, it is often done so as a last resort as they are aware of the consequences this action might have on their career prospects and income.

In the report, 'Growing up unequal: how sex and gender impact young women's health and wellbeing', (2017) Women's Health Victoria reveal the way in which "poor health outcomes experienced by young women share the same drivers – gender unequal norms and expectations" (Women's Health Victoria, 2017).



## Taking a primary prevention perspective on sexual harassment in the workplace

As the research and literature review above reveals, sexual harassment occurs in a variety of settings and in a variety of organisations. What is also clear is that SH has deleterious effects on victims' health and well-being. Importantly, SH is a gendered issue where overwhelmingly it is women who are targeted and where, overall, men are perpetrators. Additionally, the impact of SH on a woman's health and well-being occurs even in environments where 'lesser' forms of SH are experienced such as naming/calling. Indeed, the impact of so called 'milder' forms of SH have been found to be as detrimental to someone's health and wellbeing as more violent or obvious forms of SH, partly due to the possible ongoing nature of the harassment, but also because its seemingly more subtle and 'accepted' position in the workplace is seen to be tolerated and left unchallenged in a number of workplaces.

Given the impact of SH on victims' health and wellbeing, it is possible to see how a primary prevention / health promotion perspective could play a role in mitigating the increasingly high rates of SH in the workplace, particularly against women. As an advocate for women's health and wellbeing, WHISE urges the Commission to consider the significance and relevance of a primary prevention approach regarding SH.

The Australian Human Rights Commission (2008) states that "Sexual harassment is unlawful in almost every employment situation and relationship. For example, sexual harassment is unlawful at the workplace, during working hours, at work-related activities such as training courses, conferences, field trips, work functions and office parties. It is also unlawful between almost all workplace participants." (Australian Human Rights Commission, 2008). As such, under the Sex Discrimination Act 1984 (Cth) (Sex Discrimination Act), sexual harassment in the workplace is unlawful and employers "may be held legally responsible for acts of sexual harassment committed by your employees ... 'vicarious liability'. The Sex Discrimination Act makes employers liable for acts of sexual harassment *unless* they have taken all reasonable steps to prevent it from taking place." (Australian Human Rights Commission, 2008).

Within the scope of the legislation therefore, primary prevention could potentially form part of or compliment the legal framework in place. As the legislation outlines the obligations of employers in taking reasonable steps to prevent sexual harassment from taking place, **it seems reasonable to suggest that this could provide a legitimate space through which to create and provide specific programs with the aim of reducing the incidence of sexual harassment in the workplace.** It is also possible to foresee how primary prevention could assist organisations draft specific workplace sexual harassment policies. While the Sex Discrimination Act does not specify a uniform standard expected of employers to prevent sexual harassment in the workplace, the Australian Human Rights Commission reveals that "at a minimum employers would usually be expected to: 1. have an appropriate sexual harassment policy which is effectively implemented, monitored and





communicated to all workplace participants. 2. take appropriate remedial action if sexual harassment does occur” (Australian Human Rights Commission, 2008).

The role of primary prevention, however, should not be seen simply as an avenue to stem legal action. As the research has shown, sexual harassment in the workplace is not only detrimental to a victim’s health and well-being but can have serious ramifications for workplace interrelationships and interactions, work satisfaction and loyalty and commitment to the organisation. It is obvious therefore that reducing or stopping the incidence of sexual harassment can afford significant benefits for the overall environment and culture of a workplace. This in turn can also therefore impact productivity and costs.

## The role of primary prevention and Women’s Health Services

Women’s Health services are well suited to undertaking the work of primary prevention in a variety of settings including workplaces. Primary prevention is a key aspect of the work undertaken by WHS. WHISE acknowledges the importance of a primary prevention approach in furthering the work of sexual harassment in the workplace.

Primary prevention of disease and illness in women through health promotion is at the core of WHISE work. Health Promotion and Primary Prevention saves lives, increases community well-being and most importantly for WHISE, empowers women, “so that they can enjoy health (and have a) good quality of life ... (which is a) pre-requisite for achieving their potential in other facets of their lives” (Keleher, et al., 2007). WHISE embraces the Ottawa Charter (for Health Promotion, 1986) which recognizes that health is a “positive concept ... (and) goes beyond healthy life-styles to well-being”. Furthermore, we note the evolution of the Charter at the 6th Global Conference on Health Promotion in Bangkok (2005) which recognizes the increasing global changes and trends that are affecting health and well-being and, because of this the evolution of Health promotion strategies to address increasing inequalities and complexities in our community.

It is acknowledged through research and evidence that improvements in health have “been achieved largely as a result of economic environmental and legislative factors ...(aka) structural variables” (Jancey, et al., 2016). Dominated by the “social determinants of health” (SDH) the blue print for health promotion workers developed 10 years ago, aimed to improve daily living conditions, tackle inequitable distribution of power, money and resources and measure/understand the problem and assess the impact of action (CSDH, 2008).

In terms of health promotion and primary prevention, current researchers and thinking are moving to a form of practice that recognizes the increasing levels of complexity in health inequality. As the social determinants of health have revealed, health inequality can no longer be equated simply with a lack of access to economic resources. Instead, inequality of health must now consider the role that culture, psychosocial processes and the socio-political play in the lives of individuals and the communities they reside in (Eckersley, 2015).



In light of these considerations and appraisal of the factors that can lead to and determine ill health, or health inequality, WHISE suggests that in regards to SH, there is evidence that violence against women (including SH) can be prevented before it occurs by addressing the underlying factors that cause the problem. Through primary prevention, these underlying factors can be challenged, as well as the social norms that have normalised a culture of SH in a variety of workplaces.

## Exploring Gender Equity as a driver to sexual harassment

The role of gender norms and expectations can impact markedly on the way in which individuals experience and view sexual harassment. Where these norms and expectations are unequal, this can lead to the prevalence of sexual harassment in the workplace. Challenging established norms is therefore important because gender inequality does impact on women's experiences of sexual harassment.

As Women's Health Victoria's report (2017) states, "Improving gender equality would lead to improved health outcomes and experiences for young women. Gender unequal norms, practices and structures continue to limit young women's equal and full participation in many aspects of life" (Women's Health Victoria, 2017). These unequal gender norms also limit men as they continue to reinforce narrow and restrictive notions of what it means to be masculine. A whole body of work has emerged around toxic masculinity for example and how the way once held understandings of what it means to be a man are no longer serving men's interests in the contemporary world. Instead, what is being called for is the development of a more fluid understanding of gender and the accompanying norms and stereotypes previously proscribed to male and female.

## Bystander approaches to preventing sexual harassment in the workplace

There appears to be a dearth of examples available around primary prevention programs used to tackle the problem of sexual harassment in the workplace. While several workplaces and organisations have sexual harassment policies in place, there is little data documenting the role (if any) of primary prevention programs in assisting workplaces implement these policies or find ways to assist workplaces stem sexual harassment incidence. What is available is several theoretical explorations of primary prevention frameworks that could be utilised in or applied to the workplace. One of these is the role of the bystander approach.

Bystander approaches "focus on the ways in which individuals who are not the targets of the conduct can intervene in violence, harassment or other anti-social behaviour in order to prevent and reduce harm to others"<sup>1</sup>. While bystander approaches have been utilised in various programs to prevent violence against women at American universities, for example, or specific programs targeting men's

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<sup>1</sup> Encourage. Support. Act! Bystander Approaches to Sexual Harassment in the Workplace Paula McDonald Michael G. Flood, 2012 <http://ro.uow.edu.au/cgi/viewcontent.cgi?article=2968&context=artspapers>



role in preventing violence against women in various neighbourhoods or communities (see for example M Flood, *Where Men Stand: Men's roles in ending violence against women*, 2010), the possible role of bystander intervention within workplaces has not been greatly utilised, nor investigated. Having said this, VicHealth<sup>2</sup> (Bystander Intervention Pilot Project) and the Australian Human Rights Commission<sup>3</sup> have both suggested in their two respective documents that the bystander approach could be particularly useful in primary prevention programs in the workplace.

Below is a list of programs examples that have utilised **bystander programs** and resources. As VicHealth explains, these “can inform the development and implementation of bystander approaches to preventing violence against women in Victoria”. However, these examples could also provide some insights into implementing a bystander program or approach to sexual harassment in the workplace.

*(The following is taken directly from the source: 'Review of bystander approaches in support of preventing violence against women' Dr Anastasia Powell School of Social Sciences, La Trobe University)<sup>4</sup>*

**Effective practice examples** ('3-star' programs which have a sound theoretical basis, have been implemented and have strong evaluation-based evidence of effectiveness)

### Bringing in the Bystander (US)

Developed by Banyard and colleagues at the University of New Hampshire, Bringing in the Bystander draws on a community of responsibility model to teach bystanders how to intervene safely and effectively in cases where sexual violence may be occurring or where there may be risk. The key message of the program is that “*Everyone in the community has a role to play in ending sexual violence.*” Bringing in the Bystander The program is based on a multi-session curriculum conducted in groups with a team of one male and one female peer facilitator. Using an active learning environment, participants learn about the role of prosocial bystanders in communities and information about sexual violence, as well as learning and practising appropriate and safe bystander skills. draws together the founding work on bystander-focused prevention by Jackson Katz (Mentors in Violence Prevention program), Alan Berkowitz (The Rape Prevention Program for Men) and John Foubert (One in Four and The Men's Program). The program includes both women and men as potential bystanders or witnesses to risky behaviours related to sexual violence around them. Bringing in the Bystander has been evaluated on the campus of the University of New Hampshire, and while evaluation is ongoing, the results demonstrate the effectiveness of this program in terms

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<sup>2</sup> VicHealth PROJECT BRIEF Bystander Intervention Pilot Project

<sup>3</sup> Encourage. Support. Act! Bystander Approaches to Sexual Harassment in the Workplace Paula McDonald Michael G. Flood, 2012 <http://ro.uow.edu.au/cgi/viewcontent.cgi?article=2968&context=artspapers>

<sup>4</sup> [http://www.ncdsv.org/images/VicHealth\\_ReviewBystanderApproachesSupportPreventingVAW\\_5-2011.pdf](http://www.ncdsv.org/images/VicHealth_ReviewBystanderApproachesSupportPreventingVAW_5-2011.pdf)



of increasing student participants' Victorian Health Promotion Foundation 37 knowledge, attitudes and behaviours about effective bystander responses to sexual violence (see Banyard et al. 2005).

### **SAPPSS (Australia) The Sexual Assault Prevention Program for Secondary Schools**

A curriculum comprising six sessions for Years 9 and 10 students; professional development for all school staff (SAPPSS), was initially developed by CASA House (the Centre Against Sexual Assault) in Melbourne in 1999 and involves a whole-of school approach to preventing sexual assault and promoting respectful behaviours (Imbesi 2008). After piloting and evaluation, the program has been developed to incorporate:

- train-the-trainer workshops with staff who have nominated to deliver program content
- review of school policy and procedures to support the program
- a peer educator program for senior students who have completed the initial program curriculum.
- promising practice examples ('2-star' programs which have a sound theoretical basis, have been implemented but without strong evaluative evidence of effectiveness as yet)

Promising practice examples ('2-star' programs which have a sound theoretical basis, have been implemented but without strong evaluative evidence of effectiveness as yet)

**Men Against Sexual Assault (Australia) Men Against Sexual Assault (MASA)** is an organisation of men working within a pro-feminist framework towards the elimination of sexual violence (Pease & Velazquez 1993). The organisation seeks to challenge men to be accountable for their participation in sexist, racist and homophobic behaviour. In the 1990s, MASA groups were operating in most Australian states and ran a two-day 'Patriarchy Awareness Workshop' in workplaces (Pease 2008; Pease & Velazquez 1993). The workshops incorporated reflective group discussions, practice-based exercises and video materials to encourage men to reflect on their own practice and to become accountable and responsible for their own sexist attitudes and for providing more gender-equitable roles models among their peers (Pease & Velazquez 1993). While no evaluation of the work undertaken by MASA is available, the involvement of men associated with the organisation continues to be felt within policy and practice, including MASA's involvement in the first White Ribbon Campaign in Australia

**Respect and Responsibility (Australian Football League)** The Respect and Responsibility program is the Australian Football League's (AFL) response to addressing violence against women and it is designed to 'work towards creating safe, supportive and inclusive environments for women and girls across the football industry as well as the broader community' (AFL 2010). The policy seeks to shift attitudes: ensuring that those in the AFL industry are informed and have policy and procedures in place that recognise that violence against women and behaviour that harms or degrades women is not acceptable. The AFL has worked closely with VicHealth over the past five years to implement the Respect and Responsibility program. The program has focused on:

- Developing model anti-sexual harassment and anti-sexual discrimination procedures across the AFL and its 16 clubs.
- Developing organisational policies and procedures to ensure a safe, supportive and inclusive environment for



women. • Creating changes to AFL rules relating to 'Conduct Unbecoming', which cover the specific context of allegations of sexual assault. • Developing targeted education programs. • Creating model policies and procedures that can be implemented at the community club level. Respect and Responsibility explicitly incorporates a whole-of-organisation response, as well as articulating the role of bystanders in the prevention of violence against women (AFL 2010).

**Emerging practice examples** ('1-star' programs which have a sound theoretical basis, but which are still in pilot phase or yet to be implemented or evaluated).

**Northern Interfaith Respectful Relationships Project (Melbourne)** The Northern Interfaith Respectful Relationships Project is coordinated by Darebin City Council with funding from VicHealth. The project aims to promote non-violent and respectful ways for women and men to relate to each other within faith communities, as well as building models for mentoring and dialogue amongst faith leaders about prevention and respectful relationships.

**The Knox Accord to End Violence Against Women (Melbourne)** The Knox Accord to End Violence Against Women was first adopted by the Mayor of the City of Knox, followed by general members of the community, on 23 November 2007. It identifies the City of Knox as a community that "affirms respect for all women and for their right to perform within their chosen roles and be recognised as full and equal participants in all domains, be they social, political, economic, or cultural". The Knox Accord to End Violence Against Women signifies that the community of Knox:

- opposes all forms of violence and violence against women in particular
- acknowledges and supports existing policies, approaches and services that respond to violence when it occurs
- is committed to developing local strategies and policies to prevent violence and respond effectively to violence when it occurs. The City of Knox has an increasing number of community members and local businesses that have taken an oath to 'not commit, condone, or remain silent about violence against women' (City of Knox 2007).

The evidence from the Bystander Research Project suggest that whilst Victorians generally recognise sexist and discriminatory behaviours as unacceptable, they are most likely to both recognise and respond to these sorts of behaviours in their workplace (VicHealth, forthcoming). The evidence from the state-wide survey also suggests that workplaces can also play a key role in promoting pro-social bystander behaviour through the existence and implementation of sound policies and procedures relating to sexism, discrimination and violence against women. In addition, this researched showed the importance of organisational culture on bystander action; employees who believe that their workplaces don't tolerate violence against women are more likely to take prosocial bystander action, particularly if they believe they will be supported by their colleagues (VicHealth, forthcoming). In short, employees in a workplace are more likely to take bystander action where they believe they will be supported both by workplace policies and procedures, but also by other staff (including leadership) within the organisation



## Conclusions

In conclusion our recommendations are:

1. **Research** – We recommend that more research is required to better understand the best way to approach primary prevention in the workplace.
2. **Utilise Bystander approaches** - There is an opportunity to utilize bystander intervention approaches in workplace. Bystander approaches seem encouraging, and have been shown to be beneficial, albeit in other but related spheres like in the prevention of violence against women. More work is still needed to determine the efficacy of bystander intervention approaches in the workplace,. As has been documented (see Australian Human Rights Commission) bystander approaches in the workplace face challenges that may not be visible or relevant in other contexts. For example, a lot of sexual harassment in the workplace is not witnessed by bystanders, particularly when it takes place in an office or discreet area. Bystanders in the workplace may be unaware about the definition of sexual harassment, particularly in an industry that is male dominated or where there is an implicit tolerance to sexist remarks for example.
3. **Engage Primary Prevention to mitigate sexual harassment in the workplace, using existing primary prevention structures.** Despite the limited evidence base regarding primary prevention in the workplace as applied to the prevention of sexual harassment, there is a need for workplaces to better understand the impact of sexual harassment on employees, particularly women. Statistics clearly show that women are overwhelmingly victims of sexual harassment at work. Given these facts, the role of primary prevention is critical not only to provide education and awareness about the existence of sexual harassment in the workplace, but also how to move forward and prevent and stop sexual harassment from taking place.



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