

# Women NSW Submission to the AHRC National Inquiry into Workplace Sexual Harassment

## Background

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Women NSW (NSW Family and Community Services) aims to improve the lives of women and girls in NSW through policy, innovation and collaboration around women's health and safety, economic opportunity and participation in society.

Women NSW is responsible for a number of state-wide policies, including the NSW Domestic and Family Violence Blueprint for Reform 2016-2021, the NSW Women's Strategy 2018-2022 and the NSW Sexual Assault Strategy 2018-2021.

Women NSW supports the AHRC's National Inquiry into Workplace Sexual Harassment and would like to provide the following background information and suggestions for future work.

## The NSW Sexual Assault Strategy 2018-2021

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Women NSW led the development of the NSW Sexual Assault Strategy 2018-2021 which is a comprehensive framework to improve prevention of and response to sexual assault. The Strategy delivers a whole-of-government approach to sexual assault in NSW for the first time.

The Strategy aims to improve the existing service system for adults and children who experience sexual assault, while holding perpetrators to account. It also seeks to raise community awareness of sexual violence while improving prevention and education measures in families and the wider community.

The Strategy recognises that sexually violent behaviour exists on a continuum from sexual harassment through to aggravated sexual assault and that sexual violence disproportionately affects women. The Strategy acknowledges the high prevalence of workplace sexual harassment and the negative impacts, particularly for women. The Strategy holds that workplaces need to improve responses to complaints of sexual harassment or assault.

Development of the NSW Sexual Assault Strategy involved extensive community consultation. Ten consultation workshops were held across the state with a total of 240 Government and non-government stakeholders. An additional four focused consultations were held with 90 stakeholders representing these priority groups: Aboriginal and Torres Strait islander people, people with disability, LGBTIQ people and university students and staff. Almost 200 responses were received from the Public via Have Your Say on the NSW Sexual Assault Strategy.

Themes that emerged from these consultations relevant to the Inquiry into Workplace Sexual Harassment were:

- Acknowledgement of a continuum of violence from sexual harassment through to aggravated sexual assault
- Recognition that gender inequality is a driver of sexual violence and that prevention and education efforts need to address this
- Recognition that other power imbalances in relationships and communities also contribute to sexual violence
- Education on the continuum of sexual violence is important to enable people to identify (sometimes subtle) sexually harassing or abusive behaviours
- Information on these topics should be tailored to people from culturally diverse communities and people with disability.
- Efforts should be made to assist bystanders in how to best respond

- Traditionally male dominated industries should be targeted with education and prevention strategies

A number of commitments relevant to workplace sexual harassment were made by the Government under the Strategy, including:

- NSW Minister's Domestic Violence Corporate Leadership Group to support employee understanding of their right to have a workplace free from harassment.
- Develop a best practice guide for grievance handling of sexual assault and harassment allegations in TAFE

Work is currently in progress to achieve these actions.

## **National Plan to Reduce Violence against Women and their Children (2010-2022)**

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Women NSW is contributing to the development of the Fourth Action Plan 2019-2022 of the *National Plan to Reduce Violence against Women and their Children 2010-2022*.

Sexual violence and harassment will be a focus area of the new action plan, recognising the need to consider sexual violence across all responses to violence including prevention, early intervention, and crisis and justice responses.

## **Other relevant work at Women NSW**

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### **NSW Women's Strategy 2018-2022**

Gender inequality is widely recognised as a major driver of gendered violence. Attitudes that show low support for gender equality are reliable predictors of attitudes supportive of violence against women (2017 NCAS Survey)<sup>1</sup>. Women NSW is working at a broader level to improve gender equality and challenge rigid attitudes and stereotypes around gender. The aim is to not only improve women's economic and social participation but also to reduce the significant drivers of violence against women.

Women NSW led development of the NSW Women's Strategy 2018-2022 which is a whole-of-government policy framework with that aims to improve the economic, social and physical wellbeing of women and girls across NSW. The vision of the NSW Women's Strategy is that women and girls in NSW have full access to opportunity and choice, their diversity is recognised, they are valued for their contribution and are able to participate in all aspects of life freely and safely.

The strategy identifies three priority areas for action:

- Economic opportunity and advancement
- Health and wellbeing
- Participation and empowerment.

The first of four annual action plans containing initiatives under these three priority areas is currently being implemented (2018-2019) with the second year action plan (2019-2020) in development.

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<sup>1</sup> [https://ncas.anrows.org.au/wp-content/uploads/2018/12/ANROWS\\_NCAS\\_Summary\\_Report.pdf](https://ncas.anrows.org.au/wp-content/uploads/2018/12/ANROWS_NCAS_Summary_Report.pdf)

## **The workplace as a site for support and education**

Women NSW recognises the importance of the workplace in preventing and responding to violence. Recent work to achieve paid Domestic and Family Violence Leave for NSW public sector employees along with current development of a related workplace support policy highlighted the intersections between violence and the workplace and the need for the workplace to be a safe space. Work is also underway to develop education sessions for NSW Government workplaces on gender inequality, language and attitudes in the workplace, and the links to sexual harassment. Women NSW will evaluate the sessions in order to inform future work.

## **Suggestions for future work to address workplace sexual harassment**

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In light of the above evidence gathered from NSW Sexual Assault Strategy consultations and other work of Women NSW, the following suggestions are made:

- The workplace should be recognised as a critical site to prevent and challenge sexual harassment and broader forms of sexual violence
- Gender inequality should be acknowledged as a driver of sexual violence in any strategies to prevent sexual harassment and in training provided on sexual harassment
- Further knowledge should be developed on other complex power imbalances in relationships and communities that may contribute to harassment and violence
- Workplaces should have access to guiding principles to develop policies on sexual harassment prevention and response
- Workplaces should provide regular training on sexual harassment that includes identifying what sexual harassment is and how to respond, including what to do as a bystander
- Workplaces should provide employees and managers with easily accessible tools and information to assist with responding to sexual harassment, options for reporting and where to get support
- The perspectives of young people, Aboriginal people, LGBTIQ people, people with disability and culturally diverse groups should be incorporated into the design of sexual harassment education materials and prevention and response strategies.
- Traditionally male dominated industries be considered for intensive input in terms of education and strategies to prevent workplace sexual harassment.