

# Submission to Independent Review into Commonwealth Parliamentary Workplaces

## Human Rights Commission

This document is my submission to the Human Rights Commission (HRC) Independent Review into Commonwealth Parliamentary Workplaces, and made as a former member of staff to two Commonwealth Senators and two Members of Parliament, and while employed under the *Member of Parliament (Staff) Act 1984* (MOPS Act)

I was employed under the MOPS Act during the periods: [REDACTED]

I worked in offices in Queensland, New South Wales and at Parliament House, Canberra.

In making this submission I have prioritised protecting the identities of individuals with the focus on describing a specific event or behaviour. This is in line with the HRC review aims of ensuring a safer and more respectful parliamentary work environment into the future.

Set out below are details of two events that may be of interest to the inquiry and related to my experience as a MOPS Act employee.

### [REDACTED]: Event 1

In my experience the culture of parliament in the 1990s was one of 'work hard and play hard'. I experienced various instances of sexism, bullying and unwanted advances during the time I was employed as an electorate officer and later as an adviser.

The event I would like to specifically outline is how I was observed and reported on by a senior male [REDACTED] staff member, and in relation to an acquaintance with a [REDACTED]

The [REDACTED] had a reputation for paying attention to young, female [REDACTED] staff. I had been introduced to him through a female colleague at Parliament House.

In [REDACTED], on a parliamentary sitting week [REDACTED] I was out at [REDACTED] after previously having dinner in [REDACTED]. I was part of a group of both male and female [REDACTED] staff. The [REDACTED] was also out with a group of his colleagues. He came over to say hello, and asked me to dance, and I said 'no'. He responded by saying I was afraid as it was likely that this would be reported back through [REDACTED] channels and get me 'in trouble'. His provocation rankled me, and I couldn't quite believe I would be reported for a dance, so when he asked again I said 'yes'. I had a number of dances with the [REDACTED] that night. I left [REDACTED] around midnight and made my way home in a taxi on my own.

The following morning I arrived at work at [REDACTED] in time for morning briefings and within an hour or so was called into the [REDACTED] Office. He had taken a call from the [REDACTED]. A senior male staff member of the [REDACTED] had reported I had been seen dancing at [REDACTED] with the [REDACTED] and there was concern about my behaviour and the relationship. I clarified to the [REDACTED] that he was just an acquaintance and his reputation for paying attention to female [REDACTED] staff. I also mentioned that the [REDACTED] had said I would be reported for dancing with him. The [REDACTED] was not overly worried but did say that it was important that this not happen again and to avoid contact with the [REDACTED].

Over the following weeks and months the [REDACTED] doubled down on his attention to me. If he saw me at Aussies (a cafe at Parliament House) or walking anywhere in the building he would shout out hello and act in an overly familiar way, as if there were a closer acquaintance than there was. I found this stressful particularly as there was the potential for additional consequences for me if it was perceived by any [REDACTED] staff observing that I was continuing an acquaintance with the [REDACTED].

I left my role at Parliament House in [REDACTED] to undertake a working holiday. When I returned to an adviser role in [REDACTED] the behaviour of the [REDACTED] continued. This included calling out to me in public places, and the addition that as I now sat in [REDACTED] [REDACTED], shouting across [REDACTED] [REDACTED]. I understand that this was meant to be a joke but again did find this behaviour difficult. I continued to avoid the [REDACTED] at Parliament House and socially.

In relation to the above, I believe that:

1. There was an informal practice of monitoring the behaviour of female [REDACTED] staff by some Ministerial Offices, including to report on females whose interactions with [REDACTED] staff and MPs/Senators appeared too familiar.
2. There was a double standard in relation to how female [REDACTED] staff were treated in relation to acquaintances or relationships with [REDACTED] staff and MPs/Senators, compared with male [REDACTED] staff. My observation was that male [REDACTED] staff flirting with (or having sexual relationships with) female [REDACTED] staff and MPs/Senators was met with much back slapping and congratulations. In my view the implication of this was that men could be trusted and may get information from these relationships, while females were weaker and would tell everything.
3. That the [REDACTED] did not appreciate the implications of his behaviour and that it could be construed as bullying.

## Event 2

I returned to Parliament House to work as an adviser to a Government Minister in . I returned as an assistant adviser and it was raised in my interview by the that they were willing to 'take a risk' to employ me, as a mother with three children and as they were looking for a more mature staff member to take on the liaison work with Backbench Members of Parliament.

Having demonstrated competence, I was promoted to an adviser role. At a salary review with a new I made my case for a salary increase based on my previous experience and what I considered were successes in my role. I was told by this that he could not consider a salary increase to this level as they had to 'accommodate' the fact that I had kids. I asked my to elaborate on this point. He stated that they had moved the morning meeting on parliamentary sitting days from to as I had found it difficult to get into the office before that time due to family commitments and as I commuted to Canberra from . As well, I 'insisted' on leaving on to collect children from childcare and afterschool care. These two points were both true however I was surprised that these requests were considered such an imposition. Further, outside of parliamentary sittings I travelled with the Minister and made myself available outside of standard working hours as needed (working around the childcare pickups with my husband as required). My went on to explain that in relation to a adviser employed in the office, he could ask him to stay at his desk for as long as required and didn't have to accommodate this type of request.

I indicated to my that I would like to make a case for a salary increase directly to the . He was not happy with this request but didn't openly object. Over the next week I attempted to find a time to talk to the , and while I had often previously had time alone with her, for this period my decided to accompany the and I to meetings and events. After a week had passed I had still not had an opportunity to talk to the about my salary review. I was then advised by my that he had submitted my salary review documentation, for a lower pay increase, and that this had been approved. He said regretfully this could not be re-prosecuted for 12 months.

I believe my behaviour was deliberate, and that he saw my family commitments as a significant negative and valued more highly presenteeism and the availability of staff without family commitments. As events transpired, a number of staff departures in the office provided an opportunity to renegotiate my salary and a salary increase, which was supported by the and successful.

I believe greater value is place on recruiting staff that can be available and present, and that disadvantages women who are raising children. The perspectives of working mothers and those truly juggling work and family are important, and the lack of these perspectives within political offices is a loss to government and public policy, as well contributing to a gender imbalance.

## **Final observations**

### **Employment uncertainty makes it difficult to attract and retain experienced staff**

Each time portfolio titles and responsibilities are changed - machinery of government changes - it triggers a process under the MOPS Act that spills all the ministerial staff positions. While employed as an adviser from [REDACTED] I was made redundant [REDACTED] due to machinery of government changes. I appreciate that this process exists to allow flexibility in the staff skill mix when portfolios change, however it does lend a certain level of instability to these roles.

Further, as elections approach and where the fate of a Government (or Opposition) is not looking strong it has been my observation that the Government Staffing Committee (the Star Chamber) is open to appointing relatively inexperienced staff to senior roles. This is largely due to the difficulty in attracting experienced staff because of additional employment uncertainty. These circumstances mean there are inconsistencies and inequities in the staff appointments and remuneration process depending on the lifecycle and likely electoral success of a Government (or Opposition).

There is a priority to put in place a process for MOPs Act staff that provides greater employment certainty to bring greater stability to these roles and in turn ensure these roles attract high calibre candidates.

### **An unhealthy culture**

Our current political and parliamentary structure and processes in my view deters many women from pursuing a career in politics.

The competitive and adversarial process of preselection, elections and parliament means that many women that could make a valuable contribution to public life, avoid it. As well, serving as an MP or Senator (and for many staff) includes being absent from home for up to half of the year to attend Parliament. Parliamentary sittings involve long hours, from 7.30am to late at night. Outside of parliament there is travel, electorate and other commitments that require work outside of standard hours and on weekends. Those with families need the help of supportive wives, husbands, partners, families and paid child carers to make this work. Many find this a difficult choice and spending more time with family is a common reason given for leaving parliament.

I know for me personally, it was a difficult decision to return to a position as an adviser in [REDACTED] and I left after the [REDACTED] election, one reason being the toll it had taken on my family.

These factors, combined with employment uncertainty, the quirks and demands of various Ministers, Members and Senators, and the hectic pace of these roles, means that it is often not a sustainable employment option for those with family commitments. The result is that there is a cohort of younger female staff, and a smaller cohort of older female staff and a big gap in the middle as female staff take time out to have babies and raise families, and prioritise more family-friendly and flexible work environments.

As part of addressing this, consideration needs to be given to creating a culture that does prioritise flexibility and work life balance. A workplace that demands 110 per cent of a staff member's time and focus is an unhealthy one. In my view it contributes to a situation where people are more likely to have relationships within the workplace because that is 'their whole life'. It also contributes to a gender imbalance and a culture of unhealthy power relationships, that have made and continue to make female staff vulnerable to mistreatment.

### Duty of care

Earlier this year I bumped into a male [REDACTED] colleague and a [REDACTED]. He was tired and stressed by the events surrounding the Brittany Higgins allegations, as well as other reports of misbehaviour. He was also worried about his own vulnerability. He mentioned that in his view he had a duty of care to female staff in his office. As a result he had warned them to be alert when out drinking and socialising, including recommending they consider the risks in situations where MPs, Senators and staff are drinking excessively and the potential for inappropriate behaviour, including sexual advances. He believed that by providing this caution he could be culpable.

I expect there are many staff at Parliament House on both sides of politics grappling with duty of care concerns in relation to the safety and wellbeing of female staff. It is a clear priority to fix the behaviour that is the root cause of the problem, likely possible through clear standards of conduct for Members, Senators and staff; robust and impartial processes to address breaches of these standards; and mandatory training for all about what is and isn't acceptable behaviour.

Ultimately, even with clear standards, processes and training, studies have shown that the greatest and most effective way to achieve workplace behaviour and cultural change is for leaders and those in senior positions to act as role models.

## Conclusion

Issues surrounding the safety and wellbeing of female staff in workplaces are not limited to a parliament house and parliamentary workplaces. There are similar issues across many workplaces, whether in finance, consulting, the legal world and small business. However, in the case of our elected representatives and those that work in service to our country and its people, we expect them to set and uphold high standards of conduct, and these expectations are not unreasonable.

Liza Davis

[REDACTED]

[REDACTED]

[REDACTED]

I **do give** permission for my **submission and name** to be published on the Commission's website.