

## National Inquiry into Sexual Harassment in Australian Workplaces

As a young journalist at [REDACTED], I was assaulted by my [REDACTED]; I haven't thought of that incident in more than [REDACTED] years, but I got to re-live the trauma of that attack and its personal and career ramifications when the #MeToo campaign gained momentum here 12 months ago.

This submission to the Australian Human Rights Commission's National Inquiry into Sexual Harassment in Australian Workplaces documents my experience as someone who was subjected to this behaviour within the media industry. It specifically addresses the Terms of Reference that *explores the impacts on individuals and business of sexual harassment, such as mental health, and the economic impacts such as workers compensation claims, employee turnover and absenteeism.*<sup>1</sup>

### Introduction

Australia's media industry has a trust-deficit when it comes to current actions to right past wrongs.

Each story of harassment, misconduct or physical mistreatment that has come to light over the past 12 months reinforces that our media industry, collectively, has not had the internal processes, culture or leadership willpower to protect its people from inappropriate workplace behaviour, provide support when this behaviour occurred or hold perpetrators to account for their behaviour.

Writing as someone whose experience was swept under the proverbial carpet by management, whose journalism career and confidence was shattered in the process, and whose life has been upended once again as these incidents find the public gaze, it is my firm belief that the industry cannot be trusted to independently make amends.

Creating organisation-specific telephone help lines<sup>2</sup> for reporting historical poor behaviour, whilst good PR, does not inspire trust or confidence that past incidents will be handled with independence, empathy or the interests of former employees at heart.

In addition to exploring the personal impact of being subjected to an assault in the workplace, this submission argues for the establishment of an independent entity to investigate historical cases of sexual misconduct and assault in the media industry. An independent entity is the most effective way to give confidence to those who want their voice heard that past incidents will be handled with transparency and integrity.

### The hash tag that upended my world

Early last December I was on a train home from work, scrolling the ABC News app for the day's headlines, when an article by Juanita Phillips<sup>3</sup> unexpectedly caught my attention. In it, Juanita wrote about Don Burke and the industry behaviour that protected him and his behaviour for years. Then she mentioned female journalists I greatly admire and respect who were exposing this behaviour and advocating for change.

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<sup>1</sup> <https://www.humanrights.gov.au/national-inquiry-sexual-harassment-australian-workplaces-terms-reference>

<sup>3</sup> Don Burke fallout\_ Women have the power to expose men's bad behaviour, Juanita Phillips, 28 Nov 2017 ABC News (Australian Broadcasting Corporation) <https://www.abc.net.au/news/2017-11-28/don-burke-fallout-women-have-the-power-to-expose-bad-behaviour/9200142>

What undid me was a line in the story that said there were 'more names to come'.

Sitting on that peak hour train, I had a physical reaction to that line that left me shaking, sobbing and trying not to throw up. Without warning, I was back in an edit suite in [REDACTED] being assaulted by my [REDACTED].

Was his name being investigated? He's still in the industry, [REDACTED] [REDACTED]. I hadn't thought about this in over [REDACTED] years. I hadn't told some of my closest friends or family what had happened to me, why I'd given up journalism – I'd just gotten on with things.

I'd left my job just months later, despite having wanted to be a journalist since I was young, with zero self-esteem and a belief that I'd never be hired as a journo again.

I've been on a rollercoaster of emotions since that reaction. Re-living that experience brought feelings of shame that it happened, disbelief that anyone could get away with such an act and that my employer blamed me for it and covered it up, plus a spectacular sense of loss that my career as a journalist ended not of my design.

This is all despite the fact that I went on to have amazing roles and experiences outside the industry, culminating in the best parts of where I am now.

I went to work the day after reading Juanita's story [REDACTED]. But I wasn't present, couldn't think straight. I told myself to get a grip; I had two major public relations campaigns to launch in the coming weeks and there was no time to fall apart.

Then I was crying on a colleague who'd simply asked me how my day was going. I told him what had happened on the train and then in that edit suite. It was the first time I'd talked about it since it happened. And I couldn't stop crying. Tears don't sit well with me. Especially not tears in a professional environment. More shame. And now I'm emotional, unprofessional and unreliable.

I ended up taking three weeks, plus the Christmas break, off work to regain some sense of equilibrium. I got counselling. I went to yoga. I walked my dog, a lot. I could almost discuss what had happened without the tears, nausea, chest squeezes and goose bumps. But I was starting to feel angry, too.

[REDACTED]  
Just like that, my confidence was gone. My ability to do my current job was impacted and my immediate manager was less than understanding about the timing – or the reason – adding to the stresses of the situation.

It took a lot of hard work to get back on a relatively even keel to return to work and deliver one of my campaigns. The other campaign was understandably handed to a colleague in my absence. I was embarrassed that something out of the blue from my past could impact my ability to do my current job. On top of processing the original assault (again) and its impact on my career and sense of self, I was overwhelmed.

I took strength from a conversation with my executive director. I felt a strong need to speak with her as we're of a similar age and, as an ex-[REDACTED] journo, she listened to me, shared her own, often horrible and blatantly sexist, experiences – and she heard me.

I hadn't realised how much I wanted validation that what happened to me as a young journalist was unacceptable, criminal and it was wrong that it was swept under the carpet by [REDACTED]

## The attack that upended my career

I joined [REDACTED] a few months before I finished my degree. Driving up to [REDACTED] to do the evening or midnight to dawn shift, monitoring the police scanners and sending crews to overnight incidents, I was so excited to be taking my first step as a journalist – with [REDACTED] no less.

Six months into that role, my news director mentioned [REDACTED] needed a junior journalist. Apparently they'd just sacked their last one. I wasn't sure about being sent to [REDACTED], but his "Do you want to be on television or not?" response settled it for me.

[REDACTED] The newsroom was tiny, about [REDACTED] of us all up, producers, journo and camera crews. It was an easy station to work in. We all got along, drank together after work. Had an easy camaraderie.

In amongst all that camaraderie, though, there was definitely misogyny. I was repeatedly compared to the previous female journo whose job I took. The newsroom collectively viewed her as 'incompetent, useless and an utterly stupid journalist'. It doesn't matter that meeting her proved the complete opposite; it was always a derogatory reference along with my ranking against that.

We were out at drinks one night when my [REDACTED] said to me, "You're the most beautiful, perfect person in the world, there must be some fundamental flaw." My response, "Fuck off, [REDACTED]." It's what we all said. It was part of the banter. And I thought nothing more of it.

I was sent out to cover a story on litter. Junior journo, council round, off I went to do interviews. When my cameraman and I went to get vision, we couldn't find any of the offending litter, so I called it in on the two-way.

If found my notes from that day. They're unemotional, succinct. Removed from me. But they capture how things unfolded after that (see Appendix).

My [REDACTED] still wanted the litter story. I argued there wasn't really a story in it, and we didn't have vision to back it up for a package. I remember him standing over me at the computer, right behind me, getting angrier with me as I tried to explain why I thought it was a non-story. I said I'd go and have another look at the vision we got, to see if we could do an RVO, and I walked to our edit suites. He followed me, raising his voice, asking me what my problem was. I know I asked him if we could talk about it later, when we were both calmer. He continued yelling at me.

Then I said "Just fuck off, [REDACTED]."

I was feeling cornered in the edit suite, I'd tried appealing for a calmer conversation. I thought it was speaking in terms he understood.

What happened instead was that he exploded: "What the fuck did you just say to me? That's it, you're fucking dead."

And then he punched the plate glass window above my head. Three times, until it shattered around me. My screams brought my cameraman. He carried me out of there, into the carpark. And I quit my job.

That afternoon, two of my colleagues from Operations turned up on my door step. The only thing I remember them saying is "You can't quit. You can't let him get away with this. He's done it to other people."

I never asked if that had happened to my predecessor.

## **Absent**

I went back. I was too determined to be a journalist and I couldn't bear the thought of being seen as a victim. I was reprimanded for telling my [REDACTED] to fuck off. I was told I'd report straight to the news director in a newsroom the size of a glorified corridor. I sat adjacent to my [REDACTED]. Nothing else would happen.

Despite the damage to the edit suite, let alone me, there were no repercussions for the [REDACTED]. It was never spoken about again. I never connected it to the inappropriate comment he made at drinks and what might be seen as a rebuff. Call me naive.

Even though my screams let the whole station know something had gone wrong, no one approached me from HR or Legal to see if I was physically or mentally okay. There was no offer of counselling. There was no suggestion that what had been done was criminal. There was no apology. The general manager, [REDACTED] was the one who reprimanded me.

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

They didn't have to worry about me making waves. Clearly what happened was my entire fault. I just had to toughen up and accept that's how the industry operated and I was lucky to still be a journo.

I didn't notice my self-esteem disappear, or realise how shredded my confidence was. I do remember feeling I'd never get a job anywhere else in the industry. I never questioned that feeling.

I'm forever grateful to the [REDACTED] media adviser who sat me down one day and told me her boss wanted me to replace her.

It wasn't journalism. But I was wanted.

And I didn't look back until that train trip last December.

## **Bittersweet**

In putting this submission together I found an old box of notebooks. It's where I also found the notes I took regarding the day of the assault. That box has followed me across two decades of house moves, job changes and life. I hadn't given it a second thought until writing this.

And it was bittersweet reading its contents. Among the notes, I found some hard copy references. One, a reference from [REDACTED], then [REDACTED] Director of News, full of promise when I left for the [REDACTED] newsroom: "[REDACTED] has made an excellent start to what I am confident will be a successful career as a journalist."

And one from a contact in the [REDACTED] industry, the round I was cultivating and particularly loved, following my first on-air presentation of an entire bulletin: "I feel compelled to make an observation with respect to your Sunday news service... I do endorse wholeheartedly, the use of [REDACTED] for future services where the opportunity arises. Please pass on my congratulations to her for a fine job."

There's one more reference which is telling, with the weight of [REDACTED] years behind it. It's from [REDACTED] general manager: "She left voluntarily in [REDACTED] to pursue other career avenues... Her work for this company was of a consistently high standard – in keeping with the goals she sets for herself."

I left voluntarily. Good to get that in writing. What it leaves out is that I left with my confidence and dreams crushed.

In March this year, as I was still processing being side-swiped a second time, I found out a young family friend landed a job with [REDACTED]. She is an intelligent, talented, beautiful woman with the promise of her career ahead of her. I burst into tears at the prospect of her joining the industry. At that stage, [REDACTED], but it was absolute despair I felt at the prospect of anything like this happening to her.

I know she won't experience what I did, especially with the glare of social media and the growing confidence of people of both sexes to call this behaviour to account. But I want the industry to know in no uncertain terms that it must take responsibility for creating safe work places, especially for women, and for redressing the wrongs of the culture it endorsed over the last decades.

I'm adding my voice to this story and I want to know that my story will be heard, validated, investigated and resolved.

I haven't named the [REDACTED] apart from his nickname. But that's more because I want to protect the names of my cameraman and the colleagues who came to my house, and out of respect for the fact that they didn't ask for this issue to be revisited either. [REDACTED] is a small place. It creates bonds that stretch far and those bonds have looked after me beyond that newsroom. I value that.

I don't know what resolution looks like right now. It's enough to keep my game face on and focus on remembering I'm safe and supported where I am in 2018. Resilience is a wonderful trait to possess. If this experience has taught me anything, it is that I will keep getting up each day, pull myself together and keep working to restore the confidence and self-esteem that 23 year old me enjoyed before an assault in an edit suite reshaped how I view myself. This view might have been buried very deep for the past [REDACTED], but I can see how the sense of shame, constant questioning of my ability and intellect, exhausting hyper-vigilance, and doubting my worthiness to be successful has permeated every role and undertaking of my adult life. Subtly. Unconsciously.

That's what an abuse of power does. And it goes beyond the sustained inappropriate behaviour or physical assault. It reaches forward into lives and reminds people they weren't safe in their workplace. They weren't protected by a culture or leadership that wouldn't tolerate abuse in any form. And they weren't supported when the behaviour of those in positions of power perpetrated that abuse.

### **Industry history doesn't inspire confidence**

#MeToo's international spotlight on the sexual misconduct and abuse of power by individuals in positions of authority, and the high profile allegations of sexual misconduct raised against those in the media industry here in Australia, has undeniably been a catalyst for giving (predominantly) women a voice and the ability to speak about behaviour that should never happen, let alone in a workplace.

Importantly, it has brought to light how effectively Australia's media organisations have swept historical incidents of sexual harassment or assault by their employees under the carpet. How these organisations created workplace cultures that allowed that behaviour to go unchecked, and unsubtly reinforced that the media careers of people reporting this behaviour would go nowhere.

Organisations have a duty of care to protect their employees and provide a safe workplace for everyone. And they should be held accountable for how those in positions of power have historically abused their responsibility.

That lack of accountability and support has a lasting, detrimental impact on those subjected to this behaviour. Workplace sexual harassment and assault goes beyond the initial physical assault or the sustained inappropriate behaviour that is often only checked by being removed from the perpetrator's reach – usually at the cost of a job, or the health, of the recipient. The impact resurfaces, unexpectedly, inconveniently, over time, and it reminds people their workplace wasn't safe; their employer didn't protect them by providing a culture or leadership that wouldn't tolerate abuse in any form; and they weren't supported when the behaviour of those in positions of power perpetrated that abuse.

When an organisation demonstrates, through burying its head in the sand when incidents of sexual misconduct or assault occurs in its workplace, fails to support staff experiencing these incidents, rewards perpetrators with career progression, shifts or pushes out those who complain about the behaviour, or creates a cultural environment that fails to hold people to account for their actions, how can they be trusted to deliver unbiased, empathetic, independent and just assessment of past incidents through in-house investigations now?

**An independent body or panel must be convened to hear historical cases of sexual misconduct or assault within the media industry. The entity should be prepared to evaluate an organisation's response at the time of the incident, examine whether systems and processes are now in place to protect employees from similar incidents, and decide how the organisation will be held to account.**

This entity should:

- be funded by a levy on each media organisation in Australia: because financial consequences are a tangible means of holding organisations to account.
- publish its investigations: because reputational consequences help ensure cultural and governance changes happen.
- be empowered to compel persons to appear and make enforceable decisions: because the industry has shown it doesn't have an ability to self-regulate when it comes to sexual misconduct and assault.
- be at arm's length from the industry: because trust, once lost, is hard to restore.

As a young journalist at [REDACTED], I was assaulted by my [REDACTED]. More than [REDACTED] years later, that assault has upended my world and sense of self once again.

It will take more than an organisation's telephone help line to give me confidence this is an industry committed to lifting its game, owning that it culturally-enabled the behaviour of employees in positions of power, and that it is now prepared to make things right for those who were abused.