

Working without Fear: Results of the Sexual Harassment National Telephone Survey 2012

Community Guide



Australian
Human Rights
Commission



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without
fear:

RESULTS OF THE SEXUAL HARASSMENT
NATIONAL TELEPHONE SURVEY 2012

In 2012, the Australian Human Rights Commission conducted its third national telephone survey on sexual harassment.

The survey is important because it provides the only national and trend data on sexual harassment in Australian workplaces.

The survey examined the prevalence, nature and reporting of sexual harassment in Australian workplaces over the past five years. It also analysed related trends across the lifetime of the survey, comparing the results of the 2012 National Survey with previous surveys conducted by the Commission in 2003 and 2008.

Two thousand and two people (15+ years) were interviewed for the survey. Participants were representative of the Australian population in terms of age, sex and area of residence.

An additional 1,000 people were interviewed from the Australian Defence Force, as part of the Sex Discrimination Commissioner's Review into the Treatment of Women in the Australian Defence Force Academy and Australian Defence Force. The simultaneous administration of the 2012 National Survey and the Australian Defence Force Survey allowed for comparisons to be made between the prevalence, nature and reporting of sexual harassment in Australian workplaces in general and the Australian Defence Force workplace in particular.

How widespread is sexual harassment?

Lifetime prevalence

Just over one in five people (21%) in Australia has been sexually harassed since the age of 15 (based on the legal definition of sexual harassment), a small increase since 2008 (20%). A majority (68%) of those people were harassed in the workplace.

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 men (9%). This is consistent with the findings of the 2008 National Survey (32% of women; 8% of men).

What is sexual harassment?

Sexual harassment is unwelcome conduct of a sexual nature that a reasonable person would anticipate could make the person harassed feel offended, humiliated or intimidated.

Sexual harassment can take many different forms, both physical and non-physical, and can occur through a variety of mediums (eg in person, via email and texts, and through social media).

Behaviours that are likely to be characterised as sexual harassment include indecent exposure, comments or jokes of a sexual nature, sexual propositions, sending sexually explicit texts and asking intrusive questions about a person's private life.

Some types of behaviour, such as sexual assault or rape, may constitute a criminal offence, in addition to constituting sexual harassment.

It is unlawful under the *Sex Discrimination Act 1984* (Cth) for a person to sexually harass another person in a number of areas of public life, including employment, education and the provision of goods, services and facilities. Sexual harassment is also unlawful under state and territory anti-discrimination laws.



Workplace prevalence

Just over one in five (21%) people over the age of 15 years experienced sexual harassment in the workplace in the past five years (based on the legal and behavioural definitions of sexual harassment). 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.

21% of people over the age of 15 years experienced sexual harassment in the workplace in the past five years

Who are the targets of sexual harassment?

Sexual harassment affects a broad range of individuals across a broad spectrum of occupations, workplaces and industries. However, it is a particular problem for certain groups of employees.

The 2012 National Survey found that targets of workplace sexual harassment are most likely to be women. Five in eight (62%) targets were women, compared to only three in eight (38%) men. It also found that the majority (64%) of targets were less than 40 years of age, with targets most likely to be harassed between the ages of 18 to 24 years.

Being harassed by a person of the same sex is much more common for men (61%) than for women (10%). Men harassing men accounted for nearly a quarter (23%) of harassment.

Sexual harassment affects a broad range of individuals but targets are most likely to be women and young adults

Who are the harassers?

The vast majority of sexual harassment in Australian workplaces over the past five years was perpetrated by male co-workers between the ages of 31 and 50 years, though women were at least five times more likely than men to have been harassed by a boss or an employer.

The 2012 National Survey found that four out of five (79%) harassers were men, a small decrease from 2008 (81%). Most women (90%) said that they were harassed by a man.

Four out of five (79%) harassers in the workplace in the past five years were men

How do targets usually respond to sexual harassment?

Although sexual harassment is common in Australian workplaces, only a small proportion of people who were harassed in the workplace during the past five years made a formal report or complaint or sought support or advice about sexual harassment.

Only one in five (20%) respondents who were sexually harassed in the workplace in the past five years made a formal report or complaint, a small increase in the rate of reporting from 2008 (16%). One-third (29%) of respondents sought support or advice, almost the same as in 2008 (30%).

What are the outcomes of formally reporting sexual harassment?

There were a range of different outcomes for targets who formally reported sexual harassment.

Almost half (45%) of respondents indicated that the sexual harassment stopped, which shows that reporting can be an effective way to stop sexual harassment.

However, an increasing number of targets experienced negative consequences as a result of reporting sexual harassment. Nearly one-third (29%) of respondents who reported sexual harassment indicated that their complaint had a negative impact on them (eg victimisation, demotion). This is an increase from 2008 (22%) and 2003 (16%) and points to the need to put in place appropriate mechanisms to protect against such negative consequences.

What role do bystanders play in addressing sexual harassment?

Sexual harassment does not only affect targets. It can also affect 'bystanders' – individuals who have witnessed sexual harassment firsthand or heard about it later.

The 2012 National Survey found that thirteen per cent (13%) of the Australian population over the age of 15 years were bystanders in the past five years, similar to in 2003 (14%) and 2008 (12%).

Bystanders can play an important role in addressing sexual harassment in Australian workplaces. They can help to raise awareness about sexual harassment and they can take action to prevent and reduce the harm of sexual harassment.

The 2012 National Survey found that a majority of bystanders (51%) took action to prevent or reduce the harm of sexual harassment. Bystanders most commonly talked, listened and offered advice to targets, but many also reported the harassment to their employer or confronted the harasser directly.

A number of factors may influence whether or not a bystander takes action following sexual harassment, including whether the bystander witnessed the harassment firsthand, feels that bystander action is supported by the workplace, and perceives that the benefits of taking bystander action outweigh the costs.



A majority of bystanders took action to prevent or reduce the harm of sexual harassment in Australian workplaces

What can be done to ensure that Australian workplaces are safe and free of sexual harassment?

There have been a number of important developments in Australia since the first sexual harassment national telephone survey was conducted by the Commission in 2003. These include the strengthening of legal protections against sexual harassment and the development and implementation of sexual harassment policies, procedures and training in many Australian workplaces.

Whilst these developments are important and welcomed, the findings of the 2012 National Survey are clear: putting an end to sexual harassment and ensuring the safety and security of all employees while at work also requires leadership and a genuine commitment from government, unions and all sectors of the Australian workplace.

The 2012 National Survey demonstrated the need for a number of key strategies to address sexual harassment in the workplace, including:

- development and implementation of effective prevention strategies, including a highly visible community education campaign
- adoption of measures to improve access to workplace reporting mechanisms
- equipping a diverse range of workplace actors with the knowledge and skills necessary to provide effective support and advice to individuals who may have experienced, or are experiencing, sexual harassment
- creation of an enabling environment to encourage and empower bystanders to take immediate and effective action to prevent and reduce the harm of sexual harassment
- further industry-based research on sexual harassment.

How can I make a complaint of sexual harassment under the Sex Discrimination Act to the Australian Human Rights Commission?

For information on sexual harassment and how to make a complaint to the Australian Human Rights Commission, call our Complaint Info Line on 1300 656 419 (local call) or TTY 1800 620 241 (toll free).

Information about making or responding to a complaint is available at www.humanrights.gov.au

You can make an online complaint by going to http://www.humanrights.gov.au/complaints_information/lodging.html



Where can I get further information about the sexual harassment national telephone survey?

For further information about the sexual harassment national telephone survey, see:

Working without Fear: Results of the Sexual Harassment National Telephone Survey 2012
<http://www.humanrights.gov.au/about/publications/>

Review into the Treatment of Women in the Australian Defence Force: Phase 2 Report (2012)
<http://humanrights.gov.au/defencereview/index.html>

Sexual Harassment: Serious Business; Results of the 2008 Sexual Harassment National Telephone Survey (2008)
http://humanrights.gov.au/sexualharassment/serious_business/index.html

20 Years On: The Challenges Continue...; Sexual Harassment in the Australian Workplace (2004)
http://humanrights.gov.au/sex_discrimination/workplace/challenge_continues/data/download.html

For further information about sexual harassment bystanders, see:

Encourage. Support. Act! Bystander Approaches to Sexual Harassment in the Workplace (2012)
<http://humanrights.gov.au/sexualharassment/bystander/index.html>