



Three Year Strategic Plan (FY 2020 – 2022)

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NOW Australia

Who we are

- NOW Australia was established in March 2018 as a response to the global #MeToo movement.
- We are a non-profit, non-partisan organisation for people who have been sexually harassed, assaulted or intimidated at work.
- We are a fearless advocate and campaigner for sexual harassment reform across all sectors and industries.
- We are committed to working with government, business, as well as the community and legal sectors, to make work as safe as possible for everyone.

Our vision

- To ensure that everyone in Australia experiences a safe, fair and dignified workplace that is free of sexual harassment and related retaliation.

Our objective

- To change attitudes, behaviours, social norms and practices that lead to sexual harassment in the workplace.

Our purpose

- We partner with leading advocates for equality and safety to:
 - Prevent sexual harassment and related retaliation in Australian workplaces
 - Lobby for stronger regulation of sexual harassment.
- Ensure that people who experience workplace sexual harassment receive adequate assistance and support.

Our values

We seek to develop an organisational a culture that reflects our objectives.

Respect

- We respect the stories of the people who have experienced sexual harassment and are committed to giving them a voice in our work.
- We also respect the long-standing work of the gendered violence sector, community legal sector and pro bono legal sector in assisting people experiencing sexual harassment.

Understanding

- We understand that some people (especially people from culturally and linguistically diverse (CALD) backgrounds, Aboriginal and Torres Strait Islanders (ATSI), LGBTI+ and people with disabilities and young people) experience higher rates of sexual harassment than the general community.

Collaboration

- We are committed to working with those people and groups across the country who share our vision because we understand that we are one part of a much broader effort to end violence, especially gendered violence, in Australia.

Evidence

- Our work will be grounded in evidence (local and international), subject to critical evaluation and will contribute to a growing understanding of the drivers behind sexual harassment.

Accountability

- We will be accountable to our funders and partners, as well as the organisations, communities and individuals with whom we work.

Australia's sexual harassment problem

- Sexual harassment at work is widespread and prevalent in Australia
 - 71% of Australians have experienced sexual harassment in their lifetimes (including more than 85% of women and 56% of men).¹
 - 1 in 3 people have experienced sexual harassment at work in the last 5 years (including almost 2 in 5 women and just over 1 in 4 men).²
- Under international law, sexual harassment is recognised as a form of violence against women.³
- Sexual harassment is driven by gender inequality.
 - 'Change the Story: A shared framework for the primary prevention of violence against women and children in Australia' recognises that 'gender inequality is the core of the problem and the heart of the solution.'⁴
- Sexual harassment is part of an entrenched culture.
 - 1 in 5 people who were sexually harassed at work said that the behaviour was common in the workplace.
- Sexual harassment disproportionately affects some people.
 - People who identify as gay, lesbian, bisexual, pansexual, queer, asexual, undecided, not sure, questioning or other were more likely than people who identify as straight or heterosexual to have experienced workplace sexual harassment in the past 5 years (52% and 31% respectively).⁵
 - Aboriginal and Torres Strait Islander people were more likely to have experienced workplace sexual harassment than people who are not Aboriginal or Torres Strait Islander (53% and 32% respectively).⁶
 - People from multicultural or multifaith backgrounds are more likely to experience sexual harassment.⁷

¹ Australian Human Rights Commission, *Everyone's business: fourth national survey on sexual harassment in Australian workplaces*, Australian Human Rights Commission, 2018, p. 7.

² Australian Human Rights Commission, *Everyone's business: fourth national survey on sexual harassment in Australian workplaces*, Australian Human Rights Commission, 2018, p. 8.

³ United Nations General Assembly, 'Intensification of efforts to prevent and eliminate all forms of violence against women and girls: sexual harassment', 17 December 2018.

⁴ Our Watch, *Change the Story: A shared framework for the primary prevention of violence against women and their children in Australia*, OurWatch, VicHealth and ANROWS, Melbourne, 2015, Foreword.

⁵ Australian Human Rights Commission, *Everyone's business: fourth national survey on sexual harassment in Australian workplaces*, Australian Human Rights Commission, 2018, p. 8; Victorian Equal Opportunity & Human Rights Commission, 'Submission to the national inquiry into sexual harassment in Australian workplaces', February 2019, p. 12 & 13.

⁶ Australian Human Rights Commission, *Everyone's business: fourth national survey on sexual harassment in Australian workplaces*, Australian Human Rights Commission, 2018, p. 8; Victorian Equal Opportunity & Human Rights Commission, 'Submission to the national inquiry into sexual harassment in Australian workplaces', February 2019, p. 12.

⁷ Victorian Equal Opportunity & Human Rights Commission, 'Submission to the national inquiry into sexual harassment in Australian workplaces', February 2019, p. 12.

- People with a disability were also more likely than those without a disability to have been sexually harassed in the workplace (44% and 32% respectively).⁸
- Sexual harassment most commonly impacts mental health.
 - Research consistently demonstrates that, like other forms of sexual violence, individuals who experience sexual harassment at work suffer significant psychological, health and job-related consequences.⁹
- Most people do not report sexual harassment or seek support
 - The majority of people (fewer than 1 in 5 people) who are sexually harassed at work in the past five years did not make a formal report or complaint.¹⁰
- There are significant barriers to reporting sexual harassment:
 - Victimisation
 - Impact on employment
 - Lack of workplace response
 - Individual perceptions
 - Time limits
 - Costs
 - Defamation law
 - Inadequate legal protection for whistleblowers.
- The regulatory response to sexual harassment is inadequate
 - The federal *Sex Discrimination Act 1984* (Cth) (SDA) does NOT include a ‘positive duty’ for employers to prevent sexual harassment.
 - The AHRC has limited powers to enforce compliance with the law.
- There is a lack of specialist sexual harassment support
 - There is a lack of services that provide specialist support to people who experience sexual harassment and inadequate funding for existing services to develop and provide specialist sexual harassment services.
 - People who experience sexual harassment are unsure where to go for help because the legal system is complicated and confusing.

⁸ Australian Human Rights Commission, *Everyone’s business: fourth national survey on sexual harassment in Australian workplaces*, Australian Human Rights Commission, 2018, p. 8; Victorian Equal Opportunity & Human Rights Commission, ‘Submission to the national inquiry into sexual harassment in Australian workplaces’, February 2019, p. 12.

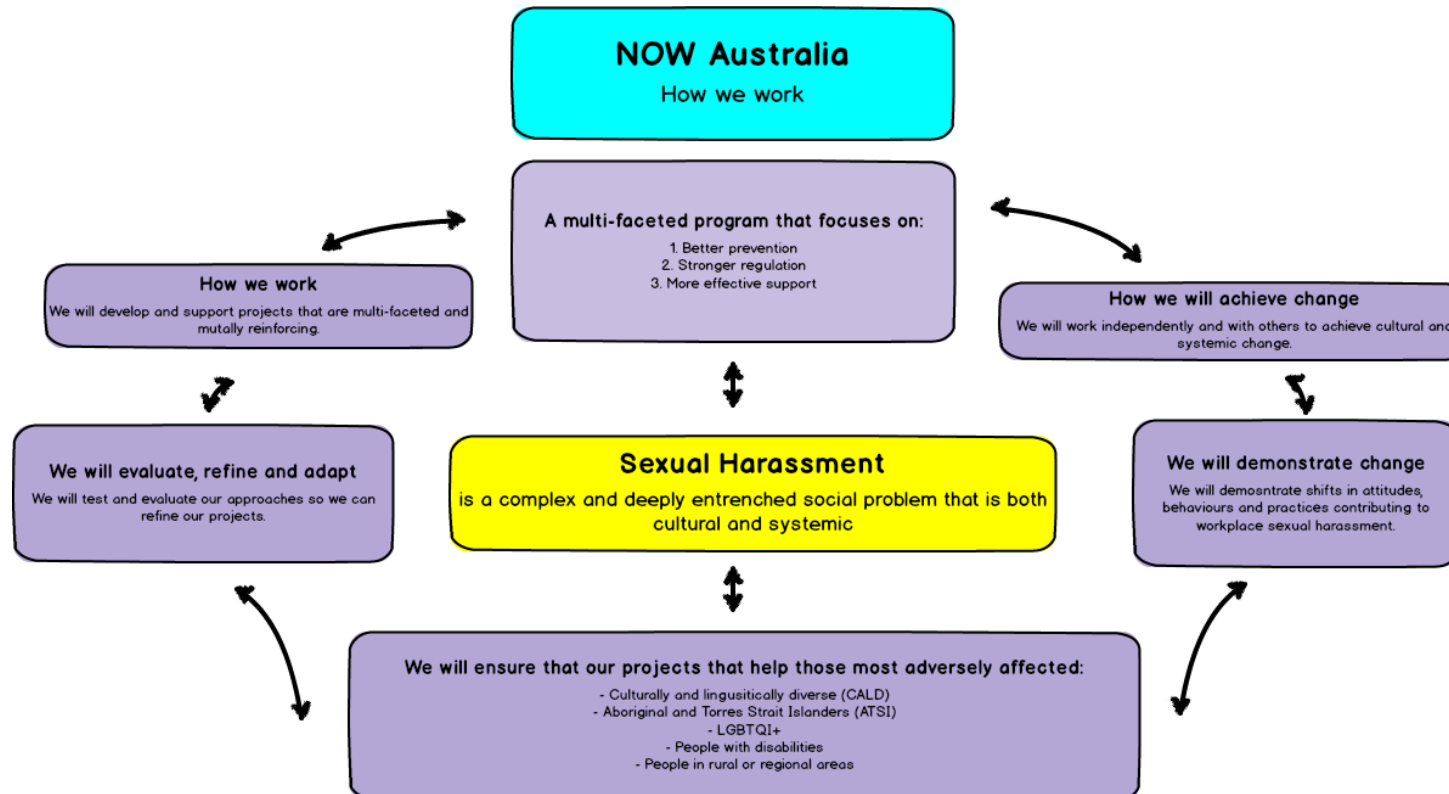
⁹ Paula McDonald, ‘Workplace sexual harassment 30 years on: A review of the literature’, *International Journal of Management Reviews*, no. 14, no. 1, 2012, pp. 1-17.

¹⁰ Australian Human Rights Commission, *Everyone’s business: fourth national survey on sexual harassment in Australian workplaces*, Australian Human Rights Commission, 2018, p. 68.

Our model for change

At NOW Australia, we believe that the key to eliminating sexual harassment from Australian workplaces involves three interrelated steps:

1. Better prevention
2. Stronger regulation
3. More effective support



Our model for change in more detail

Better prevention

Sexual harassment can be prevented

- Commonwealth, state and territory governments should use the existing world-leading national framework ‘Change the Story: A shared framework for the primary prevention of violence against women and their children in Australia’ to assist in the prevention of sexual harassment in Australian workplaces.
- The Commonwealth Government should work in partnership with the state and territory governments and the primary prevention sector to develop a second National Plan to Reduce Violence against Women and their Children.
- The Commonwealth Government should develop and resource a holistic national prevention strategy to promote gender equality and address the underlying drivers of violence against women (including sexual harassment) based on ‘Change the Story’.

A positive duty to prevent sexual harassment

- The Commonwealth Government should amend the *Sexual Discrimination Act 1984* (Cth) to include a positive duty for all duty holders to eliminate sexual harassment, discrimination and victimisation.

Public education to support prevention

- Commonwealth, state and territory governments should give human rights and work safe regulators adequate resources to provide public education and guidance on sexual harassment.

Stronger regulation

- Commonwealth, state and territory governments should consider co-regulation by the human rights commissions and the work health and safety regulators as a way to eliminate sexual harassment from Australian workplaces.
- The Commonwealth Government should amend the *Australian Human Rights Commission Act 1986* (Cth) so that complainants have 6 years to bring a sexual harassment complaint to the AHRC.

- The Commonwealth Government should amend the *Australian Human Rights Commission Act 1986* (Cth) so that parties bear their own costs in sexual harassment matters except in limited circumstances.
- The Commonwealth Government should empower and adequately resource the AHRC to monitor compliance with settlement terms for sexual harassment complaints.
- Commonwealth, state and territory governments should resource sexual harassment regulators (including human rights commissions and work health and safety regulators) to collect, evaluate and publish de-identified data about sexual harassment complaints and outcomes in a regular, consistent and timely way.
- The Commonwealth Government should require employers to formally and regularly report sexual harassment incidents, complaints and outcomes to an external agency (such as the Workplace Gender Equality Agency).

More effective support

- The Commonwealth Government should develop a national sexual harassment support model, including a specialist national sexual harassment phone service and online reporting tool to provide information, counselling and referrals to people who experience sexual harassment.
- Commonwealth, state and territory governments should provide existing state and territory services (including Working Women's Centres, Legal Aid, community legal centres and specialist legal services) with the resources to develop and provide specialist legal, advocacy and other support services to people who are experiencing or have experienced sexual harassment.

Our strategic program

Over the next three years to July 2022, we will focus on four mutually reinforcing areas of work:

1. Lead an ongoing, inclusive and constructive public discussion about sexual harassment.
2. Lobby for better prevention strategies that ensure that sexual harassment is included as part of Australia's world leading national framework to prevent violence against women.
3. Lobby for stronger sexual harassment regulation and reporting.
4. Ensure there is more effective support for people experiencing sexual harassment.

In selecting our activities for our first three years, we will be guided by the following criteria:

- Activities where we can have the greatest impact in supporting people experiencing sexual harassment.
- Activities that take an intersectional approach and assist those groups who are the most vulnerable and experience the highest rates of sexual harassment such as:
 - Culturally and linguistically diverse (CALD) communities
 - Aboriginal and Torres Strait Islanders (ATSI)
 - LGBTQI+ people
 - People with disabilities
 - Young people
 - People living in rural or remote areas.
- Activities that are likely to deliver support to people most in need of assistance.

We want to achieve the following outcomes in the next 3 years:

- NOW Australia is a well-known and respected contributor to public discussions about the causes, drivers and solutions to workplace sexual harassment.
- A strong community movement and leadership that helps prevent workplace sexual harassment.
- More people across the Australian community support the eradication of workplace sexual harassment and adopt positive bystander actions.
- Ensure there is legal support services for people in need experiencing sexual harassment that have an intersectional focus (so that they help people experiencing the highest rates of sexual harassment such as people who are CALD, Aboriginal and Torres Strait Islanders (ATSI), LGBTQI+ and people with disabilities).
- The Commonwealth Government funds specialised sexual harassment counselling services.

- The Commonwealth Government funds an anonymous reporting tool for sexual harassment so that there is a national data set for sexual harassment.
- People feel safe and supported when they report sexual harassment.
- More people from minority groups support our work to eradicate workplace sexual harassment.

We want to achieve the following outcomes in the next 10 years:

- There is evidence of improved accuracy in reporting by national and local media, greater media awareness of the drivers of sexual harassment.
- There is an internationally informed and nationally consistent understanding of and approach to prevention of sexual harassment, which is actively supported by policy makers and funders.
- Expert and valued input has been made to legislative policy and reform at both state and national levels.
- There is a whole of population evidence of progress based on a shared national data set.

We want to achieve the following outcomes in the next 20 years:

- All Australian communities reject workplace sexual harassment.
- More Australians are active in preventing workplace sexual harassment.
- A significant and measurable reduction in the levels of workplace sexual harassment.
- Public conversations in Australia overwhelmingly support gender equality, the eradication of violence against women and sexual harassment.
- Sectors work collaboratively to implement a share best practice program to prevent sexual harassment.
- Effective responses to sexual harassment are the norm in organisations and communities across Australia.
- Australian governments implement, evaluate and renew policies to eradicate workplace sexual harassment.