

# Media Statement



Sunday, 8 March 2020

## #IWD time to reflect on work still to be done

**The following statement to be attributed to Law Council President, Pauline Wright.**

The Australian Human Rights Commission's (AHRC's) Report into the National Inquiry into Sexual Harassment in Australian Workplaces (**Report**) underscores how much more is to be done to provide safe workplaces for women and members of minority groups in Australia.

The difficulty that victims have in navigating options for taking action on sexual harassment, whether in the workplace, through the courts or other bodies needs to be addressed. That is why we support in principle, the AHRC's recommendations for a new legal and regulatory model.

Amending state and territory human rights and anti-discrimination legislation to achieve consistency between sexual harassment laws throughout Australia and simplifying the messaging of what is sexual harassment is a step towards addressing that difficulty.

We fully endorse the Report's recommendation to introduce a positive duty to eliminate sex discrimination, sexual harassment and victimisation. However, we believe that separate duties to respond to allegations of sexual harassment and to report all such allegations to an independent statutory body should be considered.

Expanding the prohibition of sexual harassment to protect any person performing work to include unpaid or self-employed workers will be a step forward. But we believe the prohibition on sexual harassment should be expanded to cover all areas of public life.

This expansion would deal with the inconsistent coverage of current legislation in relation to workplace sexual harassment and also provide an important message on how sexual harassment is viewed.

While there are services providing assistance to navigate these challenges, such as community legal centres and legal aid commissions, high demand and under-resourcing limit access to these services.

Legal advice and representation should be available to all victims of sexual harassment navigating legal and external complaint processes. Legal aid commissions and community legal centres should be adequately funded to enable them to provide quality advice and representation in sexual harassment matters.

The Report supports the Law Council's view that the AHRC should be given greater investigation and enforcement powers, matched by a proportionate increase in its funding. While there are many service providers that provide different forms of information and referral services, further investment in these existing services is greatly needed.

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