

New tool for reporting lawyer sexual harassment in Victoria

By Fiona McLeay, Victorian Legal Services Board CEO and Commissioner

In September, we launched an innovative online tool for lawyers in Victoria to be able to anonymously report instances of sexual harassment.

The tool, available via our website (<https://lsbc.vic.gov.au/Sexual-Harassment-Complaints>), enables both targets and witnesses of sexual harassment to report what happened, where, when and to whom. Reporters can provide as much or as little detail as they feel comfortable.

This is a key part of a broader initiative we commenced in 2019 to reduce the prevalence of sexual harassment in legal workplaces.

We know from our sexual harassment report released last year that this type of behaviour is widespread. Our study showed more than one in three lawyers have experienced sexual harassment at work. For female respondents this rose to nearly two thirds.

Almost half of respondents reported that their harasser had been a male, over the age of 40 who was in a more senior role than they were. Barristers, in particular, were over-represented in the data.

Worryingly, 81 per cent of people surveyed said they did not report their most recent



incident of sexual harassment.

Some of the reasons for not reporting included that it was easier to keep quiet, they feared not being believed or wanted to avoid confronting the harasser. For many who didn't report their most recent incident, they thought the complaints process would be embarrassing or complicated.

Our new tool is aimed at reducing the barriers to reporting and encouraging more people to come forward and tell us about

their experiences of sexual harassment. Reporters can remain anonymous throughout the entire process if they like. Or they can switch on, or off, their identity as they progress. All reports are reviewed by our dedicated Sexual Harassment Complaints Team, who are specially trained to deal with these matters and will guide people through their options.

While it's still early to report on the overall impact the tool has had, we are already starting to see an increase in reports coming through and we've had a lot of positive feedback from reporters on how easy it was to tell us about their experiences.

One reporter told us about how glad they were that the tool had been created. They said that at the time of the conduct they hadn't known where to turn but that the tool has made reporting more accessible.

We hope this tool will help address this serious problem in our profession by providing a platform through which people can tell us – anonymously, if they prefer – as much or as little as they like about their experience of being sexually harassed.

We also hope to gain valuable information to monitor areas of concern, such as law practices, and where possible, take regulatory action.

In addition to the tool, we have just released practical guidance for targets (<https://lsbc.vic.gov.au/resources/experiencing-sexual-harassment>) and witnesses (<https://lsbc.vic.gov.au/resources/witnessing-sexual-harassment>) of sexual harassment that we think will be of particular use to early career lawyers – who are over-represented as targets of sexual harassment – and Practical Legal Training and law students.

The online reporting tool and guidance for targets and witnesses are key elements in our sexual harassment regulatory strategy to build knowledge, skills and leadership on this issue in the legal sector.

We continue to work with legal sector stakeholders to build knowledge about responding to sexual harassment and to support cultural change in legal workplaces. **BN**

