

Submission into the Treatment of Women in the Australian Defence Force

In this submission I shall focus on the third aspect mentioned in the newspaper ad. about the Review, sexual harassment, abuse and sex discrimination.

I worked for more than 20 years in the Australian Public Service and for about 16 years the jobs I held related to anti-discrimination, equal employment opportunity (EEO) and the advancement of women. After leaving the A.P.S. in 1989 I worked as a consultant primarily on programs, policies and training promoting EEO and preventing harassment for Federal, State and Local Government organisations.

Two elements of this work particularly informed my thinking on how to prevent sexual harassment and other forms of discrimination. The first was dealing with complaints of bullying, harassment, discriminatory treatment etc. The second was conducting training courses for workers in first-level supervisory positions who were, on the whole, less than sympathetic to EEO measures & policies being introduced into their organisations.

The EEO Bureau of the Public Service Board was established to formulate & implement EEO policies for the A.P.S. I worked there on policies for

women from 1977 to 1983. Basically, the work was about devising ways to eliminate barriers to the entry of women into particular jobs & fields of employment; encouraging agencies to consider women applicants for non-traditional jobs eg. apprenticeships, technical work and even some clerical work where women had not been recruited previously; and encouraging agencies to monitor & lay the groundwork for the advancement of women in their organisation.

The EEO Bureau was not set up to handle complaints but it received them, usually about discriminatory behaviour. There were, at the time, formal grievance and appeals mechanisms in the Service but most of the staff who approached the Bureau with a problem were reluctant to submit a formal grievance because of the stigma they perceived as attaching to those who did.

It was near impossible to deal with these complaints because the Bureau had no authority to do so. In any event there was little understanding of EEO, and no legislation to back it. Over time & even before the advent of the Sex

Discrimination Act, the Bureau had much more success with its positive programs to eliminate barriers to the entry of women into a much greater range of occupations and their advancement to more senior positions. I would be pleased to elaborate on the schemes used to bring these changes about - if the Bureau is interested. So would the Director of the EEO Bureau, at the

time, I'm sure. Her name is [REMOVED].

The grievances/complaints which came to the EA Bureau's attention, especially after the introduction of a policy about preventing sexual harassment, would have been fairly typical of large organisations at the time. I am not suggesting that they were common but the behaviours were present in ^{some} ~~the~~ service workplaces:

- persistent crude jokes;
- continual teasing often with a sexual or gender overtone;
- isolation or application of outsider status to an individual because of a perceived difference;
- nasty tricks played on someone or their property;
- unwanted sexual attention; (especially when this was from a more senior staff member)
- rating or scoring of women's physical attributes, and
- stalking and obsessive behaviour.

For counteracting public or group behaviour of this kind I became convinced that the attitude, judgment and approach of the front-line supervisor involved was far more critical than any T.W.O. policies espoused by the senior management of an organisation.

What I saw or heard was that supervisors might regard the behaviour as trivial or a normal part of any group's social interaction and therefore be reluctant to intervene. Others might not act because they did not see it as their responsibility in a matter that was not strictly work related. At times I heard about supervisors who participated in the group behaviour or used their position to behave offensively. A few considered the person complaining as a "weak person" who was oversensitive and needed to be "toughened" up. When the matter concerned sexual misconduct, a supervisor could be embarrassed, uncertain how to act because of legal and career consequences. I have also heard of cases where the supervisor was hostile towards the complainant because the perpetrator was more valued as a worker or friend.

While my experience was primarily with workers in public sector organisations, I did have some interactions with A.D.F. personnel, ADFA & the Dept. of Defence over the years. These led me to conclude that the circumstances in which discrimination & harassment might occur in the A.D.F. had ^{some} similarities with civilian and public sector work places.

The main question then for me in dealing with harassment or discriminatory conduct is how to motivate supervisors to deal promptly

and effectively with these matters and not choke off or ignore them.

I believe the following measures warrant attention in any plan to counter discriminatory treatment of women in the A.D.F.

1. Develop an understanding of the attitudes & thinking which underlie discrimination & harassment and try to counteract ^{or respond to} these views in information material and general training for Defence Force personnel.

Instances of these beliefs and thinking include :

- Gaucherie, awkwardness or ignorance about how to behave towards women as workmates rather than as sexual beings;
- Resentment that what was previously a male preserve or a "macho" occupation is being invaded by women;
- Fear that women will spoil the "boys' club" atmosphere, restrict conversation or change the social dynamics in a unit;

- A view of women, especially subordinates, as "fair game" sexually;
- Fear that women will be treated more favourably by supervisors;
- Beliefs about women as the weaker sex who should not take part in combat-related activities; and
- Fear that women will not be ^{strong enough & tough enough} capable in a crisis situation and therefore cannot be relied on.

2. Provide training which informs & motivates ADF personnel who have command or supervisory responsibilities to take instances of discriminatory conduct and resolve them at the earliest possible stage.

Information I found useful in training material for supervisors included:

- Highlighting the vicarious liability provisions of the Sex Discrimination Act and its implications for them as supervisors where their organisation had provided appropriate training & resolution mechanisms
- Emphasising "duty of care" responsibilities (to staff) which come with the role of supervisor,

- Providing photostats of press reports detailing cases of harassment etc in organisations similar to their own and showing not just the effects on the victim but also the bad publicity, financial & other costs which these cases had generated for an organisation and the staff involved; and
 - Discussing with supervisors why it was in their own best interests to resolve such problems quickly and effectively e.g. keeping harmony in their unit, keeping up work output and performance, avoiding extra work and trouble which any formal complaint would bring and avoiding any bad effects on their own career because of a problem which became public knowledge
3. Pay particular attention to the workplace practices of units which are isolated or physically separated when women are introduced to such units or are present in very small numbers.
- During my experience in the EWO Bureau & later as a consultant I dealt with

Some cases of harassment where the work unit was physically isolated. It was clear that a number of factors could combine to make such places a bad working environment for women i.e., a supervisor with a limited appreciation of appropriate conduct for the work place, but considerable power over the working lives of subordinates. Women in this situation might resent the treatment meted out to them but felt powerless to complain because of the career "death" which would follow a formal complaint or the limited employment options open if they were to leave that job.

4. Appoint & Train Staff who have the authority and capacity to resolve cases of discriminatory conduct. Normally this should be within the responsibility of the chain of command, however provision must be made for situations where a supervisor may be alleged to be the perpetrator.

Despite the grievance mechanisms available in large organisations, people with any human resources experience will acknowledge that most workers see making a ^{formal} complaint,

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like whistleblowing as a step to be taken when there is no other way forward and nothing left to lose. Because of this discriminatory conduct grievances are likely to fester until the health and work capacity of the grievant are compromised & the work performance and work relationships of the unit suffer.

Given this likely outcome and the possibility of compensation to victims and bad publicity for the A.D.F., I see advantage in using informal processes where possible. These should not be used to suppress complaints or intimidate grievants, though. Appropriately trained NCO's and commissioned staff who are approachable and have the sensitivity and authority to deal with problems promptly & effectively could assist the A.D.F. avoid future trouble.

Conclusion

In looking over what I have written much must be obvious to present day practitioners of Human Rights. Yet there may be value in comparing the past with the present day. I see major advances for women in the Service and the Defence Force

compared with the practices and thinking which prevailed in the 10's 80's & 90's when I worked on K.F.O.

I was motivated to write this submission because of phone calls I received years ago from several women in the ADF about their discriminatory treatment. I had to tell them that I could do nothing to help. The women knew that but in their misery just wanted someone to listen.

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