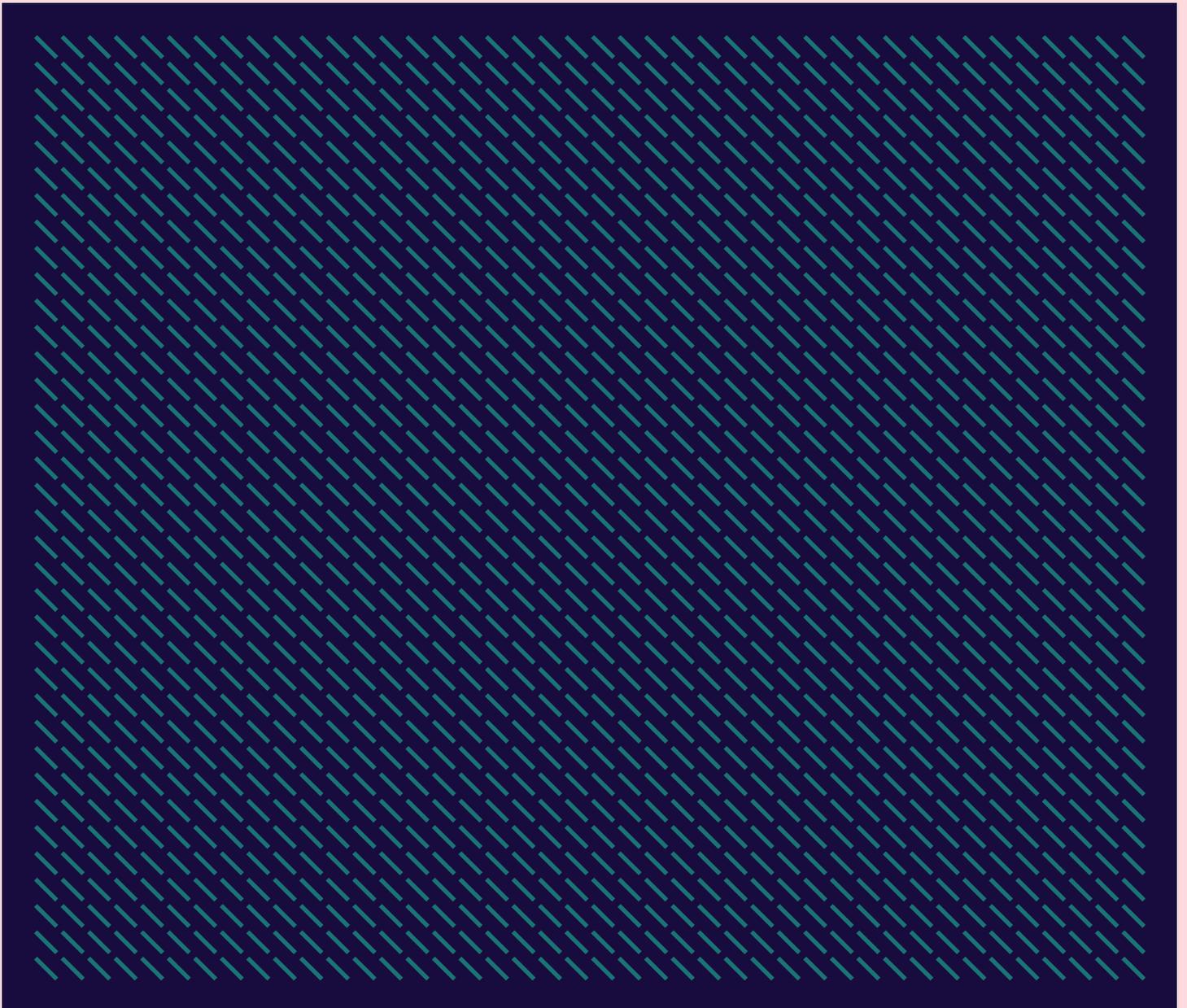

Sexual Harassment in the Legal Profession: Findings from the 2025 Victorian Lawyer Census

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Legal Services
Research Centre

Victorian Legal Services
BOARD + COMMISSIONER



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This report is published by the Victorian Legal Services Board and Commissioner (VLSB+C), which are independent statutory authorities responsible for the regulation of the legal profession in Victoria.

The VLSB+C aims to:

- protect and empower consumers
- maintain and enhance legal practice and ethics
- improve access to justice.

The authors of this research report are:

Dr Alice Catherine King
Senior Researcher, VLSB+C

Dr Georgina Rychner
Senior Researcher, VLSB+C

Professor Nigel J. Balmer
Research Director, VLSB+C

Dr Deborah Lawson
Principal Policy Advisor, VLSB+C

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Victorian Legal Services Board and Commissioner,
Level 27, 500 Bourke Street, Melbourne 3000



The Victorian Legal Services Board and Commissioner acknowledge Aboriginal and Torres Strait Islander peoples as the Traditional Custodians of the land, and pay respect to their Elders past and present.

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Many people made an important contribution to the development of the 2025 Victorian Lawyer Census. Most importantly, we thank the lawyers who participated in the census for their time and insights into key issues facing the Victorian legal profession. We also thank many colleagues at the Victorian Legal Services Board and Commissioner (VLSB+C), especially the research team, who provided their expertise in developing and refining content.

In the context of this report, we particularly thank those lawyers who shared their experiences of sexual harassment and trusted us with their stories in doing so. Eradicating sexual and gendered violence is, and is likely to remain for a long time, a substantial and complex task. We hope that these findings and recommendations contribute to the ongoing efforts to reduce sexual harassment in the Victorian legal profession by putting lawyers' experiences at the centre.

Content warning

This report contains content that highlights the experiences and impacts of sexual harassment. Engaging with topics like sexual harassment may be confronting or upsetting. This content may be especially challenging if you have experienced or witnessed sexual harassment in the past.

If you require mental health support visit [Beyond Blue](#). You can access 24/7 mental health support via webchat or by calling **1300 22 4636**.

If you require support relating to sexual harassment visit [Sexual Assault Services Victoria](#). You can speak to someone by calling **1800 806 292**.

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Key findings

The 2025 Victorian Lawyer Census sought to understand key issues impacting the legal profession, including sexual harassment. The census was a voluntary online survey distributed to all Victorian lawyers holding practising certificates, with 1,887 lawyers responding and 1,541 completing the sexual harassment module. Respondents were asked about their experiences of sexual harassment, the circumstances in which it occurred, and reporting.

Prevalence

Thirty-four per cent of lawyers who participated in the sexual harassment module had experienced sexual harassment, either online or in person, at some point during the course of their work. Forty-four per cent reported having witnessed sexual harassment, with 23% reporting having both experienced and witnessed harassment.

In the 12 months preceding March 2025, 9.5% of lawyers experienced sexual harassment. Comparing this with the Victorian Legal Services Board and Commissioner's (VLSB+C) 2019 'Sexual Harassment in Victoria's Legal Workplaces' report (VLSB+C's 2019 report) findings reveals no statistically significant change, as 8% reported experiencing sexual harassment in the 12 months before that study. Despite some modest differences in methodology between the VLSB+C's 2019 report and the 2025 study, the overarching finding is clear: in prevalence terms, little has changed over the past 6 years.

Characteristics of those experiencing sexual harassment

Experience of sexual harassment is highly patterned by both personal and professional characteristics. Female lawyers experienced harassment at dramatically higher rates than male lawyers (13% versus 4% in the past year, and 46% versus 15% over their careers). Age showed a clear relationship with recent harassment, as 17% of lawyers aged 20–29 reported they had experienced harassment in the past 12 months compared to 4% of those aged 60 and older.

Marginalised groups reported elevated rates of harassment. Aboriginal and Torres Strait Islander lawyers, while small in number, experienced harassment at substantially higher rates. LGBTQIA+ lawyers reported higher rates than heterosexual lawyers, as did lawyers with long-term illnesses or disabilities. Single lawyers and those without children under 18 also experienced more harassment than married lawyers and those with children.

Professional characteristics associated with seniority related to lower prevalence of sexual harassment. Conversely, lawyers holding practising certificates for fewer years experienced higher rates of harassment, as did those with employee certificates compared to principals. Partners experienced lower harassment rates than non-partners. The relationship between income and harassment was complex, though the lowest rate of recent harassment was among higher earners.

In multivariate analysis controlling for other factors, gender, Aboriginal and Torres Strait Islander status, not having children, and having a long-term illness or disability all remained significant predictors of experiencing sexual harassment.

Types and characteristics of harassment

Sexually suggestive comments and jokes emerged as the most pervasive form of harassment, affecting 48% of those exposed (witnessed or experienced) to any harassment. Inappropriate staring and leering affected 29%, while unwanted touching affected 19%. The most severe forms of harassment, non-consensual sexual activity and being bribed or threatened to engage in unwanted behaviour, affected 5% and 2% respectively.

All types of harassment were more commonly experienced by women than men. Men more often encountered harassment as witnesses rather than direct targets, while women experienced both direct victimisation and regular exposure to harassment of others at similar rates.

Most harassment occurred in person (84%) rather than online or over the phone, and the single most common location was the office (45%), though harassment also occurred outside the office in both work and social contexts.

Over half (53%) of perpetrators of the most recent incident were identified as colleagues within the respondent's organisation, with 73% of these being more senior. However, perpetrators were identified as coming from across the profession, including barristers (13%), clients (11%), and judges or magistrates (2%).

Reporting sexual harassment

Eighty-four per cent of respondents who experienced sexual harassment did not make any formal complaint about the most recent incident. Restricting analysis to only harassment in the past 12 months showed similar rates as only 9% made formal reports. While 45% told someone at their workplace informally, 35% told no-one at all.

Of the small number who made formal complaints, only 17% indicated they were entirely satisfied with the outcome, while 23% were not at all satisfied.

Qualitative analysis of reasons for not reporting revealed 5 key themes:

1. Respondents described sexual harassment as being normalised and tolerated within legal workplaces, with behaviours seen as 'just part of the job', making reporting feel futile.
2. Many believed reporting was pointless, citing concerns that nothing would change and that perpetrators, particularly senior figures, were protected by institutions prioritising revenue over junior staff wellbeing.
3. Consequences featured prominently, as respondents expressed fears about career repercussions, job loss, and reputational damage, particularly among early-career lawyers.
4. Systemic failures deterred reporting, as respondents viewed complaint mechanisms as inadequate or 'toothless' and expressed a lack of confidence that systems would meaningfully address harassment.
5. Some respondents evaluated their experiences through legal definitions, concluding that while behaviours made them uncomfortable, they fell short of legal thresholds or lacked clear intent to harm, and therefore did not warrant reporting.

Younger respondents, female respondents and LGBTQIA+ respondents showed somewhat higher reporting rates, while no married respondents or those with children under 18 who experienced harassment in the past year made formal reports.

The cost of sexual harassment

Lawyers who experienced sexual harassment in the past 12 months showed significantly elevated rates of psychological distress and burnout. Twenty-seven per cent showed severe psychological distress compared to 12% of those who did not experience harassment, while burnout rates were more than double among those who experienced harassment.

Those who experienced harassment reported significantly lower satisfaction across all measured life domains: physical health, personal relationships, amount of time available, work, financial situation, and life as a whole. While overall intention to leave the profession was similar between groups, those who experienced harassment cited 'bullying and harassment' and a 'toxic industry with poor culture' as reasons for considering departure.

Recognition of a regulatory role

Seventy-eight per cent of respondents agreed or strongly agreed that the VLSB+C has a role in investigating perpetrators of sexual harassment, while 87% agreed or strongly agreed that the VLSB+C has a role in prevention of sexual harassment within the profession.

The way forward

These findings highlight the persistent and pervasive nature of sexual harassment within the Victorian legal profession. The unchanged prevalence rates, concerningly low reporting levels, and substantial personal costs underscore the need for sustained, systemic interventions. They highlight the need for coordinated action across regulatory and professional bodies, sustained investment in cultural, and behavioural interventions. These interventions include bystander training, ongoing monitoring, and targeted research to understand profession-specific barriers to reporting and why witnessed harassment persists unchallenged. Addressing sexual harassment requires systemic transformation grounded in collaboration, rigorous evaluation and evidence-based intervention.

01

Introduction and methodology

This section provides background on sexual harassment, its relationship to the workplace, its prevalence in the legal sector and beyond, the extent to which sexual harassment is reported, and strategies that have been proposed to address harassment in the legal profession. It goes on to describe the 2025 Victorian Lawyer Census, the modules within it we are drawing upon, methodology, the rationale for our approach, and some limitations.



Sexual harassment

Defining sexual harassment

There has been a longstanding debate about which behaviours are considered to constitute sexual harassment, with definitions of sexual harassment varying across research, practice, law and policy. Generally, there is some consensus that sexual harassment involves unwelcome conduct of a sexual nature and can range from 'low-level' behaviours, such as verbal harassment, staring and leering, through to more 'serious' behaviours, such as rape and sexual assault.¹ Legally, definitions of sexual harassment tend to require more than a subjective view of the behaviour, meaning that they also incorporate an objective standard upon which the behaviour can be measured.

In this report, and in those that have been conducted before in Australia and specifically within the legal profession in Victoria, sexual harassment is defined under the *Sex Discrimination Act 1984* (Cth). This states:

- 1) For the purposes of this Act, a person sexually harasses another person (the person harassed) if:
 - a) the person makes an unwelcome sexual advance, or an unwelcome request for sexual favours, to the person harassed; or
 - b) engages in other unwelcome conduct of a sexual nature in relation to the person harassed;

in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the person harassed would be offended, humiliated or intimidated.²

In the legislation, both the subjective behaviour and objective standard are clear.

However, it is crucial to keep in mind the well-documented gap between lived experiences of sexual violence and the legal definition of sexual harassment.³ In other words, it is possible – and important to acknowledge – an individual may feel as though they have been sexually harassed even in circumstances whereby the behaviour they experience falls short of the legal definition. The focus of this study is behavioural, encompassing behaviours that encroach on autonomy and make individuals feel uncomfortable but do not necessarily constitute unlawful behaviour. This study attempts to capture behaviours both within and beyond the legal definition, with details on how that was sought discussed later in this report.

1. The use of the terms 'low-level' and 'serious' are not intended to suggest that there is a hierarchy of behaviours in terms of acceptability but rather that sexual harassment can encompass both verbal and physical forms of violence. It can be useful to think of sexual violence / harassment as something that exists on a spectrum or continuum. For further discussion see Liz Kelly, *Surviving Sexual Violence (Feminist Perspectives)*, (Polity Press, 1st Edition, 1988).
2. Sex Discrimination Act 1984, section 28A.
3. Liz Kelly and Jill Radford, 'Nothing really happened': the invalidation of women's experiences of sexual violence', *Critical Social Policy* 10, 30 (1990); Clare McGlynn and Nicole Westmarland, 'Kaleidoscopic Justice: Sexual Violence and Victim-Survivors' Perceptions of Justice', *Social & Legal Studies* 28, 2 (2019): 179.

Sexual harassment ‘in the workplace’

Sexual harassment – as both a pressing social issue and as a behaviour – extends far beyond the workplace. But for behaviour that constitutes sexual harassment to also constitute ‘workplace’ sexual harassment, the behaviour must have some link to the workplace or employment of the individuals involved. Although this may seem obvious, it is important to note that workplace sexual harassment does not need to occur in the workplace, in other words in office spaces or the locations where individuals work. It can also occur at social events that are linked to the workplace and could occur during or outside of work hours. For example, sexual harassment that occurs at after-work drinks may also constitute workplace harassment. Similarly, sexual harassment that occurs online within or via workplace communications (for example, Teams or emails) or social media (for example, messaging platforms) both within and or via online communications during or outside of working hours would also constitute workplace sexual harassment.⁴ In other words, the boundaries around what constitutes the workplace are broader than physical workplaces and are broadening further with technological expansion.

In recent years, the delineation between what constitutes workplace sexual harassment and what does not has become harder. As a result, the duty of an employer to safeguard its employees from experiencing sexual harassment has become a more complex task. In part, this is because of the introduction and encouragement of more remote and online forms of working.⁵ When looking at statistics for sexual harassment, it must be kept in mind that although it may look like sexual harassment is decreasing – it is more likely that the forms and types of sexual harassment are just shifting.⁶

4. Australian Human Rights Commission, *Time for respect: Fifth national survey on sexual harassment in Australian workplaces* (Australian Human Rights Commission, 2022)
5. Australian Human Rights Commission, *Time for Respect*.
6. Australian Human Rights Commission, *Time for Respect*.

Prevalence of sexual harassment

There are several studies that chart the prevalence and forms of sexual harassment that occur within the general population in Australia.⁷ The Australian Bureau of Statistics in 2023 reported that 1.3 million women nationally (about 13%) had experienced sexual harassment within the last 12 months, and for 97% of these women the perpetrator was male.⁸ Seventy per cent of these individuals responded they had experienced face-to-face harassment, and 57% reported they had experienced it electronically.⁹

In 2019, VLSB+C reported that 1 in 3 (32%) of legal professionals had personally experienced sexual harassment within the workplace. Perpetrators were most often male (90%) and tended to be more senior in comparison to their victim. The types of sexual harassment experienced were varied but the most common forms were non-physical (35%), inappropriate staring or leering (19%), sexually suggestive sounds, comments or jokes (23%), and intrusive questions about their (or someone else's) private life or physical appearance (24%).¹⁰

Drawing on broader Australian Human Rights Commission (AHRC) data, in 2022, 19% of people surveyed nationally reported experiencing workplace sexual harassment in the last 12 months, with the number increasing to 33% when individuals were asked about the last 5 years. There was, however, significant variation in incidence by industry. While there was no 'legal services' category, 15% of those in the 'professional, scientific and technical services category' (which included legal services) reported sexual harassment in the workplace in the past 5 years.¹¹

Many AHRC findings also broadly aligned with VLSB+C findings for the legal sector. Women were again more often victims, with men more often being perpetrators. As with the VLSB+C's 2019 report, non-physical forms of sexual harassment were most common among the Australian workforce more broadly – with sexually suggestive comments or jokes (27%), intrusive questions about a person's private life or physical appearance (23%), and inappropriate staring or leering (19%) all being the most common forms.¹² As such, it seems the levels of sexual harassment that occur within the legal workforce are broadly comparable to the levels of sexual harassment across the professional Australian workforce.

7. "Sexual Harassment" Australian Bureau of Statistics, released 23/08/2023 <https://www.abs.gov.au/statistics/people/crime-and-justice/sexual-harassment/latest-release>.
8. Australian Bureau of Statistics, "Sexual Harassment".
9. Australian Bureau of Statistics, "Sexual Harassment".
10. Victorian Legal Services Board + Commissioner, *Sexual Harassment in the Victorian Legal Sector: 2019 Study of Legal Professionals and Legal Entities* (Victorian Legal Services Board + Commissioner, 2022).
11. Lower than the national incidence rate, with only construction lower with 10%. Information, media and telecommunications had the highest five-year incidence with 64%.
12. Australian Human Rights Commission, *Time for Respect*; Paula McDonald, Sara Charlesworth and Somali Cerise, 'Below the "tip of the iceberg": Extra-legal responses to workplace sexual harassment', *Women's Studies International Forum* 34, 4 (2011): 278-289.

Reporting sexual harassment

Sexual harassment is consistently under-reported.¹³ Statistics indicate that it occurs at a much higher rate than it is reported, both within and beyond the criminal justice system.¹⁴ In a workplace context, victims of sexual harassment can seek both internal and external redress. Internally, this could be either a formal or an informal report. A formal report will include going through official internal avenues available at the workplace to deal with the incident and will most often include an investigation, an official report and decision. An informal report would be anything that constitutes an attempt to resolve the incident without going through any formal procedures.

In the VLSB+C's 2019 report, most respondents indicated that they had not reported or complained about the most recent incident of sexual harassment they had experienced – only 1 in 5 (19%) responded that they had reported.¹⁵ Of those who did report, informal internal reports were the most common with external formal reports being least often pursued.¹⁶ Most commonly, individuals reported speaking to their colleagues informally about their experiences but not in a way that would constitute an informal report.¹⁷ Other variables (gender and level of experience) did not seem to impact whether an individual chose to make a report.¹⁸ However, the type of sexual harassment experienced appeared to impact whether or not an individual chose to report – with those experiencing physical forms of sexual harassment being more likely to report. Data from the 2022 AHRC survey was similar as above, with 1 in 5 across the Australian workforce more broadly also indicating that they had made a report about their experience.

When asked why they chose not to report, respondents most often suggested the problem was that they did not want to confront the individual who had harassed them (70%) or that they didn't think anything would change as a result of reporting (66%).¹⁹ These reasons were categorised in that report as motivational barriers. Again, this was similar to the most recent AHRC study, which highlighted that individuals were most likely to not report when they did not think it was serious enough (42%), it felt easier to keep quiet (38%), or they thought people would think they were over-reacting (31%).²⁰

13. Australian Human Rights Commission, *Time for Respect*; Therese MacDermott, 'The under-reporting of sexual harassment in Australian workplaces: are organisational processes falling short?', *Legal Studies* 40, 4 (2020): 531-547.
14. Australian Human Rights Commission, *Time for Respect*.
15. Victorian Legal Services Board + Commissioner, *Sexual Harassment in the Victorian Legal Sector*.
16. Victorian Legal Services Board + Commissioner, *Sexual Harassment in the Victorian Legal Sector*.
17. Victorian Legal Services Board + Commissioner, *Sexual Harassment in the Victorian Legal Sector*.
18. Victorian Legal Services Board + Commissioner, *Sexual Harassment in the Victorian Legal Sector*.
19. Victorian Legal Services Board + Commissioner, *Sexual Harassment in the Victorian Legal Sector*.
20. Australian Human Rights Commission, *Time for Respect*.

Strategies for dealing with workplace sexual harassment

In June 2025, the AHRC published *Speaking from Experience: What Needs to Change to Address Workplace Sexual Harassment*, which sets out 11 key recommendations for action by the Australian Government to better address workplace sexual harassment. The recommendations are listed in Table 1.

Table 1 – Recommendations to address sexual harassment in the workplace set out in the AHRC’s 2025 report

Recommendation 1	Fund specialist organisations to deliver accessible and culturally appropriate education and outreach on workplace sexual harassment.
Recommendation 2	Deliver a national media campaign to drive behavioural and cultural change on workplace sexual harassment by building awareness, promoting prevention and encouraging trauma and gendered violence informed action.
Recommendation 3	Resource the AHRC to conduct the sixth <i>National Survey on Sexual Harassment in Australian Workplaces</i> in 2026.
Recommendation 4	Amend the <i>Workplace Gender Equality Act 2012</i> (Cth) to drive safer, more inclusive workplaces by requiring data collection on the experiences of workers with disability and those from LGBTQIA+, First Nations, and culturally and racially marginalised backgrounds.
Recommendation 5	Strengthen the safety and wellbeing of children and young people at work (with 2 further aims).
Recommendation 6	Improve safety and access to justice for migrant and refugee workers by reducing immigration-related barriers to help-seeking.
Recommendation 7	Evaluate the progress and effectiveness of all the Respect@Work recommendations.
Recommendation 8	Increase workplace transparency and protect workers’ rights (through 2 further aims).
Recommendation 9	Improve outcomes for workers who report workplace sexual harassment by updating national guidance on trauma and violence-informed responses.
Recommendation 10	Resource an organisation, such as the Centre for Innovative Justice, to, in partnership with the AHRC, expand trauma, violence and culturally informed responses to workplace sexual harassment.
Recommendation 11	Strengthen employer accountability for preventing workplace sexual harassment (through 2 further specific key aims).

These recommendations are wide-ranging in scope and focus – covering law reform, interventions and funding for specialist organisations to deliver bespoke services.²¹

21. Australian Human Rights Commission, *Speaking from Experience: What needs to change to address workplace sexual harassment* (AHRC, 2025).

Focusing on the legal profession, the VLSB+C's 2019 report proposed several proactive and reactive strategies designed to reduce the amount of sexual harassment happening within the workplace. Proactive measures included awareness-raising, knowledge and skills development, and efforts to influence culture change.²² Table 2 sets out indicative actions for each of these proactive measures.

Table 2 – Proactive measures to address sexual harassment in the Victorian legal sector set out in the VLSB+C's 2019 report

Awareness-raising	Knowledge and skills development	Influencing culture change
Meet with law firms and representative bodies to discuss current policies, training, procedures and how complaints are managed.	Develop regulatory guidance for the profession on topics relating to sexual harassment.	Collect data about workplace culture from employee lawyers and principals.
Work with the profession to improve their understanding of sexual harassment-related issues.	Create tools to help practices develop high quality training, policies and procedures on sexual harassment in the workplace.	Convene and support discussion groups to identify opportunities for change in culture and practice.
Develop training and information for practical legal training students and early career lawyers.	Advise on how to deal with, and report, sexual harassment both as a bystander/witness and a victim.	

Reactive measures were intended to deal with sexual harassment reports, complaints or intelligence brought to VLSB+C's attention. These measures included (depending on what was appropriate):

- implementing an anonymous online reporting tool to enable people who experience sexual harassment connected to a legal workplace to report their experience online and anonymously if they wish, with the aim of reducing some of the identified barriers to reporting – it was hoped this might provide visibility of 'hotspots' of sexual harassment behaviour and lead to either meetings with principals to discuss and respond to the issue, or the undertaking of compliance audits to assess how named firms were being managed
- investigating individual lawyers where necessary
- taking disciplinary action where appropriate.²³

22. Victorian Legal Services Board + Commissioner, *Sexual Harassment in the Victorian Legal Sector*.

23. Victorian Legal Services Board + Commissioner, "Sexual Harassment in Victoria's Legal Workplaces," 2019, https://www.lsbcc.vic.gov.au/sites/default/files/2024-08/Sexual%20Harassment%20-%20Regulatory%20Strategy_0.pdf.

In the 6 years since the publication of the 2019 study, VLSB+C implemented most of the measures described, including publishing guidance for early career lawyers on what to do if they experience or witness sexual harassment, and launching an anonymous online reporting tool (which increased the number of sexual harassment reports to VLSB+C, as determined by internal evaluation in 2023). VLSB+C also supported 2 sector-wide projects led by Women's Legal Service Victoria, which were aimed at preventing gendered violence, and creating equitable, safe legal and justice workplaces.²⁴

In 2021, the VLSB+C surveyed the profession again through a workplace culture and sexual harassment survey that was optional to complete following submission of their annual practising certificate renewal application. The survey focused on workplace culture surrounding sexual harassment, rather than individual experiences of specific behaviours. Respondents were asked if their workplace tolerated sexual harassment – the majority of whom said that their workplace does not.²⁵ They were also asked about whether their organisation had clear policies and reporting procedures. Responses here were more mixed and indicated disparities across organisation type, gender and age.²⁶ There were a cluster of questions that asked respondents how comfortable they would be reporting sexual harassment internally with the results showing that fewer respondents would do so, despite an initial strong belief that their workplaces do not tolerate sexual harassment.²⁷

More broadly, across the legal and justice sector there have been several reviews and other initiatives aimed at preventing and responding to sexual harassment since 2019, including: 2021 Review of Sexual Harassment in Victorian Courts; the 2021 and 2024 Reviews of Harassment in the South Australian Legal Profession by the Equal Opportunity Commissioner; and the Law Council of Australia's 2020 National Action Plan to Reduce Sexual Harassment in the Australian Legal Profession, 2021 National Model Framework Addressing Sexual Harassment for the Australian Legal Profession and 2024 Public Leadership Statement on Sexual Harassment and Discrimination.²⁸ The Law Institute of Victoria and the Victorian Bar have also prioritised CPD and other initiatives targeted at sexual harassment in the intervening years.

24. Women's Legal Service Victoria, "Starts with us Framework – A Guide to Create Gender Equitable and Safe Legal and Justice Workplaces", 2023, <https://www.womenslegal.org.au/wp-content/uploads/2023/10/Starts-With-Us-Framework-a-guide-to-create-gender-equitable-and-safe-legal-and-justice-workplaces.pdf>; Women's Legal Service Victoria, "Challenging Disrespect and Inequality in the Legal Profession: Leading Change to Prevent Gendered Violence, 2025", <https://www.womenslegal.org.au/wp-content/uploads/2025/04/Challenging-disrespect-and-inequality-in-the-legal-profession-Leading-change-to-prevent-gendered-violence.pdf>.
25. The extent to which respondents saw their workplace as tolerant of sexual harassment correlated strongly with age and gender – with younger, female respondents more likely to see their workplace as tolerant of these behaviours.
26. Young female respondents were less likely to say that their workplace had clear policies and procedures when compared to older men.
27. 63% of respondents said that they would be comfortable reporting if it was a colleague, with this number decreasing to 54% if it was someone senior to them in the organisation.
28. Helen Szoke, *Review of Sexual Harassment in Victorian Courts, Preventing and Addressing Sexual Harassment in Victoria Courts and VCAT Report and Recommendations* (2021); Equal Opportunity SA, *2024 Review of Harassment in the South Australian Legal Profession* (Equality Opportunity SA, 2024); Equal Opportunity SA, *Review of Harassment in the South Australian Legal Profession* (Equal Opportunity SA, 2021); Law Council of Australia, *National Action Plan to Reduce Sexual Harassment in the Australian Legal Profession* (Law Council of Australia, 2020); Law Council of Australia, *National Model Framework Addressing Sexual Harassment for the Australian Legal Profession* (Law Council of Australia, 2021); Law Council of Australia, 'Public Leadership Statement on Sexual Harassment and Discrimination', <https://lawcouncil.au/resources/policies-and-guidelines/public-leadership-statement-on-sexual-harassment-and-discrimination>.

Relevant to the wider workforce, the AHRC released its *Respect@Work: Sexual Harassment National Inquiry Report* in 2020 and the Victorian Government established a Ministerial Taskforce on Workplace Sexual Harassment in 2021, both of which produced a suite of wide-ranging recommendations to prevent and address harassment.²⁹

However, since VLSB+C's small study in 2021 and internal evaluation of the online reporting tool in 2023, there has been no direct measurement of the impact of the regulatory strategy that was launched after the initial VLSB+C 2019 report, nor has data been collected regarding prevalence rates across the Victorian profession.

This study

This report draws on data from the 2025 Victorian Lawyer Census, which examines Victorian lawyers' perspectives on systemic issues affecting the profession. It is intended to both revisit and expand upon findings from the VLSB+C's 2019 report.³⁰ It explores the prevalence of sexual harassment in the Victorian legal profession (both experienced and witnessed), what has changed since 2019, and the determinants (both personal and professional) of experience. It also explores location of sexual harassment, forms and perpetrators, and critically, how experience relates to wellbeing, burnout and intention to leave the legal profession.

29. Australian Human Rights Commission, *Respect@Work: National Inquiry into Sexual Harassment in Australian Workplaces* (Australian Human Rights Commission, 2020).
30. Victorian Legal Services Board + Commissioner, *Sexual Harassment in the Victorian Legal Sector*.

Methodology

The 2025 Victorian Lawyer Census

This study uses data from the 2025 Victorian Lawyer Census. The census was conducted by the Legal Services Research Centre (LSRC), the independent research function of the VLSB+C. The 2025 census was a voluntary online survey distributed to all Victorian lawyers holding practising certificates, with a total of 1,887 lawyers responding.³¹ The survey took approximately 15 minutes to complete. Full details of the census methodology, including the questionnaire and development process, are available in the accompanying technical report.³²

The survey covered 7 key areas: artificial intelligence, lawyer identity, ethics, competency, wellbeing, experiences of uncivil behaviour, and sexual harassment. It also collected professional and personal demographic information to enable analysis of response patterns across different lawyer groups.

To ensure the survey results accurately represent the broader Victorian lawyer population, post-stratification weighting was applied based on age, gender and practising certificate type. This statistical adjustment corrects for potential biases from under or over-representation of certain groups in the sample, using benchmark data from the VLSB+C's certificate renewal records. All analyses in this report use these weighted data to provide more reliable population estimates.

The sexual harassment module

The sexual harassment module of the lawyer survey consisted of 14 core questions. Respondents were asked a minimum of 2 questions, with the other 12 being dependent on the answers given to the first question (as will be explained).

The questions were informed by the VLSB+C's 2019 report, as well as the most recent AHRC study into workplace sexual harassment. This was to allow for some cross-comparison of results through the use of similar items, though the form of questions differed to reflect current best practice methodologically.

Identifying sexual harassment involved presenting respondents with a matrix of behaviours constitutive of sexual harassment where they could specify whether or not they had experienced or witnessed these behaviours, either in person or online. Table 3 sets out the behaviours included, with respondents able to select all that applied. Table 4 sets out the behaviours included in the VLSB+C's 2019 report for comparison.

31. Of a total of 29,537 current practising certificate holders, a response rate of 6.4%.

32. Legal Services Research Centre, *The 2025 Victorian Lawyer Census: Technical Report* (Melbourne: Victorian Legal Services Board and Commissioner, 2026).

The approach adopted seeks to present respondents with broadly defined categories, rather than narrow and/or legal definitions. This is in keeping with concerns regarding likely under-reporting stemming from the (incorrect) expectation that individuals can label their experience in narrow or legalistic terms. It also accounts for the possible impact of trauma on correct labelling of sexual violence.³³ Behaviours in Table 3 are primarily based on the commonly used Sexual Experiences Questionnaire, which has been adapted to better suit a workplace context.³⁴

Table 3 – Behaviours / situations listed in the 2025 Victorian Lawyer Census

Sexually suggestive or offensive comments or jokes
Displayed explicit, sexually suggestive or offensive materials
Inappropriate staring or leering
Attempted to touch you in a way that made you feel uncomfortable
Repeated attempts to establish a sexual and / or romantic relationship where it was unwanted
Attempted to bribe or threaten you to engage in unwanted behaviour, including sharing intimate images
Attempted to, or engaged in, non-consensual sexual activity
Any other unwelcome conduct of a sexual nature

33. Gunilla Carstensen, "Sexual Harassment Reconsidered: The Forgotten Grey Zone", *NORA – Nordic Journal of Feminist and Gender Research* 24, 4 (2016): 267-280; Lisa Lazard, Rose Capdevila, Jim Turner, 'Calling it out? A Q Methodological Study of Sexual Harassment Labelling', *Violence Against Women* 31, 1 (2023): 328-347; Louise F. Fitzgerald, Michele J. Gelfand Fritz Drasgow, "Measuring Sexual Harassment: Theoretical and Psychometric Advances", *Basic and Applied Social Psychology* 17, 4 (1995): 425-445.
34. Louise F. Fitzgerald, Michele J. Gelfand Fritz Drasgow, 'Measuring Sexual Harassment: Theoretical and Psychometric Advances', *Basic and Applied Social Psychology* 17, 4 (1995): 425-445.

Table 4 – Behaviours/situations listed in the VLSB+C’s 2019 report on sexual harassment

Inappropriate staring or leering
Indecent exposure or inappropriate display of the body
Sexual gestures
Sexually suggestive sounds, comments or jokes
Sexually explicit pictures, posters or gifts
Repeated or inappropriate invitations to spend time alone or go out on dates
Intrusive questions about you or someone else’s private life or physical appearance
Being followed, watched or someone loitering nearby
Requests or pressure for sex or other sexual acts
Direct or implied requests or pressure for sex or other sexual acts in exchange for a benefit to you or someone else, or to prevent a negative outcome
Actual or attempted rape or sexual assault
Indecent phone calls, including someone leaving a sexually explicit message on voicemail or answering machine
Sexually explicit comments made in emails, SMS messages or on social media
Repeated or inappropriate advances on email, SMS messages, social media, social networking websites or internet chat rooms
Sharing or threatening to share intimate images or film without consent

As shown in Tables 3 and 4, the list of behaviours provided in the VLSB+C’s 2019 report was more extensive than in the 2025 Victorian Lawyer Census. In part, this reflected the constraints of placing the sexual harassment module within a multi-module questionnaire. The census also removed the conflation of behaviour and location, by collecting the location of any harassment in a follow-up question (see following).

Identification of sexual harassment (both directly experienced and witnessed) was followed by a sequence of questions about incidents respondents had experienced. This included asking about: when the incidents occurred, how many incidents they had experienced, where the most recent incident occurred, and how it took place.³⁵ Respondents were then asked about perpetrators (for example, a colleague, a client, a barrister, a judge or someone else), and if perpetrators worked at their organisation, about their (relative) seniority.

35. SH4 and SH5 were designed to capture data that in the 2019 survey would have been captured by the splitting up of categories when asking about specific behaviours.

A series of questions then explored reporting, or lack thereof. Respondents were asked whether or not they had reported incidents, and if they had not, whether they had told anyone informally about the incident, as well as their reasons for not reporting. If respondents had reported incidents, they were asked who they reported to and if they were satisfied with the outcome of their report. Those who had witnessed sexual harassment were also asked about their response. All respondents were asked about the role they felt that the VLSB+C should play in the prevention and disciplining of sexual harassment. Respondents were given an option to 'prefer not to say' for all questions, as was the case throughout the entire census.

The sexual harassment module was the last substantive module of the census given its sensitivity and the risk of respondents opting out.

The report draws upon both the wellbeing/burnout module within the census and questions on intention to leave the profession. The wellbeing module consisted of 2 psychometrically validated scales that measured levels of anxiety, depression and burnout across the profession. The Patient Health Questionnaire-4 (PHQ-4) is an ultra-brief screening tool for symptoms of anxiety and depression.³⁶ It is a 4-item patient health questionnaire, that consists of a 2-item anxiety scale (GAD-2) and a 2-item depression scale (PHQ-2), where patients are asked to report how often they have been bothered by 4 problems.³⁷ The total score is determined by adding together the scores of each of the 4 items, not at all (0), several days (1), more than half the days (2) and nearly every day (3).³⁸ Scores are then rated as normal (0–2), mild (3–5), moderate (6–8) and severe (9–12).

To measure burnout, we have used the ultra-short Burnout Assessment Tool (BAT4). The BAT4 is based on the proposition that the following symptoms constitute burnout:

1. exhaustion
2. mental distance
3. cognitive impairment
4. emotional impairment.³⁹

36. K. Kroenke et al., "An Ultra-Brief Screening Scale for Anxiety and Depression: The PHQ-4", *Psychosomatics* 50, no. 6 (November 1, 2009): 613–21, <https://doi.org/10.1176/appi.psy.50.6.613>.

37. Bernd Löwe et al., "A 4-item Measure of Depression and Anxiety: Validation and Standardization of the Patient Health Questionnaire-4 (PHQ-4) in the General Population," *Journal of Affective Disorders* 122, no. 1–2 (July 18, 2009): 86–95, <https://doi.org/10.1016/j.jad.2009.06.019>.

38. K. Kroenke et al., "An Ultra-Brief Screening Scale for Anxiety and Depression".

39. Emina Hadžibajramović, Wilmar Schaufeli, and Hans De Witte, "The Ultra-short Version of the Burnout Assessment Tool (BAT4)—development, Validation, and Measurement Invariance Across Countries, Age and Gender," *PLoS ONE* 19, no. 2 (February 23, 2024): e0297843, <https://doi.org/10.1371/journal.pone.0297843>. We interpreted the scores using the clinical cut-off values, indicating the extent to which a respondent's score is comparable with those who have been diagnosed as 'burned out' by trained professionals, see Schaufeli, De Witte & Desart, *User Manual – Burnout Assessment Tool (BAT) – Version 2.0* (KU Leuven, 2020). There are various ways to measure burnout, and further information on why we utilised this scale can be found in the Technical Report (2026).

Participants are asked to score how often they experienced the items that correlate to the 4 symptoms. Each of these 4 burnout items were coded as follows: never (1), rarely (2), sometimes (3), often (4), always (5), and prefer not to say (0). Any missing values were coded as missing. Scores for each item were summed and divided by 4 to create an overall score out of 5. This final score could be categorised based on existing statistical norms or clinical cut-off values – the latter was chosen for their higher threshold. The cut-off values were then recoded into 3 traffic light categories: no risk of burnout, at risk of burnout, and very high risk of burnout.⁴⁰

The module also contained a 6-item domain satisfaction scale that measures satisfaction with aspects of life related to wellbeing (health, personal relationships, job, financial situation, and life as a whole).⁴¹

Of the 1,887 respondents who completed the survey in its entirety, 1,541 filled out the sexual harassment module. The denominator used (when results are stated in percentages) is indicated in the results and varied from question to question.

Limitations

As with any survey concerned with a sensitive topic like sexual harassment, a significant limitation is sensitivity-related, non-response bias, where individuals may choose not to participate or may under-report their experiences due to the stigmatising or personal nature of the subject matter.⁴² This can lead to under-estimation of prevalence rates, meaning the true extent of sexual harassment may be higher than our findings indicate. While techniques such as anonymous data collection, indirect questioning methods, and careful questionnaire design can help mitigate this bias,⁴³ it cannot be entirely eliminated when studying sensitive topics. Readers should interpret these findings as conservative estimates of actual prevalence.

As previously noted, the sexual harassment module formed part of a broader survey – the 2025 Victorian Lawyer Census. As a result, questions had to be condensed to fit within time constraints. This meant that some topics, for example detail on the profile of perpetrators, could not be explored in as much detail as may have been preferable.

The personal and professional characteristics that were collected as part of the broader census were used for analysis across all modules. Regarding sexual harassment, the characteristics an individual provided at the time of taking the survey may not necessarily correlate with the demographics they had at the time of the incident. We draw attention to several instances in the results where this may be an issue.

40. See Wilmar Schaufeli Hans De Witte and Steffie Desart, *User Manual – Burnout Assessment Tool (BAT) – Version 2.0*, (KU Leuven, Internal report), 16.

41. See Nicolas Loewe et al., “Life Domain Satisfaction as Predictors of Overall Life Satisfaction Among Workers: Evidence From Chile,” *Social Indicators Research* 118, no. 1 (September 30, 2013): 71–86, <https://doi.org/10.1007/s11205-013-0408-6>. For the items related to health, personal relationships, job, financial situation and Nigel Balmer, Pascoe Pleasence, Hugh McDonald & Rebecca Sandefur, *The Public Understanding of Law Survey (PULS) Volume 1: Everyday Problems and Legal Need* (Victoria Law Foundation, 2023) for the item about life as a whole.

42. Roger Tourangeau and Ting Yan, “Sensitive Questions in Surveys,” *Psychological Bulletin* 133, no. 5 (January 1, 2007): 859–83, <https://doi.org/10.1037/0033-2909.133.5.859>.

43. For a review of methods, see Susan McNeeley, “Sensitive Issues in Surveys: Reducing Refusals While Increasing Reliability and Quality of Responses to Sensitive Survey Items,” in *Springer eBooks*, 2012, 377–96, https://doi.org/10.1007/978-1-4614-3876-2_22.

02

Prevalence of sexual harassment

This section explores prevalence of sexual harassment, both experienced and witnessed, and what, if anything, has changed since 2019. It also analyses when harassment occurred, the types of harassment experienced and witnessed, and the relationship between sexual harassment and respondents personal and professional characteristics.



Overall prevalence

Thirty-four per cent of lawyers (505 of 1,495) in Victoria who took part in the 2025 Victorian Lawyer Census had experienced sexual harassment, either online or in person during the course of their work. Forty-four per cent (n=654) had witnessed sexual harassment, 55% (n=820) had experienced or witnessed sexual harassment, and 23% (n=339) reported having both experienced and witnessed sexual harassment. Of 1,495, 142 (10%) reported experiencing sexual harassment in the past 12 months, and 259 of 1,495 (17%) in the past 5 years.

This 5-year figure was lower than the national incidence rate of 33% reported in the 2022 AHRC report,⁴⁴ but marginally higher than the 15% for ‘professional, scientific and technical services’, which encompassed legal services.

What has changed since 2019?

In 2019, the VLSB+C commissioned Ipsos to produce a report on sexual harassment in the Victorian Legal Sector – inclusive of legal professionals and legal entities. We were able to work directly with 2019 data to create comparisons for percentage of practising certificate holders⁴⁵ reporting sexual harassment both in the past year, and in the past 4 years, as well as types of behaviours reported. As set out in the methods, where possible, questions included in the 2025 Victorian Lawyer Census were matched to those used in the 2019 exercise.⁴⁶

In 2019, 194 of 2,421 (8%) reported experiencing sexual harassment in the past 12 months, compared to 142 of 1,495 (10%) in 2025, a non-significant difference.⁴⁷ In 2019, 441 of 2,421 (18%) reported experiencing sexual harassment in the past 5 years, compared to 259 of 1,495 (17%) in 2025, again a non-significant difference.⁴⁸ This comparison is illustrated in Figure 1.

44. Australian Human Rights Commission, *Time for Respect*.

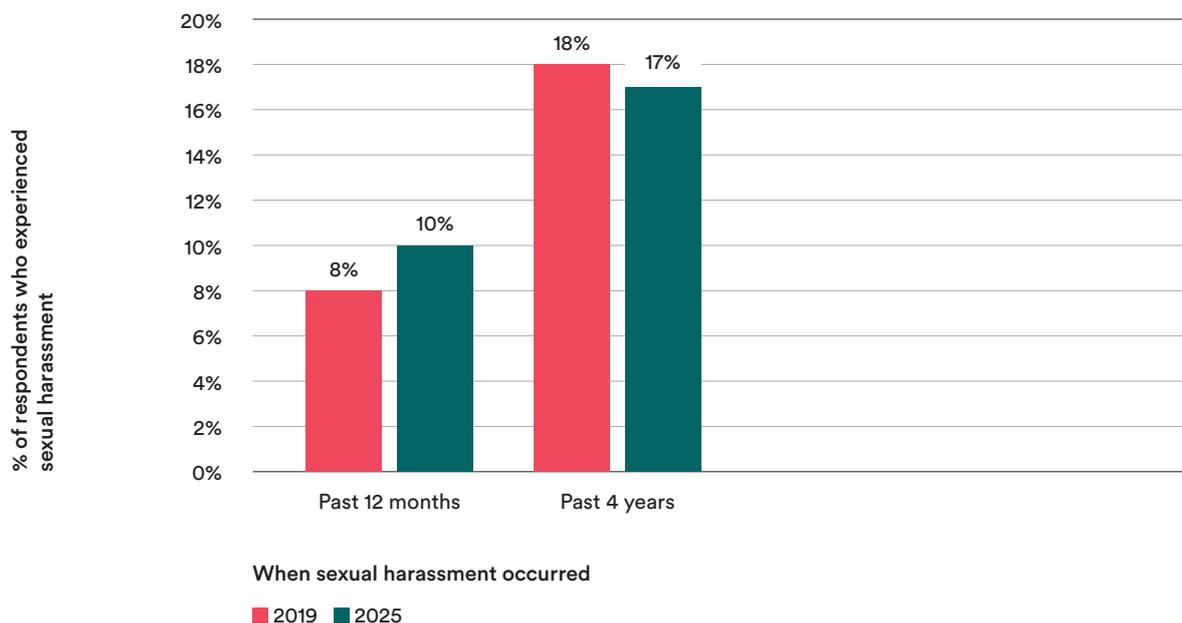
45. The 2019 data also included respondents who did not hold practising certificates. These groups were filtered out to facilitate comparison, with all practising certificate holders retained. This included 2,276 practising certificate holders currently working as a lawyer and 145 not currently working as a lawyer.

46. One exception is the way in which sexual harassment was identified. In the 2019 exercise, respondents were offered a sexual harassment definition before being asked if they had experienced sexual harassment. Those reporting sexual harassment were then asked about when behaviours occurred, the types of behaviours etc. In the 2025 Victorian Lawyer Census, we presented respondents with behaviours at the outset to capture sexual harassment. This has the advantage of not requiring respondents to read the definition or have in-depth understanding of what might constitute sexual harassment.

47. $X^2_1 = 2.60$, $p = 0.11$

48. $X^2_1 = 0.51$, $p = 0.47$

Figure 1 – Rates of sexual harassment in the Victorian legal profession in 2019 and 2025



Factors associated with experiencing sexual harassment

This section focuses on the respondents who experienced sexual harassment, particularly within the past 12 months,⁴⁹ though earlier experience is drawn upon to contextualise and reinforce findings.⁵⁰ Table A1, in the appendix, sets out the relationship between a broad range of personal and professional characteristics and experience of sexual harassment, both in the last 12 months and at any point in the course of their work. The following findings draw upon the data shown in Table A1.

The data demonstrates that experience of sexual harassment is shaped by both personal and professional characteristics, which intersect to create distinct risk profiles across the legal profession. This includes age/juniority, gender, marginalised identities, having children and disabilities, as well as structural workplace advantages, such as seniority, partnership or high income.

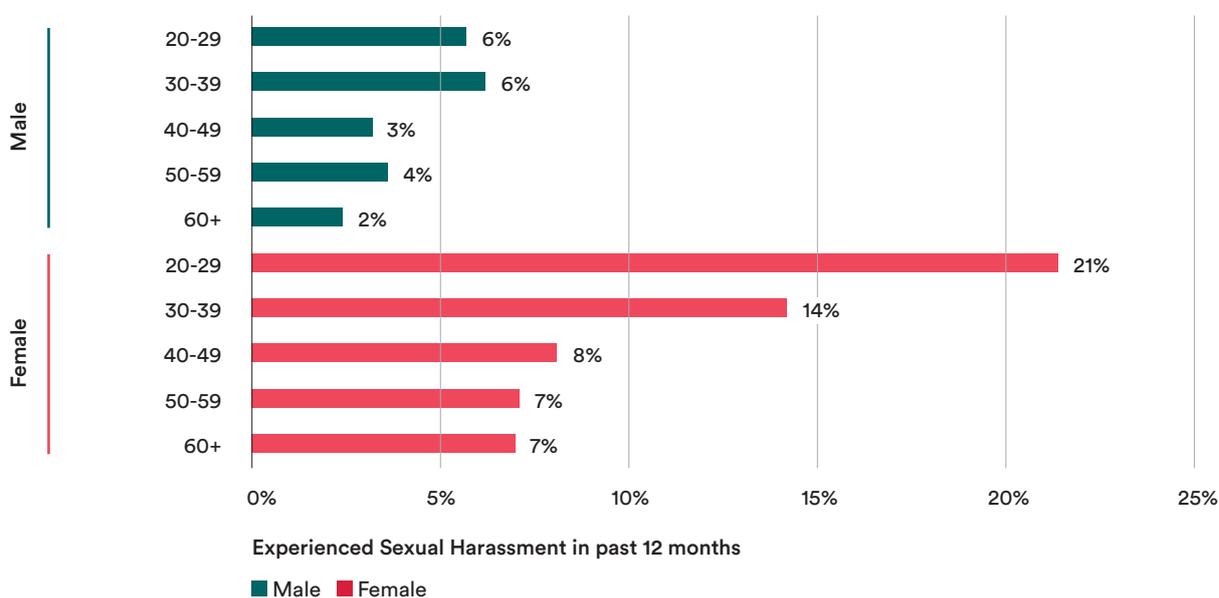
49. This is designed to ensure demographics at the time of incidents are as close as possible to the demographics (personal and professional) reported in the census.

50. Though findings on sexual harassment at any time should be interpreted with some caution especially for variables that can (for example, age), or are likely to (for example, taxable pay), change over time.

Personal characteristics

There was a clear, statistically significant relationship between age and recent experience of sexual harassment.⁵¹ Among the youngest lawyers aged 20–29, 45 of 260 (17%) experienced harassment in the past 12 months, declining consistently with age to only 7 of 188 (4%) among those 60 and older.⁵² Gender is associated with stark disparities in experience of sexual harassment. Female lawyers experienced harassment at dramatically higher rates,⁵³ as 115 of 882 (13%) reported incidents in the past year compared to only 24 of 572 male lawyers (4%). The lifetime data reveals an even more pronounced pattern, as 405 of 883 female lawyers (46%) reported they had experienced harassment compared to 87 of 572 male lawyers (15%). Figure 2 shows the relationship between both age and gender, and experience of sexual harassment in the past year.

Figure 2 – The relationship between age, gender and experience of sexual harassment in the past 12 months⁵⁴



While numbers of non-binary lawyers (or those using other terms) were small, prevalence of sexual harassment was comparatively high. Three of 28 non-binary lawyers (11%) reported sexual harassment in the past 12 months, with 8 of 28 (27%) at any time.

51. A highly significant difference based on gender; $X^2_3 = 32.98$, $p < 0.001$. Three of 28 respondents identifying as non-binary (or using another term) reported sexual harassment in the past 12 months, with none of 13 among those not specifying their gender.
52. This pattern is reinforced by lifetime data, though the differences are less pronounced, ranging from 86 of 260 (33%) for the youngest cohort to 34 of 188 (18%) for the oldest. However, these findings should be interpreted with caution as age at time of incident cannot be calculated for sexual harassment at any time.
53. A highly significant difference based on gender; $X^2_3 = 32.98$, $p < 0.001$.
54. Responses for non-binary respondents (or those using other terms) are excluded from Figure 2 due to very small frequencies. However, for non-binary respondents (unweighted), 1 of 5 (20%) of 20–29 year olds reported sexual harassment, as did 0 of 14 aged 30–39, 1 of 2 (50%) aged 40–49, and 0 of 1 aged 50–59.

Similarly, numbers of Aboriginal and Torres Strait Islander lawyers were very small, and findings should be interpreted with caution, though they did report far higher rates of sexual harassment.⁵⁵ Among 11 Indigenous lawyers, 5 (48%) experienced harassment in the past 12 months, compared to 133 of 1,460 non-Indigenous lawyers (9%). The lifetime data shows similarly elevated rates at 6 of 11 (59%) versus 488 of 1,460 (33%).

LGBTQIA+ lawyers also experienced sexual harassment at higher rates,⁵⁶ as 32 of 228 (14%) reported incidents in the past 12 months compared to 101 of 1,193 heterosexual lawyers (9%). Lifetime data confirms this pattern with 92 of 227 LGBTQIA+ lawyers (41%) experiencing harassment versus 382 of 1,193 heterosexual lawyers (32%).

Relationship status related to experience of sexual harassment, as single lawyers (42 of 335 (13%)), and those in de facto relationships (46 of 371 (12%)), reported more sexual harassment in the past 12 months than married lawyers (6%).⁵⁷ Having children under 18 was also associated with lower rates of sexual harassment. Of 949 lawyers without children, 112 (12%) experienced harassment in the past year compared to only 23 of 506 (5%) of those with children.⁵⁸

Both caring responsibilities and long-term illness or disability were associated with elevated rates of sexual harassment. Of 122 lawyers with caring responsibilities, 17 (14%) experienced harassment in the past year compared to 119 of 1,326 (9%) without such responsibilities.⁵⁹ Similarly, 42 of 274 (15%) lawyers with a long-term illness or disability experienced sexual harassment, compared to 87 of 1,149 (8%) among those without a long-term illness or disability.⁶⁰

Country of birth showed modest differences, as 121 of 1,210 (10%) Australian-born lawyers experienced harassment in the past 12 months compared to 18 of 218 (8%) of those born overseas.⁶¹ Differences by main language spoken at home were also relatively modest, as 130 of 1,404 (9%) of those whose main language was English experienced recent harassment compared to 8 of 61 (13%) who spoke other languages at home. Any differences largely dissipated when looking at sexual harassment at any time, as 470 of 1,404 (33%) of those whose main language was English experienced harassment compared to 20 of 61 (33%) for those who spoke other languages at home.

55. This difference was highly statistically significant; $X^2_2=17.15$, $p < 0.001$.

56. A significant difference; $X^2_2=7.31$, $p < 0.026$.

57. Lifetime patterns are more similar across relationship types, ranging from 30% to 37%, though again status at time of incident cannot be reliably calculated for incidents at any time.

58. Lifetime data shows similar rates between groups at 319 of 949 (34%) versus 165 of 507 (33%), though again, presence of children at the time of the census may not relate to presence of children at the time of sexual harassment. Both relationships between relationship status and sexual harassment and children and sexual harassment were statistically significant. $X^2_3=22.07$, $p < 0.001$ for relationship status. $X^2_2=22.97$, $p < 0.001$ based on whether respondents had children under 18.

59. Lifetime data shows 53 of 121 (44%) compared to 428 of 1,326 (32%).

60. Lifetime data shows similarly elevated rates at 117 of 274 (43%) compared to 359 of 1,150 (31%).

61. Lifetime patterns also show similar rates at 414 of 1,210 (34%) versus 66 of 218 (30%).

Professional characteristics

Reinforcing the age findings, having held a practising certificate for less time was associated with elevated rates of sexual harassment. Lawyers holding a practising certificate for less than 5 years had the highest recent harassment rates (58 of 380 (15%)). These statistics declined steadily to 28 of 247 (11%) for those with 5–9 years' experience, 21 of 320 (7%) for those with 10–19 years' experience, and 18 of 329 (5%) among those with 20+ years' experience.

Data regarding practising certificate type also showed some patterns in harassment rates. Employee certificate holders showed comparatively high recent harassment rates (71 of 588 (12%)), as did those with government legal practitioner (23 of 207 (11%)) and corporate practitioner certificates (21 of 235 (9%)).⁶² Principal (either with or without trust account authorisation) certificates were associated with lower rates of sexual harassment.⁶³

In keeping with certificate findings relating to seniority, partnership status is associated with experiencing less sexual harassment.⁶⁴ Partners experienced lower harassment rates (9 of 162 (6%)) in the past 12 months, compared to non-partners (113 of 1,022 (11%)). There was less overall difference when comparing in-house lawyers (26 of 320 (8%)) to other lawyers (112 of 1,157 (10%)).⁶⁵

Organisation type was associated with some differences in rates of sexual harassment. Law firms showed the highest recent harassment rates as 70 of 604 (12%) reported sexual harassment in the past 12 months, followed by the community sector with 10 of 96 (10%), and government employers with 25 of 234 (11%). Sole practitioners showed lower rates with 13 of 215 (6%), as did non-legal employers with 11 of 168 (7%), other organisations with 5 of 60 (8%), and incorporated legal practices with 4 of 104 (4%).

Some interesting patterns emerged by organisational size, with somewhat higher rates of sexual harassment in the past 12 months among those at organisations with 5–19 employees (29 of 228 (13%)) and 20–199 employees (42 of 347 (12%)). Rates were somewhat lower for those at organisations with 200 or more employees (47 of 553 (9%)) and particularly for the smallest organisations (1 employee, 12 of 180 (7%) and 2–4 employees, 7 of 134 (5%)).⁶⁶

The relationship between income and sexual harassment was complex. Rates were generally higher among those earning between \$50,000 and \$200,000 per annum, with the lowest rate of harassment in the past 12 months clearly for those who earned the most (over \$450,000, 3 of 68 (4%)).

62. Two of 9 volunteer/community legal service certificate holders reported harassment in the past 12 months, a high percentage (23%) though based on a very small sample.

63. A statistically significant difference in harassment rates on the basis of certificate type; $\chi^2_8 = 19.49$, $p < 0.012$.

64. This was a statistically significant difference; $\chi^2_3 = 9.527$, $p < 0.023$.

65. Lifetime patterns were also comparable with 381 of 1,157 (33%) compared to 116 of 321 (36%).

66. Lifetime data shows more consistent patterns across organisation sizes, ranging from 27% to 35%.

Multivariate analysis

A multivariate model was also fitted to explore any relevant predictors of experiences of sexual harassment within the last 12 months. Although age was significant on its own, when controlling for other factors, it lost significance due to how related factors like having children and seniority at work are to age group. Gender and Aboriginal and Torres Strait Islander status remained significant, even when controlling for other factors.⁶⁷ The same can be said for whether someone has children, with those who have children significantly less likely to be harassed.⁶⁸ Significance also held for whether someone has a long-term illness or disability, with those having a long-term health condition or disability being more likely to be harassed.

Experiencing and witnessing, and the difference between them

As set out at the beginning of this section, witnessing sexual harassment is 10% more common than experiencing it. The following analysis contrasts the personal and professional profile of those experiencing and those witnessing sexual harassment at any time.

As highlighted at various points in this study, some characteristics change over time (for example, age), some are likely to change (for example, variables associated with seniority), while others are typically stable (for example, gender). As a result, demographics at time of interview cannot be accurately matched to characteristics at the time of incidents. In our previous analysis on characteristics associated with prevalence, we address this by focusing on the past 12 months only.

The following analysis has a different aim. Rather than look specifically at determinants of experiencing or witnessing harassment, the analysis aims to illustrate the extent to which experiencing and witnessing sexual harassment is more patterned or more universal, while also highlighting groups where rates of experiencing and witnessing differ.

Appendix Table A2 shows factors (at the point at which the census was conducted) associated with experiencing sexual harassment at any time and witnessing sexual harassment at any time. The table also includes the difference in percentage points between experiencing and witnessing, with lower values where witnessing is comparatively more common and vice versa.

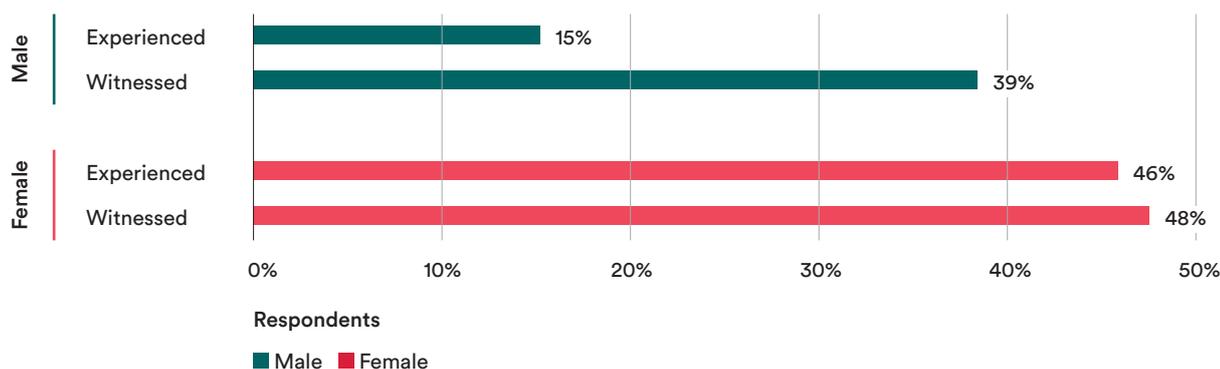
As shown in Table A2, sexual harassment experience is highly patterned by structural advantages and vulnerabilities (as set out earlier in this section), while witnessing harassment is far more universal across demographic groups. Looking across the range of experienced and witnessed percentages, experience spans 43 percentage points (from 15% to 58%) while witnessing spans 34 percentage points (from 29% to 63%). This reduction confirms that witnessing rates cluster more tightly. This is also confirmed by looking at the variance across the 2 columns of percentages. Experience shows variance of 47 compared to witnessing at 39, which mathematically confirms the reduced dispersion.

67. When controlling for other factors, $X^2_2=12.06$, $p = 0.0024$ (gender), $X^2_2= 19.84$, $p = 0.000$ (Aboriginal and Torres Strait Islander status).

68. When controlling for other factors, $X^2_2=11.07$, $p = 0.0039$ (children), $X^2_2=8.45$, $p = 0.00146$ (long-term health condition or disability).

Turning to specific characteristics, there were stark differences between male and female respondents in the relationship between experiencing and witnessing sexual harassment, as shown in Figure 3. As illustrated, while female lawyers both experience and witness harassment at similarly high rates, male lawyers witness harassment far more frequently than they experience it.

Figure 3 – Percentage of male and female respondents experiencing and witnessing sexual harassment at some point in their careers (to date)



Age effects were also apparent, with experience spreading across 15 percentage points from youngest (33%) to oldest (18%) lawyers, while witnessing compressed this to just 4 percentage points (40% to 36%). The difference column in Table A2 shows older lawyers have a -18% gap, suggesting they witness harassment while being less likely to experience it directly. A similar large gap can be seen for the highest earners (27% difference), who indicate having witnessed harassment at much higher rates than they experience it.

Other variables also show some reduction in variation between experiencing and witnessing. This includes long-term illness or disability, career stage and seniority. Aboriginal or Torres Strait Islander status presents the notable exception of a large positive difference (+22%), with experience more common than witnessing. This finding should be interpreted with some caution though, given the small number of Indigenous respondents.

Types of sexual harassment experienced and witnessed

Figure 4 shows the types of sexual harassment experienced, witnessed or both experienced and witnessed.⁶⁹ As shown, sexually suggestive comments and jokes emerge as the most pervasive form of harassment as they affect nearly half of all lawyers (48%). This behaviour also had the highest overlap between experiencing and witnessing, as 27% of those exposed encountered it in both forms.

Inappropriate staring and leering were next most common as they affected 29% of lawyers, while attempting to touch in a way in that made people uncomfortable affected 19%. These behaviours show more balanced distributions between experiencing and witnessing, though touching is more likely to be directly experienced than observed, suggesting it may occur in private settings.

69. Excluding a small number of cases where respondents preferred not to respond (between 30 and 48 depending on the item).

Displaying offensive materials affected 17% of lawyers but was more likely to be witnessed rather than personally targeted. Among those exposed, 57% witnessed it while only 22% experienced it directly. Repeated attempts to establish unwanted relationships affected 16% but is predominantly witnessed (53% of exposures) rather than directly experienced, perhaps since repetition increases the likelihood it is observed.

The most severe forms of harassment remained comparatively less common, as non-consensual sexual activity affected 5% of lawyers, while bribery or threats affected only 2%.

Figure 4 – Types of sexual harassment experienced, witnessed or both

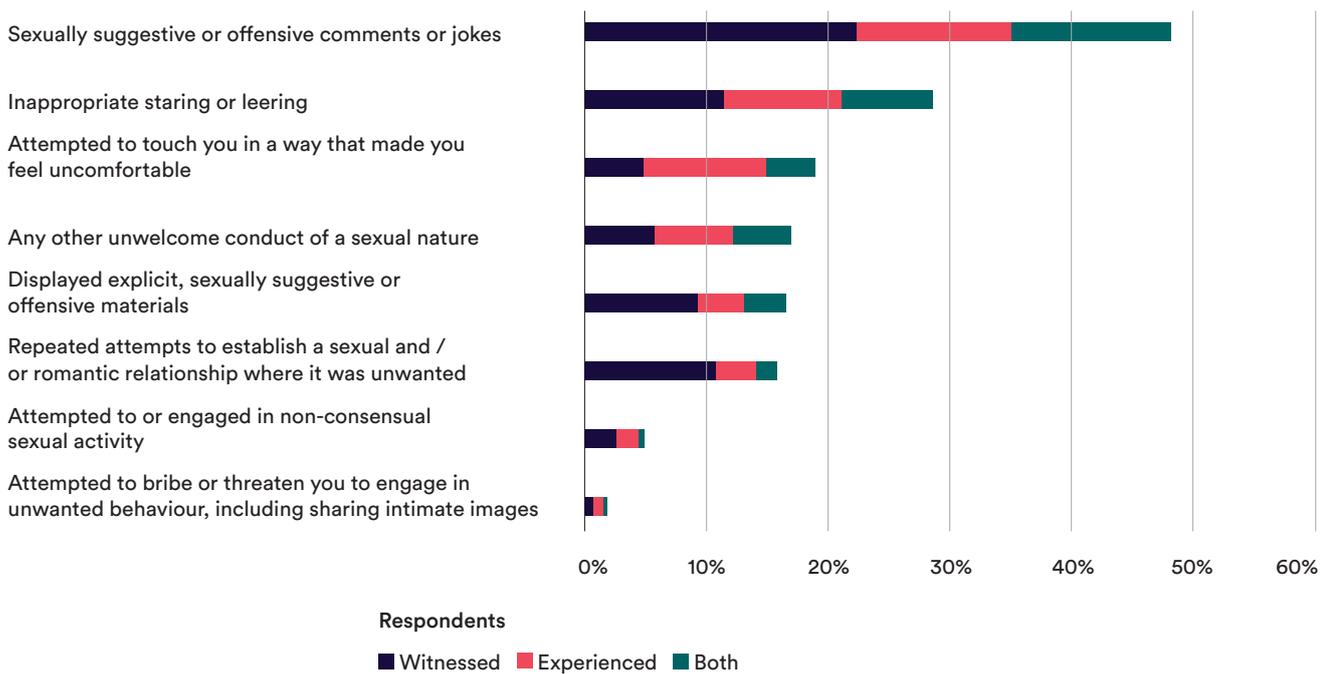


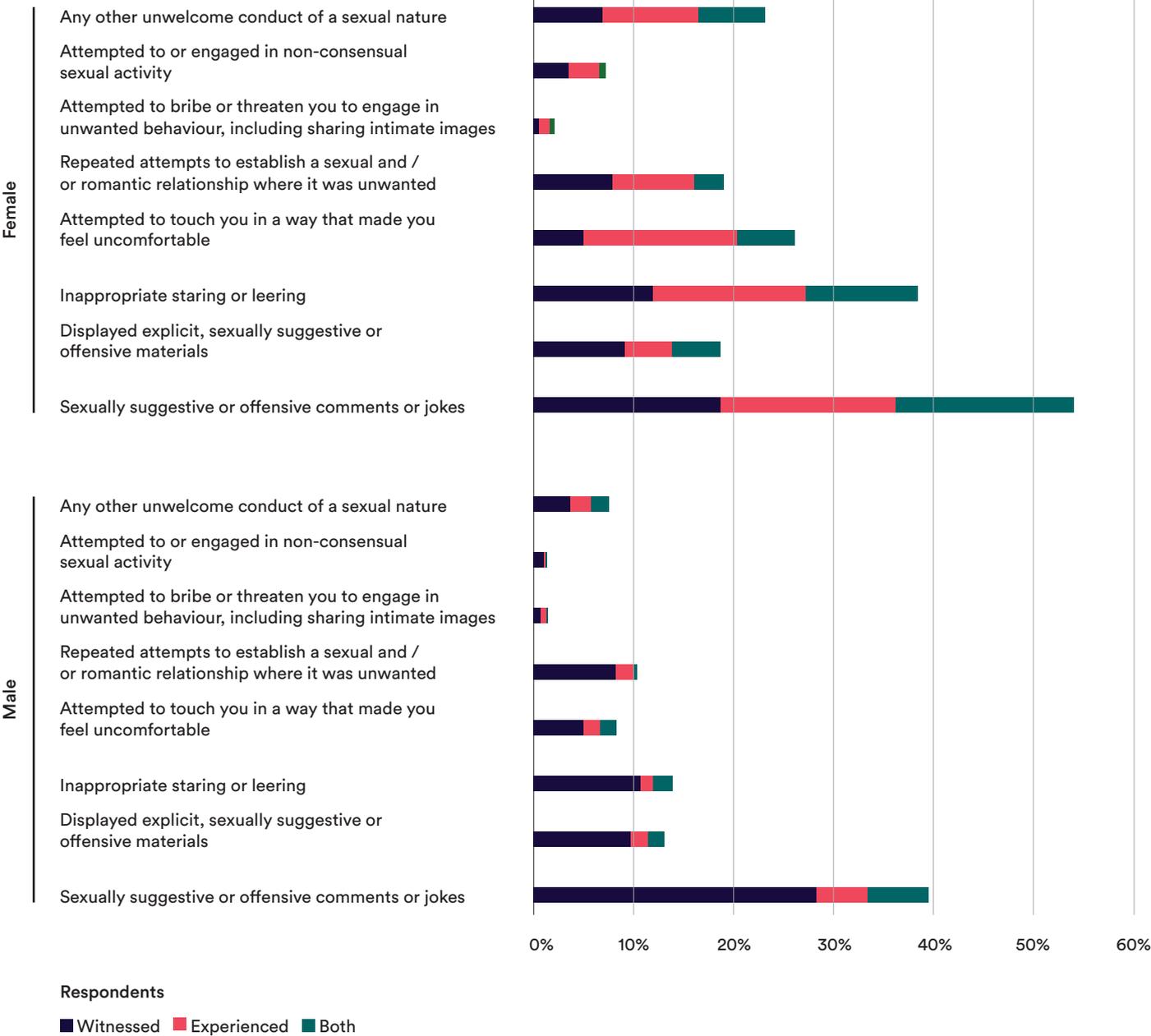
Figure 5 repeats the types of harassment set out in Figure 4 but splits output for male and female respondents.⁷⁰ As shown, all types of harassment were more common for female respondents, with men more predominantly witnesses and women more likely to face direct targeting across types. The data indicates that harassment creates fundamentally different workplace experiences by gender, with men encountering harassment more commonly as bystanders across all behaviour types, while women navigate environments where they face both direct victimisation and regular exposure to harassment of others.

For sexually suggestive comments – the most common harassment – men witness more readily (28% witnessed versus 5% experienced) while women show balanced rates across witnessing and experiencing, and both categories (18–19% each). The starkest disparities appear in physical harassment. Women experience inappropriate staring at 13 times the rate of men (15% versus 1%) and unwanted touching at 9 times the rate (15% versus 2%). Both genders witness these behaviours at similar rates, again indicating men more often observe harassment without being targeted.

70. Non-binary respondents were not included in the figure due to a very small number of responses.

Despite low prevalence, severe harassment, such as non-consensual sexual activity showed stark differences, as women reported they experienced it at 30 times the rate of men (3% versus 0.1%) while they also witnessed it more frequently.

Figure 5 – Types of sexual harassment experienced, witnessed or both, split for male and female respondents



03

Characteristics of sexual harassment

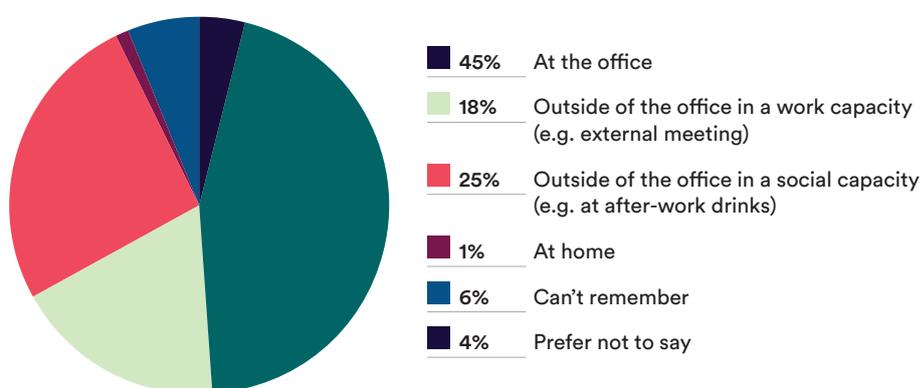
This section explores where sexual harassment took place, mode of harassment, role of perpetrators, and where they worked with those experiencing sexual harassment, and their relative seniority. It goes on to explore some relationships between the role of perpetrators and the characteristics of those experiencing sexual harassment.



The location of sexual harassment

Figure 6 shows where the most recent incident of sexual harassment experienced took place.⁷¹ As illustrated, the single most common location was at the office, though outside the work in both work and social⁷² capacities also accounted for a significant proportion of responses.

Figure 6 – Location of the most recent incident of sexual harassment



Restricting incidents to only those in the past 12 months resulted in a slightly increased percentage at the office (71 of 138, 51%), with 18% outside the office in a work capacity (n=25), 21% outside the office in a social capacity (n=28), 3% at home (n=4), 5% who preferred not to say (n=7), and 3% (n=4) who were unable to recall.

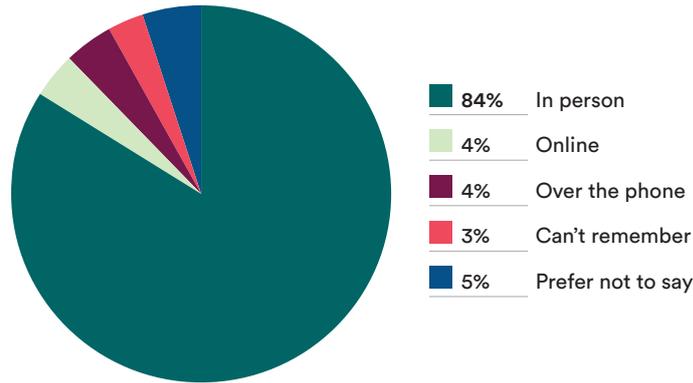
71. Note, that the most recent incident may have taken place in the past 12 months or some time ago. We did not restrict responses to the last 12 months since we sought to share the experiences of all those who responded.

72. The example that was provided to respondents as an outside of the office social activity was 'after-work drinks' but this was unlikely to be the sole social setting.

Mode of harassment

Figure 7 shows the mode of the most recent incident of sexual harassment reported by respondents. As shown, despite significantly increased use of technology, the majority of harassment remained in person, with a small number indicating harassment was online (n=21) or over the phone (n=18). Restricting analysis to solely incidents occurring in the past 12 months had little effect on mode, with 85% in person (118 of 138), 5% online (n=7) and 5% over the phone (n=8).⁷³

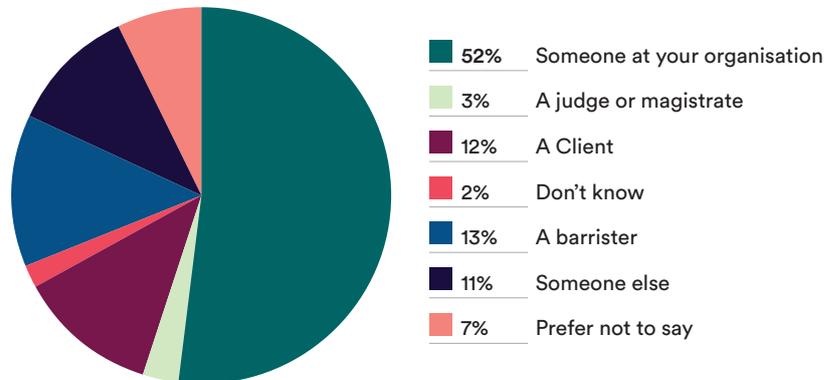
Figure 7 – Mode of most recent sexual harassment



Perpetrators of sexual harassment in the legal profession

Figure 8 shows the identity/occupation of the perpetrator of the most recent incident of sexual harassment reported by respondents. Over half of respondents reporting sexual harassment indicated that the perpetrator of the most recent incident was someone else at their organisation (260 of 499). Barristers (n=65), clients (n=57), and those falling outside the categories presented (n=57)⁷⁴ were the next most common perpetrators. Restricting analysis to only incidents in the past 12 months resulted in 54% of perpetrators being within respondent's organisation (74 of 139), 18% clients (n=25), 12% barristers (n=16), 3% judges or magistrates (n=5), 6% someone else (n=9), and 7% who preferred not to say (n=10).

Figure 8 – Perpetrators of most recent incidents of sexual harassment by identity/occupation



73. Six respondents indicated that they would prefer not to specify mode.

74. No further information was collected on the identity of these perpetrators.

Of those who indicated that the most recent incident of sexual harassment involved someone else in their organisation, 73% (189 of 260) reported that the individual was more senior than them within the organisation. Only 23% (n=60) indicated that they were not more senior, with 4% unsure. Restricting analysis to only incidents within the past 12 months showed a slight increase in percentage who were more senior than respondents (59 of 75 (79%)).

There was some variation in identified perpetrator by respondents personal and professional characteristics. In general, professional contact shaped experience, with increases or decreases in the relative percentages of different perpetrators reflecting the nature of different legal roles.⁷⁵ For example, identified perpetrators differed by organisation type. Law firm lawyers primarily experienced internal harassment, as 45 of 60 lawyers (75%) reported colleagues as perpetrators. This pattern is reinforced by the lifetime data (most recent incidents at any time), which showed 104 of 152 cases (68%) involved organisational colleagues. Those holding a corporate legal practitioner practising certificate showed an even stronger internal pattern, as 17 of 20 cases (84%) involved organisational colleagues in incidents in the past 12-month data (and a similar percentage – 70 of 81 cases (86%) in the lifetime data).

The barrister experience stands apart, though the 12-month sample is very small with only 7 total cases. Within this limited group, 4 of 7 (67%) perpetrators were identified as other barristers, and 2 of 7 (24%) as judges or magistrates. The lifetime data with 28 barrister cases confirmed this court-focused pattern, as 17 of 28 (59%) perpetrators were identified as other barristers, and 3 of 28 (12%) as judges or magistrates.

Government legal practitioners also reported a higher percentage of perpetrators identified as barristers, with 6 of 21 (29%) in recent data and 16 of 70 (24%) in the lifetime data. Judges or magistrates comprised 1 of 21 identified perpetrators (4%) recently, and 5 of 70 (7%) among all most recent incidents.

Sole practitioners, reflecting their lack of colleagues, identified diverse perpetrator types. Among 9 recent cases, 4 perpetrators (45%) were identified as barristers and 2 (22%) were identified as judges, though these small numbers require careful interpretation. Lifetime data with 48 cases supports this pattern, as 19 perpetrators (40%) were identified as barristers and 5 (10%) were identified as judges.

Gender was also associated with disparities in perpetrator identity. Among 99 female lawyers reporting recent incidents, 57 perpetrators (58%) were identified as organisational colleagues, 24 (24%) as clients, and 16 (16%) as barristers. Male lawyers show more concentrated patterns, with 16 of 19 perpetrators (86%) identified as organisational colleagues. This relatively small sample requires some caution, though analysis of all most recent incidents confirms these patterns with a larger sample.

Typically, more junior lawyers (holding a practising certificate for under 5 years) were most likely to report colleagues as perpetrators for most recent incidents in the past 12 months (40 of 55 perpetrators (73%)). This was reinforced by the highest percentage of colleagues identified as perpetrators among the youngest respondents (20 to 29-year-olds, 28 of 42 (68%)).

75. To best reflect respondent's current characteristics, analysis primarily focuses on the most recent sexual harassment incidents experienced by lawyers within the past 12 months. However, data from most recent incident at any time is also used to confirm and contrast patterns. For the purposes of this analysis, those who did not know, preferred not to say or identified someone other than a colleague, client, judge or magistrate, or barrister were excluded from analysis.

04

Reporting sexual harassment

This section explores the extent to which sexual harassment is reported, both formally and informally. It looks at reasons for not formally reporting sexual harassment, satisfaction with the outcome of reporting where formal reports were made, and the role respondents felt the legal regulator should play in both the prevention and investigation of sexual harassment.



Formal and informal reporting

Respondents who experienced sexual harassment were asked whether they made a formal report or complaint about the most recent incident, internally or externally. The vast majority – 84% (419 of 497) – did not make any report, formal or informal. Seven per cent (n=35) made a formal internal complaint and only 1% (n=4) made a formal external complaint, or both a formal internal and formal external complaint (n=3).⁷⁶ Excluding those who were unable to remember or preferred not to say, formal reports accounted for only 42 of 461 (9%) most recent incidents of sexual harassment.⁷⁷ Restricting experience to only sexual harassment reported in the last year made little difference to formal reporting rates, as 12 of 133 (9%) made a formal report.⁷⁸

Respondents who indicated they did not report their sexual harassment in a formal way were then asked if they told anyone about what happened informally. Excluding those who preferred not to say or were unable to recall, 45% (185 of 413) indicated that they had told someone within their workplace informally, and 37% (n=151) that they had told someone outside their work. This left 35% (n=145) who did not report the incident informally.⁷⁹

Characteristics associated with formal reporting

Appendix Table A3 sets out rate of reporting for the most recent incidents of sexual harassment by personal and professional characteristics. It includes both most recent incident at any time, and solely incidents reported in the past 12 months. While some numbers are small and should be interpreted with caution, it does illustrate some variation in reporting rates. Regarding personal characteristics, younger respondents appeared more likely to report harassment than older respondents, female respondents were more likely to report harassment than men, and LGBTQIA+ respondents (despite modest numbers) were more likely to report harassment than heterosexual respondents.

Single respondents and those without children were also more likely to make formal reports, with no incidents of formal reports among married respondents or those with children under 18 reporting harassment in the past year. While based on relatively small numbers, the same was true for those with caring responsibilities, those born outside Australia, and those whose main language was not English.

76. Twenty-five indicated that they would 'prefer not to say' and 12 suggested that they could not remember.

77. Numbers specifying the organisation they made the formal complaint to were very small, but included the police, the VLSB+C, The Victorian Bar and The Victorian Equal Opportunities and Human Rights Commission.

78. Again, excluding those who were unable to recall or preferred not to answer.

79. Restricting analysis to incidents in the past 12 months, 60 of 120 (50%) reported informally at work, 48 of 120 (40%) outside work, with 39 of 120 (33%) doing neither.

Turning to professional characteristics, in keeping with age findings, the highest rates of reporting were among those who had held practising certificates for the shortest amount of time. For practising certificate type, reporting was highest among principals and government legal practitioners, and lower, for example, among corporate practitioners. Reporting was also high among those in government employment or incorporated legal practices.

Reasons for not making formal reports

Respondents who indicated that they did not report were asked to provide reasons through an open-ended test response. These responses underwent inductive thematic analysis using ATLAS.ti 25 across 3 coding rounds.⁸⁰ There were 287 verbatim responses of varying length analysed, with 16 themes emerging, with some overlaps.⁸¹

This section discusses 5 overarching themes:

1. the normalisation of sexual harassment as a deterrent to reporting
2. reporting as pointless
3. consequences of reporting
4. system failures as a deterrent
5. triviality and legality as barriers to reporting.

80. Virginia Braun and Victoria Clarke, "Using Thematic Analysis in Psychology." *Qualitative Research in Psychology* 3,2 (2006): 77–101, <https://doi.org/10.1191/1478088706qp063oa>.

81. The 19 themes were: career concerns, deal with themselves, didn't want to cause a scene, embarrassment, fear of consequences, fear of lack of consequences, normalisation, not bothered, not serious enough, not worth it, pointless, power dynamics, reputation, system failures, being seen as a 'troublemaker' and 'boys will be boys' attitude.

Normalisation of sexual harassment as a deterrent to reporting

Among respondents there was a clear sense that sexual harassment is normalised, tolerated and expected within legal workplaces, which made respondents reluctant to report the incident. Some responses referred to incidents some time ago, as one respondent explained: 'It was minor, an inappropriate innuendo. This was 20 years ago when this was mainstream culture'. Another responded similarly: 'It was more normalised and accepted behaviour at the time'.

The historic normalisation of sexual harassment is well-documented both within, and beyond, the legal profession and so these responses are not surprising.⁸²

However, despite shifts in law and policy regarding sexual harassment, there were also more contemporary incidents that still spoke to a culture where behaviours remain tolerated and normalised in the workplace.⁸³

For example, as one female barrister summarised: 'Sometimes, working with older male barristers, it is just part of the job to put up with inappropriate remarks'. A lawyer working in criminal practice reflected on her similar experiences: 'I'm a lawyer at [organisation] and often run duty lawyer services. I simply would not have time to put in a complaint every time inappropriate sexual comments or advances were made to me. It happens too often.'

These responses are particularly concerning in a context where concerted effort has been made to address sexual harassment within the workplace.⁸⁴ Although cultural change is difficult to achieve and unlikely to occur quickly, the extent to which these behaviours, paired with rates of harassment similar to those reported in 2019 (as illustrated earlier in the report), suggest there is significant work still to be done.

Responses also addressed the pervasiveness of sexual harassment beyond the legal workplace. For example, one respondent noted: 'People often stare at me inappropriately outside of work too so it's something I've just learned to ignore.' As discussed earlier in the report, this reinforces the idea of sexual harassment as societally pervasive, with its experience among practising certificate holders neither unusual nor inconsistent with broader understandings.

82. Octavia Calder-Dawe and Nicola Gavey, "Making Sense of Everyday Sexism: Young People and the Gendered Contours of Sexism," *Women's Studies International Forum* 55 (January 16, 2016): 1–9, <https://doi.org/10.1016/j.wsif.2015.11.004>.

83. For examples see: Victorian Law Reform Commission, "Improving the Response of the Justice System to Sexual Offences - Victorian Law Reform Commission," June 25, 2024, <https://www.lawreform.vic.gov.au/project/improving-the-response-of-the-justice-system-to-sexual-offences/>; Victorian Equal Opportunity and Human Rights Commission, *GUIDELINE Preventing and Responding to Workplace Sexual Harassment Complying With the Equal Opportunity Act 2010*, Victorian Equal Opportunity and Human Rights Commission, 2020 https://www.humanrights.vic.gov.au/static/8070e6b04cd51969490ccdecddff0c00/Resource-Guidelines-Workplace_sexual_harassment-Aug20.pdf.

84. Victorian Equal Opportunity and Human Rights Commission. *GUIDELINE Preventing and Responding to Workplace Sexual Harassment Complying With the Equal Opportunity Act 2010*.

Reporting as pointless

The perception of sexual harassment as normalised and tolerated was often accompanied by a belief that reporting incidents was ‘pointless’, with little prospect of recourse in a culture where sexual harassment is viewed as ‘endemic in the workplace’. As one respondent noted: ‘What is the point [of complaining]? Men do this all the time and receive little to no recourse.’ Another explained that: ‘[Their] work will not do anything about it’. Other responses also alluded to the personal and professional consequences of complaint, which are covered in greater detail under the next theme. For example, one respondent noted: ‘It wasn’t going to achieve anything and would create issues for ongoing work’. Another responded: ‘The person [the perpetrator] would be told and any person making the report would be victimised.’ A third succinctly summarised: ‘Please!!! The hoo ha when one complains – it is just not worth it.’⁸⁵

More specifically though, respondents shared how the legal profession is reluctant to engage with reports of sexual harassment, which creates a sense that ‘the profession does not seem to care in a meaningful way’. It became clear this was particularly the case when incidents involve senior or respected staff members, with institutional protections shielding seniority from accountability, and reinforcing power imbalances. One respondent explained how there is ‘no point [in reporting because] nothing is ever done, and the perpetrator is protected by management’. Another similarly questioned: ‘What is the point? Partners are protected. Their revenue is more valuable than the experience of more junior women in a law firm.’ A third responded: ‘Law firms do not take action; they are concerned with the protection of billing partners’.

Respondents shared similarly about barristers and judges, which indicates that this sense of pointlessness is not restricted to private practice. One respondent explained: ‘There was little point in solicitors complaining about counsel. There is even less point in complaining about judges.’ Another responded more candidly: ‘Complaining about judicial bullying appears to be completely pointless’.

Furthermore, several reasons highlighted the way in which power imbalances created barriers to reporting. Examples included the workplace being a ‘family business and so thought there would be no action taken’, whilst another explained how ‘the person who caused [the] offence was the owner of the firm [which was] a small firm with no HR – the principal made all the decisions including HR ones’.

85. These responses reflect broader societal attitudes surrounding the reporting of sexual violence, including sexual harassment. Criminal justice outcomes for sexual offences are consistently lower than for other crimes, and as a result, public confidence in the system to adequately address these behaviours is low.

The consequences of reporting

Respondents addressed a broad range of consequences of reporting, many of which related to their job and / or career prospects moving forward.

Several respondents mentioned their concerns about their career potentially being adversely impacted if they chose to report the incident. This included specific fears around 'losing [their] job', as well as broader concerns that it 'may have impacted my career'. Reporting was considered a 'career limiting move' or would just be 'bad for [their] career'. Other respondents highlighted that they were concerned 'about professional repercussions' or simply responded that 'repercussions on them professionally' were the reasons for choosing not to report.

For some respondents, concerningly, these fears were rooted in the fact that the perpetrator was more senior and well-respected within the legal industry. One participant explained they 'could place [their] career in jeopardy as the perpetrator is a senior, well-respected within the industry' and another similarly responded that the perpetrator was a 'senior person with power to affect [their] success'. Another shared their concerns that 'the offender would get away with his behaviour and that it would reflect badly [on them] if they got a reputation as a troublemaker'. These concerns were often also linked to the idea that they would not be believed if they were to accuse a more senior individual of sexual harassment. One respondent explained: 'The offending person would deny it happened and would say I misunderstood, and it would be my word against theirs so no point. Also at law firms, the main offenders are partners who own the firm so nothing can be done to hold them accountable.'

Similarly, another respondent explained 'name and reputation of person, unlikely to be supported to formally complaint' and another explained their reason for not reporting was because the 'the perpetrator was highly respected'. One respondent specifically explained that the perpetrator was 'the principal partner of the law firm'.

Much like the other themes, the influence of power dynamics on not reporting is not unique to the legal profession nor even the workplace context. However, the legal profession is characterised by hierarchy and structure, bringing concerns to the fore.

Contextualising concerns around the impact of reporting on career prospects, young respondents often addressed to the potential of 'reputational damage' or the extent to which reporting would 'harm [their] reputation more'. Concerns around consequences were also particularly acute among young lawyers, where power imbalances are greatest, as one respondent summarised: 'The reputational impact for an early career lawyer would be impossible to come back from'. Similarly, another responded: 'As a junior lawyer in the first 5 years of my career, raising a concern would have cruelled (my career)'.

Being concerned about how you will be perceived if you report an incident of sexual harassment is a common, well-documented anxiety that again spans much broader than the legal workplace context. Often, these concerns are founded in pervasive myths around reporting and experiencing sexual violence – for example, women who experience sexual assault do so because they were ‘asking for it’ or failed to take the necessary steps to stay safe.⁸⁶ Concerted effort has been made to discredit such myths, and notable steps have been taken to shift public attitudes towards these behaviours by way of better education, yet they remain dominant. The fact that how you will be perceived persists as a barrier to reporting among legal professionals is concerning.

System failures as a deterrent

Multiple respondents also expressed the idea of pointlessness, which speaks to systemic inadequacies that extended beyond their workplace to a broader system unable to respond meaningfully to sexual harassment. These responses were concerning and, often, damning regarding the capability of existing mechanisms set up to deal with workplace sexual harassment. This included the feeling that professional bodies/organisations had no meaningful protocols to deal with sexual harassment at all. For example, one responded: ‘The Bar’s harassment and bullying policies are toothless. All they can offer is conciliation, and referral to the VLSB+C If conciliation is ineffective. The Bar has no internal disciplinary process to deal with their own members if they engage in behaviour that contravenes those policies.’

Other respondents offered similar reflections, while again drawing on the theme of personal and professional consequences, for example: ‘The legal system is appalling at responding to such things and the victims suffer the biggest consequences’, ‘the victim is the only person who loses when a formal complaint is made’, and ‘because the system is not set up to support complainants’.

86. See Martha R. Burt, “Cultural Myths and Supports for Rape”, *Journal of Personality and Social Psychology* 38, no. 2 (January 1, 1980): 217–30, <https://doi.org/10.1037/0022-3514.38.2.217>; Louise Ellison and Vanessa E Munro, “‘Telling Tales’: Exploring Narratives of Life and Law Within the (Mock) Jury Room,” *Legal Studies* 35, no. 2 (April 28, 2014): 201–25, <https://doi.org/10.1111/lest.12051>; Louise Ellison and Vanessa E. Munro, “A Stranger in the Bushes, or an Elephant in the Room? Critical Reflections Upon Received Rape Myth Wisdom in the Context of a Mock Jury Study,” *New Criminal Law Review* 13, no. 4 (January 1, 2010): 781–801, <https://doi.org/10.1525/nclr.2010.13.4.781>; Anastasia Powell et al., “Meanings of ‘Sex’ and ‘Consent,’” *Griffith Law Review* 22, no. 2 (January 1, 2013): 456–80, <https://doi.org/10.1080/10383441.2013.10854783>; Lara F. Hudspeth et al., “Forty Years of Rape Myth Acceptance Interventions: A Systematic Review of What Works in Naturalistic Institutional Settings and How This Can Be Applied to Educational Guidance for Jurors,” *Trauma Violence & Abuse* 24, no. 2 (October 26, 2021): 981–1000, <https://doi.org/10.1177/15248380211050575>; Victoria L. Banyard, Mary M. Moynihan, and Elizabeth G. Plante, “Sexual Violence Prevention Through Bystander Education: An Experimental Evaluation,” *Journal of Community Psychology* 35, no. 4 (April 13, 2007): 463–81, <https://doi.org/10.1002/jcop.20159>; Linda A. Anderson and Susan C. Whiston, “Sexual Assault Education Programs: A Meta-Analytic Examination of Their Effectiveness,” *Psychology of Women Quarterly* 29, no. 4 (November 23, 2005): 374–88, <https://doi.org/10.1111/j.1471-6402.2005.00237.x>.

The perceived inadequacy of legal systems to address sexual harassment is commonly cited as a reason for not reporting.⁸⁷ For the general population, this stems from pervasive cultural myths around sexual violence and a lack of confidence in legal systems.⁸⁸ Efforts have been made to address this lack of confidence through education and increased transparency about legal processes, particularly in the criminal justice sphere.⁸⁹ However, lawyers are different – they possess knowledge of the systems governing sexual harassment and the skills to navigate them. That lawyers still choose not to report due to systemic failures is therefore particularly concerning, as it points to problems that cannot be rectified through enhanced legal capability.⁹⁰

Some respondents directly reflected on previous personal experiences of attempting to report instances of sexual harassment – illustrating perceived pointlessness and systemic barriers – and explained how those experiences had deterred them from reporting again. For example, one respondent reported having seen ‘how the organisation [had] handled similar complaints against the same barrister’ so she felt deterred from reporting herself. Another reflected on their prior negative experience of reporting: ‘[The] last time I made a formal complaint there was a combination of reactions including trivialising what I experienced and then an extensive HR investigation... I wish I had never reported it’.

87. See Sophia Stewart, Dominic Willmott, Anthony Murphy, and Catherine Phillips, “I Thought I’m Better off Just Trying to Put This behind Me’ – a Contemporary Approach to Understanding Why Women Decide Not to Report Sexual Violence” *The Journal of Forensic Psychiatry & Psychology* 35,1 (2023): 85–101 doi:10.1080/14789949.2023.2292103; Katrin Hohl and Elisabeth A. Stanko, “Complaints of Rape and the Criminal Justice System: Fresh Evidence on the Attrition Problem in England and Wales”, *European Journal of Criminology* 12, 3 (March 1, 2015): 324–41, <https://doi.org/10.1177/1477370815571949>; Holland, Kathryn J., and Lilia M. Cortina, “‘It Happens to Girls All the Time’: Examining Sexual Assault Survivors’ Reasons for Not Using Campus Supports”, *American Journal of Community Psychology* 59, 1–2 (March 1, 2017): 50–64, <https://doi.org/10.1002/ajcp.12126>.
88. See Burt, “Cultural Myths and Supports for Rape”.
89. Alice King, Vanessa E. Munro, and Lotte Young Andrade, “Increasing Partnership, Progression and Procedural Justice?: Reflecting on Lessons Learned about Rape Prosecution under “Operation Soteria””, *Criminal Law Review*, no. 4, Sweet Maxwell (2025): 198–216; Alice Catherine King, Vanessa Munro, and Lotte Young Andrade, *Operation Soteria: Improving CPS Responses to Rape Complaints and Complainants* (Coventry, UK: The University of Warwick, 2024).
90. For example, capabilities such as knowledge of rights or processes, confidence, self-efficacy etc. More generally, legal capability in broad terms can be conceptualised as “the freedom and ability to navigate and utilise the legal frameworks which regulate social behaviour and to achieve fair resolution of justiciable issues”. See N. J. Balmer et al., *The Public Understanding of Law Survey (PULS) Volume 2: Understanding and Capability* (Melbourne: Victoria Law Foundation, 2024).

Triviality and legality as barriers to reporting

Several respondents did not consider the behaviour they had experienced to be 'serious enough' and chose not to make it 'a bigger issue than it was'. While the legal profession is not exceptional in its experience of sexual harassment, here a potential distinction emerged – some respondents appeared to evaluate incidents through a legal lens rather than focus on the behaviours themselves, with this creating a 'legal' rationale for non-reporting. Respondents emphasised how incidents were not 'ill-intended or hurtful' or that 'comments were merely suggestive, not offensive', implying that they then were 'lacking merit' because there had been 'no harm done'. These responses reflect aspects of legal definitions of sexual harassment, which require comments to be offensive or intended to cause offence to constitute sexual harassment.

While there may be logic in not reporting behaviour that falls below the legal threshold, this approach risks negating the importance of behavioural sexual harassment – problematic conduct that may be legally insufficient but is nevertheless harmful and inappropriate for the workplace. Delineating sexual harassment as 'legal = acceptable', 'illegal = unacceptable' creates a dangerous gap for behaviours that should not be tolerated.

Respondents also evaluated the perpetrator's intention, again reflecting legal standards. One explained: 'It wasn't a big deal for me, it didn't affect me personally, I was just aware the behaviour was inappropriate.' Another responded: 'It was not intended to be offensive and I did not take it in that way. I had a good working relationship with the barrister and frankly it was a joke that did not land properly.' This focus on intent was even more explicit when respondents directly applied legal thresholds to their experiences. One noted: 'It wasn't criminal or harassing, it was simply unnecessary physical contact, but it was good intentioned.' Another explained their experience: '[It] did not clearly cross the line [because it] was just unnecessarily touchy but not enough to be assault'. A further respondent described: 'It was staring that made [me] feel uncomfortable but [I] did not feel it was intentional and was not acted upon... cannot be sure it was in a sexual way, it was just uncomfortable.'

Such rationales frame behaviours legally, considering whether behaviour was intended to cause harm or whether a reasonable person could have foreseen it might cause harm. The fact that legal professionals are filtering their own experiences through these legal standards, even when behaviour made them uncomfortable, suggests professional knowledge may inadvertently create barriers to reporting conduct that, while falling short of legal thresholds, remains inappropriate and harmful.

The extent to which the legal profession's experience of sexual harassment differs from other sectors warrants further investigation. One area where distinctions may emerge is in how legal expertise and legal culture simultaneously open and close avenues for action and redress. It remains unclear whether legal knowledge and capability encourage reporting (for example, by equipping practitioners with understanding of when and how to act, and the confidence to enforce their rights) or whether they erect barriers (for example, through overly narrow, legalistic conceptions of harassment and acute awareness of systemic inadequacies). This creates a friction where legal professionals may be uniquely positioned to navigate formal complaint mechanisms, yet, paradoxically, may also be uniquely equipped to recognise their limitations. Understanding this dynamic is important to developing targeted interventions that leverage legal professionals' expertise while addressing the distinctive barriers their knowledge may create.

Outcome of reporting

Of a small number of respondents (n=41) who made a formal complaint about the most recent incident of sexual harassment, 7 (17%) indicated that they were entirely satisfied with the outcome and its fairness, 14 (35%) were satisfied 'in part', 8 (18%) not really satisfied, 9 (23%) not at all satisfied, and 3 (8%) preferred not to say.

The regulation of sexual harassment

Forty-two per cent of respondents (642 of 1,530) strongly agreed that the VLSB+C has a role in the investigation of perpetrators of sexual harassment, 36% (n=551) agreed, 6% (n=93) disagreed, 5% (n=74) strongly disagreed, and 10% (n=159) were unsure.⁹¹ More generally, 51% of respondents (771 of 1,528) strongly agreed that the VLSB+C has a role in the prevention investigation of sexual harassment within the profession, 36% (n=552) agreed, 3% (n=51) disagreed, 4% (n=56) strongly disagreed, and 6% (n=87) were unsure.⁹²

91. Eleven respondents preferred not to respond.

92. Ten respondents preferred not to respond.

05

The cost of sexual harassment

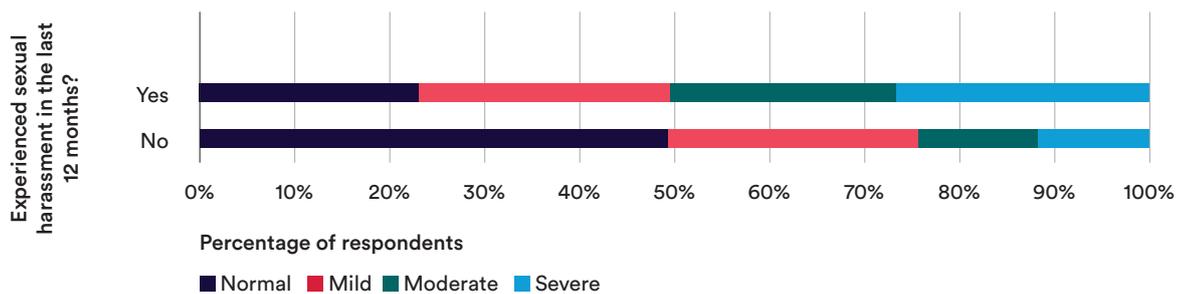
This section explores the broader context of sexual harassment. Specifically, it looks at the relationships between the experience of sexual harassment and wellbeing, burnout and life satisfaction, and the intention to leave the legal profession.



Sexual harassment and wellbeing

Figure 9 sets out the relationship between whether respondents experienced sexual harassment in the past 12 months and their wellbeing, measured using the PHQ-4 scale. The findings show a highly significant relationship between wellbeing and sexual harassment,⁹³ with those who had experienced sexual harassment in the last 12 months showing far higher rates of severe psychological distress (27% compared to 12%). These relationships remained even having controlled for other variables (such as personal and professional characteristics) in a multivariate statistical analysis.⁹⁴ The PHQ-4 scale can also be split into anxiety and depression subdomains, as those who reported sexual harassment in the past 12 months were also highly significantly more likely than others to report symptoms of both anxiety and depression.⁹⁵

Figure 9 – The relationship between the experience of sexual harassment in the past 12 months and wellbeing (measures using the PHQ-4 scale)



93. $X^2_3=51.320$, $p < 0.001$

94. Contact the authors for further detail of the multivariate analysis conducted.

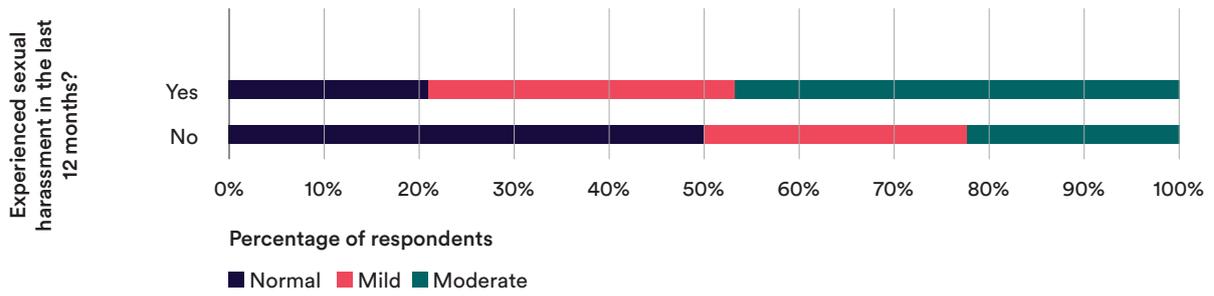
95. $X^2_1=35.266$, $p < 0.001$ and $X^2_1=38.469$, $p < 0.001$ respectively.

Sexual harassment and burnout

Figure 10 shows the relationship between whether respondents experienced sexual harassment in the past 12 months and burnout, measured using the Burnout Assessment Tool (BAT4). As with wellbeing, there was a stark and highly significant relationship between burnout and sexual harassment.⁹⁶

As Figure 10 shows, those reporting sexual harassment in the past 12 months had more than double the percentage in the 'high risk' category.

Figure 10 – The relationship between the experience of sexual harassment in the past 12 months and burnout (measured using the BAT4 scale)



96. $X^2_2 = 55.262, p < 0.001$

Sexual harassment and intention to leave the profession

On the face of it, there was little difference in intention to leave the legal profession between those who reported sexual harassment in the past 12 months and those who did not. Of those who reported sexual harassment, 19 of 142 (14%) indicated that they intended to leave the profession in the next 5 years, 75 (53%) responded they did not, and 48 (34%) were unsure. For those not reporting sexual harassment, 185 of 1,347 (14%) indicated that they intended to leave the profession, 868 (64%) responded they did not, and 294 (22%) were unsure.⁹⁷ However, looking at reasons for intention to leave, those reporting sexual harassment had a higher percentage citing taking a career break (n=3, 16% versus n=7, 4%) and other responses (n=7, 37% versus n=28, 15%). These 7 'other' responses were asked for further detail on rationale for intending to leave, which included 'bullying, harassment', a 'toxic industry with a poor culture', and simply having 'had enough'.

Sexual harassment and life satisfaction

Finally, those reporting sexual harassment were compared to those not reporting sexual harassment in the past 12 months across 6 domains of life satisfaction relating to physical health, personal relationships, amount of time respondents had to do things, respondent's work, financial situation, and life as a whole. For each domain, respondents were asked to rate satisfaction from 0–10, with higher scores meaning increased satisfaction.

In every case, those reporting sexual harassment in the past 12 months reported significantly lower satisfaction than those who did not.⁹⁸

97. A further 6 indicated that they preferred not to respond.

98. Physical health, mean = 5.8 for those reporting sexual harassment compared to 5.2 for those who did not (t = 2.99, p = 0.003); personal relationships, mean = 7.0 compared to 6.3 (t = 3.74, p < 0.001); amount of time, mean = 5.1 compared to 4.4 (t = 3.30, p < 0.001); work, mean = 6.4 compared to 5.2 (t = 6.01, p < 0.001); financial situation, mean = 5.9 compared to 5.0 (t = 4.32, p < 0.001); life as a whole, mean = 7.0 compared to 6.0 (t = 5.40, p < 0.001).

06

Conclusion and recommendations

This section contextualises the key findings from the study within existing literature and practice, and considers their implications for the Victorian legal profession. It discusses what the data tells us about the experience of, and response to, sexual harassment and discusses directions for future action.



Overview

Despite significant efforts over the past 6 years to address sexual harassment in the Victorian legal profession, in prevalence terms, little appears to have changed. Sexual harassment remains common, reporting remains concerning low, and the cost to those who experience it is substantial. These findings highlight the need for continued and enhanced efforts to address sexual harassment within the profession.

The consistency of determinants

The findings from this report show that young lawyers, those without children, and those early on in their legal careers are most at risk of experiencing sexual harassment within the workplace. Men were significantly less likely to experience sexual harassment than women. Generally, the breakdown of experiencing sexual harassment by personal demographics is broadly in line with existing literature and what would be expected of a study exploring sexual harassment both within, and beyond, the workplace.⁹⁹ Global statistics consistently indicate that women more often experience sexual harassment, and indeed sexual violence, more broadly than their male counterparts.¹⁰⁰

99. See: Australian Human Rights Commission, *Time for Respect*; Victorian Legal Services Board + Commissioner, *Sexual Harassment in the Victorian Legal Sector*.

100. For an overarching summary see – World Health Organization, “Violence Against Women”, March 25, 2024, <https://www.who.int/news-room/fact-sheets/detail/violence-against-women>. For an Australian context see – Australian Bureau of Statistics, “Sexual Harassment, 2021-22 Financial Year,” August 23, 2023, <https://www.abs.gov.au/statistics/people/crime-and-justice/sexual-harassment/latest-release>.

While Aboriginal and Torres Strait Islander lawyers represent a small proportion of the profession, the high rates of sexual harassment they report align with broader research that shows that Aboriginal and Torres Strait Islander people experience sexual harassment and violence at higher rates.¹⁰¹ The higher rates of LGBTQIA+ respondents who reported they experienced sexual harassment in this study is also consistent with non-workplace studies.¹⁰² Similarly, the reported higher rates of harassment among early-career lawyers and non-partners align with established research demonstrating how power and seniority dynamics shape vulnerability to workplace sexual harassment.¹⁰³

In summary, there is little surprising about the ways in which sexual harassment occurs and those who experience it in the legal workplace – with the data reflecting broader, well-established trends.

That harassment rates have remained unchanged while determinants have stayed predictable is a significant finding. It demonstrates that the structural patterns driving sexual harassment persist and reinforces the imperative for sustained action. Ongoing monitoring will be critical for evaluating whether interventions produce meaningful change. Additionally, more targeted research into the experiences of marginalised groups would enhance understanding of how sexual harassment is experienced across different contexts within the profession and support more effective responses.

101. For a summary see AIHW, “Aboriginal and Torres Strait Islander people”, 30 July 2025, <https://www.aihw.gov.au/family-domestic-and-sexual-violence/population-groups/aboriginal-and-torres-strait-islander-people>; Kyllie Cripps and Megan Davis, “Communities Working to Reduce Indigenous Family Violence”, Indigenous Justice Clearing house, June 2012, <https://www.indigenousjustice.gov.au/wp-content/uploads/mp/files/publications/files/brief012-v1.pdf>. For discussion of intimate partner violence see Kyllie Cripps, “Indigenous Women and Intimate Partner Homicide in Australia: Confronting the Impunity of Policing Failures”, *Current Issues in Criminal Justice* 35, 3 (2023): 293–311, doi:10.1080/10345329.2023.2205625. It is also important to note the difficulties in collecting data on sexual violence and harassment in Aboriginal and Torres Strait Islander communities which means knowledge remains limited.
102. Kerry Robinson, Kimberley Allison, Emma Jackson, and Cristyn Davies, # *SpeakingOut@Work: sexual harassment of LGBTQ young people in the workplace and workplace training*, (ANROWS, 2024).
103. Krista Lynn Minnotte and Elizabeth M. Legerski, “Sexual Harassment in Contemporary Workplaces: Contextualizing Structural Vulnerabilities,” *Sociology Compass* 13, 12 (November 28, 2019), <https://doi.org/10.1111/soc4.12755>; Colleen E. O’Connell and Karen Korabik, “Sexual Harassment: The Relationship of Personal Vulnerability, Work Context, Perpetrator Status, and Type of Harassment to Outcomes,” *Journal of Vocational Behavior* 56, 3 (June 1, 2000): 299–329, <https://doi.org/10.1006/jvbe.1999.1717>.

Forms of sexual harassment and the need for systemic cultural change

Findings demonstrate that low-level forms of sexual harassment (for example, sexualised jokes, inappropriate comments, leering or staring) tend to be more prevalent than more serious forms of the behaviour (sexual assault and rape). This is expected and consistent with studies that have shown, across a variety of settings, that low-level forms of sexual harassment tend to be more prevalent.¹⁰⁴

The relative infrequency of the most severe forms of harassment should not diminish concern about the prevalence of ‘low-level’ behaviours. Research demonstrates that tolerance of more common or lower-level forms of harassment (for example, sexualised comments, jokes or staring) creates a culture within which problematic behaviours can persist unchallenged, and establishes norms that scaffold and justify more serious forms of behaviour.¹⁰⁵ The impact of the acceptance and normalisation of these behaviours should not be underestimated.

This normalisation is also reinforced by findings indicating that most workplace sexual harassment occurs verbally within office spaces. Moreover, a significant percentage of this behaviour is witnessed. Addressing sexual harassment therefore requires tackling not only conduct that meets legal thresholds, but also behaviours that, while falling short of legal definitions, remain harmful and contribute to toxic workplace cultures.

Addressing this requires sustained and long-term investment in interventions that focus on behavioural and cultural change, often paired with bystander training. Evidence shows that such approaches can measurably shift workplace culture and reduce the pervasiveness of low-level harassment, both within legal workplaces and more broadly.¹⁰⁶

104. Victorian Legal Services Board + Commissioner, *Sexual Harassment in the Victorian Legal Sector*; Australian Human Rights Commission, *Time for Respect*.

105. Studies have explored the ways in which gendered norms interact with attitudes and behaviours to encourage acceptance and tolerance of everyday forms of sexual harassment which in turn scaffold and justify more serious behaviours when they occur. See Alice Catherine King, *Preventing Sexual Violence in Elite UK Universities: Education, Young People and Sexual Consent* (Bristol University Press, 2026); Octavia Calder-Dawe and Nicola Gavey, “Making Sense of Everyday Sexism: Young People and the Gendered Contours of Sexism,” *Women’s Studies International Forum* 55 (January 16, 2016): 1–9, <https://doi.org/10.1016/j.wsif.2015.11.004>. For theoretical framing see: Nicola Gavey, *Just Sex?: The Cultural Scaffolding of Rape*, 2004, <http://ci.nii.ac.jp/ncid/BA74640829>.

106. See Victoria L. Banyard, Mary M. Moynihan, and Elizabeth G. Plante, “Sexual Violence Prevention Through Bystander Education: An Experimental Evaluation”, *Journal of Community Psychology* 35, 4 (April 13, 2007): 463–81, <https://doi.org/10.1002/jcop.20159>; Rachel A. Fenton and Helen L. Mott, “The Bystander Approach to Violence Prevention: Considerations for Implementation in Europe”, *Psychology of Violence* 7, no. 3 (March 20, 2017): 450–58, <https://doi.org/10.1037/vio0000104>; Anastasiia G. Kovalenko and Rachel A. Fenton, “Bystander Intervention in Football and Sports. A Quasi-Experimental Feasibility Study of a Bystander Violence Prevention Program in the United Kingdom”, *Journal of Interpersonal Violence*, March 26, 2024, <https://doi.org/10.1177/08862605241239452> <https://doi.org/10.1177/08862605241239452>; Alexa N. Gainsbury, Rachel A. Fenton, and Cassandra A. Jones, “From Campus to Communities: Evaluation of the First UK-based Bystander Programme for the Prevention of Domestic Violence and Abuse in General Communities,” *BMC Public Health* 20, no. 1 (May 13, 2020), <https://doi.org/10.1186/s12889-020-08519-6>; Laura Jennings et al., “Mapping Bystander Intervention to Workplace Inclusion: A Scoping Review”, *Human Resource Management Review* 34, 2 (February 28, 2024): 101017, <https://doi.org/10.1016/j.hrmmr.2024.101017>; Paula McDonald, Sara Charlesworth, and Tina Graham, “Action or Inaction: Bystander Intervention in Workplace Sexual Harassment,” *The International Journal of Human Resource Management* 27, no. 5 (April 7, 2015): 548–66, <https://doi.org/10.1080/09585192.2015.1023331>.

The reporting gap

Sexual harassment is consistently under-reported globally and across Australian workplaces. The current findings align with both the VLSB+C's 2019 report and the 2022 AHRC national survey, which found approximately 4 in 5 individuals did not report their most recent experience. In addition, while measuring satisfaction of outcomes regarding sexual harassment can be difficult,¹⁰⁷ the findings show that few respondents were completely satisfied with the outcome they received after choosing to report.

Lawyers identified barriers common across workplaces – fear of career repercussions, reputational damage, lack of confidence in complaint mechanisms, and cultures protecting senior perpetrators. This existed alongside a profession-specific pattern, where some applied legal definitions to their own experiences, dismissing harmful behaviours as not meeting legal thresholds.

Addressing under-reporting requires tackling structural power imbalances, systemic inadequacies in complaint mechanisms, and the profession-specific challenge where legal knowledge leads to dismissal of harmful experiences as being legally insufficient. Further research should explore how reporting mechanisms might better address behaviours falling outside legal definitions yet contributing to toxic workplaces. Fundamentally, if lawyers – uniquely positioned to navigate formal complaint systems – cannot access effective redress, this reveals profound challenges in how justice systems respond to sexual harassment, with implications extending beyond the profession.

The bigger picture

Sexual harassment exacts costs that extend far beyond individual incidents, which affects individuals, organisations and society. The current findings underscore this reality and demonstrate how harassment correlates with doubled rates of severe psychological distress and burnout among lawyers, alongside diminished wellbeing across all life domains. Broader research confirms that harassment functions as a workplace stressor that has sustained mental health effects, including elevated rates of depression, anxiety, and post-traumatic stress symptoms.¹⁰⁸ The economic costs of sexual harassment in Australia has been estimated to run into billions.¹⁰⁹ At a societal level, harassment undermines workplace authority, reinforces gender inequality, and contributes to the gender wage gap.¹¹⁰ Importantly, witnesses also suffer vicarious experiences, psychological impact, exhaustion, disengagement and negative feelings,¹¹¹ which demonstrates that impact extends beyond direct targets.

107. Research has documented the ways in the outcomes sought by victim-survivors after experiencing sexual harassment or violence more broadly are often wide-ranging and nebulous. See McGlynn and Westmarland, "Kaleidoscopic Justice", <https://doi.org/10.1177/0964663918761200>.

108. Kimberly T. Schneider, Suzanne Swan, and Louise F. Fitzgerald, "Job-related and Psychological Effects of Sexual Harassment in the Workplace: Empirical Evidence From Two Organizations", *Journal of Applied Psychology* 82, 3 (January 1, 1997): 401–15, <https://doi.org/10.1037/0021-9010.82.3.401>.

109. Deloitte Access Economics, *The economic costs of sexual harassment in the workplace* (Deloitte Access Economics, 2019).

110. Heather McLaughlin, Christopher Uggen, and Amy Blackstone, "The Economic and Career Effects of Sexual Harassment on Working Women", *Gender & Society* 31, 3 (May 10, 2017): 333–58, <https://doi.org/10.1177/0891243217704631>.

111. Daniela Acquadro Maran, Antonella Varetto, and Cristina Civilotti, "Sexual Harassment in the Workplace: Consequences and Perceived Self-Efficacy in Women and Men Witnesses and Non-Witnesses", *Behavioral Sciences* 12, 9 (September 8, 2022): 326, <https://doi.org/10.3390/bs12090326>.

Understanding these interconnected costs – individual, organisational and societal – underscores why addressing sexual harassment is essential, not optional. It requires comprehensive and sustained responses that go beyond treating it as an isolated problem that affects only those directly targeted.

Recommendations and future directions

Addressing sexual harassment within the legal profession necessitates long-term, systemic intervention. The persistence of harassment at unchanged rates since 2019 demonstrates that sustained, coordinated efforts are required.

Coordination and sector-wide engagement

Effective intervention requires coordination among key regulatory and professional bodies, alongside meaningful engagement across all organisational contexts in which lawyers practice. This approach is consistent with recommendations in the AHRC's Speaking Out report.¹¹²

Prevention through behavioural intervention

The prevalence of harassment occurring openly in workplace settings and being frequently witnessed by colleagues indicates the need for interventions targeting attitudinal and behavioural change. Evidence demonstrates that sustained investment in such approaches can measurably shift attitudes and adherence to norms that sustain low level forms of harassment, which have been proven to scaffold more serious forms of violence.

Ongoing monitoring and evaluation

Annual prevalence measurement through the Legal Services Research Centre's Victorian Lawyer Census will enable systematic tracking of trends and evaluation of intervention effectiveness.

Understanding and addressing reporting barriers

Further research is needed to examine profession-specific barriers to reporting, particularly how legal expertise may influence understandings of harmful and problematic experiences as being legally insufficient. While disciplinary mechanisms are essential, it is also necessary to develop alternative solutions that address legal but nevertheless unacceptable forms of behaviour.

Bystander behaviour research

Research examining why witnessed harassment persists unchallenged would identify barriers to intervention and inform the development of profession-specific, evidence-based bystander training programs.

Systemic transformation grounded in sustained collaboration, rigorous evaluation, and evidence-based intervention is essential to achieving measurable progress in reducing sexual harassment within the Victorian legal profession.

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Appendix



Table A1 – The relationship between personal and professional characteristics and experience of sexual harassment (incidents in past 12 months only and incidents at any time)¹¹³

		Any sexual harassment experienced – past 12 months				Any sexual harassment experienced			
		No		Yes		No		Yes	
		N	Row %	N	Row %	N	Row %	N	Row %
Age	20–29	215	82.7%	45	17.3%	174	66.9%	86	33.1%
	30–39	441	88.7%	56	11.3%	299	60.1%	199	39.9%
	40–49	302	93.5%	21	6.5%	215	66.6%	108	33.4%
	50–59	206	94.6%	12	5.4%	142	65.4%	75	34.6%
	60+	181	96.3%	7	3.7%	154	82.0%	34	18.0%
Gender	Male	548	95.8%	24	4.2%	485	84.8%	87	15.2%
	Female	767	86.9%	115	13.1%	478	54.1%	405	45.9%
	Non-binary and other terms	25	89.5%	3	10.5%	20	73.0%	8	27.0%
Aboriginal or Torres Strait Islander	No	1,327	90.9%	133	9.1%	972	66.6%	488	33.4%
	Yes	6	52.3%	5	47.7%	5	41.5%	6	58.5%
Sexual orientation	Heterosexual	1,092	91.5%	101	8.5%	811	68.0%	382	32.0%
	LGBTQI+	196	86.0%	32	14.0%	135	59.4%	92	40.6%
Relationship status	Married	659	94.3%	40	5.7%	487	69.8%	211	30.2%
	Single	293	87.5%	42	12.5%	211	63.2%	123	36.8%
	De facto	325	87.7%	46	12.3%	243	65.5%	128	34.5%
Children under 18	No	837	88.2%	112	11.8%	630	66.4%	319	33.6%
	Yes	483	95.5%	23	4.5%	342	67.5%	165	32.5%
Caring responsibilities	No	1,207	91.0%	119	9.0%	898	67.7%	428	32.3%
	Yes	105	86.3%	17	13.7%	68	56.1%	53	43.9%
Country of birth	Australia	1,089	90.0%	121	10.0%	796	65.8%	414	34.2%
	Other (please specify):	200	91.7%	18	8.3%	152	69.8%	66	30.2%
Main language spoken at home	English	1,274	90.8%	130	9.2%	934	66.5%	470	33.5%
	Other	53	86.6%	8	13.4%	41	66.9%	20	33.1%
Long-term illness or disability	No	1,062	92.4%	87	7.6%	791	68.8%	359	31.2%
	Yes	232	84.5%	42	15.5%	157	57.2%	117	42.8%
Length of time practising certificate held	Less than 5 years	322	84.8%	58	15.2%	253	66.8%	126	33.2%
	5–9 years	219	88.8%	28	11.2%	164	66.3%	83	33.7%
	10–19 years	299	93.3%	21	6.7%	201	62.9%	119	37.1%
	20 plus years	311	94.5%	18	5.5%	223	67.6%	107	32.4%

113. The table excluded cases where demographics were unknown (for example, unsure or prefer not to say).

		Any sexual harassment experienced – past 12 months				Any sexual harassment experienced			
		No		Yes		No		Yes	
		N	Row %	N	Row %	N	Row %	N	Row %
Practising certificate type	Principal	128	95.8%	6	4.2%	92	68.6%	42	31.4%
	Principal with trust authorisation	176	96.7%	6	3.3%	137	75.5%	45	24.5%
	Employee	517	87.8%	71	12.2%	397	67.6%	191	32.4%
	Employee with trust authorisation	23	90.2%	3	9.8%	13	51.3%	13	48.7%
	Barrister	101	91.2%	10	8.8%	69	62.8%	41	37.2%
	Corporate legal practitioner	214	90.9%	21	9.1%	140	59.5%	95	40.5%
	Government legal practitioner	184	88.8%	23	11.2%	133	63.8%	75	36.2%
	Volunteer / CLS	7	76.9%	2	23.1%	6	65.6%	3	34.4%
Whether a partner	No	909	88.9%	113	11.1%	661	64.7%	361	35.3%
	Yes	153	94.5%	9	5.5%	115	71.3%	46	28.7%
	Not applicable	287	93.6%	20	6.4%	212	69.2%	94	30.8%
Whether in-house	No	1,045	90.3%	112	9.7%	776	67.1%	381	32.9%
	Yes	294	91.8%	26	8.2%	205	63.9%	116	36.1%
Organisation type	Law firm	534	88.4%	70	11.6%	407	67.4%	196	32.6%
	Sole practitioner	202	94.0%	13	6.0%	152	70.6%	63	29.4%
	Incorporated legal practice	100	95.8%	4	4.2%	66	63.5%	38	36.5%
	Government employer	209	89.4%	25	10.6%	152	64.7%	83	35.3%
	Non-legal employer	157	93.3%	11	6.7%	106	62.9%	62	37.1%
	Community sector	86	89.9%	10	10.1%	63	65.4%	33	34.6%
	Other	55	92.2%	5	7.8%	38	63.0%	22	37.0%
Number of employees	1	168	93.1%	12	6.9%	123	68.1%	58	31.9%
	2–4	127	94.7%	7	5.3%	98	73.0%	36	27.0%
	5–19	199	87.3%	29	12.7%	149	65.3%	79	34.7%
	20–199	305	87.9%	42	12.1%	224	64.6%	123	35.4%
	200+	506	91.6%	47	8.4%	359	64.9%	194	35.1%
Taxable pay	Less than \$50,000	55	93.9%	4	6.1%	44	75.1%	15	24.9%
	\$50,000–\$80,000	135	90.7%	14	9.3%	113	76.3%	35	23.7%
	\$80,001–\$120,000	368	86.8%	56	13.2%	281	66.3%	143	33.7%
	\$120,001–\$160,000	247	90.1%	27	9.9%	162	59.0%	112	41.0%
	\$160,001–\$200,000	142	90.2%	15	9.8%	101	64.3%	56	35.7%
	\$200,001–\$250,000	140	94.7%	8	5.3%	93	62.9%	55	37.1%
	\$250,001–\$350,000	92	96.8%	3	3.2%	61	63.9%	34	36.1%
	\$350,001–\$450,000	35	90.3%	4	9.7%	21	53.8%	18	46.2%
	More than \$450,000	65	96.1%	3	3.9%	56	82.0%	12	18.0%

Table A2 – Personal and professional characteristics associated with the experience of sexual harassment and witnessing sexual harassment, at any time in the course of work

		Experienced sexual harassment at any time		Witnessed sexual harassment at any time		Difference
		N	%	N	%	
Age	20–29	86	33.1%	102	39.6%	-6.4%
	30–39	199	39.9%	245	49.8%	-9.9%
	40–49	108	33.4%	146	45.6%	-12.2%
	50–59	75	34.6%	92	42.3%	-7.7%
	60+	34	18.0%	67	35.7%	-17.7%
Gender	Male	87	15.2%	220	38.5%	-23.3%
	Female	405	45.9%	414	47.6%	-1.7%
	Non-binary and other terms	8	27.0%	18	63.4%	-36.4%
Aboriginal or Torres Strait Islander	No	488	33.4%	641	44.3%	-10.8%
	Yes	6	58.5%	4	37.0%	21.5%
Sexual orientation	Heterosexual	382	32.0%	505	42.7%	-10.7%
	LGBTQI+	92	40.6%	118	52.1%	-11.5%
Relationship status	Married	211	30.2%	279	40.2%	-9.9%
	Single	123	36.8%	156	47.2%	-10.4%
	De facto	128	34.5%	179	48.4%	-13.8%
Children under 18	No	319	33.6%	417	44.2%	-10.6%
	Yes	165	32.5%	220	44.0%	-11.4%
Caring responsibilities	No	428	32.3%	573	43.5%	-11.2%
	Yes	53	43.9%	61	51.4%	-7.5%
Country of birth	Australia	414	34.2%	538	44.9%	-10.7%
	Other (please specify)	66	30.2%	89	41.1%	-10.9%
Main language spoken at home	English	470	33.5%	620	44.5%	-11.0%
	Other	20	33.1%	23	38.1%	-5.0%
Long-term illness or disability	No	359	31.2%	487	42.7%	-11.5%
	Yes	117	42.8%	133	49.5%	-6.7%
Length of time practising certificate held	Less than 5 years	126	33.2%	145	38.9%	-5.7%
	5–9 years	83	33.7%	121	49.2%	-15.5%
	10–19 years	119	37.1%	146	46.1%	-9.0%
	20 plus years	107	32.4%	150	45.5%	-13.1%

		Experienced sexual harassment at any time		Witnessed sexual harassment at any time		Difference
		N	%	N	%	
Practising certificate type	Principal	42	31.4%	62	46.5%	-15.1%
	Principal with trust authorisation	45	24.5%	74	40.9%	-16.3%
	Employee	191	32.4%	243	41.8%	-9.4%
	Employee with trust authorisation	13	48.7%	13	53.9%	-5.2%
	Barrister	41	37.2%	60	54.8%	-17.6%
	Corporate legal practitioner	95	40.5%	106	45.5%	-5.0%
	Government legal practitioner	75	36.2%	91	43.9%	-7.7%
	Volunteer / CLS	3	34.4%	3	30.4%	4.0%
Whether a partner	No	361	35.3%	436	43.1%	-7.7%
	Yes	46	28.7%	76	47.1%	-18.4%
	Not applicable	94	30.8%	142	46.6%	-15.8%
Whether in-house	No	381	32.9%	510	44.4%	-11.5%
	Yes	116	36.1%	136	43.1%	-7.0%
Organisation type	Law firm	196	32.6%	266	44.7%	-12.2%
	Sole practitioner	63	29.4%	96	44.9%	-15.4%
	Incorporated legal practice	38	36.5%	48	46.2%	-9.8%
	Government employer	83	35.3%	99	42.3%	-7.0%
	Non-legal employer	62	37.1%	74	44.9%	-7.8%
	Community sector	33	34.6%	35	36.2%	-1.6%
	Other	22	37.0%	30	50.1%	-13.1%
Number of employees	1	58	31.9%	83	46.2%	-14.3%
	2–4	36	27.0%	49	36.4%	-9.5%
	5–19	79	34.7%	89	39.4%	-4.8%
	20–199	123	35.4%	159	46.0%	-10.6%
	200+	194	35.1%	257	47.0%	-11.9%
Taxable pay	Less than \$50,000	15	24.9%	19	32.5%	-7.6%
	\$50,000–\$80,000	35	23.7%	44	29.4%	-5.7%
	\$80,001–\$120,000	143	33.7%	169	40.2%	-6.5%
	\$120,001–\$160,000	112	41.0%	134	48.9%	-7.8%
	\$160,001–\$200,000	56	35.7%	73	46.6%	-10.9%
	\$200,001–\$250,000	55	37.1%	87	59.7%	-22.6%
	\$250,001–\$350,000	34	36.1%	47	49.5%	-13.5%
	\$350,001–\$450,000	18	46.2%	22	60.1%	-14.0%
	More than \$450,000	12	18.0%	30	44.9%	-26.9%

Table A3 – Extent to which most recent incidents of sexual harassment were reported by respondents personal and professional characteristics, for all most recent incidents and solely those occurring in the past 12 months¹¹⁴

		Reported most recent incident of sexual harassment				Reported most recent incident of sexual harassment (past 12 months only)			
		No		Yes		No		Yes	
		N	Row %	N	Row %	N	Row %	N	Row %
Age	20–29	67	84.0%	13	16.0%	36	83.6%	7	16.4%
	30–39	165	91.7%	15	8.3%	47	93.0%	4	7.0%
	40–49	90	91.0%	9	9.0%	19	97.5%	0	2.5%
	50–59	65	93.8%	4	6.2%	11	94.1%	1	5.9%
	60+	28	95.2%	1	4.8%	7	100.0%	0	0.0%
Gender	Male	78	98.1%	1	1.9%	23	100.0%	0	0.0%
	Female	330	89.0%	41	11.0%	95	89.0%	12	11.0%
	Non-binary and other terms	8	100.0%	0	0.0%	3	100.0%	0	0.0%
Aboriginal or Torres Strait Islander	No	406	90.7%	42	9.3%	116	91.3%	11	8.7%
	Yes	4	86.0%	1	14.0%	3	81.6%	1	18.4%
Sexual orientation	Heterosexual	325	91.5%	30	8.5%	90	93.9%	6	6.1%
	LGBTQI+	74	86.9%	11	13.1%	24	81.6%	5	18.4%
Relationship status	Married	185	94.0%	12	6.0%	40	100.0%	0	0.0%
	Single	100	84.4%	18	15.6%	34	82.3%	7	17.7%
	De facto	106	90.7%	11	9.3%	38	90.4%	4	9.6%
Children under 18	No	262	89.5%	31	10.5%	94	88.8%	12	11.2%
	Yes	142	92.5%	12	7.5%	21	100.0%	0	0.0%
Caring responsibilities	No	358	90.8%	36	9.2%	101	89.5%	12	10.5%
	Yes	45	88.5%	6	11.5%	17	100.0%	0	0.0%
Country of birth	Australia	347	90.3%	37	9.7%	102	89.6%	12	10.4%
	Other (please specify):	55	91.6%	5	8.4%	17	100.0%	0	0.0%
Main language spoken at home	English	395	90.6%	41	9.4%	112	90.4%	12	9.6%
	Other	16	93.4%	1	6.6%	8	100.0%	0	0.0%
Long-term illness or disability	No	308	92.3%	26	7.7%	76	90.9%	8	9.1%
	Yes	94	87.7%	13	12.3%	37	93.5%	3	6.5%
Length of time practising certificate held	Less than 5 years	99	86.2%	16	13.8%	46	85.4%	8	14.6%
	5–9 years	70	94.3%	4	5.7%	24	95.8%	1	4.2%
	10–19 years	95	91.4%	9	8.6%	19	93.3%	1	6.7%
	20 plus years	92	93.4%	7	6.6%	16	95.9%	1	4.1%

114. The table excluded cases where demographics were unknown (for example, unsure or prefer not to say).

		Reported most recent incident of sexual harassment				Reported most recent incident of sexual harassment (past 12 months only)			
		No		Yes		No		Yes	
		N	Row %	N	Row %	N	Row %	N	Row %
Practising certificate type	Principal	32	81.7%	7	18.3%	5	81.5%	1	18.5%
	Principal with trust authorisation	38	93.0%	3	7.0%	5	88.3%	1	11.7%
	Employee	157	91.9%	14	8.1%	62	90.9%	6	9.1%
	Employee with trust authorisation	11	87.9%	2	12.1%	3	100.0%	0	0.0%
	Barrister	36	92.9%	3	7.1%	8	94.2%	0	5.8%
	Corporate legal practitioner	83	96.1%	3	3.9%	18	100.0%	0	0.0%
	Government legal practitioner	59	84.5%	11	15.5%	18	84.5%	3	15.5%
	Volunteer / CLS	3	100.0%	0	0.0%	2	100.0%	0	0.0%
Whether a partner	No	303	91.3%	29	8.7%	98	90.2%	11	9.8%
	Yes	38	88.9%	5	11.1%	8	92.3%	1	7.7%
	Not applicable	76	89.8%	9	10.2%	15	96.9%	0	3.1%
Whether in-house	No	314	90.3%	34	9.7%	96	89.7%	11	10.3%
	Yes	98	92.1%	8	7.9%	23	96.5%	1	3.5%
Organisation type	Law firm	165	92.2%	14	7.8%	61	89.9%	7	10.1%
	Sole practitioner	55	92.7%	4	7.3%	11	95.8%	0	4.2%
	Incorporated legal practice	28	81.7%	6	18.3%	3	76.0%	1	24.0%
	Government employer	66	85.1%	12	14.9%	20	85.5%	3	14.5%
	Non-legal employer	53	94.0%	3	6.0%	10	100.0%	0	0.0%
	Community sector	30	98.2%	1	1.8%	8	100.0%	0	0.0%
	Other	19	88.5%	2	11.5%	5	100.0%	0	0.0%
Number of employees	1	44	85.1%	8	14.9%	10	86.9%	2	13.1%
	2–4	29	88.9%	4	11.1%	6	90.3%	1	9.7%
	5–19	65	90.4%	7	9.6%	24	88.7%	3	11.3%
	20–199	106	94.2%	7	5.8%	36	93.9%	2	6.1%
	200+	162	90.5%	17	9.5%	39	90.6%	4	9.4%
Taxable pay	Less than \$50,000	11	82.1%	2	17.9%	4	100.0%	0	0.0%
	\$50,000–\$80,000	27	83.2%	6	16.8%	12	83.8%	2	16.2%
	\$80,001–\$120,000	116	89.9%	13	10.1%	45	90.4%	5	9.6%
	\$120,001–\$160,000	87	84.9%	16	15.1%	22	83.7%	4	16.3%
	\$160,001–\$200,000	52	98.4%	1	1.6%	15	100.0%	0	0.0%
	\$200,001–\$250,000	49	97.4%	1	2.6%	8	100.0%	0	0.0%
	\$250,001–\$350,000	30	95.7%	1	4.3%	3	83.5%	0	16.5%
	\$350,001–\$450,000	17	96.8%	1	3.2%	4	100.0%	0	0.0%
	More than \$450,000	11	93.6%	1	6.4%	3	100.0%	0	0.0%

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