

Review of Harassment in the Legal Profession (FINAL)

Key:¹

⊗ - this symbol appears for questions where participants could select from one or more options. The symbol denotes that the adjacent response could only be selected if in isolation.



- this symbol means that the order of response options was randomized for each participant. The following response options were excluded from randomization and appeared at the bottom of lists: *Other*, *Prefer not to say*, *Don't know*, *None of the above*, and *All of the above*.



- this symbol means the question included validation rules

Explanatory notes:²

- questions appear below in the order they were presented to respondents
- question numbers were assigned to assist with survey design. They were not visible to participants.
- explanatory text was assigned a question number to assist with survey design. It did not offer an ability to respond.

Regarding display logic:

- the survey displayed questions relevant to the participant, based on previous responses
- the *Display This Question* boxes show the display logic that determine whether a respondent was asked the question
- the *Skip To* boxes show the next question a respondent would be asked based on their response to a given question
- the survey was broken up into blocks. Blocks are a feature of the design of the survey but were not visible to respondents. Information about blocks is shown in light grey text and lines.

Note- email addresses and live links found in the survey may no longer be active but were active at the time that participants undertook the survey.

¹ Key not included in original survey

² Explanatory notes not included in original survey

Start of Block: Introduction

Q1 About this survey

This survey is part of the consultation phase of the Review of Harassment in the Legal Profession, being conducted by the Acting Commissioner for Equal Opportunity. How to complete this survey This survey is made up of five parts and focuses on your experiences of sexual and discriminatory harassment in the legal profession, as well as your views on current laws and external complaint mechanisms. It does not attempt to explore systems and processes within individual workplaces. Estimated completion time is 15 minutes, however it may take longer for participants who have experienced harassment. Most questions are multiple choice and the response options will appear in random order. Please read the full list of options before selecting your response(s).

All participants will have an opportunity to provide more detailed written responses in Part D.

Part A – Your experiences of sexual harassment Part B – Your experiences of discriminatory harassment Part C – The adequacies of current laws and external complaint mechanisms Part D – Other information you'd like to share Part E – Demographic questions

This survey closes at **11.59pm Sunday 21 March 2021**. Once you commence the survey you will have 48 hours to complete it. You can close the survey by exiting your web browser, and return to it later by clicking again on the survey link. Your answers will be saved and you will be returned to where you left off *so long as you don't clear your browser cache or cookies, and are not taking the survey in incognito browser mode*. Consent This survey is for people working in the legal profession, who are aged 18 years and above. By submitting this survey you are confirming that you are 18 years or older and are freely agreeing to participate in this survey. You are consenting to the information you provide being used for the purpose of the Review of Harassment in the Legal Profession only. You are providing your consent on the basis that the information collected will be anonymous and stored securely at the Equal Opportunity Commission. If you have any questions or are unable to access the link, or if you require assistance completing the survey, please email the review team at **LegalEOCReview@sa.gov.au**.

Page Break

Q2 We recognise that some questions in the survey may be of a sensitive nature. If you experience any distress during or following the survey, we encourage you to seek assistance. The following services offer free and confidential counselling: **Lifeline** 131 114 (24 hours, personal crisis service) **1800RESPECT** 1800 737 732 (sexual violence service) **Yarrow Place** 1800 817 421 (rape and sexual assault service) **MensLine Australia** 1300 789 978 (men's service) **QLife** 1800 184 527 (LGBTI service) **Beyondblue** 1300 224 636 (depression, anxiety and suicide prevention service)

You may also have access to an Employee Assistance Provider (EAP) through your work.

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Q3 Important definitions

'Legal profession workplace' means a place of work where legal services are provided and includes: a private or incorporated legal practice; a government office, agency or department; a court or tribunal; the Courts Administration Authority; a Barrister's Chambers; the Legal Services Commission; an educational institution, such as a university or college; and a community legal centre or free legal clinic. Work-related events and travel are also considered extensions of the 'workplace'.

'Discriminatory Harassment' means harassment which has as its basis any of the grounds of discrimination in the Equal Opportunity Act 1984 (including race, gender identity, sexual orientation, sex, age, disability, caring responsibilities, pregnancy)

'Sexual Harassment' means any unwelcome conduct of a sexual nature, in circumstances where it is reasonable to expect that the other person would be offended, afraid or humiliated by that conduct. A person can be sexually harassed by another person of the same, or a different sex. Sexual harassment is determined from the point of view of the person feeling harassed. It does not matter how the behaviour was intended. What matters is the effect on the other person. **Sexual harassment can be:** unwelcome touching or kissing; commenting on a person's appearance; comments, jokes or name-calling; leering or staring; sexual pictures, objects, emails, text messages or literature; direct or implied propositions, or requests for dates; and asking about a person's sexual history or sexual activities. Mutual attraction or friendship with consent is not sexual harassment.

NOTE - workplace bullying and harassment of a general nature are not included within the scope of this review.

End of Block: Introduction

Start of Block: Qualifying question - relationship to legal profession

Q4 Which of the following statements best describes your relationship to the legal profession?

- I currently work in the legal profession in South Australia (1)
- I previously worked in the legal profession in South Australia (2)
- I have never worked in the legal profession in South Australia before (3)

Skip To: Q5 If Which of the following statements best describes your relationship to the legal profession? = I have never worked in the legal profession in South Australia before

Display This Question:

If Which of the following statements best describes your relationship to the legal profession? = I have never worked in the legal profession in South Australia before

Q5

Thank you for your interest in participating in this survey. The survey is only available to persons that are working or have previously worked in the legal profession in South Australia.

If you are currently or have previously worked in the legal profession in South Australia, please use the navigation buttons below to click back and amend your previous answer.

If you have never worked in the legal profession in South Australia, please use the navigation buttons below to click forward for further information about support services and the review.

Skip To: End of Survey If Thank you for your interest in participating in this survey. The survey is only available to pers... Is Displayed

End of Block: Qualifying question - relationship to legal profession

Start of Block: Part A: Questions about experiences of sexual harassment - EXPERIENCES

Q6

Part A: Questions about your experiences of sexual harassment

These questions are about your *personal experiences* of sexual harassment in the legal profession. Again, your responses to these questions are completely confidential. If you would prefer not to answer a particular question you can simply select 'Prefer not to say' and move on to the next question.

Q7 Have you ever experienced sexual harassment while working in the legal profession?

- Yes, once (1)
- Yes, more than once (2)
- No (3)
- Not sure (4)
- Prefer not to say (5)

Skip To: Q13 If Have you ever experienced sexual harassment while working in the legal profession? = No

Page Break

OFFICIAL

Q8 Have you ever experienced any of the following behaviours in a legal workplace in a way that was unwelcome, or made you feel offended, humiliated or intimidated? (select all that apply, only if you have experienced these behaviours)

- Touching such as hugging, kissing or placing a hand on your knee (1)
- Inappropriate staring, leering or repeated physical proximity (2)
- Sexual gestures, indecent exposure or inappropriate display of the body (3)
- Sexually suggestive comments or jokes (4)
- Sexually explicit pictures, posters or gifts (5)
- Repeated or inappropriate invitations to go on a date (6)
- Intrusive questions about your private life or physical appearance (7)
- Sexual violence or sexual assault (8)
- Being inappropriately followed, watched or had someone loitering nearby (9)
- Requests or pressure for sex or other sexual or intimate acts (10)
- Prefer not to say (11)

Page Break

Q9 Have you ever experienced any of the following behaviours from somebody working in the legal profession in a way that was unwelcome? (select all that apply, only if you have experienced these behaviours)

- Indecent phone calls, including someone leaving a sexually explicit message on voicemail or an answering machine (1)
- Sexually explicit comments made in emails, SMS messages or on social media (2)
- Repeated or inappropriate advances on email, social networking websites or internet chat rooms (3)
- Sharing or threatening to share intimate images or film of you without your consent (4)
- Other unwelcome conduct of a sexual nature not listed above (5)
- Prefer not to say (11)

Display This Question:

If Have you ever experienced any of the following behaviours from somebody working in the legal prof... = Other unwelcome conduct of a sexual nature not listed above

Q10 You have indicated you experienced other unwelcome conduct of a sexual nature. Please use the space below to describe it.

Page Break

Display This Question:

If you have ever experienced any of the following behaviours in a legal workplace in a way that was unwelcome, or made you feel offended, humiliated or intimidated? (select all that apply, only if you... q://QID122/SelectedChoicesCount Is Greater Than or Equal to 1

Or have you ever experienced any of the following behaviours from somebody working in the legal profession in a way that was unwelcome? (select all that apply, only if you have experienced these behav... q://QID138/SelectedChoicesCount Is Greater Than or Equal to 1

Q11 Where did you experience these behaviours? (select all that apply)

- In your office or workplace (1)
- At the office of a third party legal professional (e.g. judge, barrister, consultant) (2)
- At the office of another third party (e.g. client or witness) (3)
- During a proceeding (e.g. court, tribunal, arbitration) (4)
- Via telephone, email, SMS or social media (5)
- At a work event (including dinners, conferences or social events) (6)
- Whilst travelling for work (7)
- Other (please specify) (11) _____
- Prefer not to say (12)

Page Break

Display This Question:

If Where did you experience these behaviours? (select all that apply)
q://QID139/SelectedChoicesCount Is Greater Than or Equal to 1

Q12 Who engaged in these behaviours? (select all that apply)

- My line manager or supervisor (11)
- Someone else more senior than me in my workplace (2)
- Someone at my level in my workplace (3)
- Someone junior to me in my workplace (8)
- A judicial officer (4)
- A third party in the legal profession (e.g. consultant, barrister or solicitor from another firm) (6)
- A client or witness (9)
- Prefer not to say (5)
- Other (please specify) (10) _____

Page Break

Q13 Have you ever witnessed someone else experience sexual harassment in your workplace?

- Yes (1)
- No (2)
- Prefer not to say (3)

Page Break

Display This Question:

If Have you ever experienced sexual harassment while working in the legal profession? != No

Or Have you ever witnessed someone else experience sexual harassment in your workplace? != No

Q14 If you would like to provide further information about sexual harassment you have experienced or witnessed, you will have the opportunity later in Part D of the survey.

End of Block: Part A: Questions about experiences of sexual harassment - EXPERIENCES

Start of Block: Part A: Questions about experiences of sexual harassment - COMPLAINT INFORMATION

Display This Question:

If Have you ever experienced sexual harassment while working in the legal profession? = No

And Have you ever witnessed someone else experience sexual harassment in your workplace? = No

Q15 Your responses indicate you have not experienced or witnessed sexual harassment in the legal profession.

Sexual harassment may take on different forms, some examples include:

unwelcome touching such as hugging, kissing, or placing a hand on your knee
inappropriate staring or leering intrusive questions about your private life or
physical appearance that made you feel offended, humiliated or intimidated sexually
explicit comments, whether they are made in person, via telephone, in emails, SMS messages
or on social media repeated or inappropriate invitations to go on a date other
unwelcome conduct of a sexual nature

If you have experienced or witnessed sexual harassment in the legal profession, please use the navigation buttons below to click back and change your previous answers.

If you have not experienced or witnessed sexual harassment in the legal profession, click forward to proceed with the remainder of the survey.

Skip To: End of Block If Your responses indicate you have not experienced or witnessed sexual harassment in the legal prof... Is Displayed

Q16 Have you ever reported the sexual harassment you experienced or witnessed while working in the legal profession? This might have been formally or informally.

- Yes - on all occasions (1)
- Yes - sometimes (2)
- No (3)
- Prefer not to say (4)

Skip To: Q25 If Have you ever reported the sexual harassment you experienced or witnessed while working in the le... = No

Skip To: End of Block If Have you ever reported the sexual harassment you experienced or witnessed while working in the le... =

Q17 How many reports of sexual harassment have you made in the past 5 years?

- 1 (1)
- 2 (2)
- 3 (3)
- More than 3 (4)
- Prefer not to say (5)

Display This Question:

If How many reports of sexual harassment have you made in the past 5 years? != 1

Q18 For the purpose of answering the following five questions, please choose one experience of reporting (this might be the most recent report you made, for example).

Q19 How long was it between the incident and when you reported it?

- Same day or next working day (1)
- Less than 1 month (but not straight away) (2)
- 1 to 6 months (3)
- More than 6 months (4)
- Don't know (5)
- Prefer not to say (6)

Page Break



Q20 To whom did you report the incident? (select all that apply)

- My manager or a co-worker at a higher level (1)
- An internal workplace channel (e.g. HR) (2)
- A union or employee representative (3)
- A lawyer or legal service (4)
- The Law Society of SA (5)
- The SA Bar Association (6)
- The Legal Profession Conduct Commissioner (7)
- The Independent Commissioner Against Corruption (ICAC) (8)
- SafeWork SA (9)
- The SA Equal Opportunity Commission (10)
- South Australia Police (11)
- The Women Lawyers Association of South Australia (15)
- I lodged a worker's compensation claim (12)
- The Judicial Conduct Commissioner (16)
- Someone else (please specify) (13)
- Prefer not to say (14)

Page Break



Q21 Did any of the following happen as a result of you reporting the sexual harassment? (select all that apply)

- I received some positive outcome (e.g. the harassment stopped, or an apology, compensation or positive feedback was received) (1)
- I was treated adversely (e.g. transferred, demoted, disciplined, denied opportunities, ostracised, victimised or ignored) (5)
- I signed a non-disclosure agreement (11)
- There were some other consequences for me (please specify) (12)
- I left the legal profession (16)
- I left that workplace (17)
- There were no consequences for me (13)
- Don't know (14)
- Prefer not to say (15)

Page Break



Q22 Did any of the following happen to the person(s) you reported about as a result of your report? (select all that apply)

- They were disciplined internally, or were informally spoken to (1)
- They resigned (5)
- They apologised or compensated me (6)
- There were some other consequences for the perpetrator (please specify) (9)
- The reporting process is still underway (12)
- They were disciplined by an external regulatory body (15)
- There were no consequences for that person (10)
- Don't know (13)
- Prefer not to say (14)

Page Break



Q23 How would you rate your satisfaction with the reporting process?

- Extremely satisfied (1)
 - Somewhat satisfied (2)
 - Neither satisfied nor dissatisfied (3)
 - Somewhat dissatisfied (4)
 - Extremely dissatisfied (5)
-

Q24 If you would like to provide further information about the reporting process for sexual harassment, you will have the opportunity later in Part D of the survey.

Page Break

Display This Question:

If Have you ever reported the sexual harassment you experienced or witnessed while working in the le... = No



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Q25 People decide not to report sexual harassment for many different reasons. Which, if any, of the following were reasons why you did not report sexual harassment? (select all that apply)

- Sexual harassment is accepted in the legal profession (1)
- I didn't have anyone I could talk to or trust (2)
- I was advised against it by family, friends or colleagues (3)
- I received legal advice that said I shouldn't or couldn't take action (4)
- I didn't know of any reporting mechanisms (internal or external to the workplace) (5)
- I didn't know it was harassment or didn't think it was serious enough (6)
- I didn't think I would be believed (7)
- I wanted to make an anonymous complaint but the process does not allow it (8)
- I was concerned about what might happen to me (e.g. career prospects, retribution, defamation claim) (9)
- I was concerned about what might happen to the harasser (e.g. disciplinary action, career) (10)
- I was concerned about damaging the reputation of the workplace, peers and/or profession (11)
- I was concerned about media attention (12)
- Other (please specify) (24) _____
- The alleged harasser is too powerful within the profession (29)
- I didn't think any action would be taken (30)
- Don't know (23)
- Prefer not to say (28)

Page Break

End of Block: Part A: Questions about experiences of sexual harassment - COMPLAINT INFORMATION

Start of Block: Part B: Questions about experiences of discriminatory harassment- EXPERIENCE

Q26

Part B: Questions about your experiences of discriminatory harassment

These questions are about your *personal experiences* of discriminatory harassment in the legal profession. Again, your responses to these questions are completely confidential. If you would prefer not to answer a particular question you can simply select 'Prefer not to say' and move on to the next question.

Q27 Have you ever experienced discriminatory harassment while working in the legal profession?

- Yes, once (1)
- Yes, more than once (2)
- No (3)
- Not sure (4)
- Prefer not to say (5)

Skip To: Q32 If Have you ever experienced discriminatory harassment while working in the legal profession? = No

Page Break

Q28 Since working in the legal profession have you ever had offensive jokes or comments made about you on the basis of any of the following? (select all that apply, only if you have experienced these behaviours)

- Your sexual orientation (1)
- Your gender identity (2)
- A disability (or disabilities) you live with (3)
- Your age (4)
- Your caring responsibilities (5)
- Your marital status (6)
- Your race (7)
- Your sex (incl. pregnancy, if relevant) (8)
- Your spouse or partner's identity (9)
- Prefer not to say (12)

Page Break

Q29 Since working in the legal profession have you ever been **treated unfavourably** on the basis of any of the following? (select all that apply, only if you have experienced these behaviours):

- Your sexual orientation (1)
- Your gender identity (2)
- A disability (or disabilities) you live with (3)
- Your age (4)
- Your caring responsibilities (5)
- Your marital status (6)
- Your race (7)
- Your sex (incl. pregnancy, if relevant) (8)
- Your spouse or partner's identity (9)
- Prefer not to say (12)

Page Break

Display This Question:

If Since working in the legal profession have you ever been treated unfavourably on the basis of any of the following? (select all that apply, only if you have experienced these behaviours):
q://QID141/SelectedChoicesCount Is Greater Than or Equal to 1

Or Or Since working in the legal profession have you ever had offensive jokes or comments made about you on the basis of any of the following? (select all that apply, only if you have experienced these b... q://QID117/SelectedChoicesCount Is Greater Than or Equal to 1

Q30 Where did you experience these behaviours? (select all that apply)

- In your workplace (1)
- At the office of a third party legal professional (e.g. judge, barrister, consultant) (2)
- At the office of another third party (e.g. client or witness) (3)
- During a proceeding (e.g. court, tribunal, arbitration) (4)
- Via telephone, email, SMS or social media (5)
- At a work event (including dinners, conferences or social events) (6)
- Whilst travelling for work (7)
- Other (please specify) (11) _____
- Prefer not to say (12)

Page Break

Display This Question:

If If Where did you experience these behaviours? (select all that apply)
q://QID118/SelectedChoicesCount Is Greater Than or Equal to 1



Q31 Who engaged in these behaviours? (select all that apply)

- My line manager or supervisor (1)
- Someone more senior than me (other than a line manager or supervisor) (2)
- Someone at my level (3)
- A judicial officer (4)
- Prefer not to say (5)
- A third party (e.g. consultant, barrister or solicitor from another firm) (6)
- Someone in a support function (7)
- Someone junior to me (8)
- A client or witness (9)
- Other (please specify) (10) _____

Page Break

Q32 Have you ever witnessed someone else experience discriminatory harassment while working in the legal profession?

- Yes (1)
- No (2)
- Prefer not to say (3)

Page Break

Display This Question:

*If Have you ever experienced discriminatory harassment while working in the legal profession? != No
Or Have you ever witnessed someone else experience discriminatory harassment while working in the le... != No*

Q33 If you would like to provide further information about discriminatory harassment you have experienced or witnessed, you will have the opportunity later in Part D of the survey.

**End of Block: Part B: Questions about experiences of discriminatory harassment-
EXPERIENCE**

Start of Block: Part B: Questions about experiences of discriminatory harassment - COMPLAINTS

Display This Question:

*If Have you ever experienced discriminatory harassment while working in the legal profession? = No
And Have you ever witnessed someone else experience discriminatory harassment while working in the le... = No*

Q34 Your responses indicate you have not experienced or witnessed discriminatory harassment in the legal profession.

Discriminatory harassment may take on different forms. It includes any offensive jokes or comments made about you, or any unfavourable treatment, on the basis of one of the following attributes: your sexual orientation your gender identity a disability (or disabilities) you live with your age your caring responsibilities your marital status your race your sex (incl. pregnancy, if relevant) your spouse or partner's identity

If you have experienced or witnessed discriminatory harassment in the legal profession, please use the navigation buttons below to click back and change your previous answers.

If you have not experienced or witnessed discriminatory harassment in the legal profession, click forward to proceed with the remainder of the survey.

Skip To: End of Block If Your responses indicate you have not experienced or witnessed discriminatory harassment in the le... Is Displayed

Q35 Have you ever reported discriminatory harassment you have experienced or witnessed while working in the legal profession? This might be formally or informally.

- Yes - on all occasions (1)
- Yes - sometimes (2)
- No (3)
- Prefer not to say (4)

Skip To: Q44 If Have you ever reported discriminatory harassment you have experienced or witnessed while working... = No

Skip To: End of Block If Have you ever reported discriminatory harassment you have experienced or witnessed while working... =

Page Break

Q36 How many reports of discriminatory harassment have you made in the past 5 years?

- 1 (1)
- 2 (2)
- 3 (3)
- More than 3 (4)
- Prefer not to say (5)

Page Break

Display This Question:

If How many reports of discriminatory harassment have you made in the past 5 years? != 1

Q37 For the purpose of answering the following five questions, please choose one experience of reporting (this might be the most recent report you made, for example).

Q38 How long was it between the incident and when you reported it?

- Same day or next working day (1)
- Less than 1 month (but not straight away) (2)
- 1 to 6 months (3)
- More than 6 months (4)
- Don't know (5)
- Prefer not to say (6)

Page Break



Q39 To whom did you report the incident? (select all that apply)

- My manager or a co-worker at a higher level (1)
- An internal workplace channel (e.g. HR) (2)
- A union or employee representative (3)
- A lawyer or legal service (4)
- The Law Society of SA (5)
- The SA Bar Association (6)
- The Legal Profession Conduct Commissioner (7)
- The Independent Commissioner Against Corruption (ICAC) (8)
- SafeWork SA (9)
- The SA Equal Opportunity Commission (10)
- South Australia Police (11)
- The Women Lawyers Association of South Australia (15)
- I lodged a worker's compensation claim (12)
- The Judicial Conduct Commissioner (16)
- Someone else (please specify) (13)
- Prefer not to say (14)

Page Break



Q40 Did any of the following happen as a result of you reporting discriminatory harassment?
(select all that apply)

- My employer or manager apologised for failing to prevent the harassment (1)
- My employer paid me compensation because of the harassment (2)
- The harassment stopped (3)
- I received positive feedback for reporting the behaviour (4)
- I was transferred to a different department/section (5)
- I was demoted (6)
- I was disciplined (7)
- I was denied workplace opportunities, such as training or promotion (8)
- I was ostracised, victimised or ignored by colleagues (9)
- I signed a non-disclosure agreement (11)
- There were some other consequences for me (please specify) (12)
- I left the legal profession (16)
- I left that workplace (17)
- There were no consequences for me (13)
- Don't know (14)
- Prefer not to say (15)

Page Break



Q41 Did any of the following happen to the person(s) you reported about as a result of your report? (select all that apply)

- They were disciplined internally within the workplace (1)
- They were formally warned (2)
- They were informally spoken to (3)
- They were transferred (4)
- They resigned (5)
- They apologised (6)
- They paid me compensation (7)
- They were required to undertake training (8)
- There were some other consequences for the perpetrator (please specify) (9)
- The reporting process is still underway - other outcomes are unknown at present (12)
- They were disciplined by an external regulatory body (15)
- There were no consequences for that person (10)
- I was not told the outcome for that person (11)
- Don't know (13)
- Prefer not to say (14)

Page Break

Q42 How would you rate your satisfaction with the reporting process?

- Extremely satisfied (1)
 - Somewhat satisfied (2)
 - Neither satisfied nor dissatisfied (3)
 - Somewhat dissatisfied (4)
 - Extremely dissatisfied (5)
-

Q43 If you would like to provide further information about the reporting process for discriminatory harassment, you will have the opportunity later in Part D of the survey.

Display This Question:

If Have you ever reported discriminatory harassment you have experienced or witnessed while working... = No



OFFICIAL

Q44 People decide not to report discriminatory harassment for many different reasons. Which, if any, of the following were reasons why you did not report discriminatory harassment? (select all that apply)

- Discriminatory harassment is accepted in the profession (1)
- I didn't have anyone I could talk to or trust (2)
- I was advised against it by family, friends or colleagues (3)
- I received legal advice that said I shouldn't or couldn't take action (4)
- I didn't know of any reporting mechanisms (internal or external to my employer) (5)
- I didn't know it was harassment or didn't think it was serious enough (6)
- I didn't think I would be believed (7)
- I wanted to make an anonymous complaint but the process does not allow it (8)
- I was concerned about what might happen to me (e.g. career prospects, retribution, defamation claim) (9)
- I was concerned about what might happen to the harasser (e.g. disciplinary action, career) (10)
- I was concerned about damaging the reputation of my employer, my peers and/or my industry (11)
- I was concerned about media attention (12)
- The alleged harasser is too powerful within the profession (28)
- I didn't think any action would be taken (29)
- Other (please specify) (24) _____
- None of the above (22)
- Don't know (23)

End of Block: Part B: Questions about experiences of discriminatory harassment -
COMPLAINTS

Start of Block: Part C: Effectiveness of current complaint mechanisms and options for reform

Q45

Part C: Adequacy of current laws and complaint mechanisms

These questions are about your *views on laws and complaint mechanisms*. You don't need to have made a complaint in the past to answer these questions. Again, your responses to these questions are completely confidential. If you would prefer not to answer a particular question you can simply select 'Prefer not to say' and move on to the next question.

Page Break

Q46 Are you aware that, depending on the circumstances, you can make a complaint about sexual or discriminatory harassment to the following external bodies?

	I am aware (1)	I was not aware (2)
Equal Opportunity Commission (1)	<input type="radio"/>	<input type="radio"/>
Legal Professional Conduct Commissioner (2)	<input type="radio"/>	<input type="radio"/>
Judicial Conduct Commissioner (3)	<input type="radio"/>	<input type="radio"/>
Law Society of South Australia (4)	<input type="radio"/>	<input type="radio"/>
SA Bar Association (5)	<input type="radio"/>	<input type="radio"/>
SafeWork SA (6)	<input type="radio"/>	<input type="radio"/>
Independent Commissioner Against Corruption (ICAC) (7)	<input type="radio"/>	<input type="radio"/>
Women Lawyers Association of South Australia (9)	<input type="radio"/>	<input type="radio"/>
Fair Work Commission (10)	<input type="radio"/>	<input type="radio"/>
South Australia Police (11)	<input type="radio"/>	<input type="radio"/>

Page Break

Q47 Do you consider the existing complaint mechanisms, and the laws that govern them to be adequate in addressing complaints of discriminatory or sexual harassment?

- Yes, no changes are required (1)
- Yes, but they could be improved (2)
- No (3)
- Not sure (4)

Skip To: End of Block If Do you consider the existing complaint mechanisms, and the laws that govern them to be adequate i... = Yes, no changes are required

Q48 Which complaint mechanisms and laws are inadequate, or need to be improved? (please select any governing bodies or laws that apply)

- Equal Opportunity Commission (Equal Opportunity Act 1984) (1)
- Legal Professional Conduct Commissioner (Legal Practitioners Act 1981) (2)
- Judicial Conduct Commissioner (Judicial Conduct Commissioner Act 2015) (3)
- Law Society of South Australia (Legal Practitioners Act 1981) (4)
- SA Bar Association (5)
- SafeWork SA (Work Health and Safety Act 2012 (SA)) (6)
- Independent Commissioner Against Corruption (Independent Commissioner Against Corruption Act 2012) (7)
- Women Lawyers Association of South Australia (8)
- Fair Work Commission (Fair Work Act 2009) (9)
- South Australia Police (10)
- All of the above (11)

Page Break

Q49 In your view, is it preferable to improve existing complaint mechanisms and laws relating to sexual harassment and discriminatory harassment in the legal profession, **or** to establish an independent complaints body?

- Improve existing complaints mechanisms (1)
- Establish an independent complaints body (2)
- A combination of both (3)

Page Break

Display This Question:

*If In your view, is it preferable to improve existing complaint mechanisms and laws relating to sexu...
!= Establish an independent complaints body*

Q50 Under the terms of reference of this review, consideration is being given to the benefits of establishing an independent complaints body. In your view, what attributes must a complaints body have to encourage reporting and ensure complaints are adequately investigated and responded to appropriately? (select all that apply)

- Enabling anonymous complaints to be made (1)
- Ensuring end-to-end confidentiality (2)
- Ensuring complaint investigation and resolution processes are transparent (3)
- Providing those who receive and investigate complaints with additional powers to investigate (4)
- Providing those who receive and investigate complaints with additional powers to discipline those who are found to have harassed another (5)
- Making available additional remedies for those who make a complaint (for example, a 'Stop Harassing' order or access to counselling) (6)
- Mandating timeframes for the investigation and resolution of complaints (7)
- Enabling those who make a complaint to request an independent review of any outcome or finding (8)
- Other (please specify) (10) _____

Page Break

Display This Question:

*If In your view, is it preferable to improve existing complaint mechanisms and laws relating to sexu...
!= Improve existing complaints mechanisms*

Q51 With a view to encouraging reporting and ensuring complaints are investigated and responded to appropriately, what attributes should an independent complaints body have? (select all that apply)

- Diverse membership (1)
- Transparent processes (2)
- Appropriate investigative powers (3)
- Avenues for anonymous complaints (4)
- Consults widely with stakeholders (5)
- Provides for appropriate avenues of redress in the event a complaint is made out (6)
- Other (please specify) (7) _____

End of Block: Part C: Effectiveness of current complaint mechanisms and options for reform

Start of Block: Part D: Free text option

Q52

Part D: Other information you'd like to share in your own words

Two broad questions will follow with the option to enter free text answers up to 3,000 characters each (approx. 500 words). Any information you provide us will be de-identified if used in the final report.

If you have more information to provide, please consider making a written submission to the review team via email or post before 19 March 2021. You can also request to participate in an interview. Requests for interview must be received by 19 March 2021.



Q53 Are there any other improvements you think should be made to the existing complaint mechanisms or processes? (please specify below)



Page Break



Q54 Please use the space below if you would like to share more about your experiences and/or reporting of discriminatory harassment or sexual harassment in the legal profession.

End of Block: Part D: Free text option



Start of Block: Part E: Demographic questions

Q55 Part E: Demographic questions There are just a few more questions before you are finished. The remaining questions will help us better understand the nature and prevalence of sexual and discriminatory harassment in the legal profession.

Q56

How old are you?

- 18-30 years (2)
 - 31-45 years (3)
 - 46-60 years (4)
 - 60 years or older (5)
 - Prefer not to say (1)
-

Page Break

Q57 How many years have you worked in the legal profession?

- Less than one year (1)
 - 1-2 years (2)
 - 2-3 years (3)
 - 3-4 years (4)
 - 4-5 years (5)
 - More than 5 years (6)
 - Prefer not to say (7)
-

Page Break

Q58 What is your gender?

- Male (1)
- Female (2)
- Non-binary / third gender (3)
- Prefer not to say (4)
- Other (please specify) (5) _____

Page Break

Q59 Are you of Aboriginal and/or Torres Strait Islander descent?

- Yes - Aboriginal (1)
- Yes - Torres Strait Islander (2)
- Yes – Both Aboriginal and Torres Strait Islander (3)
- No (4)
- Don't know (5)
- Prefer not to say (6)

Page Break

Q60 Do you have a disability/disabilities?

- Yes (1)
- No (2)
- Prefer not to say (3)

Page Break



Q61 What is the main language spoken at home?

- English (1)
- Italian (2)
- Greek (3)
- Cantonese (4)
- Mandarin (5)
- Arabic (6)
- Vietnamese (7)
- Hindi (8)
- Punjabi (9)
- Spanish (10)
- Urdu (11)
- Other (please specify) (12) _____
- Prefer not to say (13)

Page Break

Q62 Which of the following best describes your sexual orientation?

- Straight or heterosexual (1)
- Gay (2)
- Lesbian (3)
- Bisexual (4)
- Pansexual (5)
- Queer (6)
- Asexual or aromantic (7)
- Undecided, not sure or questioning (8)
- Other (please specify) (9) _____
- Prefer not to say (10)

Page Break



Q63 Which of the following statements best describes your most recent role in the legal profession?

- Law student (1)
- Barrister (2)
- Management (e.g. partner, director, principal, registrar, executive) (3)
- Member of the judiciary (5)
- Other (please specify) (10) _____
- Business services or other support (14)
- Trainee or graduate (13)
- Clerk, intern or paralegal (4)
- Consultant (15)
- Senior associate or senior solicitor (16)
- Associate or solicitor (6)
- Prefer not to say (17)

Page Break



Q64 Which of the following statements best describes your most recent workplace in the legal profession?

- I work in a law firm (1)
- I work for a corporation or organisation (2)
- I work in a government office, agency or department (3)
- I work in a Barrister's Chambers (4)
- I work for the Courts Administration Authority or in a Tribunal (5)
- I am a member of the Judiciary (6)
- I work for the Legal Services Commission (10)
- I work for a community legal centre or free legal clinic (7)
- I study/studied at a university or other educational institution, but did not work at one of the other listed workplaces (13)
- Other (please specify) (8) _____
- Prefer not to say (14)

Page Break

Q65

**By clicking the 'next' arrow you will be submitting your responses to the review team.
You will not be able to re-enter the survey after this point.**

If you want to review your answers prior to submission, navigate backwards by using the blue 'back' arrow on the bottom left.

If you are ready to submit your responses, choose the option below then click the blue 'next' arrow in the bottom right of your screen.

I am ready to submit my responses (4)

End of Block: Part E: Demographic questions
