Whispers From the Bush: The Workplace Sexual Harassment of Australian Rural Women

By Skye Saunders | The Federation Press | 2015

Despite what the title may suggest, Skye Saunders’ pioneering research publication speaks volumes about the extent of the ‘cultural epidemic’ of sexual harassment in rural Australian workplaces. In Whispers From the Bush: The Workplace Sexual Harassment of Australian Rural Women Saunders draws on original research to examine the entrenched sexual harassment culture pervading the lives of working women. A total of 107 interviews conducted with rurally located participants deliver results that are both staggering and heartbreaking, leaving the reader with far more than a whisper of a problem in desperate need of redress.

The book is useful from a legal perspective in a number of ways. Chapter 1 (Reduced to Silence) provides an analysis of the legislative responses to workplace sexual harassment, namely section 28(1) of the Sex Discrimination Act 1984 (the Act). In particular Saunders concerns herself with examining the barriers of a rural lifestyle that compromise the Act’s proper application. In addition Saunders’ exploration of the language of the Act opens an important dialogue around its ability to properly protect rural women. For example she writes about Cross v Hughes where an employer booked a single hotel room for himself and an employee on a business trip and made unwelcome remarks and suggestions throughout the stay. This case is used by Saunders to demonstrate how the relative seniority of the alleged harasser can point to ‘circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated that the person harassed would be offended, humiliated or intimidated.’

Secondly, in the latter half of the book Saunders draws heavily on recent case law to present examples, particularly of the litigation experience across urban and rural areas.

The case of Brown v Richmond Golf Club is used as an example of judicial responses to ongoing versus ‘one-off’ behaviours. In that case Britton J sitting as ADT Judicial Member was not satisfied that an attempted kiss on the cheek made by the claimant’s general manager constituted conduct of a sexual nature, but instead should be considered a one-off event of relatively low harm. Saunders contrasts this with cases like Fischer v Byrnes where ongoing humiliation and intimidation was more likely to lead to a successful sexual harassment claim.

Chapter 6 (So Help Me, God… A Comparison of (Un)Successfully Litigated Sexual Harassment Complaints from Rural and Urban Australia) will prove a useful resource for law practitioners and students. Saunders delves deep into a number of significant cases that explore factors affecting litigation outcomes in a rural setting. For example she writes about Cross v Hughes where an employer booked a single hotel room for himself and an employee on a business trip and made unwelcome remarks and suggestions throughout the stay. This case is used by Saunders to demonstrate how the relative seniority of the alleged harasser can point to ‘circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated that the person harassed would be offended, humiliated or intimidated.’
BOOK REVIEWS

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Rigorous footnoting will also make this book an invaluable resource for those wishing to explore the issue further.

The remainder of the book, while not strictly legal in content, provides an up-to-date examination of sexual harassment in remote areas from all angles. Chapter 2 (Listening to the Distant Whispers) lays out the methodology employed in the research and serves as an indicator of the challenges involved in undertaking such a study.

Chapter 3 (The Dramatic Backdrop of the Bush and Gendered Harm Within It) looks at the legacy of gender-based harm and how it has been influenced by bush-culture in remote areas.

Chapter 4 (It's All a Bit Different Out 'Ere… Special Characteristics of the Bush and Their Effect on Reporting Rates) raises the myriad barriers to reporting sexual harassment in isolated areas, with particular reliance on first hand interviews with rural working women. Beyond the evident physical barriers, Saunders also raises a number of legitimate social barriers that can prevent women from seeking help, such as the power of gossip and victim blaming.

In Chapter 5 (When the Boys Come Out to Play… Sexual Harassment and the Impact of Male-Dominated Working Environments) fuses case law with interview responses to explore the nexus between ‘male’ working environments and the prevalence and nature of sexual harassment.

Chapter 7 (Fit In or F#$@ Off! The (Non) Reporting of Sexual Harassment in Rural Workplaces) draws on extensive data from previous and original research to present chilling evidence of low reporting rates despite the prevalence of sexual harassment incidents in rural areas.

Chapters 8 (Just the Boys Havin’ Fun! The Nature, Pervasiveness and Manifestations of Sexual Harassment in Rural Australia) and Chapter 9 (Stripping Off the Layers… Sexual Harassment ‘Survival’ Behaviours in Rural Australian Workplaces) examine the manifestations of sexual harassment in remote workplaces and the mechanisms employed by victims in response.

Chapter 10 (A New ‘Coo-ee!': An Australian Bush Transformation) is a space for Saunders to make recommendations for the ‘re-invigoration of rural workplace culture’ with a particular focus on re-education and response strategies from the top down.

As may be seen by labelling each chapter with the same words and phrases used to normalise harassing behaviour Saunders subtly demonstrates the kind of complicity that has led to the very issue she is researching.

Despite the enormous quantity of data the book has to offer, Saunders’ triumph is her ability to siphon through the information and bring the most salient points to the reader’s attention in a thought-provoking way. It is a credit to the author that a topic so often drenched in statistics preserves the personality and experiences of those who contributed to it. At times the book is hard to put down, at other times the weight of personal stories can make it hard to read at all. The responses of the interviewees can, at times, make for uncomfortable reading, but play an important part in giving a voice to those who have remained voiceless for so long. In Saunders’ own words this book is truly a ‘work of the heart’.

Endnotes

1. [2006] NSWADT 104
2. [2006] QADT 33
3. [2006] FMCA 976

Reviewed by Richard Bell
The head of a rural women's group warns remote workplaces are producing "horrific" cases of sexual harassment and assault but corporations aren't paying attention to the issue. A year on from the emergence of the global #MeToo movement, the extent of sexual harassment in the Australian Parliament and corporate sector has been exposed. But Ms Jarvis said many of the young women working in remote communities felt the movement did not apply to them. The RRR Network launched an event named #UsToo to raise awareness about sexual harassment and bullying in rural workplaces but while the Perth luncheon was a success, Ms Jarvis said there was still some trepidation. What is the #MeToo campaign? Most women lived within the constraints, limiting their aspirations and expectations of wage work as if doing so were congenital. It seemed obvious that men should derive greater benefit from the workplace than women. The court cases that challenged this notion emerged from the ranks of the labor force. In 1972, Diane Williams, an African-American employee of the US Justice Department, sued to get her job back after she was fired for refusing to sleep with her boss. Her victory set a precedent for barring demands for sexual favors. In 1975, Paulette Barnes also an African-American woman and also an employee of the federal government found that her job had been eliminated after she rebuffed her boss's sexual advances. Overview of Findings: 'Whispers from the Bush - The Workplace Sexual Harassment of Australian Rural Women': In 2015, Dr Skye Saunders published the first social scientific book on sexual harassment in rural workplaces called 'Whispers from the Bush - The Workplace Sexual Harassment of Australian Rural Women' (Federation Press, 2015). The book represents pioneering Australian research which considers the complexities of sexual harassment in the rural and remote context and is founded on methodology comprised of the interviews conducted with women in rural and remote communities around Australia in the course of the project, 73% of participants reported having experienced sexual harassment in the context of daily working life.