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Silencing workplace abuse no way to set new standard

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Accepting her 2021 Australian of the Year award, Grace Tame delivered a powerful call to action: "Every voice matters," she said. "Let's make some noise, Australia!" Her speech inspired Brittany Higgins to speak out about her alleged sexual assault at Parliament House. They later appeared together at the National Press Club.

For the past four years, I have tried to "make some noise" about my own story of being raped by a political staffer at 21, then bullied and discriminated against after I told two managers at Parliament House in 2021 how that experience was affecting my mental health.

I have often felt like I was screaming into the abyss. Emails went unanswered. Meeting requests were ignored. Journalists told me to stop contacting them. Even after I first went public with my story, many media outlets did not bother to run it. There were no #IStandWithAnna hashtags on social media, no GoFundMe campaigns to cover my legal and medical expenses. When I sought compensation, the government offered me one-20th of what Higgins received, and tried to silence me with nondisclosure agreements – twice. Some voices, it seemed, mattered more than others.

In 2025, the changes needed to make Australia's parliament a genuinely safe workplace remain unfinished business. 2021's Set the Standard report offered a road map for cultural and institutional reform. Delaying the full implementation of its recommendations for years without adequate explanation was a broken promise, and an insult to all survivors of abuse in parliamentary work-

places. The progress to date should now be reviewed, and survivors given the opportunity to have our voices heard.

The establishment of the Independent Parliamentary Standards Commission last year was an important milestone, finally giving political staffers an independent complaints body. But staff in parliamentary departments still lack an independent avenue. Internal departmental investigations are inconsistent and opaque. In some cases, they never occur at all. To my knowledge, there has still been no Code of Conduct investigation into the Department of Parliamentary Services managers named in my legal claim, and no action has been taken against them. In future, parliamentary department staff must have access to independent investigations, entirely separate from the agencies involved.

Those who try to pursue legal action encounter further obstacles. Lawyers may be reluctant to take on the commonwealth. Pro bono or "no win no fee" representation is not easy to obtain. Legal fees can reach into the tens or hundreds of thousands of dollars. Going to court can mean having to remortgage your home, if you own one to choose between financial stress and access to justice. Even with the truth and the evidence on your side, there is no guarantee of success. Many decide not to pursue claims at all.

For those who do, cases can drag on for years. Mine took more than two years to resolve. Each delay compounds trauma and uncertainty, forcing victims to relive

painful experiences repeatedly. It can feel as though the light at the end of the tunnel keeps moving further away. A redress scheme for survivors of abuse in parliamentary workplaces, similar to that which was established after widespread abuse was uncovered in the Australian Defence Force, would allow victims to access compensation without years of litigation. The Attorney-General should also commission a review of how sexual assault, harassment, bullying and discrimination claims are handled across the public sector, to ensure that processes are genuinely trauma-informed and do not cause further harm.

Speaking out can be an important part of healing. Yet many victims – not only in federal parliament, but also in the public service and the private sector – are forced into silence by nondisclosure agreements and non-disparagement clauses that prohibit criticism of their employer, or even acknowledgment that a settlement took place.

These clauses prevent victims from speaking – not only to the media but to their families, friends, and colleagues. They usually have no time limit on them. Research by Sharmilla Bargon and Regina Featherstone in 2024 showed that most sexual harassment settlements in Australia are subject to strict NDAs, and many claimants are never told they are optional. I was fortunate to have lawyers who helped me resist an NDA, but many victims are not so lucky.

NDAs protect perpetrators and institutions, not victims. They conceal patterns of abuse and allow known abusers, harassers and bul-

lies to continue targeting others. Other countries are moving to prevent this. Ireland, the UK and several US states have reformed their laws to restrict NDAs in harassment and discrimination cases. Australia must follow suit.

The Australian Human Rights Commission this year released the Speaking from Experience report. One of the report's recommendations is to amend the Sex Discrimination Act and other relevant laws to restrict the use of NDAs in workplace sexual harassment cases. Following this, the Working Women's Centre Australia launched the Our Silence is Not for Sale national campaign, advocating to end the misuse of NDAs, non-disparagement clauses and other unjust tools and laws that silence women across Australia.

The government should not be trying to silence victims of sexual assault, sexual harassment, bullying and discrimination in public sector workplaces. Instead, our government should be setting the standard by changing the law to make it easier for all victims of such behaviour – whether they work in Parliament House, an office, a cafe, a farm, or a factory – to know that our voices matter, and to make some noise about our experiences.

Anna Hough worked at Parliament House from 2016 to 2023. She is an advocate for safer workplaces and law reform to protect the rights of women and survivors of sexual assault.