

Working Women's Centre Australia met with Federal Government to discuss national NDA law reform

Canberra, ACT – 31 March 2026

The Working Women's Centre Australia (WWCA) met with the Federal Government in Canberra on 31 March to discuss the misuse of non-disclosure agreements (NDAs) in workplace sexual harassment and discrimination matters, and to advocate for national law reform.

WWCA welcomes the opportunity to engage constructively with the Federal Government on this critical issue, as part of its national campaign *Our Silence Is Not for Sale*.

The meeting marks a significant step forward in addressing how NDAs are being used to silence victim-survivors and prevent systemic change across Australian workplaces. WWCA is asking the government for national law reform, to ensure that working women across Australia have the choice to speak up.

The issue: Silencing women at work

Across Australia, NDAs are frequently used in workplace sexual harassment and discrimination settlements to restrict workers from speaking about their experiences in the workplace. NDAs are used to silence women, and in many cases, women are unable to even speak to their family or friends about what happened to them.

These clauses, often framed as “confidentiality” or “non-disparagement” terms, can create significant power imbalances and prevent victim-survivors from accessing support, warning others, or contributing to broader cultural change.

In many cases, women have little choice but to agree to an NDA, because the alternative is to continue with their complaint, which is expensive, lengthy and stressful. Many women agree to an NDA and then later regret it.

Employers have a critical role to play in changing this culture. Creating safe, open environments where workers feel able to speak up without fear of retaliation is essential to preventing harassment and discrimination. This includes encouraging early reporting, responding appropriately to concerns, and focusing on prevention rather than silencing issues through confidentiality clauses.

International research and national data continue to highlight the scale of the issue:

- One in three Australian workers has experienced workplace sexual harassment in the past five years. (Australian Human Rights Commission, *Time for Respect*, 2022)
- Only 18% of incidents are reported. (Australian Human Rights Commission, *Time for Respect*, 2022)
- Many cases involve repeated or ongoing behaviour. (Australian Human Rights Commission, *Time for Respect*, 2022)

- Workplaces are any safer for women than they were before Respect@Work Time for Respect Report, the economic cost of workplace sexual harassment is estimated at \$30 billion annually. (Australian Human Rights Commission, *Time for Respect*, 2022)
- 95% of people who have signed an NDA report experiencing negative impacts on their mental health related to the NDA and being unable to speak about their experiences. (Leahy, *Speak Out Revolution*, 2023)

The reform opportunity

WWCA is calling for national legislative reform that addresses the misuse of NDAs while ensuring a victim-survivor-centred approach.

Rather than banning NDAs outright, WWCA advocates for safeguards that restore agency to workers and prevent coercive or harmful use. There are occasions where working women will want an NDA and they should be able to have that choice.

The cornerstone of the required change is that victim/survivors be able to choose whether they want an NDA.

Details of WWCA's proposed reforms are available on the campaign webpage:

<https://www.wwc.org.au/campaigns/nda-campaign-our-silence-is-not-for-sale/>

The proposed reforms align with growing international momentum. Since 2022, countries including the United States, Ireland, the United Kingdom, Canada, as well as the Australian state of Victoria have introduced or passed legislation to regulate NDAs in workplace sexual harassment matters.

Quotes

Abbey Kendall, CEO, Working Women's Centre Australia:

"We welcome this opportunity to meet with the Federal Government and have a constructive conversation about how we can better protect and empower working women."

"Silencing women does not prevent harm, it allows it to continue. National law reform is essential to ensure that victim-survivors have a genuine choice and that workplaces are safer for everyone."

"We see all too often that sexual harassment and discrimination complaints are swept under the table, women are coerced into signing NDAs, and there are no preventative measures put in place to stop it from happening again"

"Victim/Survivors will often say that their goal is to stop it from happening to another woman. We need to change the laws to make it easier for women to speak up,"

Sharmilla Bargon, Legal Director, Working Women's Centre NSW:

Leanne Kirkaldie, Activist and Electrician:

About the campaign

Our Silence Is Not for Sale is a national campaign led by the Working Women's Centre *Australia*, advocating for legislative reform to end the misuse of NDAs in workplace sexual harassment and discrimination matters.

For more information, visit: <https://www.wwc.org.au/campaigns/nda-campaign-our-silence-is-not-for-sale/>

WWCA is supported in this advocacy by the union movement and the Women's Alliances, reflecting a growing national consensus that reform is both necessary and overdue.

Media contact for interviews:

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Available for interview coordination on 31 March 2026 and 1 April 2026 in Canberra.

Phone and virtual interviews can be arranged for media outlets nationally.