

WORKPLACE AND SEXUAL HARASSMENT IN THE MUSIC INDUSTRY

Research Report

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Executive Summary

1. Workplace and sexual harassment are both pervasive and normalised in the music industry.
2. The following harassment vectors are widespread:
 - Audience members harass artists.
 - Band members harass colleagues.
 - Powerful industry figures harass crew, artists and emerging artists.
 - Artists harass managers.
 - Male sound engineers harass female artists.
3. The following forms of harassment are widespread:
 - Sexual innuendo.
 - Unwanted sexual approaches.
 - Sexual coercion.
 - Sexual assault.
 - Being ignored and excluded.
 - Having opinions ignored.
 - Withholding information.
 - Unreasonable deadlines.
4. There are indications that music industry workers may experience some forms of workplace and sexual harassment at relatively greater levels than in the wider community.
5. Workplace and sexual harassment occur because of entrenched asymmetries of power. To clarify; the powerful use their power to perpetrate toxic behaviour on the less powerful.
6. Those vulnerable to workplace and sexual harassment include female early career artists and musicians, and those who have much to lose if they get 'on the wrong side' of power figures.
7. There is an industry wide gender-based discrimination that leads to gender harassment. Thus, women experience far more workplace bullying as well as sexual harassment than their male counterparts. Forms of gender harassment include sexual objectification and social exclusion.
8. Music industry professionals who have been harassed suffer ongoing harm in the form of PTSD-like symptoms.
9. Perpetrators of harassment are never called to account. Thus, despite the illegality of both workplace and sexual harassment, those working in the music industry are effectively without legal protection.

Précis of Conclusions

People coerce and intimidate others because they discover not only that it works but also that they can get away with it.

All harassment in the music industry is the product of four factors.

- An individual choice made by a person to bully, intimidate, harass or assault another.
- A worldview that allows another human being to be seen in objectified or discriminatory terms.
- A power imbalance that favours the perpetrator.
- A system that allows this behaviour to go unpunished, if not to be rewarded.

Précis of Implications

- Individuals who work in the music industry should take responsibility for their own actions.
- All music industry workers should source and attend professional development training that equips them to manage their engagements with colleagues in more appropriate ways.
- **Women should be actively brought into the policy development space in the Music Industry**
- Peak bodies should also collaborate on the development and publication of a **Mandatory Code of Conduct**.
- A Mandatory Code of Conduct should include a **zero tolerance of workplace and sexual harassment**
- The MEAA should invest in the expansion of its membership amongst all musicians.
- Music industry peak bodies should establish a network of suitably qualified psychologists who are registered to deliver services under the Medicare Mental Health.
- Tertiary music education institutions should enforce existing policies on staff conduct.
- It is imperative that the crisis service Support Act develop a harassment hotline in Australia.
- **Music industry organisations should appoint and train a female member of staff to be the sexual and workplace harassment referral officer**
- **Music Industry organisations should appoint more women to senior positions including company board positions**
- State governments should target small live music venues to reinforce understanding of their legal responsibilities and duties of care they hold for the safety of contract musicians.
- State governments should enforce WH&S legislation when it comes to breaches by licensed premises.
- The future grant funding needs to be contingent on the incorporation of the Mandatory Code of Conduct into applicants' policies.
- Grant funding should be withdrawn if organisations fail to implement policies concerning harassment.
- There needs to be a review of defamation legislation in Australia.

Preamble

- In 2015 Entertainment Assist published a study of the Australian entertainment industry that noted reports of “toxicity” in the entertainment industries.
- In October of 2016, the researcher applied to the University of Technology Sydney (UTS) to conduct doctoral research into **workplace harassment** in the contemporary music industries of Australia and New Zealand.
- The study officially commenced on February 1, 2017.
- Although the #metoo movement began in 2006 with activist Tarana Bourke but was brought to prominence and wider public awareness in October 2017 following US actor Alyssa Milano’s blog post alleging sexual harassment on the part of US movie mogul Harvey Weinstein.
- In December 2017, an Australian music industry response, #menomore took the form of an open letter to the music industry signed by over 360 women who demanded change.
- This research achieved ethics approval in February 2018, and with industry support from APRA-AMCOS, Support Act, NZ Music Foundation, Q Music, Music Victoria, and the AAM, sought participants from March 2018 for exactly two years.
- In that time 145 music industry practitioners completed an online survey and 33 music industry practitioners participated in 90-minute in-depth interviews.
- **More women than men participated (66% of all survey respondents and 79% of all interviews)**, giving rise to extensive reports of sexual harassment.
- The identities of all participants are protected.

Definitions

Workplace harassment¹, has been described as the “systematic mistreatment” of a work colleague that “may cause severe social, psychological and psychosomatic problems” (Einarsen et al. 2011, p. 4). Earlier classifications (Brodsky 1976) of workplace harassment subdivided it as follows.

- Sexual.
- Scapegoating.
- Physical.
- Name-calling.
- Workplace pressure.

Sexual harassment is defined in Australia as any sexual advance or request for sexual favour that is unwelcome and also includes any other unwelcome conduct of a sexual nature that could cause offense, humiliation or intimidation using the so-called ‘reasonable person test’ (Commonwealth of Australia 1984)

¹ Workplace harassment is interchangeably known as workplace bullying.

Overview of results

1. Harassment occurs across the breadth of professional relationships including patron to artist, bandmate to bandmate, artist to manager, manager to artist, label executive to artist, producer to artist, senior industry figure to junior industry figure, male sound engineer to female artist, tertiary music educator to student.
2. An industry wide gender-based discrimination that gives rise to gender-based harassment is based in entrenched prejudices about women². This takes the form of persistent beliefs such as what roles are acceptable or unacceptable for women in the industry, as well as prejudices based on generalisations – such as ‘women don’t know anything about technology or technical matters’ or ‘electric guitar is not a girl’s instrument’.
3. Harassment occurs because of asymmetries of power and thus can be predicted by parsing the power imbalance in each of these professional relationships. Power is amplified in the music industry by the factors that include
 - Specific industry knowledge, including knowledge of technology and software.
 - The ability to write and perform hit songs.
 - The ability to grant access to lucrative contracts.
 - The ability to grant access to larger broadcast and streaming audiences.
 - Industry connections and the ability to grant access to inner circles of the industry.
 - The economic power of a large industry corporation, such as a record label.
 - Being male, in an industry dominated by male social structures.
 - The relatively small size of the music industry coupled with its highly networked nature.
4. 79% of interview participants described power as a factor in their experiences of harassment. 19% of online survey respondents referred to abuses of power either directly or indirectly. Power was used to manipulate, intimidate, humiliate and coerce sex.
5. Coercion by powerful industry figures was of such significance that two interview participants reported that they believed their life would be in danger if their identities were to become known.
6. Power imbalances can be both perceived as well as actual.
7. A significant amount of the sexual harassment of women occurs in spaces where the boundaries between work interactions and social interactions are blurred. These include after parties and other industry events where networking is essential and where alcohol is also common. Events such as these offer perpetrators the scope to make an unwanted sexual approach that can be plausibly denied as an unintended miscommunication or as a consequence of intoxication.

² An entrenched prejudice to do with women is a part of current definitions of misogyny.

Forms of harassment and their prevalence in the music industry

All but one of the 145 survey respondents had experienced some form of harassment at some time.

There are limitations to how this result should be interpreted. Respondents who volunteered to participate in this research were aware that they were contributing to a study on workplace harassment. They should therefore be considered a biased sample, although one respondent participated in order to report that she had not experienced harassment and wished that to be a part of the findings.

The online survey asked participants to rate how often they experienced the following behaviours.

SURVEY HARASSMENT QUESTIONS	ABBREVIATED NAME
Someone withholding information, which affects my work performance	Withholding information
Being humiliated or ridiculed in connection with my work	Humiliation or ridicule
Gossip and rumours being spread about me	Gossip and rumours
Being ignored or excluded	Ignored or excluded
Insulting or offensive remarks being made about my person, my attitudes, or my private life	Insulting or offensive remarks
Being shouted at or being the target of spontaneous anger (or rage)	Spontaneous anger
Intimidating behaviour such as finger-pointing, invasion of personal space, shoving, blocking/barring the way	Intimidation
Hints from others that I should quit	Hints to quit
Repeated reminders of my errors or mistakes	Errors and mistakes
Persistent criticism of my work	Persistent criticism
Having my opinions and views ignored	Opinions and views ignored
Practical jokes carried out by people I do not get along with	Practical jokes
Being given tasks with unreasonable or impossible targets or deadlines	Unreasonable demands
Having allegations or accusations made against me	Allegations and accusations
Being the subject of excessive teasing and sarcasm	Teasing and sarcasm
Unmanageable workload	Unmanageable workload
The threat of violence or physical abuse or actual abuse	Violence or threat of violence
Teasing, joking and innuendo that is sexual in nature	Sexual innuendo
Unwanted sexual overtures or pressure to engage in physical behaviour that is sexual in nature	Sexual pressure

Table 1. The 19 specific questions used in the survey and their abbreviations

Questions that appear shaded in Table 1 are based on the Negative Acts Questionnaire – Revised (NAQ-R) (Einarsen, Hoel & Notelaers 2009). The NAQ-R is a widely used measure used to research the prevalence and forms of workplace harassment.

Survey respondents were presented with the above harassment types and asked to indicate whether they had experienced that behaviour. Their response choices were:

- Never.
- Once.
- Now and then.
- Monthly.
- Weekly or daily.

The following graph (figure 3) shows the percentage of all survey respondents who have **ever experienced** harassment (by harassment type).

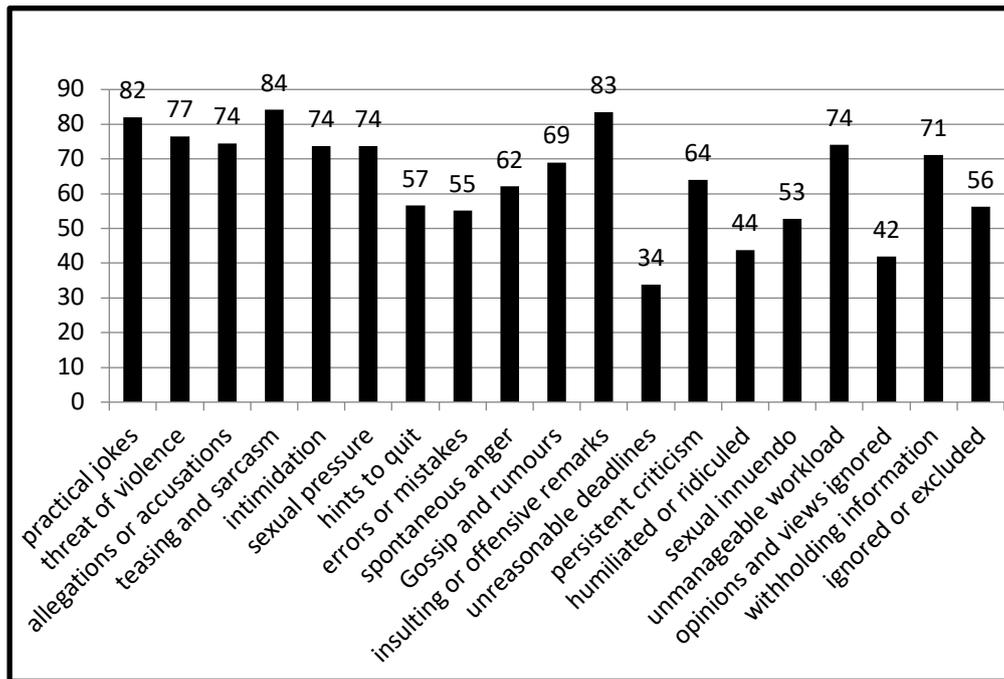


Figure 3. Respondents (%) who have ever experienced harassment.

An important measure of harassment is that of *serious harassment*. **Harassment is defined as serious if it is experienced weekly or daily for at least six months.** 9.1% of participants reported serious harassment³. This figure is the mean prevalence across all types in the survey, as some types of harassment occur at serious levels with greater prevalence. This is much higher than the prevalence of serious harassment in Europe, which is thought to be 3%-4% (Zapf et al. 2011, p. 77), however, this comparison should be considered indicative not definitive. Five forms of bullying were reported with prevalence equal to or greater than 13.7%, with two (being *ignored and excluded* and having one's *opinions and views ignored*) both reported at serious levels with prevalence of 18.6% and 19.3% respectively (see Figure 4 below).

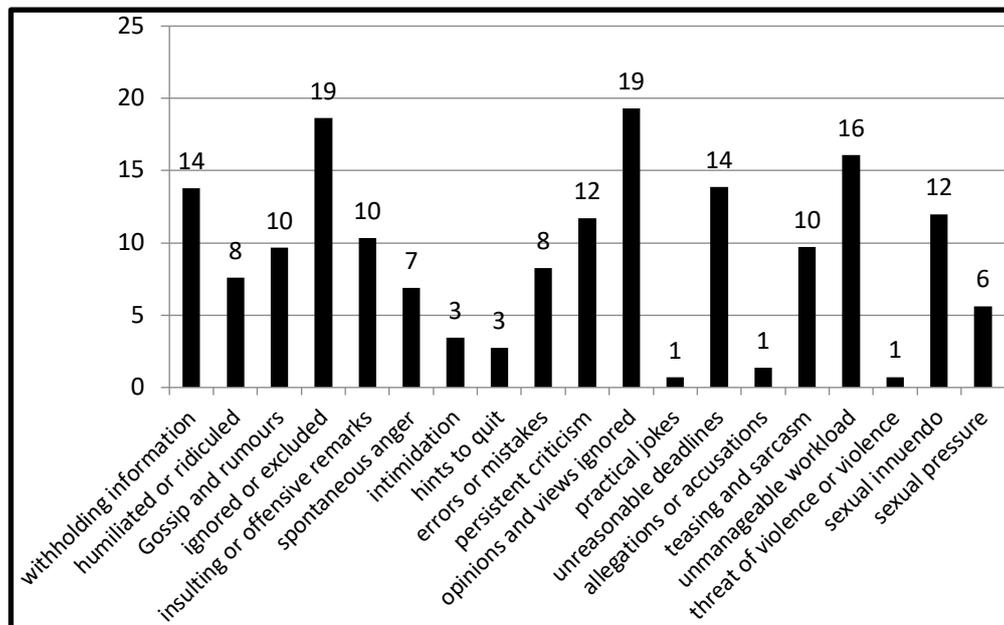


Figure 4. Prevalence of serious harassment for all respondents (by type and %)

³ The survey did not reveal whether the reported bullying persisted for 6 months.

The six most common forms of harassment ranked from the most frequently experienced⁴ were:

1. Withholding information.
2. Ignored or excluded.
3. Opinions and views ignored.
4. Unmanageable workload.
5. Sexual innuendo.
6. Humiliated or ridiculed.

The six least common forms of harassment ranked from the least frequently experienced⁵ were:

1. Practical jokes.
2. Violence or threat of violence.
3. Accusations or allegations.
4. Intimidation.
5. Hints to quit.
6. Sexual pressure.

There are marked differences in the experience of harassment when responses were screened for gender.

This is particularly apparent when it came to serious harassment. Figure 5 shows serious harassment by gender.

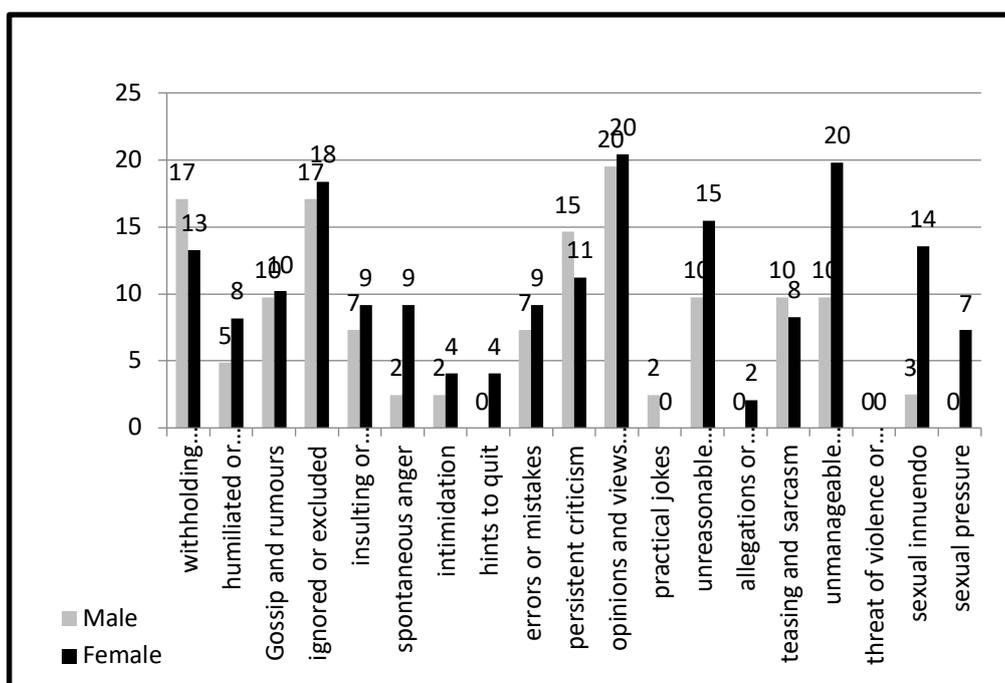


Figure 5. Comparison of serious harassment by gender (%).

⁴ The “most frequently experienced” list was derived by calculating the sum of the percentages from respondents who reported the following frequencies: *now and then, monthly, weekly and daily*.

⁵ The “least frequently experienced” list was derived by calculating the sum of the percentages from respondents who reported the following frequencies: *never and once*.

Women working in the music industry experience a higher prevalence of serious harassment of the following types than men:

1. Sexual innuendo.
2. Sexual pressure.
3. Unmanageable workload.
4. Unreasonable deadlines.
5. Allegations and accusations.
6. Hints to quit.
7. Reminders of errors and mistakes.
8. Spontaneous anger.
9. Insulting or offensive remarks.
10. Ignored or excluded.
11. Humiliated or ridiculed.

Conversely, men experience a higher prevalence of the following types of weekly or daily harassment than women:

1. Teasing or sarcasm.
2. Persistent criticism.
3. Practical jokes.
4. Withholding information.

In summary: women regularly experience a higher prevalence of harassment.

A note on the sexual harassment questions.

Sexual harassment was represented by only two questions in the survey. In terms of specific behavioural forms, this research adopted the typology proposed by Fitzgerald, Gelfand & Drasgow (1995) as a way of more specifically understanding participant experiences, but remaining the broader definition enshrined in legislation. The Fitzgerald et al. typology argues that sexual harassment behaviour occurs on a continuum from *gender harassment*, to *unwanted sexual attention* and finally to *sexual coercion*. This framework is in Appendix A.

Consequently, *sexual innuendo* should be seen as a form of gender harassment.

Sexual pressure encompasses behaviour that is either unwanted sexual attention or sexual coercion.

These distinctions were more evident in the interview results, which are discussed in more detail later.

Comparisons between the music industry and other sectors and countries

As a general rule, comparison between studies of workplace and sexual harassment are difficult to make because of different methodologies, questions and measures.

Therefore, it is not possible to make direct comparisons between incidence and prevalence rates reported by other studies. For example, a recent UK Musicians Union (UKMU) survey found that 48% of participants had experienced harassment in their work (Perraudin 2019). Unfortunately, the UKMU have not released any information on their methodology or survey questions, and results reported thus far only by press release appear to conflate incidents of sexism, abuse, workplace harassment and sexual harassment into a single phenomenon (Perraudin 2019).

Furthermore, this present research is a biased sample (as noted earlier). To clarify, people who had experienced workplace and sexual harassment and wanted to report were more likely to participate than those who either had not experienced it or had experienced it and did not want to report it. As a consequence, a large sample study (1000+) using the NAQ-R needs to be conducted industry wide in order to make a proper comparison.

This caveat notwithstanding, table 2 is a summary of comparisons with other studies that used the NAQ-R.

Date	Authors	Location	Description	Point of Comparison	This research
2008	Branch & Murray	Australia	139 respondents	70.5% had never experienced harassment	Less than 1% had never experienced harassment
				5% had experienced serious harassment	9.1% had experienced serious harassment
2009	Einarsen, Hoel & Notelaers	UK	5,288 respondents.	72% had experienced bullying at least once	99.3% had experienced bullying at least once
				5% had experienced serious harassment	9.1% had experienced serious harassment
2017	Caponecchia & Costa Daniel	Australia	1173 respondents	The mean ⁶ for experiencing any form of harassment was 31%.	The mean for experiencing any form of harassment was 64.7% ⁷
				9.9% had experienced serious harassment	9.1% had experienced serious harassment

Table 2. A summary of NAQ-R based workplace harassment research selected findings for comparison.

The following table (Table 3) is a summary of other studies in the wider arts industries that have sought information on the prevalence of harassment, although without using the rigour of the NAQ-R.

Date	Authors	Location	Description	Method	Result
2015	Maxwell, Seton & Szabó	Australia	782 MEAA members	One question asking respondents if they had been bullied	26.3% had been bullied (23% male and 29% female)
2016	MEAA	Australia	1,124 MEAA members	Method not available	40% had experienced at least one form of sexual harassment
				Method not available	62% had been bullied
2017	Quigg	UK	249 respondents from the Broadcasting, Entertainment, Communications and Theatre Union	Question seeking data on the general prevalence of bullying	65% reported that bullying was 'common' or 'more common'
				Question seeking data on individual experience of bullying	6.4% reported that they had never experienced bullying

Table 3. A summary of other harassment research in the wider arts industries.

⁶ The mean experience of harassment was derived by finding the mean percentage of all responses that recorded any form of harassment from once to weekly and daily.

⁷ As noted earlier, this present research only sought responses for only 17 of the 22 NAQ-R adverse behaviour types. For the purposes of comparison only those 17 behaviour types were compared.

While these last two studies point to a landscape of increased levels of workplace harassment in the creative industries, caution must be exercised in drawing conclusions comparing these results, as outlined earlier.

A similar problem of different methodologies exists when comparing the incidence of sexual harassment reported in this present research with that of other studies.

An Australian study of 159 screen composers asked participants to agree or disagree with the statement “sexual harassment is common in the industry” (Strong & Cannizzo 2017, p. 16). 36% of women agreed and 36% of men disagreed. While this present research supports a finding that the female experience of sexual harassment is greater than for males, there was no analogous question in the online survey suitable for close comparison.

A similar problem exists with the results of the Australian Human Rights Commission (AHRC) Fourth National Survey on Sexual Harassment in Australian Workplaces (Jenkins 2018). The AHRC offered participants a choice of 16 different types of sexual harassment behaviour. Some comparisons between the AHRC study and findings in this research can be found in Table 4.

AHRC survey		This research	
Women who have been sexually harassed at some point in their lives	85%	Women who have experienced sexual innuendo at some point in their lives	85.4%
		Women who have experienced sexual pressure at some point in their lives	64.6%
Women who have been sexually harassed in the last five years	33%	Did not ask this question	–
Did not ask this question	–	Women who have experienced sexual innuendo monthly or more frequently.	77.1%
Women who reported recent sexual harassment in the arts and recreation services sector	49%	Women who have experienced sexual pressure monthly or more frequently.	49%

Table 4. Comparison of findings between this present research and the AHRC Sexual Harassment survey.

Finally, 13.5% of female respondents in this present research reported experiencing sexual innuendo either weekly or daily, and 7.3% reported experiencing sexual pressure either weekly or daily. The AHRC provides no exact point of comparison, in that their survey asked for whether sexual harassment was “common” or “occurred sometimes” (Jenkins 2018, p. 43). Nonetheless, the AHRC noted that 6% of women reported instances of harassment within the last month.

These results, particularly the prevalence of recent sexual harassment, are profoundly disturbing and may explain why the majority of interview participants was female.

On-going harm caused by harassment

Music industry practitioners who have experienced workplace or sexual harassment experience harmful aftereffects in the form of PTSD-like symptoms⁸ as follows:

- 1) The shattering of core beliefs that lead to a loss of self-worth, self-confidence and a loss of trust in others.
- 2) Reduced participation in normal or usual activities, such as playing, writing or performing music.
- 3) The avoidance of circumstances that trigger traumatic recollection, including avoidance that can lead to self-removal from the music industry.
- 4) The avoidance of circumstances where there is a risk of a repeated form of harassment occurring that can lead to self-removal from the music industry).

There is a significant level of ongoing psychological harm borne by the musicians and music industry practitioners who experience harassment. One participant described it this way,

The psychological effect it has had on me has created a range of feelings I've never had before. Anxiety about catching a plane to our next gig, being in bad headspace before our gigs, having low self-esteem and self-worth, even now I question my own abilities.

In some cases, the nature of the harm extends to economic harm in addition to the less tangible but very real personal harm described above.

With a few notable exceptions, the study of popular music in Australia has been concerned with economy, systems and structures and has overlooked the very personal impact that is felt at the end point, that is where those systems and structures collide with individuals.

These findings offer greater detail than the UKMU study that noted that some of their members left the industry because of harassment (Perraudin 2019). Notably, this research is the first to suggest that PTSD might be a mechanism that explains why musicians may abandon their careers.

⁸ The description of these behavioural changes accords with those listed as symptoms of PTSD in the Diagnostic and Statistical Manual 5 (The American Psychiatric Association 2013).

The harassment of musicians and artists by patrons

1. *Musicians and music industry workers are subject to frequent and regular episodes of workplace harassment and sexual harassment on the part of audiences.*

58% of all interviewees described incidents of patron harassment, whereas 28 online survey respondents (15%) added detail about patron harassment to their responses. Although the *threat of violence* question recorded one of the lowest incident rates in the sample (>1% weekly or daily, 1.4% monthly, 19.6% now and then), 6 participants reported serious examples of this form of harassment, including a music manager having one patron threaten to kill their family members. Likewise, although the prevalence of *intimidating behaviour* overall was 3.5% weekly or daily, 6.9% monthly, 30.4% now and then, incidents of intimidating behaviour loomed large in the interviews.

There is no precise quantification of the extent of patron on musician/music industry worker sexual harassment or workplace harassment⁹; however, some participants reported that incidents of workplace harassment and sexual harassment occur weekly or monthly.

2. *Patron perpetrated workplace harassment directed at musicians and DJs included:*
 - Verbal abuse including heckling and the persistent criticism of work.
 - Disruption of the performer/audience social conventions.
 - Threatening and intimidating behaviour, including spontaneous anger.
 - Physical assault.
3. *Women working in the music industry were subject to frequent and regular incidents of sexual harassment and sexual assault. Sexual harassment took the form of:*
 - Unwanted sexual overtures or suggestions.
 - Sexually objectifying comments in the form of heckling.
4. *Sexual assault took the form of:*
 - Unwanted sexual touching.
 - Sexual assault while at work amongst audiences.
 - Sexual assault after work in the vicinity of the venue.
5. *Widespread sexism, in combination with the economic structure of the small live venue scene, converge to render female music industry workers vulnerable to abuse and sexual harassment from patrons.*

The majority of participants reporting patron harassment were female, and therefore a finding that there is widespread gender-based harassment by patrons is inescapable. The nature of this harassment can be described as sexual harassment, such as unwanted sexual overtures and heckling by patrons that features sexually objectifying language. One example of a participant report of harassment is as follows.

When I was performing regularly...I was almost constantly sexually harassed. Pretty much verbal at every performance, physical (unnecessary uninvited hugs & pats) at most performances which usually ended only upon intervention by one of my male band members and once I was digitally raped. Since then, I have either performed [at] a small selection of 'safe' venues or hired venues & managed gigs myself with security...I did consider leaving the industry entirely immediately after the assault but was talked out of it by my band mates

Female musicians and music industry workers experience sexual assault, including unwanted sexual touching from patrons before, during or after performances at venues. Some types of sexual harassment experienced by female musicians in small live venues are similar to the sexual harassment experienced by female patrons in bars and clubs (see Fileborn, 2012).

⁹ The nature of patron abuse should be classified in terms of workplace harassment particularly when the target is a male musician, except in cases where a female patron perpetrates sexual harassment against a male target.

As distinct from artists and musicians, female crew, door personnel, media personnel, managers and venue managers, more commonly experience gender harassment in the form of physical assault or sexual assault both during and after work in the vicinity of venues.

The gendered harassment of women by patrons is normalised behaviour that in Australia stems in part from the earliest formations of Australian pub rock. 'Oz Rock' as it has become known, was a music that shuns the feminine, and had its beginnings in large 'beer barns' which were spaces of overt working-class masculine aggression (Cockington, 2001).

6. *Alcohol intoxication is strongly associated with the harassment of musicians by patrons.*

76% of all interview participants specifically mentioned alcohol as a factor in their experience of harassment. Alcohol and drug intoxication were also associated directly with negative behaviour in 20 separate comments in the online survey.

7. *The small live music scene represents a high-risk environment for musicians where there are many factors outside of their control.*

The working environment of small live venues is one that renders music industry workers, both male and female, vulnerable to harm. The economy of the small live venue music industry is heavily dependent on the sale and consumption of alcohol. This means that musicians are at high risk of being subject to disinhibited behaviour on the part of intoxicated patrons.

8. *There is a power imbalance between venues and musicians as well as between patrons and musicians.*

Venue managers in major urban centres are aware that there is a high ratio of musicians to available venues, and wherever supply exceeds demand, power is in the hands of those who hold access to the valuable resources, in this case the gig itself. Consequently, musicians do not report patron harassment to venues, and do not report venues for possible WH&S breaches. Furthermore, patrons are likely aware of the precarious nature of employment for musicians. Patrons in urban centres rely on the anonymity of music venues and the ease in which they can come and go from one venue to another to perpetrate abuse without repercussions.

9. *The harassment of musicians by patrons occurs because of the non-intervention of venue security staff.*

Participants reported that patrons were able to get away with abuse because of the interplay between the need to secure future work and security staff non-intervention. Additionally, it may not be possible for venue security to identify patrons who perpetrate harassment. Many bars and clubs are low light environments which render patrons with a degree of anonymity. As a consequence, there are rarely any repercussions for patrons' antisocial behaviour.

While previous studies have found associations between alcohol intoxication, licensed venues and patron aversive behaviour, they have done so from the perspective of understanding patterns of aggression or harassment that patrons perpetrate on other members of the public and on venue staff. **This research identifies of musicians and music industry workers as targets of harassment.**

The following two diagrams propose a model that explains the convergence of four factors contributing to harassment risk.

- The anonymity of patrons afforded by the venues.
- The different social space created by audiences.
- An economy that depends on alcohol consumption.
- The non-intervention of venue security.

Figure 1 shows the cycle of increased risk and figure 2 shows the trajectory of decreased risk.

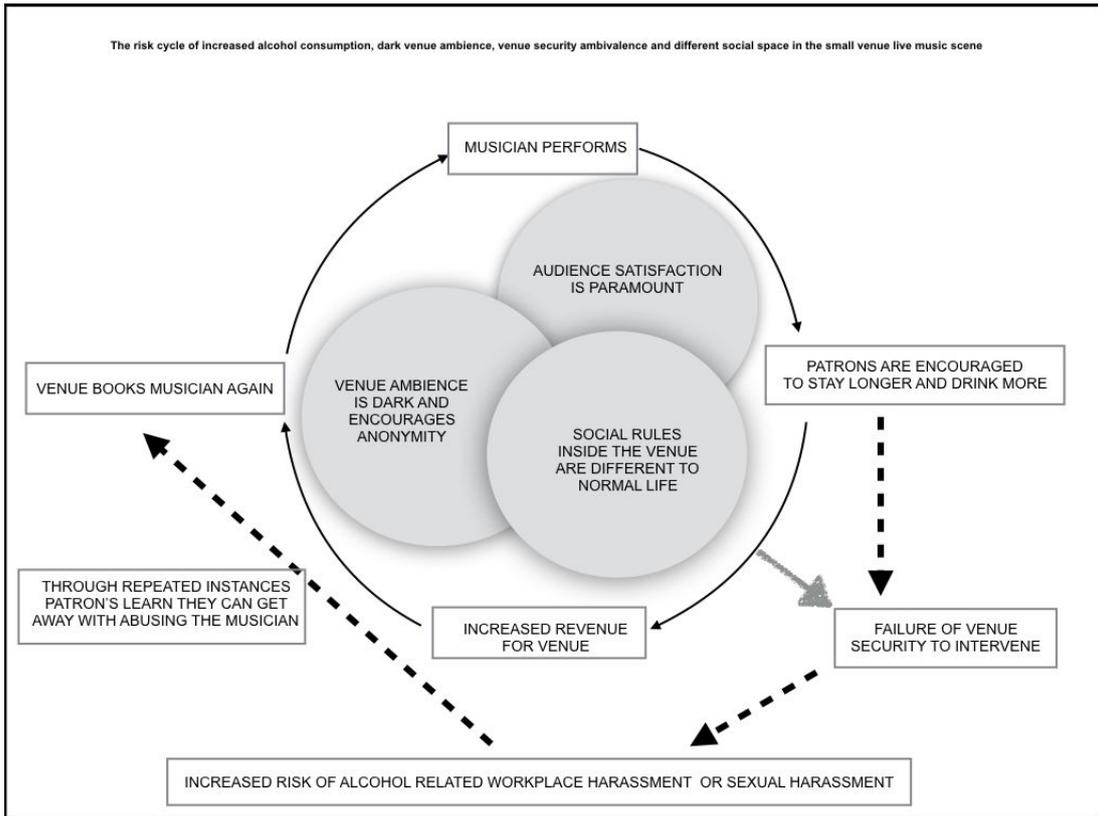


Figure 1. The cycle of increased risk.

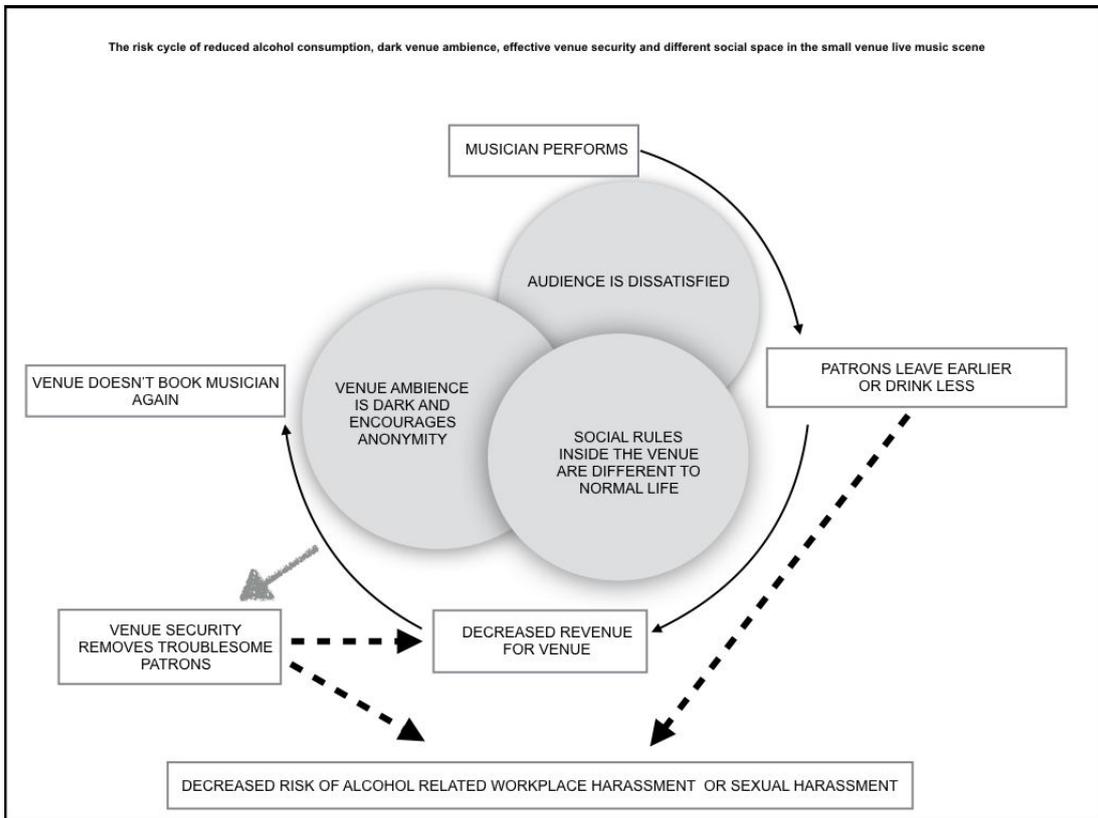


Figure 2. The trajectory of decreased risk.

The sexual harassment of female musicians and artists

Of the 26 female interview participants, 24 gave testimony about the nature and extent of sexual harassment in the music industry. One of this number had decided to participate in the research because she had not been harassed, however she described how many of her colleagues had experienced sexual harassment. She also described tactics she employed to avoid harassment.

1. *Women in the music industry experience different forms and prevalence of harassment than men.*

Overwhelmingly, women report that harassment was directed at them by men. This finding is unsurprising given the wider pattern of sexual harassment uncovered in the Australian workforce by the Australian Human Rights Commission. Sexual harassment cannot be understood without realising that it is a gendered phenomenon. Accordingly, participants described episodes of workplace bullying that were a form of gender discrimination. Some instances of sexual harassment involved intimidation and threats of violence. A significant proportion of sexual harassment is in the form of coercion and this phenomenon will be discussed in the section beginning on page 18.

The sexual harassment of women in the music industry ranges from subtle and nuanced to overt. The breadth of gendered anti-social and aversive behaviours include:

- Sexist comments.
- Offensive remarks.
- Sexual joking.
- Social exclusion.
- Sexual objectification.
- Unwanted sexual attention.
- Unwanted sexual touching.
- Unwanted sexual overtures.
- Sexual assault, including incidents of rape or the threat of rape from colleagues.

An example of sexual objectification can be seen in the following participant testimony.

We had... high turnover of interns, obviously. With interns...he would never hire anyone that was male and he would only ever hire females under 25. If I was getting resumes of interns, or if he needed a new assistant or something, I was to delete any resume that was a male or over 25. Delete it. Don't even look at it... The interns were all gorgeous, very beautiful young women.

An example of sexual assault can be seen in the following participant testimony.

One of the members of the other band grabbed me in the backstage area and forced his tongue down my throat. So, when I get away from that, he kept trying to do it. I just I couldn't even walk past where he was anymore...then a couple of nights later, getting changed and he didn't leave...he stuck his hand right under armpit and put it up to his mouth. Which just made feel so disgusted. I rang my fiancé crying on the phone.

Some abusive behaviour can also be classified as workplace harassment including:

- Criticism of the quality of work.
- Hints that the recipient should quit.
- Being ignored or excluded.
- Having opinions and views ignored.
- Withholding of information.
- Having accusations and allegations made against recipient.
- Being the target of spontaneous rage or anger.
- Threats of violence.

2. *The findings of this research support findings from other studies that sexual harassment is one of the most pervasive and damaging phenomena in the career trajectories of women.*

Women who have been targets of sexual harassment experience damage to their careers. This is likewise the case to women who have been targets of workplace harassment. Participants in this research described how their careers were either damaged or derailed by their experiences of sexual harassment.

3. *Women are excluded or made to feel excluded from participating in the music industry in comparison to their male peers.*

This exclusion occurs because of male dominated social networks. One example is sexual joking by male musicians. Sexual joking may reinforce in-group cohesion for men, but simultaneously makes women the outsiders.

Women in the music industry experience sexual objectification, which serves, amongst other things as a mechanism of social exclusion. Sexual objectification is a form of gender discrimination that functions to dehumanise women by regarding them as objects that exist for the pleasure of others.

4. *There is a widespread tolerance of sexual harassment in the music industry.*

This research supports findings of a widespread tolerance for sexual harassment found in the Dutch creative industries (Hennekam & Bennett 2017).

5. *There is a pervasive gendered prejudice in the music industry.*

Generally speaking, women in the music industry are tolerated by men, as long as they don't 'overstep the mark'. One example of how this manifests can be found in the following recollection.

This bloke [A prominent male in the Australian concert production industry]... said to me, what is it that you want to know?...I said, "I really want to learn how to be a lighting person..." [He] looked at me as if I was just shit on him or something. He started laughing, he said, "Sweetheart...there's only two places for women in this business." He said, "Either at the door or on their back"...it was a traditional role for a woman.

Many men in the music industry tend to regard women as either *amateurs* or *admirers*. Women can be girlfriends and groupies or can work in music in roles that don't require higher levels of technical or musical skill. To clarify, women are not regarded as professional equals (this tendency is termed the admirer/amateur trope). This entrenched kind of thinking serves to limit the kinds of roles that are permissible for women. This trope is particularly prevalent in the community of sound engineers and technical crew, where women are widely regarded as not technically competent. Such thinking renders women vulnerable to harm, because it creates an ad hoc tolerance of gender discrimination that functions as a precursor to sexual harassment.

6. *Both sexual and workplace harassment exert a power differential.*

The exclusionary effects of sexual harassment and workplace harassment reinforce the disempowerment of women. Thus, workplace harassment and sexual harassment reinforce existing male social and power structures within the music industry and diminish the influence, creative voice, industry contribution and presence of women. Within bands, and in countless live performance venues there are micro-power structures that exist that contribute to harassment. One participant expressed this dynamic as follows.

I came to realise that it wasn't easy to say no. If you always make it with someone and please them, in order to get the next gig...you make choices to please people that are not necessarily appropriate...all those other examples of affairs and dodgy behaviour or disrespectful behaviour, it just stands as an example of how when you're always trying to make it with people or please people - your morality cracks because it becomes normalised...it could fuck up your career because if you're blacklisted by those people, you're screwed.

There is no precise quantification of the extent of this behaviour, or these power structures for the Australian and New Zealand music industries.

This study supports the findings of an extensive body of research into gender discrimination and sexual harassment more widely. However, this research establishes a connection between social exclusion, sexual objectification, sexual harassment and sexual assault, by showing that all of these emerge from a common cause.

Power and coercion

Participants in this research described a normalised industry culture of coercion, sexual coercion and threat. Injustice, inequality, toxicity and the subordination of powerless people, most notably of women, are a product of vastly asymmetric power structures that are fed by an economy that rewards a disproportionate few. Female industry practitioners are forced to adapt and conform to a toxic industry culture in order to navigate their careers and not put their present and future revenue at severe risk.

78.7% of interview participants described power as a factor in their experiences of harassment. 19.3% of online survey respondents commented about abuses of power either directly or indirectly, the vast majority of which is perpetrated by men. Some interview participants believe that their life would be in danger if their identities were ever to become known.

Those who possess power use it to coerce others. Coercion manifests in the following ways:

- Threats to reputation and future work.
- Damage to reputation.
- Social pressure to give sexual consent.
- Social pressure to be complicit to harassment.
- Social pressure to conform to sexist stereotypes.
- Sexual harassment.
- Sexual coercion (the classic quid pro quo or 'casting couch' scenario).
- Sexual assault.

An example of the use of power to coerce sex is evident in the following participant testimony.

The music producer said if she [the female colleague] didn't sleep with him, he'd tell everyone she did and that she came onto him. She then found out he had a wife and the wife blamed the girl for being a "slut" and bad mouthed her name around the industry

Power/coercion dynamics

1. *The music industry is relatively small and highly networked.*
Reputation is critical for success. All those who work in the music industry are acutely aware of the need to manage reputation and often make decisions primarily based on the avoidance of reputational damage. Accordingly, powerful people coerce on the basis that they can ensure that "you will never work in this town again". Often, the threat of reputational damage is enough to ensure coercion. Participants who refused sexual overtures experienced terminal damage to their careers.
2. *Gatekeepers control access to avenues of potential success.*
Gatekeepers can be anyone who can offer access to career advancement or to wider or more important connections in the industry. Gatekeepers can be label executives, music producers, prominent or famous artists as well as others – provided that their position gives them the power to grant or deny access to something valuable. Participants reported male gatekeepers who used their power to coerce sex from women or to attempt to coerce sex from women in exchange for the promise of career advancement.
3. *Power is used to reinforce female subordination.*
Participants reported that male power figures used their power and position to reinforce the social and professional subordination of women. This dynamic occurs at every level of the industry.
4. *Networking events are places where sexual harassment is conducted in the guise of plausibly deniable social behaviour.*
Participants reported that male power figures sexually harass women at industry networking events in a nuanced manner. The fact that many of these events are effectively parties of one kind or another allow for a blurring of lines between work events and social events. Unwelcome sexual advances by powerful individuals at such events take several forms.
 - A hand that lingers on the lower back of a female target.

- A greeting where the man holds the women around the waist, but where the hand drops lower on the torso.
 - A greeting involving an embrace that is closer and longer than deemed comfortable.
 - A greeting involving a kiss on the cheek that is in close proximity to the lips.
5. *Sexual harassment, sexual coercion and workplace harassment are normalised in the music industry.* Social influence has been identified as a mechanism by which normally unacceptable behaviour can become normalised (Rossano 2012). When sexual harassment is tolerated by or is perpetrated by organisational leaders, this creates an environment where sexual harassment becomes endemic (Pinto 2014). In her investigation of the Challenger Disaster, Diane Vaughn described the *normalisation of deviance*, when behaviour that is normally considered unacceptable becomes acceptable (1996).

The normalisation of deviance occurs in the music industry through the following mechanisms.

- *Networks of power* in the Australian music industry were established in the 1970's and have been in place for decades and remain largely unchanged.
- *Complicity*. Participants reported that staff or contractors working for powerful individuals helped to create environments where women experienced sexual pressure.
- *Tertiary Education*. Participants reported that some institutions employed male music educators who were prominent musicians with well-established reputations. In some cases, these individuals were widely known within the student community to regularly make unwanted sexual advances towards female students.
- *Bystander silence*. Participants reported that others were aware of toxic behaviour but did not intervene. "What happens on tour stays on tour" is a well-known industry maxim that was cited by a number of participants.
- *The precarious nature of income* in the music industry. Participants reported staying silent or putting up with aversive behaviour because their incomes depended on the patronage of perpetrators.

The normalisation of sexual harassment was described by one participant in the following account.

At the same time, everyone understands that it's been normalised. This thing with groping, the fact that it almost doesn't even bother me anymore...I can't let it bother me because I will continuously be touched. If it bothered me every single time, I would be a miserable frigging punter. It has to be something where you adapt or die. That kind of normalised behaviour, it's normal. It's normalised for the perpetrators because there's no follow up. There's no way they can really get caught. It's also normalised for the victims because we have no other choice.

In the light of the normalisation of deviance, many of those who are younger and who currently occupy leadership positions in the industry should be regarded as being at risk of being acculturated into, and also therefore reproducing the same normalisation of deviance. This is evident in the following participant testimony who described how a gender discrimination workshop was received by staff in a music company.

A woman came in to talk about sexism in the workplace and one of the characters just talked about looking down cleavages as on his to-do list every morning, and everyone, women and men, roared with laughter...

Earlier research has established the tolerance of sexual harassment by organisational leaders is tantamount to permission giving for sexual harassment by others who work in that organisation (Pinto, 2014). This may account for the pervasive nature of sexual harassment in the music industry.

Long standing male power structures have converged with the power held by gatekeepers, most of who are men. In turn these have converged with the social processes of reputation management, in the context of interconnected network of social relationships where everyone knows nearly everyone else.

Conclusion

People coerce and intimidate others because they discover not only that it works but also that they can get away with it. This accounts for why workplace harassment and sexual harassment occur so prominently in the music industry, although they are both prohibited by government policy in Australia and New Zealand.

The decision to coerce, intimidate, harass or threaten someone is arrived at through a complex array of personal choices and preferences; however, objectifying a victim is a way for perpetrators to rationalize ugly behaviour.

Men sexually harass women in part because it is a potent means of exerting influence and also because they are rarely held to account. Sexual harassment is a product of a worldview that not only permits the objectification of women but also limits the range of their social roles.

Objectification is a recipe for a toxic culture, particularly when it occurs in a climate of unequal power combined with a lack of accountability.

All harassment in the music industry is the product of four factors.

- An individual choice made by a person to bully, intimidate, harass or assault another.
- A worldview that allows another human being to be seen in objectified or discriminatory terms.
- A power imbalance that favours the perpetrator.
- A system that allows this behaviour to go unpunished, if not to be rewarded.

To solve the dual problems of workplace and sexual harassment, all four of these factors must be addressed and mitigated.

The contemporary music industry is marked by systemic sexism and systemic economic disparity. These in turn create imbalances of power and lack of accountability as well as a climate of objectification and discrimination where men are the beneficiaries.

I note with interest the recent launch of the *Music Industry Collaborative Commitment*, an initiative supported by a coalition of music businesses including industry media outlets, and representation from independent music managers, publishers and PR companies. The Collaborative Commitment promulgates a non-binding statement of conduct that seeks to address the problems of sexual harassment, gender discrimination, gender identity discrimination, discrimination against minorities and cultural and ethnic insensitivities and is an important first step to industry change.

This research proposes that the most effective change is that wrought by the industry itself. Unless the music industry is capable of self-initiated reform, it may ultimately face the court of public opinion and risk government intervention. In dealing with unequal distributions of power, income inequality and gender inequity, there are very few levers that governments have to create change, and they are largely in the form of exposing the industry to public inquiry, the formation of independent tribunals, and the imposition of increased regulation and financial disincentives for non-compliance. It is preferable for the industry to be willing to embrace change and exert its considerable resources and resourcefulness in order to create a more humane and equitable working environment.

Implications of this research for individuals

The old trope ‘what goes on tour stays on tour’ is a tacit admission that people know aspects of their on-tour behaviour are unacceptable in normal social contexts. The same can be said for the use of coded language by older male musicians while attempting to solicit sex, and the use of subtle harassment behaviour (such as the hand on the lower back at industry events). Such behaviour is tantamount to an admission by perpetrators that they know that they are crossing the boundaries of acceptability.

Individuals who work in the music industry should take responsibility for their own actions. This has implications for those who hold discriminatory beliefs that relegate women to subordinate and subservient roles.

- 1) All music industry workers should source and attend professional development training that equips them to manage their engagements with colleagues in more appropriate ways. Professional development of this nature should include courses in social awareness, informed consent, ethics,

conflict resolution and empathy training. The aim of these courses will be to educate individuals so that they will refrain from bullying and harassment, including the sexual harassment of women. Further, both men and women should call out bullying and harassing behaviour when they witness it and refuse to be complicit with or contribute to its normalisation.

A significant proportion of harassment comes from people in leadership and it is conceivable that for some, bullying is learned leadership behaviour. Leadership is not only a matter of authority but also a matter of responsibility.

- 2) It is important that leaders at every level in the music industry engage in the same professional development (referred to above) and also actively seek to listen to the voices of women with a view to gaining insight into the female experience of working in the music industry.
- 3) Women should be actively brought into the policy development space. Equipping male music industry leaders with female perspectives should positively impact the future development of the policies and protocols that will be required for substantive change to be made.

Implications of this research for music industry organizations

1. Peak bodies should also collaborate on the development and publication of a **Mandatory Code of Conduct** for the contemporary music industry. I would note that APRA-AMCOS has in place a service provider code of conduct and that Screen Australia has developed a code of conduct to prevent sexual harassment, both of which may serve as templates for a music industry code. However, a binding code of conduct is required that strengthens a zero-tolerance policy beyond sexual harassment to include workplace harassment of all kinds. Finally, peak bodies need to support positive change to the music industry culture by advocating the recommendations for government made below.
2. The MEAA should invest in the expansion of its membership amongst all musicians who work in the contemporary music industries, in a bid to offset the significant imbalances of power in an economy that places musicians in the small live music scene at great risk.
3. The MEAA needs to invest in the expansion of its membership to technical and production crew who work primarily in the music industry, so as to more effectively exert its advocacy within the live performance sector, including contributing to cultural change in this sector.
4. Music industry peak bodies should establish a network of suitably qualified psychologists who are registered to deliver services under the Medicare Mental Health Plan to music industry workers suffering from PTSD-like symptoms. Peak bodies should also establish a fund to cover the gap payments. This fund can be administered through Musicians Australia (the MEAA). Such therapeutic services go beyond the ambit of crisis care offered by Support Act.
5. This research recommends the formation of an effective professional association for top and middle tier artists, similar to the *Featured Artist Coalition* in the UK. The purpose of such an association should be to act as a trade body that represents the rights of artists and advocates for them with powerful figures in the industry.
6. Tertiary music education institutions should enforce existing policies on staff conduct. The evidence in this research is that male teaching staff behave in a way that is tantamount to sexual predation. This is a matter for urgent attention for leaders in the contemporary music education sector. There can be little effective cultural change if cohort after cohort of music graduates has been normalised into a culture that objectifies and sub-ordinates women during the course of their pre-career development. Music education institutions should not only incorporate mandatory consent training but also anti-sexual harassment and anti-bullying training, not just for teaching staff but also in their curricula.
7. Participants in this research often commented that there was no one that they could report to in the wake of harassment. It is imperative that the crisis service Support Act develop a harassment hotline in Australia, wherein music industry practitioners can confidentially report harassment, and to develop a system to triage such reports for appropriate response (i.e. legal action, therapeutic intervention and the like). A similar service should be developed in New Zealand by Music Helps.
8. Peak bodies are already engaged in delivering training to the industry as well as advocacy to government. Consequently, peak bodies are the logical choice for the implementation of professional development programs outlined earlier.

9. Music industry organisations categorised as medium to large businesses (more than 20 employees) should appoint and train a female member of staff to be the sexual and workplace harassment referral officer. This position should be senior in the organisation and empowered to confidentially hear and investigate harassment complaints and to implement zero tolerance for harassment policies.
10. Medium to large industry organisations should change their hiring practices to ensure that there are women employed in senior positions, who have the power to call out workplace and sexual harassment without fear of reprisal from senior male figures. Moreover, the binding code of conduct should be adopted at board level by these organisations and become enforceable on the part of CEO's and managers by virtue of appropriate board directives.

Implications of this research for governments

- 1) Government instrumentalities that are responsible for enforcing workplace health and safety measures need to conduct a program of education targeted at music venues concerning the legal responsibilities and duties of care they hold for the safety of contract musicians and music industry workers as a PCBU¹⁰.
- 2) These same instrumentalities need to enforce the current provisions of work health and safety legislation to ensure the safety of musicians and music industry workers in small live venues.
- 3) The future award of a grant or funding needs to be contingent on an individual or organisation incorporating the Mandatory Code of Conduct as part of their policies and procedures, and as a component of the contractual obligations on third parties to any business undertaking.
- 4) Grants or funding should only be awarded to recipients that can demonstrate that they maintain effective anti-sexual harassment and anti-bullying policies and protocols. To clarify, funding should not only be contingent on the code of conduct and the existence of such policies, but also that organisations and institutions will lose funding if they are found to have failed to implement them. This recommendation applies to funding made available through the Australia Council, including to such organisations as Sounds Australia and also to the provision of funds to music industry businesses through the Export Market Development Grant
- 5) There needs to be a review of defamation legislation in Australia. It is evident that there are different standards for evidence in a defamation action as opposed to a sexual misconduct prosecution. The combined difficulty of achieving a conviction in the latter, with the relative ease of a successful claim in the former means that victims of sexual harassment are less likely to come forward and media outlets are less likely to report. To clarify, the burden of proof for sexual harassment (let alone rape) means that convictions are difficult to obtain. On the other hand, a defamation action can be used as a punitive measure to discourage the reporting of aversive behaviour.

A further note on AWMA

I note the 30-year history of unfunded advocacy for women in the Australian music industry on the part of the Australian Women in Music Awards (AWMA). Going forward, AWMA should be centrally involved in the development of the mandatory code of conduct referred to above. In the light of the serious situation facing women in the music industry I also recommend to both industry and to governments that AWMA be appropriated sufficient continuity of funding to strengthen and further the effectiveness of its advocacy and to enable it to sponsor additional research recommended not only by this report but also by the 2017 University of Sydney *Skipping A Beat* report into gender discrimination.

¹⁰ A PCBU is a Person Conducting a Business or Undertaking.

Appendix A.

Appendix A. Types and descriptors of sexual harassment (after Fitzgerald, Gelfand & Drasgow 1995)

Types and descriptors of Sexual Harassment	
Gender Harassment	Suggestive stories
	Crude sexual remarks
	Offensive remarks
	Display of offensive materials
	Sexist comments
Unwanted Sexual Attention	Attempts to discuss sex
	Unwanted sexual attention
	Staring, leering
	Attempts to form a sexual relationship
	Repeated requests for drinks, dinner, despite rejection
	Touching in a way that made you feel uncomfortable
Sexual Coercion	Subtly bribed you
	Subtly threatened you
	Sexual cooperation necessary in order to be treated well
	Made you concerned about poor treatment if you didn't cooperate
	There were consequences for refusing

Appendix B.

This report is based on the following thesis submitted to the University of Technology Sydney in fulfilment of the requirements for the degree of Doctor of Philosophy:

Tunesmiths and Toxicity: workplace harassment in the contemporary music industries of Australia and New Zealand, the research for which was supported by the Australian Government Research Training Program.

Download the complete thesis here:

<http://hdl.handle.net/10453/148011>

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