

KEY POINTS

- 1 Addressing Domestic Violence is a business imperative. The evidence is that domestic violence can affect the attendance, performance and safety of employees, and consequently reduce the productivity of Australian workplaces.**
 - 2 In response, both public and private sector employers are progressively introducing domestic violence workplace entitlements into Australian workplaces. An estimate of the number of Australian employees covered by a domestic violence clause is two million as of June 2015.**
 - 3 Australia has been recognised as a world leader in the provision of workplace protections for workers affected by domestic violence.**
 - 4 Further legislative reform and a continuing increase in the uptake of workplace entitlements can improve the protection of working Australians from the impacts of domestic violence at work and improve productivity.**
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1. Women, work and domestic violence

- 1.1 Mounting international evidence of the impacts of domestic violence on the productivity and safety of victims has been enhanced by the findings of the Australian domestic violence and workplace surveyⁱ and more recently in a report by PwC for Our Watch and the Victorian Health Promotion Foundationⁱⁱ. Furthermore, the workplace has been acknowledged as a setting for action to address factors that drive and reinforce violence against women in a shared framework for primary prevention of violence against women and children in Australia recently released by Our Watch, Vic Health and ANROWSⁱⁱⁱ
- 1.2 Two-thirds of Australian women who report violence by a current partner are in paid employment.^{iv}
- 1.3 Women who are subjected to domestic violence have a more disrupted work history, are on lower personal incomes, have had to change jobs frequently and are more likely to be employed in casual and part time work than women with no experience of violence.^v
- 1.4 Keeping their job is critical to prevent a woman becoming economically trapped in a violent relationship and is a key pathway to leaving a violent relationship.^{vi} However, it must be acknowledged that having a job is necessary but not sufficient to stop the violence, if the system is failing to protect the victim and to hold the perpetrator to account and stop the violence
- 1.5 Nearly a third of Australian workers report having experienced domestic violence. For significant numbers of women, domestic violence affects their attendance, performance and safety (National domestic violence and work survey, see appendix for summary of findings).^{vii}
- 1.6 The impacts of domestic violence at work is reflected in the costs to Australian business, not only in lost productivity and absenteeism, but also in staff turnover, recruitment and retraining. Access Economics (2004) estimated the total costs of lost productivity in Australia associated with family violence was nearly half a billion dollars in 2002/2003, and was set to rise to \$609m in 2021/2022.^{viii}
- 1.7 More recent research by PwC anticipates the cost of lost productivity to the Australian economy to be \$2.1b in 2014-2015^{ix}

2. Australia's leading role in providing workplace protection against domestic violence

- 2.1 There are a number of international strategies to address domestic violence in the workplace: anti-discrimination law reform in the United States; occupational health and safety law reform in Ontario; and VAW legislation that addresses the workplace in Spain and the Philippines.
- 2.2 The United Nations CSW57 (2013) to address violence against women and girls highlighted as good practice the Australian achievement of 'domestic violence entitlements in industrial awards and agreements, including access to paid family violence leave of up to 20 days a year'.^x
- 2.3 The agreed conclusions at CSW57 included a commitment to full employment and decent work, named the role of both employers and trade unions, and urged governments to address violence against women and girls in the workplace through 'regulatory and oversight frameworks and reforms, collective agreements, codes of conduct, including appropriate disciplinary measures, protocols and procedures'.^{xi}
- 2.4 The 2009 International Labour Organisation (ILO) Conference concluded that gender-based violence (GBV) in the workplace should be prohibited and prevented by measures including collective bargaining.^{xii}
- 2.5 Demonstrating joint support for the inclusion of domestic violence in workplace GBV, the ILO and Australian Government co-hosted a CSW57 Side Event on the impact of domestic violence in the workplace. The event highlighted the Australian progress of domestic violence clauses achieved through collective bargaining.^{xiii} CSW60 will provide an opportunity to consider further progress in this area.
- 2.6 The ILO's Governing Body is discussing a future international labour standard on gender-based violence in the world of work that includes domestic violence.

3. The Domestic Violence clause in workplace agreements

- 3.1 As Australian domestic violence policy shifted to provide greater support to women to stay safely in their homes,^{xiv} the economic imperatives for women to retain employment and economic independence intensified.

With the aim of protecting jobs and safety for working victims of domestic violence, the domestic violence clause in collective bargaining was conceived as a standardised and enforceable workplace protection that would protect the disclosing employee.^{xv}
- 3.2 Developed as a collaboration between the Australian Domestic and Family Violence Clearinghouse (ADFVC) and a number of trade unions in 2009, the model domestic violence clause^{xvi} comprehensively provides for additional domestic violence leave to address critical matters such as seeking a protection order^{xvii}; protection from adverse action or discrimination; training for key personnel; safety planning; the confidentiality of employees and their referral to domestic violence experts.
- 3.3 By December 2014, 747 agreements contained a domestic violence clause, covering over 600,000 employees, predominantly in the private sector, across a broad range of industries such as retail, public transport, banking, education, manufacturing, airline and maritime, and including some of the largest employers in the country.^{xviii}
- 3.4 As signatories to the National Plan to Reduce Violence against Women and their Children (2011) that contains a commitment to economic security for women experiencing domestic violence, all Australian Governments have introduced domestic violence protections for their public servants, including paid leave, through directives and awards, except for Victoria and Western Australia (see appendix 4 for government protections).

- 3.5 An estimate of the number of Australian employees covered by a domestic violence clause is two million as of June 2015. This is based on the increase of agreements containing a clause, which doubled in the last quarter of 2014, and includes public service coverage and award variations.
- 3.6 The Australian Law Reform Commission (ALRC) Inquiry into family violence in Commonwealth employment law (2012) recommended that the '*Australian Government should support the inclusion of family violence clauses in enterprise agreements.*' (Recommendation 16—4)^{xxix}
- 3.7 Recent reports demonstrate significant support from employers for paid domestic violence leave^{xx}

4. Other industrial and reporting developments

- 4.1 The Fair Work Act amendments in 2013 included the right to request flexible work for reasons of domestic violence.
- 4.2 The ACTU has included ten days paid domestic violence leave for permanent and ten days unpaid for casual workers in its claim to the Fair Work Commission under the review of modern awards in 2015.
- 4.3 Under the Workplace Gender Equality Act 2012 relevant employers are required to report on their strategies and measures to support employees experiencing domestic violence.

5. Further reform recommended by the ALRC

- 5.1 Three outstanding areas of reform addressed by the ALRC Inquiry remain to be implemented:
 - 5.1.1 That the Australian Government 'consider amending the National Employment Standards to provide paid family violence leave' (R.17-2).
 - 5.1.2 That as domestic violence in the workplace can pose an OH&S risk,^{xxi} Safe Work Australia should include domestic violence in its research priorities; raise awareness of domestic violence at work and develop appropriate education and training resources (R.18 1-3).
 - 5.1.3 That 'status as an actual or perceived victim of family violence' could be included as a protected attribute under Commonwealth anti-discrimination law^{xxii} (R. 16-8).^{xxiii}

However, being a victim/survivor of domestic violence as a protected attribute should also be included in state, territory and federal anti-discrimination legislation as this is: consistent with our human rights obligations; consistent with the National Plan to Reduce Violence against Women and their Children (2010-2022) and with the focus on community responsibility for addressing such violence; an important educative tool; and provides protection beyond employment to all areas of public life^{xxiv}

6. Implementation, training and monitoring

- 6.1 Effectively introducing new workplace domestic violence rights requires a change in workplace culture.

In 2012 the ALRC recommended that the Australian Government 'initiate a coordinated and whole-of-government national education and awareness campaign about family violence and its impact in the employment context (R. 15-1) and 'support research, monitoring and evaluation of family violence-related developments in the employment law sphere (R.15.5).

If the ALRC was making recommendations today it may be for a social change campaign about family violence and work rather than an education and awareness campaign.

6.2 The Department of Employment (previously DEEWR) funded the project, Safe at Home, Safe at Work (SAHSAW) at UNSW to:

- promote domestic violence clauses;
- develop and deliver resources (workplaces safety plans and information strategies) and training to workplaces; and
- monitor the implementation of domestic violence clauses.

SAHSAW was funded from 2010-2013. Resources and research developed by SAHSAW remain on the website <http://www.dvandwork.unsw.edu.au>¹

6.3 It was acknowledged that SAHSAW, as an expert third party, played a key role in the successful introduction and implementation of domestic violence clauses in the world of work.^{xxv}

6.4 Today, the Gendered Violence & Work program out of University of New South Wales, offers tailored advisory and training services to employers who want to address the effects of domestic, family and sexual violence on their employees and organisations. These services are designed to ensure that organisational intentions and commitments are translated into effective implementation^{xxvi}.

6.4 The risk is that in the absence of a national program to train, resource and monitor domestic violence workplace protections, international good practice will be poorly implemented and understood in the Australian workplace.

7. eS4W Recommendations

7.1 The remaining outstanding areas of reform identified by the ALRC recommendations are considered for implementation.

7.2 As the primary piece of legislation for employment it is essential that protections against adverse action on the basis of being a victim/survivor of domestic violence is included in the Fair Work Act (Cth).

7.3 A national program to provide training, resources including a model clause and to monitor the implementation of domestic violence workplace protections is considered as part of the Third National Action Plan to Prevent Violence Against Women and Children.

Appendices

1. The impact of the employed domestic violence perpetrator

The rates of reported domestic violence suggest that significant numbers of employed people are perpetrating violence towards family members. American research of employed domestic violence offenders found that there were similar patterns in work impacts as for victims.^{xxvii}

- a third took paid and unpaid time off work to be abusive or as a result of the abuse
- a third made abusive and threatening calls during working hours (a third using work phones)
- one in five said that they had caused or almost caused an accident because they were distracted (a finding that may be of special importance in blue collar industries)

These employees represent a parallel cost to the employer, an occupational health and safety risk, and, if orders to not contact or approach are being breached by the employee during working hours, a potential legal problem.

Most of the supervisors of the offending employees interviewed for the research were aware of what was occurring and did nothing or even colluded. It is probable that the narrative here is all-important. The abusive worker may be representing themselves to co-workers and supervisors as the injured party. Nevertheless, there are clearly impacts on attendance, performance, misuse of work resources and time, and safety, all which need to be addressed. The role of an informed and trained EAP could be valuable in this context.

The American research is currently being replicated in Canada, and would be a valuable contribution to our knowledge if replicated in Australia.

2. National domestic violence and work survey

The national survey of over 3600 Australian employees on the impacts of domestic violence at work found that domestic violence can have clear impacts on attendance, performance and safety.^{xxviii} This survey has been replicated in New Zealand, Canada, and the United Kingdom with similar findings:

- Nearly half those who had experienced domestic violence reported that the violence affected their capacity to get to work primarily due to injury or being restrained.
- Nearly one in five (19%) who experienced domestic violence in the previous 12 months reported that the violence continued at the workplace. This rises to over half in later surveys. The major forms of violence were abusive phone calls, emails or texts and the abusive person coming to the workplace.
- The majority of workers who had experienced domestic violence (59%) reported a negative effect on their work performance- feeling distracted, anxious, and/or unwell.
- Nearly half (45%) of workers with recent experience of domestic violence disclosed at work, more to co-workers than management or HR. Though nearly half did disclose to a manager or supervisor. Only 10% found their response helpful.
- Co-workers were affected more than anticipated- co-workers are more likely to disclose their experience of violence to each other or to be aware of what is occurring; co-workers can be directly affected by the abuse by having to support and protect their colleagues; co-workers can be directly threatened or assaulted.

3. ALRC recommendations

Family Violence and Commonwealth Laws - Improving Legal Frameworks, ALRC Report 117

15. Employment Law—Overarching Issues and a National Approach

- Recommendation 15—1 The Australian Government should initiate a coordinated and whole-of-government national education and awareness campaign about family violence and its impact in the employment context.
- Recommendation 15—2 There is a need to safeguard the personal information of employees who have disclosed family violence in the employment context. The Office of the Australian Information Commissioner and the Fair Work Ombudsman, in consultation with unions and employer organisations, should develop or revise guidance materials with respect to privacy obligations arising in relation to the disclosure of family violence in an employment context.
- Recommendation 15—3 The General Manager of Fair Work Australia, in conducting the review and research required under s 653 of the Fair Work Act 2009 (Cth), should consider family violence-related developments and the effect of family violence on the employment of those experiencing it, in relation to:
 - a. enterprise agreements; and
 - b. individual flexibility arrangements.
- Recommendation 15—4 The Department of Education, Employment and Workplace Relations maintains the Workplace Agreements Database, which contains information on federal enterprise agreements that have been lodged with, or approved by, Fair Work Australia. The Department of Education, Employment and Workplace Relations should collect data on the incidence of family violence-related clauses and references in enterprise agreements and include it as part of the Workplace Agreements Database.
- Recommendation 15—5 The Australian Government should support research, monitoring and evaluation of family violence-related developments in the employment law sphere, for example by bodies such as the Australian Domestic and Family Violence Clearinghouse (ADFVC)^{xxix}.

16. Fair Work Act 2009 (Commonwealth)

- Recommendation 16—1 The Australian Government should consider family violence-related amendments to the Fair Work Act 2009 (Cth) in the course of the 2012 Post-Implementation Review of the Act.
- Recommendation 16—2 Fair Work Australia should review its processes, and members and other relevant personnel should be provided with consistent, regular and targeted training to ensure that the existence of family violence is appropriately and adequately considered at relevant times.
- Recommendation 16—3 The Fair Work Ombudsman, in consultation with unions and employer organisations, should include information in Best Practice Guides with respect to negotiating individual flexibility arrangements in circumstances where an employee is experiencing family violence.
- Recommendation 16—4 The Australian Government should support the inclusion of family violence clauses in enterprise agreements. At a minimum, agreements should:
 - a. include a statement outlining when and what type of verification of family violence may be required;
 - b. ensure the confidentiality of personal information supplied;

- c. establish lines of communication for employees;
 - d. set out relevant roles and responsibilities of employers and employees;
 - e. provide for flexible working arrangements; and
 - f. provide access to paid leave.
- Recommendation 16—5 The Fair Work Ombudsman should develop a guide to negotiating family violence clauses in enterprise agreements, in conjunction with the Australian Domestic and Family Violence Clearinghouse, unions and employer organisations.
 - Recommendation 16—6 In the course of the 2012 review of modern awards by Fair Work Australia, the ways in which family violence terms may be incorporated into awards, consistent with the modern award objectives should be considered.
 - Recommendation 16—7 In the course of the first four-yearly review of modern awards by Fair Work Australia, beginning in 2014, the inclusion of a model family violence term should be considered.
 - Recommendation 16—8 The Australian Human Rights Commission, in the context of the consolidation of Commonwealth anti-discrimination laws, should examine the possible basis upon which status as an actual or perceived victim of family violence could be included as a protected attribute under Commonwealth anti-discrimination law.

17. The National Employment Standards

- Recommendation 17—1 As part of Phase Five of the whole-of-government strategy for phased implementation of reforms contained in Part E of this Report, the Australian Government should consider amending s 65 of the Fair Work Act 2009 (Cth) to provide that an employee:
 - a. who is experiencing family violence, or
 - b. who is providing care or support to another person who is experiencing family violence, may request the employer for a change in working arrangements to assist the employee to deal with circumstances arising from the family violence.
- Recommendation 17—2 As part of Phase Five of the whole-of-government strategy for phased implementation of reforms contained in Part E of this Report, the Australian Government should consider amending the National Employment Standards with a view to including provision for additional paid family violence leave.

18. Occupational Health and Safety Law

- Recommendation 18—1 Safe Work Australia should, in developing or reviewing its Research and Data Strategy or other relevant strategies:
 - a. identify family violence and work health and safety as a research priority;
 - b. examine the effect of the harmonised legislative and regulatory OHS scheme on duties and obligations owed in relation to family violence as a possible work health and safety issue; and
 - c. consider ways to extend and improve data coverage, collection and analysis in relation to family violence and its impact as a work health and safety issue.
- Recommendation 18—2 As part of the national education and awareness campaign in Recommendation 15—1, Safe Work Australia should work with the Australian Domestic and Family Violence Clearinghouse, unions, employer organisations, State and Territory OHS regulators and other relevant bodies to:

- a. raise awareness about family violence and its impact as a possible work health and safety issue; and
 - b. develop and provide education and training in relation to family violence as a possible work health and safety issue^{xxx}.
- Recommendation 18—3 Safe Work Australia should consider including information on family violence as a possible work health and safety issue in relevant Model Codes of Practice, for example:
 - a. ‘How to Manage Work Health and Safety Risks’;
 - b. ‘Managing the Work Environment and Facilities’;
 - c. ‘How to Consult on Work Health and Safety’;
 - d. ‘Preventing and Responding to Workplace Bullying’; and
 - e. any other code that Safe Work Australia may develop in relation to other relevant topics, such as workplace violence and psychosocial hazards.
- Safe Work Australia should, in developing or reviewing its Research and Data Strategy or other relevant strategies (18-1):
 - identify family violence and work health and safety as a research priority;
 - examine the effect of the harmonised legislative and regulatory OHS scheme on duties and obligations owed in relation to family violence as a possible work health and safety issue; and
 - consider ways to extend and improve data coverage, collection and analysis in relation to family violence and its impact as a work health and safety issue.
- As part of the national education and awareness campaign in Recommendation 15–1, Safe Work Australia should work with the Australian Domestic and Family Violence Clearinghouse, unions, employer organisations, State and Territory OHS regulators and other relevant bodies to (18-2):
 - raise awareness about family violence and its impact as a possible work health and safety issue; and
 - develop and provide education and training in relation to family violence as a possible work health and safety issue.
 - Safe Work Australia should consider including information on family violence as a possible work health and safety issue in relevant Model Codes of Practice (18-3)

4 List of public service awards/directives/guidelines

- NSW Crown Employees (Public Service Conditions of Employment) Award 2009 and a further 60 State Government Awards linked to this provision
- Queensland Government Special Leave Directive 02/2012
- Northern Territory Government Commissioner’s Guideline for Miscellaneous Leave (domestic, family and sexual violence) 08/2012
- Australian Public Service Circular 2012/3: Supporting Employees Affected by Domestic or Family Violence 10/2012
- Tasmanian Ministerial Direction No. 28 Family Violence- Workplace Arrangements and Requirements 11/12

Endnotes

ⁱNational Domestic Violence and the Workplace Survey 2011

http://www.adfvc.unsw.edu.au/PDF%20files/Domestic_violence_and_work_survey_report_2011.pdf

ⁱⁱ PwC 2015, A high price to pay: the economic case for prevention of violence against women. Our Watch & Victorian Health Promotion Foundation. Viewed on 24th November at [http://www.ourwatch.org.au/News-media/Latest-news/Violence-against-women-costing-Australia-\\$21-7-bil](http://www.ourwatch.org.au/News-media/Latest-news/Violence-against-women-costing-Australia-$21-7-bil)

ⁱⁱⁱ Our Watch, Vic Health & ANROWS. 2015. Change the Story: a shared framework for the primary prevention of violence against women and their children. Viewed on 24th November at <http://www.ourwatch.org.au/getmedia/1462998c-c32b-4772-ad02-cbf359e0d8e6/Change-the-story-framework-prevent-violence-women-children.pdf.aspx>

^{iv} Australian Bureau of Statistics, 2005 Personal Safety Survey, Australia 2005, Cat No 4906.0 Reissue, AGPS, Canberra, 2006, p. 34

^vSuzanne Franzway, Carole Zufferey and Donna Chung, 2007 Domestic Violence and Women's Employment, (Paper presented at Our Work, Our Lives 2007: National Conference on Women and Industrial Relations, 20 – 21 September, 2007) citing Jody Raphael, 'Domestic Violence as a Welfare-to-Work Barrier: Research and Theoretical Issues' in Renzetti et al, Sourcebook on Violence Against Women (California, Sage Publications, 2001) at 443-457

^{vi} Shirley Patton, 2003 Pathways: How Women Leave Violent Men, Government of Tasmania, Hobart, p. 71.

^{vii} Ludo McFerran, National Workplace Survey, ADFVC,UNSW 2011. This study is the first of its kind conducted in Australia, providing specific data on the impact of domestic violence on working Australians. Also note that these rates are higher than ABS results because of concentration of ages in working years and broader definition of violence used in the survey design.

^{viii}Access Economics, 2004 The Cost of Domestic Violence to the Australian Economy ,Report for the Australian Government's Office of the Status of Women.

^{ix}Ibid at (ii)

^x Report of the United Nations Secretary for the Commission on the Status of Women 57th Session (CSW 57, March 2013) on General Multi-sectoral services and responses for women and girls subjected to violence. P.12, Point 32)

www.un.org/womenwatch/daw/csw/csw57/documentation.htm

^{xi}Commission on the Status of Women Fifty-seventh session 2013, Agreed conclusions, http://www.un.org/womenwatch/daw/csw/csw57/CSW57_agreed_conclusions_advance_unedited_version_18_March_2013.pdf

^{xii}Cited in ILO CSW57 Side Event Concept Note [www.ilo.org/gender/Events/WCMS_208336/lang--en/index.htm](http://www.ilo.org/gender/Events/WCMS_208336/lang-en/index.htm)

^{xiii}Ibid at 3

^{xiv} Beginning with the ACT Family Violence Intervention Program in 1986. See Ludo McFerran, 2007, *Taking back the castle: how Australia is making the home safer for women and children*, ADFVC Issues Paper 14

^{xv}Sue-Ellen Murray and Andrea Powell, 2008 Working It Out: domestic violence issues and the workplace 2008 Issues Paper 16 ADFVC.

Murray and Powell assessed Australian initiatives to encourage employers to promote awareness of the issue in their organisations and in the wider community as valuable but reliant on the commitment of employers and specifically a senior, influential individual within the organisation. They concluded that the challenge for Australia remained the introduction of sustainable and widespread change.

^{xvi} <https://www.arts.unsw.edu.au/research/gendered-violence-research-network/gendered-violence-work/workplace-strategies/>

^{xvii} Anecdotal evidence is that requests for paid leave have been generally limited to short periods, to address urgent matters.

^{xviii} Department of Employment email to author 18/5/2015

^{xix} Australian Law Reform Commission, 2012, Family Violence and Commonwealth Laws- Improving Legal Frameworks (ALRC Report 117) <http://www.alrc.gov.au/inquiries/family-violence-and-commonwealth-laws>

^{xx} Gendered Violence Research Network (University of New South Wales) 2015 Implementation of Domestic Violence Clauses – an employers’ perspective. ACTU and UNSW. Male Champions of Change 2015 Playing our part: Workplace responses to domestic and family violence. NSW

^{xxi} The National DV and Work survey found that 19% of workers who had experienced family violence reported that the violence and harassment followed them into the workplace. Co-workers also reported being affected by the intrusion of family violence into their workplace.

American research has suggested that the abusive employee person poses a significant OH&S risk at work with 19% reporting that they had caused or almost caused an accident (Schmidt and Cranwell 2012).

^{xxii} As the primary piece of legislation for employment it is essential that protections against adverse action on the basis of being a victim/survivor of domestic violence is included in the Fair Work Act (Cth). It is simpler to include employment rights in a central place.

^{xxiii} See ADFVC Submission to Consolidation of Commonwealth Anti-Discrimination Laws Discussion Paper 2012.

https://www.dvandwork.unsw.edu.au/sites/www.dvandwork.unsw.edu.au/files/imce/adfvc_submission.pdf

Numerous case studies document the experience both direct and indirect forms of discrimination in the workplace by victims of domestic violence. Vulnerable workers may be exposed to discrimination or adverse action such as dismissal when disclosing family violence.

^{xxiv} Women’s Legal Service NSW 2015 personal communication to eS4W

^{xxv} Marian Baird, Ludo McFerran and Ingrid Wright 2014 [An equality bargaining breakthrough: Paid domestic violence leave](http://jir.sagepub.com/content/early/2014/01/23/0022185613517471). JIR published online 23 January 2014 DOI: 10.1177/0022185613517471 <http://jir.sagepub.com/content/early/2014/01/23/0022185613517471>

^{xxvi} <https://www.arts.unsw.edu.au/research/gendered-violence-research-network/gendered-violence-work/advisory-training-services/>

^{xxvii} Michele Cranwell Schmidt and Autumn Barnett 2012 [Effects of domestic violence on the workplace: A Vermont Survey of male offenders enrolled in batterer intervention programs](#), Vermont Council on Domestic Violence

^{xxviii} Ibid at 6

^{xxix} The core functions of the Australian Domestic and Family Violence Clearinghouse have transitioned to Australia’s National Research Organisation for Women’s Safety (ANROWS). UNSW Australia (The University of New South Wales) aims to build on the Clearinghouse’s achievements through the [Gendered Violence Research Network \(GVRN\)](#) and continue to carry out rigorous, multi-disciplinary research related to gendered violence, including domestic and family violence.

^{xxx} This needs to be done in conjunction with a specialist family violence support provider to prevent the victim being more at risk, especially if the perpetrator is the employee.