Recommendations for

# Creating Culture Change around Sexual Harm in the Music Community in Aotearoa

By Rachel Harrison and Debbie Teale
July 2021

## Ultimate Outcome

A safe and inclusive music community

## Objectives

1. To prevent sexual harm in the music community in Aotearoa
2. To have effective processes to deal with sexual harm when it does happen

# Contents

# PROJECT ON THE PREVENTION OF AND RESPONSE TO SEXUAL HARM IN THE MUSIC COMMUNITY IN AOTEAROA

## ADVICE AND RECOMMENDATIONS
## JULY 2021

## Background

SoundCheck Aotearoa has initiated a project on the prevention of and response to sexual harm in the music community. We use the term "sexual harm" to refer to any sexual behaviour that is unwanted or unwelcome and/or causes harm. This includes, but is not limited to:

- Behaviour that is an offence under the Crimes Act 1961 like indecent assault and sexual violation;
- Sexual harassment as defined by the Human Rights Act 1993 and the Employment Relations Act 2000; and
- Behaviours which are sexual but do not fall within the legislative definitions noted above including inappropriate sexualised social behaviour.

We were contracted by SoundCheck Aotearoa[1] to do the following:
- Conduct a review of the challenges and issues around sexual harm in the music community; and
- Give independent advice and recommendations on what should be done to prevent and respond to those challenges and issues.

Throughout this document when we refer to the "music community" we are referring to anyone involved in the music sector in the broadest sense. This includes (but is not limited to) artists, songwriters, composers, musicians, performers, producers and technicians in all genres, and all those people and entities who support them and their music, as well as promoters, venues, production and crew in the live sector, and those involved in music journalism, retail and education. Some of our recommendations also address the audiences of live music.

As a first step we advised SoundCheck Aotearoa on a process to gather feedback and ideas across the music community. This consisted of in-person workshops in Auckland and Wellington; two workshops held online; and online written feedback options. One workshop in Auckland was for women and non-binary attendees only. In total, 195 people attended the workshops with others choosing to provide written feedback or to speak to us on a confidential one-on-one basis.

Most attendees were from Auckland or Wellington with a few from other regions joining via Zoom. We also had lower numbers of Māori and Pacific people in the workshops than we would have liked, and this is an ongoing area of work with two ongoing streams. Māori Music Industry Coalition (MMIC) held a hui attended by Māori in the music industry and they are in the early stages of developing a strategy. A talanoa/fono is scheduled for Pacific Music Industry people at the beginning of August to commence this area of work.

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[1] www.soundcheckaotearoa.co.nz

The title of each workshop was "How do we create a safe and inclusive culture for the music community in Aotearoa?". We asked groups to focus specifically on the prevention of and response to sexual harm, but within the wider context of other issues such as lack of diversity, bullying, harassment and discrimination. The problems and challenges identified in the workshops are summarised in a section of this report.

This report focuses on preventing and responding to sexual harm (as opposed to non-sexual bullying/harassment for example) for several reasons. Firstly SoundCheck Aotearoa identified sexual harm as an urgent priority to be addressed immediately. They believe, and we agree, that unless people are safe in their workplaces, it will be difficult to make meaningful progress to improve structural issues such as a lack of diversity in positions of power. Secondly from our experience we believe that sexual harm is a specific problem that requires its own set of specialised solutions. Some of those solutions to foster respectful workplaces will also help to address non-sexual harm such as bullying and harassment.

Section 6 of our recommendations addresses Te Ao Māori and tangata Tiriti, and we recommend supporting Māori to develop a strategy to end sexual harm in the music community and integrate Te Ao Māori throughout the wider industry strategy. We intend these recommendations to apply across all work on sexual harm prevention and response and we know that SoundCheck Aotearoa is working in partnership with Māori via the Māori Music Industry Coalition.

We are mindful that a lack of diversity, both gender and ethnic diversity, tends to increase the risk of sexual harm in the workplace and there is a need to act to directly address diversity. We have included some initial recommendations to improve diversity in a section of the report but we have recommended that a comprehensive strategy will be needed to make meaningful progress.

These recommendations address adults (ie people 18 years and over). In the workshops a limited sample suggested that the safety of young people may also be a concern in workplaces and audiences. The safety and protection of young people is outside the scope of this report as it is a specialist area that requires its own scoping and attention with reference to specific child-focussed legislation like the Vulnerable Children's Act.

What follows is our assessment of the problems and concerns that need to be addressed, and our advice and recommendations to achieve this. In developing the advice and recommendations we reference the feedback from the music community in Aotearoa; our own experience in this field; best practices developed within other industries and organisations; and academic research.

While we have had some discussion with SoundCheck Aotearoa about how the recommendations will be implemented, we have not stopped short of recommending things where there is no current funding/resources to do them. Indeed one of our recommendations is to develop a multi-year plan/strategy to implement what is needed. We have provided a full range of recommended actions and the community will need to consider whether to accept or implement all or some of them. We are encouraging the community to take action, continue taking action, and continually update and evaluate what is being done to make ongoing improvements.

Below we set out our assessment of the problems and challenges, and the following section outlines our recommendations.

# Problems and Challenges in the Music Community
## So, is there a problem?

Before we started the process of facilitating conversations across the music community, we were aware of existing evidence about the issues and challenges. Research from Massey University in partnership with APRA AMCOS published in November 2020 revealed that 45.2% of women in the music community in Aotearoa, and over 70% of gender diverse people report that their safety in places where music is made or performed is a barrier to success in their music careers. The Massey researchers noted that while the number of gender diverse respondents to the survey was too small to be a statistically sound sample, however their experiences were summarised in their report. Respondents in the survey confidentially reported instances of sexual harassment, sexual coercion and assault, unwanted physical advances and inappropriate comments pertaining to appearance.

Additionally, research released by Dr Jeff Crabtree in May 2021 found that workplace and sexual harassment are both pervasive and normalised in the industry. The research was primarily focussed on Australia but incorporated some input from people based in Aotearoa. We have also observed similar the themes arising in local mainstream media and on social media, in particular on the Instagram account *Beneath the Glass Ceiling NZ*. This is a survivor-centric Instagram account of "Real-life experiences working beneath the glass ceiling of Aotearoa's music industry" which publishes anonymised survivor's accounts of sexual harm in the New Zealand Music Industry.

## From our work we heard there is a problem and these are some of the key challenges

We drew out the key challenges using thematic analysis of what we heard at the workshops and in the one-on-one discussions. Thematic analysis identifies patterns or primary themes that we have taken from our discussions.

1. The types of workspaces/places exacerbate risk
2. Sexist cultural norms and practices are still in place and contribute to a lack of safety
3. A 'boys club', power imbalances and a lack of diversity create risk for women and members of minority groups
4. Freelancing, contracting and insecurity of income makes it easy for power to be abused
5. Difficulty in speaking out for fear of retribution and blacklisting
6. No accountability or consequence for poor behaviour
7. Lack of pay parity for women
8. Lack of professionalism at all levels and lack of clarity about expected behaviour
9. Feeling like there is nowhere to go about sexual harm
10. Lack of HR and legal resourcing
11. Acceptance of drugs and alcohol and excusing behaviours when intoxicated creates risk
12. Audiences present risk to artists – audiences present risks to each other

Research suggests that issues such as those listed above including valuing (or not) healthy relating, equality and accountability, alcohol and diversity are all important factors when considering risk and protective elements that contribute to sexual harm in the workplace.

## A bit more about those challenges

During the workshops and one on one discussions a number of key themes were drawn to our attention about the structure of the industry and community, how it operates and its cultural norms. Here we talk to a few of the overarching themes in more detail.

- People told us that the types of workplaces and spaces in the industry create risks. Physically, workplaces are diverse and include recording studios, bars and music venues, hotels, festival grounds, touring vans and private homes. They said that these environments often create a sense of isolation, have little protection built in, and that these situations and environments provide opportunities for exploitation.

- We also heard about the lack of boundary or separation between the workspace and social space which allows for lines to be blurred, particularly around what are acceptable workplace behaviours.

- We heard that sexist cultural norms and practices are still in place and contribute to a lack of safety. People said that "sex sells", and that women can be sexualised and stereotyped into roles which are exploitative. We heard about young women where partying is considered a part of their job, and the existence of terms like "label girl" and "female sound engineer" which indicate outdated gender norms.

- Some of the norms around healthy relating were talked about and people indicated that "quirky" behaviour is tolerated and valued over healthy relating and that people with power often have a sense of sexual entitlement and a lack of accountability.

- Because of the small tight-knit nature of the industry there is a high level of fear of speaking up as the issue may be with the person you will work with on the next job. Additionally, as most people are contractors with no security of income, this fear is compounded. The fear of blacklisting extended to both people experiencing harm and bystanders alike. We also heard that it is difficult to avoid conflicts of interest within the intricate web of relationships and ties in the small community.

- Furthermore, people talked to us about a lack of accountability when people had done harm – especially if they had power. We also heard that in many environments bad behaviour had been normalised.

- Another repeated theme was the lack of pay parity. On the topic of pay we heard that not only are women not paid the same as men, but that often "you are working for a dude who wants to pay you as little as possible". We also heard that most of the industry are contractors or freelancers who have to work multiple jobs or contracts in order to make a living. We heard that often artists and musicians are taken advantage of and are expected to work for nothing, for the love of the work, or paid with alcohol.

- In all of the workshops we heard about a lack of professionalism in the industry at all levels. Much of the work takes place outside a traditional or formal workplace environment – both structurally and physically. Structurally, artists, workers and professionals are often contractors or self-employed, and do not have access to the protections and resources that traditional employees have, such as a line manager, policies or an HR department. Many people felt that as a freelancer or contractor there is nothing set up to protect them. Additionally, there is a lack of HR positions and few people with this kind of specialised

knowledge and skills in the sector generally. Many businesses are sole traders or very small businesses or organisations.

- Additionally, across all workshops, we were told that there was nowhere to go to report and seek support for incidences of sexual harm. People conveyed a desire for independent channels for support whether for themselves or those affected, including people who have done harm and all support people. This situation is exacerbated for contractors who often are less supported by traditional workplace support mechanisms.

- We also heard that developing a career in the music industry means forging personal relationships with people in positions of power, again usually outside a traditional workplace environment, and often in the presence of alcohol, which can lead to a lack of boundaries and blurred lines as to what is acceptable behaviour.

- Across the workshops a strong theme was the acceptance of drugs and alcohol and excusing people's bad behaviour when intoxicated. We were told that it's hard to keep professional relationships when your job is to entertain out at different venues late at night. And that this is one of the few industries where it is acceptable or even the norm to drink and do drugs in the workplace.

- We also identified that audiences present risk to artists – and audiences present risks to each other. We were told that audiences come to cut loose and get wild which affects the kinds of behaviours that happen in spaces with audiences.

These challenges are currently hindering the ability of the music industry to operate in a manner that is safe for women and gender diverse people in particular and will also impact on young people that are new to the music community.

## In closing

We have seen a readiness in the music community to address sexual harm and some initiatives are already underway. We believe that there are opportunities to support existing work, increase collaboration, as well as coordinate new strategies through a central body such as SoundCheck Aotearoa.

In our recommendations paper that follows we note some strategies and programmes to indicate the types of industry led and grass roots responses that are underway or in planning, but this is not a complete list and we have not done a stocktake or looked at the quality or effectiveness of what is being done.

We would like to thank the team at SoundCheck Aotearoa, Jo Oliver, Lydia Jenkin, Nicky Harrop and Teresa Patterson for the amazing support that you gave us along the way. You worked extremely long hours and under pressure to ensure a good process and to get us access to many voices in the music community. We could not have done this work without you and your passion for change.

Finally, we would like to thank everyone who shared with us during this process. Their input was invaluable and we were struck by their care for the music community and desire for it to be safer for everyone.

Yours sincerely
Rachel Harrison and Debbie Teale

# Creating Culture Change around Sexual Harm in the Music Community in Aotearoa

## Ultimate Outcome

A safe and inclusive music community

## Objectives

1. To prevent sexual harm in the music community in Aotearoa
2. To have effective processes to deal with sexual harm when it does happen

# Recommendations for the prevention and response to sexual harm in the music community

Our recommendations are summarised below, and covered in more detail in the following section:

1. **Code of Conduct:** Develop and embed an industry standard Code of Conduct to set clear expectations of behaviour within the music community
2. **Training and resources:** Build skills, knowledge and capability in preventing and responding to sexual harm via training and resources
3. **Culture change initiatives:** Develop and/or support initiatives and campaigns to support culture change
4. **Improve response systems around sexual harm:** Improve complaints/reporting procedures and access to specialist survivor-safe advice, information and representation
5. **Live music events and safer spaces:** Develop and embed best practice prevention strategies for live music events and safer spaces
6. **Te Ao Māori and tangata Tiriti:** Support Māori to develop a strategy to end sexual harm in the music community and integrate Te Ao Māori throughout the wider industry strategy
7. **Develop culturally specific prevention strategies:** Support Pacific, other ethnic groups and Rainbow communities to develop culturally relevant prevention and response strategies to end sexual harm
8. **Diversity and inclusion:** Develop industry-wide diversity and inclusion strategy while supporting some initial community activities
9. **Leadership recommendations:** Industry bodies, larger entities and government bodies to provide strong leadership in the area of sexual harm prevention
10. **Implementation:** Principles and considerations for effective and safe roll out of these recommendations.

# Recommendations in more detail

## 1.  Code of Conduct

**Outcome**
The music community understands expected standards of behaviour and holds each other to account.

**Background**
In all of the workshops we heard about a lack of professionalism in the industry at all levels and a lack of knowledge of expected behaviours. Because of the varied and transient nature of the workplaces, as outlined in the previous section, we heard that there are no clear rules or guidelines on what acceptable behaviour in the industry is. While some entities have rules or a Code of Conduct, these tend to have limited scope (e.g., limited to members of that entity), may not be widely known, and are voluntary in nature or not easily enforceable. The idea of an industry-wide Code of Conduct was identified as a high priority in all the workshop discussions.

Some of the workshop discussion focussed on whether the Code of Conduct could be made mandatory and be enforced by an overarching entity (similar to the Law Society) or converted into a licensing or regulatory requirement (such as the Building Code). Other discussion was around whether there would be different versions of the Code of Conduct for different sectors of the industry. We also heard about the various contractual settings in which a Code of Conduct could be used, but that artists and workers usually do not have the bargaining power to require a Code of Conduct to be adopted.

We recommend as a starting point that the industry should collaboratively develop a Code of Conduct that is sufficiently high-level to be relevant to all areas of the sector, and with which everyone can hold each other to account. While there is no professional standards entity, or central body with the mandate, to make the Code of Conduct mandatory, its principles and expectations should be embedded and brought to life through contracts, health and safety briefings, pathways into the sector, events and funding agreements. The ways in which it is integrated could be discussed within working groups for each sector so that there is a standard way of operating for each sector and artists and workers are not expected to negotiate on their own.

We know that some entities have already adopted a Code of Conduct for their own business operations, or are considering doing so, and there is no need for entities to hold off with their own work while an industry wide Code is in development. We do encourage people to feed into the wider collaborative process to develop a Code and integration process that works for everyone.

### Code of Conduct recommendations
1   Develop an industry standard Code of Conduct in collaboration with the music community, that clearly prohibits sexual harassment, sexual assault, bullying, discrimination and other forms of harassment.
2   Collaborate across different sectors of the music community to interpret and embed the Code of Conduct into systems and processes. For example integrate into daily briefings; embed into contracts; display prominently in spaces where music is made and enjoyed; work with high-schools and tertiary institutions to integrate the Code of Conduct into relevant programmes to set expectations of students entering the music industry; and develop complaints processes when the Code of Conduct is not adhered to.

## 2.  Training and resources

**Outcome**

The music community has the skills, knowledge and capability to understand how to prevent and respond to sexual harm, and has templates to use in a variety of settings, including but not limited to:

   o   Those people in control of a business or undertaking ("PCBUs") understand and comply with their obligations under the Health and Safety at Work Act.

**Background**

In all workshops we heard a strong desire for a range of training and awareness building offerings to strengthen knowledge in the community around definitions of sexual harassment and sexual assault within New Zealand legislation, WorkSafe obligations and legal requirements (which also apply to contractors), guidance for receiving disclosures and supporting survivors, options and pathways for reporting and support services available, along with strategies for preventing sexual harm and fostering a respectful work environment, and tips for bystander intervention.

We heard that the community expects a group of people to respond to and prevent sexual harm when they don't know how. One specific group identified were venue staff such as bar and security people who are most often the first point of contact when situations arise in these environments.

There was consensus that a range of visual and document based resources could be developed and shared which we detail below.

### Training recommendations

1. Continue to hold the monthly face-to-face Professional Respect training[2] in the main centres of Aotearoa, and in regions where demand exists.
2. Develop and evolve the monthly Professional Respect training to reflect learnings from the Te Ao Māori and tangata Tiriti workstream.
3. Integrate Pacific, Rainbow and other culturally relevant resources into ongoing Professional Respect training.
4. Develop an online training module as an alternative for those who are unable to attend the full Professional Respect training or whose roles may not require a full day training.
5. Develop an additional training module for PCBUs (people and entities that, according to health and safety legislation, have a duty of care and are responsible for developing a sexual harassment policy and receiving and handling complaints).
6. Promote broader unconscious bias training from a provider such as Diversity Works as a first step towards tackling bias, prejudice and discrimination.
7. Implement training from a provider such as RespectED for events involving alcohol to minimise the risk of sexual harassment.

### Resources recommendations

1. Develop a set of visual/document-based resources to support members of the music community in preventing and responding to sexual harm and complying with their legal obligations. The priorities and needs should be identified by further collaboration across the music community, and should also reflect input from the Te Ao Māori and tangata Tiriti workstream. The resources could include:

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[2] More detail on the content of Professional Respect training is available here:
https://soundcheckaotearoa.co.nz/wp-content/uploads/2021/05/Workshop.pdf

a. Template policy on prevention and response to sexual harassment based on WorkSafe guidance.
b. Posters/guidelines on "What is sexual harassment?", "What is Bystander Intervention?" and the continuum of workplace behaviours used in the Professional Respect training currently being held.
c. A template health and safety briefing.
d. 'Acceptable behaviour' posters for use in specific spaces (e.g. a meeting room or studio).
e. A list of support options available for people who have experienced / done harm and their support people.
f. Lists of recommended contacts, e.g. lawyers, HR professionals, restorative practitioners.

# 3.  Culture change initiatives

**Outcome**
Cultural norms in the music community support healthy and respectful relating and the prevention of sexual harm.

**Background**
Research suggests that cultural norms (ideas about what behaviour is and is not ok in a group of people) shape our beliefs, attitudes, and behaviours, and influence our sense of what's acceptable and not acceptable within a community or society at large. The norms that increase the risk of sexual violence and harassment are ones that promote rigid gender norms that associate masculinity with control and femininity with compliance; abuse of power over others (unhealthy relating); aggression and violence; the expectation that sexual violence should be treated as a private problem, not a public concern, and those that excuse people's behaviour when intoxicated.

In the workshops we heard great enthusiasm for initiatives and campaigns to support culture change. We were told about a range of campaigns already underway or in planning in the music community, as well as a number of domestic and international campaigns on the prevention of sexual violence. We recommend amplifying existing cultural norms campaigns, increasing collaboration between parts of the music community, and developing further cultural norms campaigns to better support healthy relating, bystander intervention, sexual consent, and drinking/drugging.

Alongside supporting culture change campaigns, environmental scan audits should be done to examine the artefacts or material manifestations of culture in a physical space so as to identify possible cultural norms and corresponding permissible behaviour of people in that space. It also offers an opportunity to look at what the environment communicates about who 'belongs' in that space. As such, environmental scans can be useful for considering both diversity and inclusion issues, as well as risk and protective factors for sexual harm within an organisation.

## Culture change recommendations

1    Collaborate to support and develop initiatives led by members of the music community..
     Some examples could be:
   - a)  A champions project.
   - b)  A strategy for men as allies to be part of the solution.
   - c)  Artist led campaigns.
   - d)  Safer Spaces campaigns.
   - e)  A creative campaign to promote safety on dancefloors.
   - f)  Campaigns to promote bystander intervention.
   - g)  Regular panels and events to discuss culture change in the music community.

2    Support any culture change initiatives with a range of resources including posters, video clips, etc. that can be shared at venues, gigs, and on social media.

3    Conduct environmental norms audits of spaces where music is made and enjoyed including back stage, green rooms, etc. to both develop strategies to resolve issues where needed and to measure progress.

# 4. Improve response systems around sexual harm

**Outcome**

All members of the music community can freely access survivor-safe, specialist support and reporting channels and resources after harm has happened. This will contribute to a range of safety and accountability focused outcomes including:

- Those who have experienced harm can access survivor-safe specialist support; information; advocacy and advice about their options; and processes available (e.g. restorative, Human Rights Commission and criminal justice) to effectively resolve issues.
- People supporting those who are affected by sexual harm can access the above and support for themselves.
- Others in the music community (organisations and individuals) can access specialist support, information and advice for their own well-being and also to be able to respond in a survivor-safe way.
- People who have done harm can access specialist support to change their behaviour and become safe again.

**Background**

Across all workshops we heard a desire to improve responses and systems available after harm had happened. People talked about a desire to improve the support available, to have safe transparent and effective reporting processes both within and outside of the music community, and to improve accountability when someone had done harm.

While each survivor will have a different preference, feedback from the workshops and in social media posts on *Beneath The Glass Ceiling* indicate that people in the community want people who have done harm to be accountable through a range of actions including publicly acknowledging their harmful behaviour; stepping down from positions of power; getting therapy; showing change in behaviour including centring the safety of the person harmed; listening to the survivor's experience; apologising and acknowledging pain caused; creating safety plans around triggers and environments that reduce their own safety; reporting their own behaviour to Police; educating themselves; and considering/supporting any costs to the survivor.

Some feedback and discussion at the workshops indicated a desire for an independent overarching body to be created for the music industry that could impose its own consequences (similar to the Law Society or Building Regulations). While we wouldn't rule this out for the future, we are aware of the resources required to create such a body and the lack of any existing licensing or legal/regulatory framework that could support it.

For the moment we recommend utilising existing sexual harm specialist reporting, restorative processes and support systems that are external to the industry, as well as creating survivor-safe internal reporting and support systems to increase accountability, safety and healing where harm has been done. There is a clear role to play for a central body such as SoundCheck Aotearoa to improve pathways and access to this range of services and resources.

During the workshops we heard comparisons around the screen industry having guilds and health and safety officers as important elements of the prevention and response system. The music industry structure currently has less such sources of support. A recommendation is made on this in the leadership section later in this document.

We consider that creating a safe response system should be prioritised as we anticipate that the rollout of the other recommendations in this report will see an increase in people coming forward to disclose sexual harm in the music community.

## Response system recommendations

1. Invest in resources and training to upskill PCBUs (i.e. those people and entities within the music industry who, according to health and safety legislation, have a duty of care) to have effective reporting policies in place and to safely and effectively manage complaints and reports (see sections 1 and 2 also).

2. Consider developing a "peer network" of individuals from all levels and parts of the community that can act as sexual harassment contacts. This network could be publicised so that that anyone in the music industry can approach them. These people would need to be well trained and supported.

3. Consider engaging a Sexual Harassment and Assault Prevention and Response Advisor (SHAPRA) to be a music industry specialist in both the prevention and response to sexual harm. The SHAPRA service could be available to anyone affected including survivors, people who have done harm, managers/PCBUs, friends, families, bandmates and support people. A SHAPRA could:

    a. Act as support, advisor and advocate for people who have experienced harm.

    b. Act as an advisor and provide support to others including business owners, managers, bystanders and anyone else affected, in the music community about the implementation of prevention and response systems, and to consult about specific incidents of sexual harm.

    c. Access legal and HR advice where necessary.

    d. Facilitate anonymised reporting and thematic feedback into the sector for future prevention strategies (this function could also be fulfilled by an external "whistleblowing" service).

    e. Intervene or provide support and intervention for people who have done inappropriate behaviours that have not yet met the threshold of sexual harassment.

    f. Engage and/or create pathways to engage specialist sexual harm restorative services and harmful sexual behaviour rehabilitation support.

4. Where a SHAPRA cannot be employed the alternate approach is to contract a specialist sexual harm support service to perform all or some of the functions (e.g. HELP).

5. If a SHAPRA service is not available, provide access to free HR and legal advice to members of the music community, e.g. from a panel of advisors that are funded by SoundCheck Aotearoa.

6. Offer an anonymous reporting option for those who have experienced harm to log a report of sexual harassment and get notified if others have reported behaviour by the same person.[3]

7. Continue to promote a range of existing external support services, including the Human Rights Commission, and independent specialist sexual violence support services such as HELP, SAFE Network and Project Restore for members of the music community to use.

8. Engage with and upskill existing music-related support services (e.g. MusicHelps contract counsellors) about responding to acute and historical sexual harm disclosures.

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[3] This function could be fulfilled by a service like the charity #metoocollective once launched, see https://thespinoff.co.nz/society/16-06-2021/new-zealand-is-harnessing-the-power-of-gossip-in-the-metoo-era/. The #metoocollective model is intended for people who wish to make a complaint as a group. In the workshops, the Vault platform was referred to as a tool that is used by several companies overseas to manage this function, see https://vaultplatform.com/

## 5.   Live music events/safer spaces

**Outcome**
Artists, workers and audiences can create, perform and enjoy music in spaces without sexual harm.

**Background**

The 2019 *Amplify Aotearoa: NZ Music Community Diversity Survey* identified the need for interventions to target environments where music is made and shared[4]. We heard in workshops that artists and workers are vulnerable when on tour, as workplaces are transient, drugs and alcohol are often present, and there is a lack of clarity around who is responsible for addressing concerns (e.g. band manager, tour manager, promoter, venue etc).

We also heard that members of the community can be at risk from other music community members involved in the creation or enjoyment of music in more intimate spaces such as recording studios, someone's home where a producer is recording and music teachers working one-on-one.

Another theme in workshop discussions was that audiences present risk to artists, audiences present risks to each other and some members of the music community present risk to audiences. We were told that the industry has a culture of sex, drugs and rock and roll, and that audiences come to drink alcohol, cut loose and get wild which affects the kinds of behaviours that happen where music is played and enjoyed.

Alcohol presents additional risks when considering prevention and response to sexual harm. We were told that the commercial model for many venues relies heavily on the sale of alcohol. We were also told that for this reason some bar managers/owners may not identify problematic behaviour and remove people who are intoxicated. Whatever the type of venue or event we heard that the community relies heavily on managers, bar staff and security staff to intervene when situations occur and that these people are not always suitably trained and available to help.

There is work underway in parts of the sector such as at some venues, festivals and recording studios. The sector as a whole would benefit greatly from the development and sharing of best practices in sexual harm prevention.

Several of the workshops discussed a type of certification for spaces, similar to a "Rainbow Tick", that could be used to indicate that a venue, space or event has met the best practice expectations. We believe this could be developed in the future when the best practices are clarified and developed.

### Live music events/safer spaces recommendations
1. Form working groups and collaborate to develop and embed best practice sexual harm prevention/audience safety strategies for different events and spaces such as (a) smaller music venues that primarily operate as bars (b) medium to large performance spaces (c) music festivals (d) award ceremonies (e) recording studios and offices (f) and any other relevant spaces where music is made and performed. Depending on the nature of the space/event these best practices could address:
    a. Responsible host policy and other strategies to minimise harm from alcohol, using resources from the Health Promotion Authority.

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[4] See page 34

b. Designating staff responsible for health and safety, e.g. ensure that the health and safety coordinator is trained on sexual harassment as well as other health and safety issues.
c. Visible support options for people experiencing issues e.g. posters, help lines
d. Training and support for staff responsible in venues who may respond to sexual harassment, for example the RespectED training for security and bar staff.
e. Code of conduct/rules of entry for events and venues that prohibit sexual harassment, discrimination and bullying.
f. Audience safety measures, e.g. easily identifiable person at events for crowd care that can liaise with anyone needing support, and support for existing groups that do crowd care such as The Consent Club[5].

2. Once a set of best practices are established as an industry norm, implement a certification-type process so venues/events can indicate they are following best practice for the prevention of sexual harm.

3. Invest in resources and training to upskill PCBUs (i.e. those people and entities in the live sector who, according to health and safety legislation, have a duty of care) to have effective reporting policies in place and to safely and effectively manage complaints and reports (see sections 1 and 2 also, i.e. Code of Conduct, training and resources).

4. Collaborate among PCBUs to develop and implement best practices for live touring environments, e.g. consulting and coordinating among entities that have overlapping duties at the same event, clarifying the process for making complaints and coordinating health and safety briefings.

5. Collaborate to develop/promote resources that are free and downloadable that can be used for different events and spaces. Resources could include:
   a. Posters detailing the expected conduct at that venue or event.
   b. Posters on where to get help.
   c. Posters on consent.
   d. Posters on any existing awareness and culture change campaigns and those that are developed in the future e.g. the Wellington bars campaign 'Don't Guess the Yes'[6]
   e. Posters displaying a continuum of acceptable and unacceptable behaviours such as that being used in the Professional Respect training currently being rolled out.

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[5] http://awc.org.nz/assets/Mailchimp/Hot-Topic-Consent-Club-Feb-2020.pdf
[6] https://wellington.govt.nz/community-support-and-resources/safety-in-wellington/community-safety/sexual-violence

# 6.   Te Ao Māori and tangata Tiriti

**Outcome**

An effective and respectful relationship that supports the culturally safe and inclusive implementation of the music community's sexual harm response and prevention work, including integrating Te Ao Māori and Mātauranga Māori (Traditional Māori wisdom and knowledge) throughout the overall sexual harm prevention and response strategy.

**Background**

Research (Pihama et al 2016)[7] suggests that dominant Pākehā frameworks do not provide adequately for understanding the context of sexual harm for Māori. For example, a Māori definition of sexual harm is often defined more fully than Pākehā definitions to include elements which acknowledge intergenerational and collective harm and colonisation. Hippolite-Wright (2002),[8] defines sexual harm as the "trampling of a person's mana or personal power and identity by others' sexual comments or behaviours", and Pitman (1996)[9] in Pihama et al (2016) defines sexual harm as a violation of 'the mana, the status, the dignity and the future birth right of not only the victim but also the abuser and his people'. Furthermore, Mātauranga Māori (Traditional Māori wisdom and knowledge) offer key opportunities for the prevention of sexual harm through principles like wairua, tika, mahi tahi, mana, whānau, and manaakitanga.

During our consultation with the music community, we heard about work that the Māori Music Industry Coalition (MMIC) is doing to create a set of values and principles for use when Kapa Haka is being integrated into productions (that are not kaupapa Māori) which could have a wider application. MMIC has also begun engaging with Māori in the music community in a process to develop a strategy to eliminate sexual harm.

We recommend SoundCheck Aotearoa continues to work with tangata whenua via MMIC to support the development of a strategy to end sexual harm in the music community and ground any sexual harm prevention and response work in Te Ao Māori.

As tangata Tiriti, we recommend integrating key learnings from the MMIC sexual harm prevention strategy into the various elements of the wider music industry strategy. We suggest that a partnership model like the He Awa Whiria / The Braided Rivers Model[10] could be used to guide the development of two equally strong responses to sexual harm as well an integrated partnership and strategy.

## Te Ao Māori and tangata Tiriti recommendations

1. Support Māori in the music community, via the Māori Music Industry Coalition (MMIC), to develop a sexual harm prevention and response strategy.
2. Continue to work with tangata whenua via the MMIC to create a braided strategy which will:
   a) Ground all sexual harm prevention and response work in Te Ao Māori; and
   b) Integrate the strategy created by Māori and mātauranga (Māori wisdom and knowledge) into all tauiwi sexual harm prevention and response activities.

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[7] Pihama et al (2016), Māori cultural definitions of sexual violence, in *Sexual Abuse in Australia and New Zealand: An Interdisciplinary Journal*, 7(1), 43–51.  Available at https://researchcommons.waikato.ac.nz/handle/10289/12338

[8] Hippolite Wright, D (2002), Pacific Islander Modes for Dealing with Sexual Abuse, in Eds Hippolite Wright et al, *Pacific Disapora: Island Peoples in the United States and across the Pacific*.

[9] See footnote 7.

[10] https://etuwhanau.org.nz/mobilising-whanau-and-communities-for-change/

# 7.   Develop culturally specific prevention strategies

**Outcome**
A culturally safe, inclusive and effective implementation of the music community's sexual harm response and prevention work.

**Background**
According to 2018 Australian Human Rights Commission research[11], LGBTQIA+ people (Rainbow), people of colour and people with disabilities are over-represented in sexual harassment and harm statistics. Although the numbers are small in the sample, we also know from the *Amplify Aotearoa: NZ Music Community Diversity Survey* report published in 2019 that 70% of gender diverse people (compared to 45.2% of women) reported not feeling safe in places where music is made and performed.

Best practice is that prevention and response systems are tailored for diverse communities (whether ethnic or otherwise), reflecting language and cultural norms of each grouping.

We had lower numbers of Pacific people, other ethnic groups and people from the Rainbow community in the workshops than we would have liked. In order to develop culturally safe and effective strategies it will be important to engage with Pacific and other key ethnic or cultural communities to understand what is required to deliver impactful work with their people.

A talanoa/fono is scheduled for Pacific Music Industry people to commence this area of work.

## Tailored prevention strategies
1. Support Pacific people in the music industry with their talanoa/fono and any follow up work stream.
2. Support other ethnic communities who wish to develop culturally specific prevention and response strategies to end sexual harm.
3. Support the Rainbow community in the development of any tailored strategies and resources.

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[11] https://humanrights.gov.au/our-work/sex-discrimination/publications/everyones-business-fourth-national-survey-sexual

# 8.   Diversity and Inclusion

**Outcome**
A safe and inclusive music industry for all members of the music community.

**Background**
Research suggests that diversity and equality (amongst other things) are important factors when considering risk and protective elements that contribute to sexual harm in the workplace.[12] Worksafe in New Zealand identifies lower diversity in workplaces, (e.g. male dominated workforce), as one of the factors that can increase the likelihood of sexual harassment in the workplace and suggests that strategies to improve diversity should be included in measures to control sexual harassment.[13]

Additionally, there is growing recognition and research around the world demonstrating the importance of diversity and inclusion for innovation, creativity and performance. Other benefits recognised include attracting and retaining the best talent. While there are a number of ways this topic is known and positioned such as Respect and Inclusion and a range of definitions, we are using the term Diversity and Inclusion as that is how it was referred to among the music community.

The *Amplify Aotearoa: NZ Music Community Diversity Survey* report which looked at age, gender, race or ethnicity, sexual orientation and disability published in 2019 found that:
- More than two-thirds of women in the music community (70.1 per cent) reported experiencing bias, disadvantage or discrimination based on their gender – seven times the rate of men (10 per cent). The qualitative responses included reports from women of being undervalued, overlooked, and patronised by their peers.
- Almost half of Māori (43.4 per cent) and 20 per cent of Pacific People who responded experienced bias, disadvantage or discrimination based on race.
- Almost half of women (45.2 per cent) reported that their safety in places where music is made and/or performed was a barrier to their success, over twice the rate of men (20.5 per cent). Among the confidential responses to the survey, there were instances of sexual harassment, sexual coercion and assault, unwanted physical advances, and inappropriate comments pertaining to appearance.
- A lack of gender diversity in live performance/festival and concert line-ups was regularly mentioned by respondents, and women reported instances of being turned down because an event had already fulfilled its "quota".
- The survey results also identified areas for future research in order to acquire a deeper understanding of what is happening, why, and where to act. These areas include challenges and discrimination based on other factors, such as ethnicity, age, disability, and sexuality.
- Across the responses, gender emerged as a key factor impacting opportunities, barriers and experiences of discrimination, highlighting the need for analysis on intersectional issues including age, ethnicity, sexual orientation and disability that impact gender diversity.

At every workshop a lack of diversity in particular gender was identified as a priority area, whether in senior leadership roles in industry bodies, line ups at gigs, or in technical roles. We have made some diversity and inclusion recommendations for larger entities and industry bodies in another section.

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[12] https://www.care.org.au/wp-content/uploads/2018/12/STOP-Rapid-Review.pdf
[13] https://www.worksafe.govt.nz/topic-and-industry/sexual-harassment/advice-for-businesses/

## Diversity and Inclusion recommendations

1. Invest in a process to develop a meaningful bespoke strategy and work plan to address diversity and inclusion in the music community and include all aspects of diversity including neurodiversity and physical ability.
2. Continue to work with Massey University and others to provide ongoing research, evidence and deeper understanding of intersectional issues for diversity and inclusion in the industry.
3. Promote the use of diversity and inclusion clauses/riders industry-wide as relevant whether for a gig, festival line ups etc.
4. Consider mentoring programmes for minority groups with leaders they choose.
5. Implement scholarships/grants to target minority groups into the industry and support them once they are in with mentors.

# 9.   Leadership recommendations

**Outcome**
Larger entities, industry bodies and government bodies (referred to here as "leadership bodies") demonstrate best practices in the prevention of sexual harm leading to improved practice and culture change.

**Background**
Throughout the workshop process we heard a desire from the community to see leadership bodies and those with power and influence over them to lead the way on re-setting the cultural norms and in demonstrating best practices of the music industry in regard to the prevention and elimination of sexual harm.

We know from research that leadership is one important element in culture change work. As the music industry comprises many people throughout Aotearoa and structurally there are not many organisations that employ large numbers of people, we propose that these leadership recommendations should apply to government agencies, industry bodies (which have memberships but may not have staff) and also larger entities.

Most leadership bodies in the music community are PCBUs, and as a baseline should already be assessing and managing the health and safety risks arising from sexual harassment in their own workplaces and within events and initiatives they are responsible for, whether individually or with other PCBUs.[14]

We provide the following additional recommendations which may be more appropriate to some entities than others.

We recognise that some entities offer funding to artists, workers and businesses for certain activities and as a result they have a unique opportunity to influence the health and safety measures those people put in place.

## Leadership recommendations

1.  Take a leadership role in developing and adopting best practices for safety at events they are hosting, and spaces they are responsible for, taking into account the recommendations in the section of this report that addresses live music events/safer spaces. This is particularly important for awards ceremonies as they are high-profile industry events (see 2 below).
2.  Develop and adopt tailored alcohol risk minimisation strategies for all award ceremonies and larger events including adopting responsible host strategies, more alcohol free events and/or serving more non-alcoholic options at events.
3.  Demonstrate good practice through adopting and promoting their own policies on sexual harassment, discrimination and bullying with their own staff and contractors, and ensuring these comply with WorkSafe advice.
4.  Embed control measures from Worksafe's Sexual Harassment Advice for Businesses (e.g. a sexual harassment policy and training) into all funding contracts, and raise awareness with contract holders that sexual harm prevention is a standard part of health and safety requirements in New Zealand. Once the Code of Conduct is developed include this as a requirement also. Free templates and online training should be made available through SoundCheck Aotearoa

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[14] https://www.worksafe.govt.nz/topic-and-industry/sexual-harassment/advice-for-businesses/

5. Promote the development and use of dedicated health and safety officer roles (like the screen sector) for better protection and resourcing in all places where music is made or enjoyed.
6. Make gender pay parity a requirement of all funding recipient budgets and spends.
7. Consider making a requirement in procurement and funding contracts that any workers in the music community contracted for services receive a minimum hourly rate and other appropriate conditions (for example see the current Creative NZ remuneration guidelines)[15].
8. All industry and membership bodies and larger entities should consider the following:
   a. Publishing their plans for promoting diversity and inclusion within their workplaces/Boards/Committees/events, and report regularly.
   b. The adoption of targets or quotas for increased representation in leadership roles.
   c. The adoption of flexible working and diversity and inclusion policies and frameworks.
   d. Promote the use of diversity and inclusion clauses/riders for any relevant activity being supported such as a gig, festival line up, funding allocations etc.
   e. Use broad communication channels for new opportunities to target diverse range of people not just "friends".
   f. Where applicable, integrate best practice recruitment practices including using blind CVs with no details to reduce the influence of personal biases in the short-listing process.
   g. Where applicable, ensure that interviewing and funding panels comprise a mix of people including all genders and a variety of ethnicities, perspectives and abilities.

   Where it's not possible to implement any of the above immediately, the entity should publish its plans and timeframes on a regular basis.

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[15] https://www.guidelines.creativenz.govt.nz/help/remuneration-guidance

# 10. Develop a multi-year plan for implementation

**Outcome**
A long-term strategy is in place for the safe implementation of a collaborative project to prevent sexual harm and establish safe, effective reporting and support options for the music community.

**Background**
Addressing sexual harm within any community is long-term work involving complex systems and cultural norms change. It is work that requires collective action, and cannot be driven from the top down or from grassroots alone.

The recommendations in this report are focused on mobilising the whole of the music community to build a "long-term multifaceted strategy that involves capacity building to engage large numbers of community members in local action for change" (Trewartha, 2020)[16]. The implementation of this kind of complex work requires a clear plan, coordination and evaluation which feeds back into the project to ensure that the work is effective and that community momentum for change is not lost.

SoundCheck Aotearoa is currently fulfilling important coordination, planning and implementation functions in the development of the music community's response to sexual harm. While there is support for its ongoing role in coordinating the music community's work to eliminate sexual harm, during the workshop process we heard that the industry connections of SoundCheck Aotearoa mean that people are sometimes afraid to speak up. It will be important as this work progresses to maintain and build trust in SoundCheck Aotearoa. We do not think the right solution is for industry bodies cease their involvement in SoundCheck Aotearoa, because they are well placed to drive systems and cultural change from inside the music industry.

## Implementation recommendations

1. Develop a multi-year plan to implement improved support and reporting systems and eliminate sexual harm in the music industry.
2. Establish a range of collaborative working groups to own and lead some of the implementation of recommendations made throughout this report.
3. Ensure wider regional engagement in ongoing strategy development and implementation of plans.
4. Develop a communications strategy to guide open and transparent communication with the music community to keep all stakeholders engaged in the process of change.
5. Form a survivor focus group for ongoing consultation and feedback on the implementation of all recommendations contained so that people with lived experiences can feed into the implementation of all strategies to ensure that all activities and materials are survivor safe.
   - Utilise best practice survivor safe strategies with this group to ensure ongoing support is provided and communication is appropriate.
6. Improve independence and continue to build trust in SoundCheck Aotearoa by:
   - Establishing independent external channels for those who wish to report harm; and
   - Moving towards greater independence from music industry bodies to increase neutrality.
7. Enlisting the support of an evaluator who can use community mobilisation tools to establish a baseline of data, measure change and to feedback into the project for continuous improvement.

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[16] Trewartha. C., (2020) Measuring Community Mobilisation PHD Thesis, University of Auckland

## Team Biographies

**Rachel Harrison**
Rachel Harrison lives in Wellington and works with organisations and communities across Aotearoa to help prevent sexual harassment, sexual violence, domestic violence and child abuse. Rachel believes that harassment, violence and abuse are preventable and that the best solutions are tailored to each specific community and workplace, making use of their strengths and minimising specific risk factors.

Rachel started at Auckland Rape Crisis in the 1990's, and since then has worked at Netsafe, the Hauraki Family Violence and Child Abuse Prevention Services Hauraki. She is now self-employed and works with a range of public and private sector organisations including ACC Injury Prevention, the New Zealand Defence Force, New Zealand Rugby, BNZ, and the Screen Women's Action Group as they work toward making their communities safe and free from harassment and abuse.

**Debbie Teale**
Debbie has been a diversity, communications and strategy consultant for more than 20 years. She recently completed an 18-month review of Operation Respect at the NZ Defence Force, assessing progress in eliminating harmful and inappropriate sexual behaviour. For the BNZ, the diversity and inclusion work she developed won a global award from the UN Women's Empowerment Principles group for promoting gender equality.

She has also provided advice on diversity and inclusion to The Treasury, Customs and Auckland Council. She has previously been on an advisory board to the Ministry of Women's Affairs, and on the Human Rights Commission Race Relations Sector Advisory Group.

## Additional Facilitator Biographies
We extend our thanks to our two colleagues who worked alongside us facilitating at workshops bringing flair, safety along with professionalism to the process.

**Melanie Calvesbert**
Mel was born, grew up and lives in Te Whanganui ā Tara (Wellington). She is Pākehā and works at the New Zealand Defence Force as one of their small team of regionally based Sexual Assault Prevention and Response Advisors. Moving into this role in June 2016 was a major change for Mel who had previously worked mostly in NGOs including WellStop and the Wellington Sexual Abuse HELP Foundation.

Mel was attracted to her current role by the fact that prevention was in the job title and job description. She has enjoyed and been challenged by being able to take prior learning and adapt that in order to be able to play a small part within an organisation which has taken on the challenge of culture change.

**Meredith Kennett**
A Trainer/Facilitator for over 20 years, Meredith has a vast array of experiences from working with primary aged children to high level government employees and CEOs. She prides herself in making a solid connection with her audiences to enable learning to happen easily. Meredith believes that the environment must be welcoming, and that fun is an essential element in all learning.

Meredith currently leads the facilitator training for ACC's Mates & Dates programme. www.matesanddates.co.nz is a dating and sexual violence prevention programme available to all New Zealand high school students.