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The Committee Secretary
House of Representatives Standing Committee on Education and Employment
Parliament House
CANBERRA ACT 2600

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Dear Mr. Worthington,

SUBMISSION TO THE INQUIRY INTO WORKPLACE BULLYING

Thank you for inviting me to make a submission to the above Inquiry. As I have considerable experience in this area and I am sure there are many submissions which describe the impact of bullying on individuals, groups and organisations, I am restricting my submission to those areas which I consider to be either problematic, unrecognized in current practice or which are new, emergent issues.

I am a private practitioner in Clinical Psychology and I have specialised in bullying recovery for the past ten years. I am very experienced in the diagnosis and treatment of individuals who suffer from depression, anxiety, physical symptoms of stress and Post-traumatic Stress Syndrome as a result of being bullied.

In the last four years I have also worked in organisations on behavioural and cultural change when bullying has affected morale and productivity. I now have a multi-disciplinary team who work with me on specific projects drawn from organizational psychology, law and transformational change management. I have read widely in the field of bullying research and have completed some specific trainings across the disciplines of organizational and forensic psychology. I work as an Executive Coach and trainer in organisations. When necessary I will consult with a forensic psychologist.

QUALIFICATIONS
- I graduated for Sydney University in 1968 and UNSW post-graduate studies in Clinical Psychology in 1974.
- I am a registered psychologist in NSW and a member of the Clinical College of the Australian Psychological Society.
- I have been in private practice since 1981 although I have also worked in public settings.
- I was Director of Training at the Institute of Contemporary Psychotherapy for six years and have trained and supervised psychologists, psychiatrists and other mental health professionals extensively.
- I am on the Adjunct Faculty at the Australian Graduate School of Management.

THE SUBMISSION

The Need for a Systemic Approach to Bullying in the Workplace

Bullying allegations and claims are usually dealt with on an individual, case-by-case basis. When these claims go to WorkCover in NSW, which is my main area of practice, one works with the doctors, rehabilitation specialists or case managers, and the insurance company. From the point of view of the clinical practitioner this collaboration seldom allows forinvolvement in a comprehensive diagnosis of the organisational factors which may be either contributing to, or facilitating, bullying behaviours. Nor does it permit the design of more sustainable,systemic solutions.

Furthermore most clinical practitioners do not have a working knowledge of organisations and do not feel able to contribute on this level. They concentrate on the clinical task of symptom reduction which is their area of expertise. Ethical issues of confidentiality and professional boundaries actively prevent the kind of liaison and collaboration which could be more fruitful.

I have recently experienced working with a more sophisticated team on a high profile case where everyone is anxious to find comprehensive solutions as the reputational and financial stakes are high for all parties. In this context, it has been possible, with the client's permission, to contribute to a more systemic approach to very necessary cultural change whilst continuing to ensure the client's well-being and resilience on a clinical level. This has shown me that it is both possible and rewarding as all parties gain in knowledge and skill as we reach for solutions. In most cases this degree of collaboration does not happen.

Cultural Factors and Effective Assessments
In my experience, people do not make a bullying allegation until they can no longer cope, have developed symptoms or are unable to perform in their job. This is usually after a period of 18 months to two years of withstanding the bullying behaviours.

By this time serious psychological damage has been sustained. Unless the bullying has been very successfully covert, observers have stood by and done nothing or attempts to act have met with an inadequate response from management.

This means that a combination of factors has been operating to enable or bullying behaviours –
- cultural factors, such as silence or inability to speak up on the part of observers, lack of engagement and cynicism,
- weak or uninformed management and poor leadership,
- problems in structures, systems and processes.

Seldom does a bullying investigation assess all of these possible contributing factors and recommend a systemic solution. Action usually focuses on establishing blame and working with individuals

Known factors which contribute to workplace stress are unreasonable work demands, isolation, lack of autonomy, lack of role clarity or role-conflict. Yet in many organisations now working a 60-70 hour week with unpaid overtime is considered acceptable.This leads to exhaustion, mistakes, loss of emotional regulation and stress symptoms as well as contributing to bullying behaviours.

In this context, awareness-raising is an important first step but if, following that exercise, bullying issues emerge, a systemic approach should be considered.

Solutions

- **Highly Skilled Multidisciplinary Investigations** which use specifically developed diagnostic tools and expertise. The diagnosis I am developing explores behaviours, cultural norms, structures and processes, perceptions and understanding of policies and procedures, whether managementand HR are skilled and confident when handling bullying cases,whether leadership has the courage and purpose to forge a healthy and productive culture.

- **Cultural and behavioural management programmes** which are affordable and effective and which provide systemic solutions to bullying or toxic cultures. Managers and leaders can be trained in the use of such an approach and I have had good results in a pilot study in 2011. I will contribute this as an anonymous case study if requested by the Committee.

- **Better Performance Management**
  Performance reviews that consider behavioural risk and cultural management as equally important as results. Often, if a person is successful or brings money/funding into an organization (such as in theatre, sales, law, medicine), their bullying behaviour is not challenged and the damage is tolerated. Complainants are encouraged to remain silent or move on.

  If behavioural accountability were linked to positive performance reviews and given equal weight to results, the company could lose high-flyers who are culturally destructive who would leave if their behavior is challenged. The organisation may therefore lose revenue in the short term bu,t over the long term, productivity and reputation would be enhanced with flow-on to the bottom line, especially as penalties and fines for allowing bullying behavior increase.

- **Communication**
  In some organisations bullying claims are deliberately hidden from the CEO and the Board so that proper oversight and decision-making from the top is not possible. It is important that a CEO can assess risk and make decisions about bullying claims given that reputational and financial risks are increasing.

- Policies and procedures are not sufficiently clear. Moreover there do not seem to be any penalties for not having any policies and procedures at all.

Specific Problematic Issues

- **Serial, covert bullying**.
  There is some academic backlash to the use of the term 'psychopathic' with understandable concerns that this can lead to false labelling, reputational damage and distress. Furthermore it is claimed that psychopaths only constitute 1% of the population so it is argued that it is unlikely that most bullying is a result of psychopathic behaviour.

These concerns are of course valid and, if covert bullying is a factor, a careful investigation should include input from someone with psychodiagnostic expertise and experience.

My concern is that sub-clinical psychopathy is much more prevalent, 5%-15% of the population, than is clinical psychopathy (1% of the population). According to Dr. Mitchell Byrne, UOW, 2011, the difference between clinical and sub-clinical psychopathy is a matter of degree. 'Although the patterns of dysfunction in behavior, affect and cognitions are the same, the pervasiveness is not as extreme and the symptoms are expressed at a lower rate such that the person survives and often thrives in society. E.g. where a clinical psychopath might commit an armed robbery/rape, a sub-clinical psychopath might inflate an expense account/engage in sexual harassment'.

Dr. Byrne states that 'white collar psychopaths are …prone to being 'subcriminal' psychopaths – smooth-talking, energetic individuals who easily charm their way into jobs and promotions but who are also exceedingly manipulative, narcissistic and ruthless'.

Furthermore they are well-adapted to modern business with its constant downsizing and change, merging and acquiring. 'This provides a fertile environment for havoc-wreaking psychopaths who thrive on chaos and risk-taking.'(Byrne 2011)

This picture fits my typology of the serial bully compared to the narcissistic bully or the alpha-manager whose approach is driven and socially rough. As many of my clinical clients describe their experience, what emerges is an orchestrated, intentional and sadistic targeting over time which is more characteristic of psychopathic bullying than any other type of bullying.

In my opinion, to ignore the phenomenon of sub-clinical psychopathy and its destructive effects or to reframe bullying as 'using bullying behaviours' limits the opportunity for learning and future acquisition of skills on the part of managers and their organisations as well as of professionals who are attempting to help an organization. These skills are necessary if one is to manage bullying allegations effectively.

The way one handles bullying of a psychopathic type is very different to the way one manages an alpha-male, alpha-female or narcissistic personality. E.g. the serial, psychopathic bully will not engage in any mutual purpose to improve or change, even though they may appear to do so, nor will they respond to coaching and counseling unless this is carefully structured specifically to deal with intransigent behaviours and unless behavioural accountability is actively designed and enforced. This is extremely skilled work and works best within a more total systemic approach which includes support from top management, monitoring of structures and processes and cultural change measures.

- **Workplace cyber-bullying and astro-turfing**.
  This area needs to be investigated and researched. I have had two cases where clients seem to have been targeted in by sophisticated technology. In one case it was proven by a forensic investigation but in the other case, the person's international reputation and career progression have been irretrievably damaged. Not enough is known about how this works,

how illegal astro-turfing software is obtained and used. It is very difficult to prove and possibly needs more sophisticated police or forensic investigation.

I will elaborate on any of these issues is requested.

Kind Regards

Keryl Egan