

MEDIA STATEMENT BY HARMERS WORKPLACE LAWYERS

RE: *RICHARDSON v ORACLE CORPORATION PTY LTD*

15 JULY 2014

Rebecca Richardson today won the appeal in her sexual harassment case against Oracle Corporation Australia. Her damages were increased seven fold from the first decision, and she was awarded costs of the appeal. This is a very significant legal victory, not only for Ms. Richardson, who has now been vindicated by not letting this injustice rest, but for how the law should be applied in this important area of legal rights for employees.

The original court decision found that Mr Tucker engaged in unlawful conduct by sexually harassing Ms. Richardson and that Oracle Corporation Australia was vicariously liable for the unlawful sexual harassment engaged in by Mr Tucker. However, the court originally awarded only \$18,000 in damages. That has now been increased to \$130,000 plus costs of the appeal. The parties are to be further heard on costs of the original court decision.

The appeal bench held that the amount of \$18,000 originally awarded to Ms. Richardson was “manifestly inadequate” having regard to the amount of damage suffered and with reference to community standards.

The appeal decision provides important confirmation of the compensatory nature of damages awards for sexual harassment and reflects community recognition of the need for adequate damages to be awarded.

Ms. Richardson will be providing a separate public statement at a later date.

Some media had previously misreported certain comments in the original decision concerning the fee arrangement between Harmers and Rebecca. As the Full Court, in its judgment last June found:

“Read with care, it is plain that his Honour did not say that Harmers were conducting the litigation on Ms Richardson's behalf solely for their own benefit”

Harmers Workplace Lawyers has a solid and long history of subsidising deserving cases where the victim does not have the financial resources to conduct the case. We believe this makes for a better society, a society where not only the well-off have access to the courts.

Spokesperson for Harmers

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