University of Canberra: Creating a Safe and Inclusive Community for Living and Learning

2018

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Foreword

Elizabeth Broderick AO

Universities are the building blocks of Australia's future. Not only do they build the knowledge, creativity and technical capacity of our future generations, but they are uniquely placed to instil the values that are essential to the well-being and functioning of our society: equality, respect and inclusion.

The University of Canberra is ranked among the world's top 100 universities under the age of 50 years. With an increasing global profile, the University is embarking upon a unique campus redevelopment to integrate into the surrounding community to create a living and learning community. With this expansion comes the opportunity to put safety, respect and inclusion at the heart of the University's future.

In late 2017, the University of Canberra identified a need to examine and improve its response to sexual harassment and sexual assault with a desire to become a global leader in this area. There were many aspects of the University's response that were working well, but there was more to be done. Consequently, it commissioned a review of its policies and culture to inform and guide its efforts.

It takes courage and commitment for any organisation to reflect on and examine culture, to identify not just those areas that are working well but to identify those requiring change. I strongly commend the University for taking this bold step.

There can be no doubt that sexual harassment and sexual assault have a significant negative impact on survivors and on organisations. At a personal level, sexual harassment and sexual assault can cause significant harm, through serious and in some cases lifelong impacts on health and well-being. At an organisational level, the impacts include increased turnover and absenteeism, lower individual and group productivity, loss of managerial time to investigate complaints, and legal expenses. In a university context, there may also be additional risks such as reduced recruitment and retention of students and risk to student completion rates.

We heard that the University has made good progress towards a culture that does not tolerate sexual harassment and sexual assault. However, these outcomes have not always been consistent across the institution and there are some groups of students who are particularly vulnerable.

My report lays out a comprehensive but workable set of recommendations that builds upon the work already underway at the University. There is a strong appetite for change and significant opportunity for the University's senior leadership to accelerate reforms.

To position itself as a leading institution, an important step will be to embed a whole-of-institution approach to preventing and responding to sexual harassment and sexual assault, supported by strong leadership at all levels, comprehensive education to shift norms and attitudes, and robust survivor-centred systems.

I am grateful to the people who shared their stories and insights with us. I want to particularly acknowledge the courageous survivors of sexual harassment and sexual assault who have shared their stories in the hope that, in doing so, meaningful change will occur.

This review comes at a time when there is unprecedented global attention to the issues of sexual harassment and sexual assault. The tireless efforts of women's rights activists over many decades have created strong momentum for change. We now have an important opportunity to ensure that the deeply distressing, yet commonplace stories and experiences shared by women are matched with concrete action. I am optimistic that the University of Canberra will use this opportunity to build on its work to date to create meaningful and lasting change right across the campus.

Elizabeth Broderick AO

Chapter 1 – Introduction

Putting safety and inclusion at the heart of the University of Canberra's integrated learning and living community for the future

The University of Canberra (UC, or the University) is one of Australia's leading universities. It is ranked among the world's top 100 universities under the age of 50 years. While the main campus is located in Canberra, the University also has a national and global presence. Students can undertake their studies in Sydney, Melbourne, Queensland, Singapore, Hong Kong, China or Bhutan. Approximately 17,000 students attend UC, including some 4000 international students.

UC has a commitment to being a leader in equity, diversity and inclusion. Consistent with this commitment, UC identified a need to examine the University's policies and culture as they relate to sexual assault and sexual harassment. Elizabeth Broderick & Co (the Project Team) was engaged to assist UC undertake this task and was asked to offer ways that could strengthen the University's response to these issues.

The Project Team found overall that there exists a strong commitment from the UC leadership to ensure its policies and processes in relation to sexual harassment and sexual assault are robust, transparent and sensitive to the needs of survivors. We identified many examples where this commitment was visible and put into action.

At the same time, the Project Team found that in certain areas, a stronger, more sustained and institution-wide approach is required. The recommendations contained in this report are designed to provide a pathway for UC to address those areas requiring strengthening. Given the deep commitment on behalf of staff and students to intensify efforts to ensure their campus is inclusive, safe and respectful for all, the Project Team believes that the culture of the University will continue to positively evolve.

The focus on strengthening responses to sexual harassment and sexual assault comes at a time when UC is embarking on an innovative campus redevelopment over the next decade to integrate UC into the surrounding community, and to evolve the campus into a series of interconnected precincts, with thousands of people living on campus and calling UC home. Projects currently under construction include the University of Canberra Public Hospital, an aged care facility, a cancer care centre and an innovation park. This living-learning community will see an influx of researchers, businesses, services and new residents who will live and work on the campus.[1] This evolution provides an renewed opportunity to put safety and inclusion at the heart of the future UC community.

Definitions used for this report

For the purposes of this report, the Australian Human Rights Commission definition of sexual harassment has been used, which is as follows, based on the Commonwealth *Sex Discrimination Act 1984*:

Sexual harassment is ... an unwelcome sexual advance, unwelcome request for sexual favours or any other unwelcome conduct of a sexual nature, which, in the circumstances, a reasonable person would anticipate the possibility that the recipient would feel offended, humiliated or intimidated.

Examples of this conduct include:

- Unwelcome touching
- Staring or leering
- Sexually explicit pictures or posters

1 University of Canberra 2017, *Distinctive by design: Our strategic plan 2018–2022*. Available at http://www.canberra.edu.au/about-uc/strategic-plan/documents/uc_strategic_plan_web_2018.pdf.

- Unwanted invitations to go out on dates
- Requests for sex
- Intrusive questions about a person's private life.

The Australian Capital Territory's definition of and range of sexual offences are contained in Part 3 of the Crimes Act (1900).

Our approach

A number of data sources were used to inform the findings and the recommendations contained in this report. These included:

- Qualitative data obtained directly from focus groups, group consultations, one-to-one interviews and written submissions
- UC-specific prevalence data obtained from the Australian Human Rights Commission's *Change the Course: National Report on Sexual Assault and Sexual Harassment at Australian Universities*
- International evidence regarding effective responses to sexual harassment and sexual assault, including on university campuses.

This report reflects the observations and experiences of staff and students as told to the Project Team. The Project Team did not investigate or make findings or determinations about any individual incident or allegation made by a student or staff member. Further, the scope of the project meant that the Project Team only examined these issues as they relate to the UC's main campus at Bruce and did not extend to examining these issues on UC's other campuses.

Focus groups and interviews

A total of 16 focus groups were held with students and staff.

7 focus groups were held with students including:

- Undergraduates
- Postgraduates
- Students living in the College residences
- International students
- Aboriginal and Torres Strait Islander students
- Student Association representatives
- Lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ) students

9 focus groups were held with staff including:

- Deans and senior University leaders
- Academic staff
- Professional staff
- Staff of the Ngunnawal Centre
- Library staff
- Residence managers
- Security
- Staff who support international students

Focus groups and group consultation meetings were facilitated by members of the Project Team using a semi-structured methodology. This methodology enabled the examination of a number of themes relevant to the scope of this project (including personal experiences of sexual harassment or sexual assault, knowledge of the University's policies on sexual harassment and sexual assault, and observations of the University's culture in relation to sexual harassment and sexual assault). It also enabled specific themes to be examined in depth where appropriate and provided consistency in data collection across focus groups, group consultations and interviews.

The focus groups and interviews included staff and students with very diverse experiences in relation to sexual harassment and sexual assault, including: survivors; staff and students with no personal experience of sexual harassment or sexual assault, but a desire to contribute to improving UC culture; staff and students who had been a support person or advocate for a survivor; and staff drawn from key areas across UC (including the Senior Executive, Deans, Human Resources, Student Health and Well-being Services, and the Students' Association).

A total of 33 individual interviews were held with staff and students. The majority of these individual interviews occurred at the request of the interviewee. Interviews were also held with selected external experts. As with focus groups, the interviews were undertaken by members of the Project Team using a semi-structured methodology.

Most of the focus groups were audio-recorded with the permission of participants and transcribed. The remaining focus groups, group consultations and interviews were documented by the Project Team. Quotes used in this report are taken directly from the transcripts and/or notes made by Project Team members.

All participants were informed that the process was confidential, and that statements would not be attributed to individuals, nor would individuals be identified through the reporting process.

Data from Change the Course: National Report on Sexual Assault and Sexual Harassment at Australian Universities

UC-specific and national prevalence data was drawn from the findings of *Change the Course: National Report on Sexual Assault and Sexual Harassment at Australian Universities* (the National Survey) prepared by the Australian Human Rights Commission.[2]

Some 460 UC students participated in the National Survey, of whom:

- 295 were female and 161 were male;
- 193 were commencing students and 267 were continuing students;
- 380 were domestic students and 80 were international students; and
- 258 were undergraduates and 208 were postgraduate.

University of Canberra policies and data

The Project Team reviewed a range of UC information, including current UC policies on sexual harassment and sexual assault. Very limited unidentified data was available on reported incidents of sexual assault, and no data was available on reported incidents of sexual harassment.

In line with the Terms of Reference for this Project, the Project Team undertook a benchmarking exercise, whereby UC policies on sexual harassment and sexual assault were benchmarked against policies at other relevant universities. The findings of that benchmarking exercise are contained in Chapter 4 and have been used to inform the recommendations.

Domestic and International Literature

The Project Team undertook a review of domestic and international literature on best practice strategies to address sexual harassment and sexual assault on university campuses.

2 Australian Human Rights Commission 2017, *Change the Course: National Report on Sexual Assault and Sexual Harassment at Australian Universities*, Australian Government, p. 6. Available at https://www.humanrights.gov.au/sites/default/files/document/publication/AHRC_2017_ChangeTheCourse_UniversityReport.pdf.

Chapter 2 – Why effectively responding to sexual harassment and sexual assault matters

Feminists and women's rights advocates have worked tirelessly for decades to shine a light on the extent and harmful impact of all forms of violence against women and girls, including sexual harassment and sexual assault. These important contributions have held governments and institutions to account and led to the adoption and reform of laws, policies and programs. In recent times, the global #MeToo movement has gathered momentum with a call for the prevention of sexual assault and sexual harassment in a range of settings, including universities and colleges.

Universities across the globe and in Australia have steadily increased their focus on responding to sexual harassment and sexual assault in campus settings, or in settings connected with their institutions. The National Survey and Universities Australia's *Respect. Now. Always.* campaign have cast a spotlight on the prevalence of sexual harassment and sexual assault at universities and on the need to develop appropriate prevention and response strategies. In addition, the release of a number of reviews and reports examining culture in universities and university residences and colleges have also helped to place sexual harassment and sexual assault in these settings on the national agenda.

As a leading Australian university that draws students from metropolitan, regional, rural and remote areas, as well as having a large international student intake, UC has an important role as a national and global leader in addressing sexual harassment and sexual assault.

Australian society is deeply enriched economically, culturally and socially through both the technical knowledge and skills that individuals gain while at university and the personal development opportunities that a university education provides. Likewise, employment within a university provides immense opportunities for individual staff to develop their expertise and contribute to Australian society through teaching and research.

Indeed, a respectful and safe environment for members of the university community is essential if students and staff are to fulfil their individual potential and fully contribute to the university, and the community, nationally and internationally.

As such, there are moral, legal and business imperatives for UC to eliminate sexual harassment and sexual assault, and to improve outcomes for survivors.

The moral imperative

At its heart, UC is a community of students and staff brought together by a passion for learning. Every member of that community has a right and expectation that UC will provide an environment for work, study and living that is safe and respectful and that will enable everyone to achieve their full potential. They have the right to expect their fellow students, teachers and colleagues will treat them with respect. Being part of the UC community means that students, staff and visitors take responsibility for their actions and behaviour and contribute to a safe, inclusive and respectful environment for the entire University community. At a broader level, universities play a vital role in shaping our workforces and communities of the future by instilling values of equality, respect and inclusion.

The legal and policy imperative

The moral imperative is consistent with various dimensions of the University's obligations and responsibilities to its students and staff, including:

- Institutional responsibilities to eliminate sexual harassment and sexual assault. The Royal Commission into Institutional Responses to Child Sexual Abuse brought significant attention to the particular responsibility which institutions – including but not limited to educational institutions – bear for taking action to eliminate sexual harassment and sexual assault.[3]
- Under Federal and ACT Work Health and Safety laws, UC has an obligation to ensure the health and safety of workers.[4]
- Under recent changes to the Higher Education Standards Framework, student well-being and safety standards will be assessed during applications for renewal of registration.[5]
- Under the *Human Rights Act 2004* (ACT), UC has an obligation to 'act consistently with human rights' including ensuring that due regard is given to human rights in the application of workplace policies and administrative actions and that discrimination in all of its forms is appropriately addressed.[6]
- As with all major institutions in Australia, UC has responsibilities under the Third Action Plan of the Australian National Plan to Reduce Violence Against Women and their Children 2010–2022, which commits to reducing sexual violence in Australia as an integral component of keeping women safe and improving outcomes for future generations.[7]
- UC has responsibilities under the *Sex Discrimination Act 1984* (Cth) and ACT *Discrimination Act 1991* (ACT) to: '*eliminate discrimination against persons on the grounds of sex. Employers are also liable for acts of sexual harassment unless they have taken all reasonable steps to prevent it from taking place*.'[8]
- The right to education, to be enjoyed without discrimination on the basis of sex, is enshrined in the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the International Covenant on Economic, Social and Cultural Rights (ICESCR), both of which Australia has ratified.[9]

The legal risks associated with sexual harassment and sexual assault were brought to light for UC in 2016. A former lecturer was charged and then convicted in 2017 of raping one student and indecently assaulting others.

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3 See https://www.childabuseroyalcommission.gov.au/improving-institutional-responding-and-reporting.
4 *Work Health and Safety Act 2011* (Cth); *Work Health and Safety Act 2011* (ACT).
5 The *Higher Education Standards Framework (Threshold Standards) 2015* (Cth) was established pursuant to s 58 (1) of the *Tertiary Education Quality and Standards Agency Act 2011* (Cth).
6 *Human Rights Act 2004* (ACT). Available at http://www.legislation.act.gov.au/a/2004-5/current/pdf/2004-5.pdf.
7 Commonwealth of Australia, Department of Social Services, *National Plan to Reduce Violence against Women and their Children*, *Third Action Plan 2016–2019*, Canberra, Australia.
8 Australian Human Rights Commission, *Sex Discrimination Act* Cth (1984). Available at https://www.humanrights.gov.au/our-work/sex-discrimination/about-sex-discrimination. ACT Discrimination Act (2011). Available at http://hrc.act.gov.au/discrimination/discrimination-act/sex-discrimination/.
9 *International Covenant on Economic, Social and Cultural Rights*, UNTS 993, p. 3, opened for signature 16 December 1966; entered into force 3 January 1976; *Convention on the Elimination of All Forms of Discrimination against Women*, UNTS 1249, p. 13, opened for signature 18 December 1979, entered into force 3 September 1981.

The business imperative

There are also significant organisational benefits to creating a safe and respectful learning environment. Universities that can provide a safe learning environment for students and a safe working environment for staff are likely to have higher satisfaction and higher engagement, and thus benefit from improved productivity, and greater engagement in achieving corporate goals.

As UC transforms its physical surroundings to create an integrated, innovative learning community over the next decade (with the construction of University of Canberra Public Hospital, an aged care facility, a cancer care centre and an innovation park already underway), the imperative to ensure a safe and respectful environment to live, work and study is both heightened and more complex.

Furthermore, like many leading Australian universities, a significant and growing proportion of UC's student population are international students. With increasing visibility of sexual harassment and assault on university campuses in Australia, visible and strong leadership in preventing and responding to these issues on the part of UC is critical to ensure the continued confidence of prospective international students and their families in the University as a safe environment to live and study.

The cost of sexual harassment and sexual assault

The costs of sexual harassment and sexual assault are high – for the individuals affected and for the organisation in which sexual harassment or sexual assault occurs.

It is well documented through the international literature that sexual harassment and sexual assault can significantly affect individuals, through: serious and in some cases lifelong impacts on student and staff health and well-being; impact on academic attainment; impact on student and staff retention; impact on institutional reputation; and impact on future student and staff recruitment.[10] The serious and enduring impacts of sexual harassment and sexual assault have been echoed through experiences shared by students and staff at UC through this report (see Chapter 3).

Likewise, the cost of sexual harassment to organisations is potentially very high. In a literature review written for the IZA World of Labor, Hersch noted that 'the adverse consequences for victims of sexual harassment translate into a less productive work environment. The costs to organizations include increased turnover and absenteeism, lower individual and group productivity, loss of managerial time to investigate complaints, and legal expenses, including litigation costs and paying damages to victims.'[11] While there is very little up-to-date research quantifying the economic cost of sexual harassment in the workplace, a 1988 US survey answered by personnel and human resources directors and equal-opportunity offices representing 3.3 million employees at 160 corporations, came to the conclusion that a typical Fortune 500 company with 23,750 employees lost US$6.7 million a year because of absenteeism, low productivity and staff turnover as a result of sexual harassment – over US$14 million in 2017 dollars.[12]

As UC continues to deliver world-class education and research, and evolves into an integrated learning and living campus, there is an opportunity for UC to take a leadership role in best practice responses and prevention of sexual harassment and sexual assault on university campuses. This approach will see UC continuing to achieve its goals of being among Australia's most innovative tertiary institutions, continue its ascent in world rankings for tertiary education institutions, and extend its regional, national and international reach.

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10 Universities UK (2016) *Changing the Culture: Report of the Universities UK Taskforce examining violence against women, harassment and hate crime affecting university students,* p 5.

11 Hersch, J (2015), 'Sexual harassment in the workplace', IZA World of Labor, available at https://wol.iza.org/articles/sexual-harassment-in-workplace/ long.

12 Faley, RH et al., 'Estimating the Organizational Costs of Sexual Harassment: The Case of the U.S. Army *International Journal of Intercultural Relations*, Vol. 30, No 5, 2006, pp. 557–577.

Prevalence of sexual harassment and sexual assault at University of Canberra

The National Survey found that 26% of UC students who completed the survey reported experiencing sexual harassment at or travelling to/from university in 2016 (on par with the national average). Women were twice as likely as men to be sexually harassed at or travelling to/from university, with 33% of women sexually harassed, compared to 16% of men. For the most recent experience of sexual harassment, in 71% of the incidents the perpetrator was a student from UC, in 18% of incidents the perpetrator was a student from their place of residence and in 13% of incidents the perpetrator was an acquaintance or friend.

In relation to sexual assault, the National Survey found 1.1% of UC students who completed the survey experienced sexual assault at or travelling to/from university in 2015 and/or 2016 compared to the national average of 1.6% university students.

2.2% of UC students witnessed sexual assault at or travelling to/from university (compared to national average of 1.1%).

When examined by gender, 2% of female UC students reported experiencing sexual assault at or travelling to/from university in 2015 or 2016. No men reported experiencing sexual assault at UC in 2015 or 2016. A significant concern arising from the report is the finding that 2.4% of international students reported they had experienced sexual assault at the University in 2015 or 2016, compared to 0.8% of domestic students.

Chapter 3 – What we heard

Staff and students as well as some external stakeholders provided information to the Project Team through discussion groups, individual interviews, written submissions and briefings that helped to underpin the findings and recommendations of this report. These individuals shared their experiences and views on the prevalence and nature of sexual harassment and sexual assault at UC. They also reported on the effectiveness of the University's responses to these issues. The level of awareness among the UC community – staff and students – of sexual harassment and sexual assault and about the complaints and support systems were also explored.

A number of common themes emerged from the Project Team's engagement with participants. Overwhelmingly, staff and students alike were committed to ensuring that UC has a safe, inclusive and respectful culture. They believed that a positive culture should be reflected in all aspects of student and staff life at the University – on the main campus, on its 'satellite campuses', in the residences, at University and faculty events, at sporting and games events, field trips and placements.

The Project Team found many aspects of UC culture in relation to sexual harassment and sexual assault to be positive. It heard from a number of staff and students alike who are working towards ensuring that the University has in place strong prevention and response measures to address sexual harassment and sexual assault.

However, the Project Team also heard of areas that require strengthening. It heard that there is a need for greater efforts in ensuring the respect, inclusion and safety of some sub-population groups, particularly international, Aboriginal and Torres Strait Islander, and LGBTIQ students.

Further, individuals told the Project Team that the reporting and complaints system, for both students and staff, requires some reform.

The following section discusses the themes that emerged from the Project Team's sessions and identifies areas at UC that are working well and those that require reform.

There has been a shift to a zero-tolerance culture, but it is not uniform throughout the organisation

The Project Team sought to examine issues of sexual harassment and sexual assault within the broader context of the culture at the University of Canberra. Culture in relation to organisations can be defined as:

> *A system of shared assumptions, values, and beliefs, which governs how people behave in organisations. These shared values have a strong influence on the people in the organisation and dictate how they dress, act, and perform their jobs.*[13]

A number of students and staff commented that in recent times, the University of Canberra has broadly, strengthened its approach to shifting to a zero-tolerance culture, including preventing and better responding to sexual harassment and sexual assault:

> *The culture of … this organisation has changed … Two, three years back there was probably that culture of 'if it doesn't get reported, it never happened.' I think that's certainly changed now. (Staff)*

> *Within my time … being at Uni, I do know there has been a big push with trying to improve the culture and to prevent sexual harassment and anything along those lines and ways to prevent it. (Undergraduate student)*

13 McLaughlin, J n.d., *What is organizational Culture? – Definition and characteristics, study lesson transcript*. Available at http://study.com/academy/lesson/what-is-organizational-culture-definition-characteristics.html.

I honestly feel safer at the University of Canberra than I ever did at [the other University I attended], particularly at student-led events, that type of thing. (Postgraduate student)

Staff and students particularly noted the strong cultural signals that were conveyed when swift and decisive action was taken by senior leaders in response to sexual harassment and sexual assault.

In relation to the UC residences, positive changes in culture and strong actions around unacceptable behaviour were also acknowledged:

When I came here [as the manager], I walked into a big drinking culture. We have worked hard to turn that around. (Residence staff)

We've done a lot to change culture, [including] offering a lot of events that are alcohol free, offering a lot of events which are not just social, but opportunities to engage with community, do some philanthropic endeavours, increase academic presence on site and those sorts of things … [Also] the identification of incidents is getting better … and getting hopefully better at identifying them early. (Residence staff)

Others believed that a strong zero-tolerance culture was not uniform across the University. They also believed that where there is a culture that accepts or normalises sexual harassment and sexual misconduct, this can negatively impact on women in particular:

The cultures within different faculties can also be different depending on the school. (Postgraduate student)

There is a culture of bullying within academia … at what point is it straight bullying and which point does it then turn into sexual harassment and go down that particular path? (Staff)

[My faculty] has a very much male-dominated culture. (Staff)

Sexual harassment and sexual assault often occur in cultures where there is an underlying toxicity. Where there is bullying, a misuse of power and lack of mutual respect and where there are environments where power is hierarchal and overt, the risk of sexual harassment and sexual assault occurring can be heightened.

Sexual harassment and sexual assault can occur as part of a broader culture that allows gender inequality and demeaning attitudes about women. Researchers observe that sexual harassment is part of a continuum of violence against women, ranging from everyday experiences of sexism to the more extreme experiences of sexual violence.[14] Recognising this continuum is important because there is often a tendency to focus on the more extreme forms of violence and neglect and to then minimise the everyday experiences of sexism that can have a corrosive effect on women's lives.

Levels of awareness of sexual harassment and sexual assault vary significantly across the University

Discussion groups and interviews indicated wide variation in knowledge and awareness of sexual harassment and sexual assault. Those variations included differences in understanding what constitutes sexual harassment and sexual assault (i.e. definitional issues) and variation in awareness of the prevalence and impact of sexual harassment and assault on students and staff at UC:

I've spoken to a lot of my friends who are students here about what they think consent is … [The] stories that they tell me, I ask them if they think that that crossed the line and whether that deserves to be reported and it's like, 'no and … nobody's going to care about that'. (Postgraduate student)

14 Kelly, L 1988, *Surviving Sexual Violence*, Polity Press: Cambridge.

Personally, I think that there has been an improvement [in understanding of the meaning of consent] but, at the end of the day, a lot of people live with the mentality of, 'yeah, but that won't happen to me.' And that is the hard thing to shake. It's like … everyone can be like 'consent matters, always have consent', but no one genuinely thinks like, 'oh, that could happen to me', until it does. And once you've had a friend go through it then you think about it a little differently. (Student)

I think the knowledge of sexual harassment is limited among students. (Student)

Women tend to make allowances for men's behaviour, so sexist behaviour becomes normalised and then the lines between what is good and bad behaviour are blurred. (Student)

[In the residences], there is more and more discussion of consent, but there is still mixed understanding of what it is [but] understanding is improving. (Residence staff)

Knowledge and awareness of the number of incidents and the prevalence of sexual harassment and sexual assault was limited by a lack of coordinated and uniform data. Staff and students alike provided their perceptions of the prevalence but were not aware of the findings from the National Survey.

There was a perception among some former students who had recently returned to study at the University that sexual harassment and sexual assault was not as prevalent, or overt as it was previously, particularly in the residences:

I've noticed a big change in the Uni since I was last here. There used to be a bar on the campus where women would be harassed all the time. That bar is now gone, so I haven't seen the more overt stuff around. (Student)

I think the ressies have really changed particularly in the last few years. When I was there it was much more 'anything goes'… But my friends who live there now, say it's pretty tame and … more accountable, I guess. (Student)

As part of the *Respect. Now. Always.* campaign, posters and LCD screens on preventing sexual violence are located in some parts of the University. In addition, the #NeverOk campaign against sexual harassment included the dissemination of information cards with relevant University of Canberra contacts. Some staff and students believed that despite these initiatives, awareness of how to prevent and respond properly to sexual harassment and sexual assault was low:

I'd be surprised if they even know about the campaign … It won't be a thought in their minds. (Staff)

None of my classmates … know anything about the Respect. Now. Always. campaign. (Student)

Students and staff experience a range of behaviours that are deeply gendered

Students reported a range of behaviours of sexual misconduct, highlighting the detrimental impact of behaviour that is minimised and goes unchallenged:

As a [former] student office holder … [in a prior year] I had [a number of students] come to me who had been sexually assaulted. (Former student)

The issue is how to address the low-level harassment on the campus. (Student)

The other day I was having coffee and a group of male students were sitting at a table behind me talking in really derogatory and sexually demeaning terms about women. And I was sitting just near them. (Student)

There was a male staff member in the corridor … and he yelled out [to a female student in the corridor], 'Don't you love me anymore?' … and people just laughed it off … [But] it made her feel uncomfortable. (Student)

I sometimes see fellow staff members, male staff members, be quite loud in relation to female students and I've probably seen some things, even in the last few days, where people have said stuff that's been quite derogatory to female students. (Staff member)

Staff in discussion groups, interviews and through the confidential submission process spoke of certain intimidating behaviours within their workplace that impacted disproportionately on women and were gendered in nature. As these staff indicated, these behaviours are corrosive and serve to undermine the worth of women more broadly, in the faculties, schools and broader University. As workplace experts, William Petrocelli and Barbara Kate Repa, found in their research male colleagues who harass a woman at work are 'doing more than annoying her'. They are:

> *reminding her of her vulnerability, creating tensions that make her job more difficult and making her hesitant to seek higher paying jobs where she may perceive the tension as even greater. In short, sexual harassment creates a climate of intimidation and repression.*[15]

Examples of behaviours provided to the Project Team include:

> *[I have witnessed] … mobbing behaviour … in a staff meeting. A group of people basically going after someone … Male staff, senior male staff, being absolutely horrible to the female staff, you know ridiculing them, talking over them, in at least once instance reducing a very talented, conscientious, well-regarded female person to tears. [There are] snide jokes in corridors. You know it's the traditional repertoire of gendered bullying. (Staff)*
>
> *I saw [staff talking about] a staff member that wasn't there. It was 'boy talk'… describing a female staff member in a particularly sexist way. (Staff)*
>
> *There is a great concern among the women in [my faculty] of the level of bullying and sexism by the male staff. It's like boys in packs. (Staff)*

Some groups of students are particularly vulnerable to sexual harassment and misconduct

We heard that some sub-groups of students are particularly vulnerable to sexual harassment and sexual misconduct and experience significant barriers to accessing support.

Aboriginal and Torres Strait Islander students

The Project Team met with a number of Indigenous students and staff, including students who attend UC's Aboriginal and Torres Strait Islander student centre, the Ngunnawal Centre and staff who work there.

The Project Team was made aware of instances of sexual harassment among Aboriginal and Torres Strait Islander students.

The National Survey found that:

> *though sample sizes were small, Aboriginal and Torres Strait Islander students and students with disability were more likely to have been sexually harassed in 2016 than non-Indigenous students and students without disability.*[16]

Noting the small sample size, the National Survey reported that in university settings in 2016, 36% of students who identified as Aboriginal and Torres Strait Islander were sexually harassed, compared with 26% of those who did not identify as Aboriginal and Torres Strait Islander.[17]

In relation to sexual assault, the National Survey found that 3.3% of students who identified as Aboriginal and Torres Strait Islander compared to 1.6% of those who did not were sexually assaulted in a university setting in 2015 and/or 2016.[18]

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15 Petrocelli, W & Repa, BK 1998, Sexual Harassment On The Job: What It Is & How To Stop It (4th ed.). Available at http://hrlibrary.umn.edu/svaw/harassment/explore/3causes.htm.
16 Australian Human Rights Commission 2017, *Change the Course: National Report on Sexual Assault and Sexual Harassment at Australian Universities*, Australian Government, p 6.
17 Ibid. p. 41.
18 Ibid. p. 51.

Staff at the Ngunnawal Centre highlighted the recent strategies undertaken to respond to sexual misconduct, including increased security measures and compulsory 'Consent Matters' training for students accessing the centre after hours. Staff also drew attention to the need for greater awareness and education about sexual misconduct and better communication on the behaviours that were expected of all students, regardless of their background:

> *The biggest thing is educating students around, not just their rights, but their responsibilities and that you just can't be a bystander who does nothing, you have to speak up. (Staff)*

International students

A particularly concerning finding of the National Survey was that in relation to sexual assault, 2.4% of international students at UC were sexual assaulted at or travelling to/from university in 2015 or 2016, compared to 0.8% of domestic students, suggesting that international students are more vulnerable to sexual assault. With respect to sexual harassment, the survey found that 19% of international students at UC reported experiencing sexual harassment in 2016 compared to 28% of domestic students.

A recent Al Jazeera investigation documented the trauma international students in Australian universities experience, from sexual assault and their alienation from reporting systems. Interviews and focus groups confirmed the particular vulnerability of female international students to sexual misconduct and their reluctance to report incidents. The unfamiliarity with what is or is not acceptable in Australia and their social isolation, together with a reluctance to report incidents, can make international students targets for predators.

The Project Team heard from international students who were unsure of behaviours that were inappropriate and of struggles with domestic violence and sexual assault and to share experiences with their families:

> *In my case, I was talking with someone, and [my supervisor] was just like winking at me. I didn't know what to do, I just sort of ignored these things. But I don't know if it's normal here, or if it's not normal here. (International student)*

> *I experienced domestic violence and sexual harassment from a student I met at the University … I struggled and wish more information was available. (International student)*

> *I have a friend who experienced sexual abuse and domestic violence here but she was not able to access help and ended up going back to [her country of origin]. (International student)*

> *You wouldn't even bring it up with your family because…it's not just shaming the person who has done it, but it's bringing shame upon yourself and your family. So I think a lot of students are hesitant and that's why they probably don't want to bring it up in the first instance. (Staff)*

The Project Team heard that international students received very little information about sexual misconduct and had varying levels of knowledge and awareness upon enrolling in their studies. The issue of international students and the additional barriers to reporting sexual harassment, sexual assault and domestic violence are examined in further detail below.

LGBTIQ students

The Project Team met with students who identified as lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ) who shared the difficulties and challenges they experienced on campus due to homophobia, assumptions and exclusions.

LGBTIQ students recounted experiences of homophobic bullying and exclusion that were often based around rigid gender roles and stereotypes. One participant shared that she felt that it was not a safe environment at UC to be open about being LGBTIQ:

> *I've kept my sexuality to myself…because I feel there is that stereotype on being gay in the community. I do know there are some teachers here who are gay but the general feeling that I get is that it's not okay to say who you are or feel who you are. (Student)*

> *I would say that I would feel somewhat more hesitant being an openly transgender person at UC than I would feel at other universities that I've been at previously where I would have felt more comfortable about being open. (Student)*

LGBTIQ students felt particularly excluded from social events in residences which often assumed that everyone was heterosexual when it came to games, competitions and other social activities. One student shared that there was little effort to make LGBTIQ students feel welcome in campus residences:

> *There was not really an explicit welcome sign placed for queer people…so I think unless there's someone saying 'this is a queer-friendly space' you sort of have to keep your guard up a little bit because you just don't know. (Student)*

LGBTIQ students proposed training and awareness-raising for university staff and students on being responsive to diversity based on sexual orientation and gender identity to create a more safe and inclusive campus.

Postgraduate students

Female postgraduate students are a particularly vulnerable group due the vast power differences between postgraduate student and supervisors, particularly in the context of higher degrees by research. The power imbalance is exacerbated for PhD students by the dependence of the student on their supervisor for their future success. One staff member stated:

> *Imbalance of power that you see constantly is a huge issue. If you are a vulnerable student it is very difficult … Students are in a terrible, unequal situation and nobody is prepared to stand up. (Staff)*

The Project Team also heard of some instances of inappropriate behaviour from PhD supervisors and a number of participants in interviews and focus groups commented on the lack of accountability:

> *I was in a bad situation myself [as a postgraduate student]. You always have to look over the shoulder. (Postgraduate student)*
>
> *It is disheartening when you keep seeing this unethical behaviour from PhD supervisors happening again and again. (Staff)*
>
> *There is a view that you 'can't touch the PhD supervisors' yet in some circumstances they are 'out of control'. (Staff)*
>
> *I've seen patronising behaviour by male supervisors to female students. (Postgraduate student)*

The Project Team heard from both staff and students that policies and processes relating to the relationship between PhD supervisors and students needed to be clarified, particularly around the expectations of ethical and respectful behaviour of supervisors.

Students on placements

Students on placement can be exposed to particular risks with respect to their safety and there is often ambiguity as to which policy frameworks apply to keep students safe. One student told the Project Team:

> *The risk of sexual harassment is more likely to happen on a placement as it's something 'out of the ordinary' from normal academic life. Students are vulnerable because it's like they will do anything to secure a placement and so may tolerate it more than say at Uni. (Student)*

The Project Team was made aware of instances of students on placements experiencing sexual harassment and bullying at their place of work. These students were taken out of the placement when they reported the incidents to their UC coordinator. Neither student wanted to make a formal complaint for fear of the potential negative impact on their future careers.

There is a lack of awareness around procedures and protocols for student safety and well-being on placements. One staff member told the Project Team:

> *We need proper guidelines around placements. There is no clarity around my role as an academic in regard to these sorts of matters. (Staff)*

The culture of residences has improved, but the safety of students remains a concern

Despite efforts to improve binge drinking and safety within residences and lodges, students in residences reported behaviours that created an unsafe environment for women:

> *I have a couple of female friends in one of the residences, and one of them at least two times a week gets yelled at by guys who live in that residence … Sometimes it's quite explicit … like [being] catcalled [at] three in the morning. (Student in residence)*

> *My friend...gets yelled at twice a week walking to her car, to her building and … she's just like … 'It happens all the time.' She shouldn't have to get used to that. (Student in residence)*

> *I get yelled at twice a week by these guys outside. (Student in residence)*

Students noted efforts to reduce the harm associated with binge drinking and the impacts of closing one of the bars. Despite these strategies, excessive drinking persists as a challenge in residences and off-campus. Given the location of the residences and the University safe transport to and from venues where students socialise off-campus is also important.

While there has been a significant effort to eliminate hazing practices which exclude and demean particular groups of students, some students recounted experiences that created an enabling environment for sexual harassment and sexual misconduct:

> *I did find with the hazing and the drinking and things like that, it was very common for the straight girls to be pressured by the men into kissing other women when they were drunk. (Student in residence)*

The Project Team also heard that stalking and domestic violence were issues affecting students in the residences, signalling the need for increased education and awareness around respectful relationships.

A comprehensive approach is needed to engage and educate students about sexual misconduct to create change in norms and behaviour

UC is among a number of Australian universities that have introduced various programs and initiatives aimed at raising awareness and preventing and responding to sexual harassment and sexual assault. These include the provision of education and training to staff and students and the Consent Matters online training module.

Some training is provided on an ad hoc basis to staff by the Canberra Rape Crisis Centre (CRCC). It is understood that first responder training was recently provided to staff involved in student welfare. Sexual assault awareness education has also been provided by the CCRC to students in some of the residences. Education on healthy relationships is also on offer to students in the residences by staff of the Medical and Counselling Centre.

In relation to Consent Matters, UC states that the purpose is to:

> *educate students on the culture of respectful relationships, the understanding of sexual consent and when consent is or is not given.*[19]

Consent Matters is available to all students and staff. It is not mandatory. Some cohorts of students are required to complete the module, including students in the residences, students who request after-hours access to the Ngunnawal Centre, and those representing the university at major sporting events.

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19 University of Canberra n.d., 'Safe and Respectful Community'. Available at https://www.canberra.edu.au/current-students/canberra-students/student-support/safe-and-respectful-community.

There was significant discussion with the Project Team by staff and students about whether Consent Matters should be compulsory for all at UC. Many believed that making it a requirement for enrolment and re-enrolment each year and for all new staff, would mean that there would be a universal, campus-wide awareness of consent issues. They also believed that making the program optional means that those who may need the education the most may refrain from doing it. One manager from a residence stated:

> *I think [Consent Matters] is entirely relevant. I think it's information people haven't heard in the past. I was only at university 11 years ago, and it wasn't referenced. I believe that it's a great conversation to have. And if you don't believe the content, you can make that call after you've completed it. (Residence staff)*

Other participants supported Consent Matters but believed that making it compulsory would lead to participants 'doing a tick and flick', that is, not absorbing the content and merely completing the module for expediency. There was also concern from some participants that Consent Matters had not been properly evaluated and, as a one-off program without face-to face interaction, would not result in changes to attitudes and behaviours in relation to sexual misconduct and consent:

> *I don't think that a one-off actually will do much. I think there is some value in [Consent Matters] but it really needs to be a part of a number of strategies around sexual assault and harassment. (Student)*
>
> *I'm not sure there's much value doing a single online [program]. It would be good to know though whether it's been successful elsewhere. How will Canberra University measure whether it's a success? (Staff)*

Further, an expert service provider told the Project Team that just on its own, Consent Matters may not be effective. She stated that if the University is serious about cultural change and properly addressing sexual harassment and sexual assault:

> *They should prioritise interactive workshops across the University. (Expert service provider)*

A growing body of evidence suggests that one-off programs need to be complemented with longer-term programs to shift attitudes, knowledge and behaviours, alongside the key messages that are repeated and reinforced. Best practice indicates that raising awareness is only one element to a proper response to sexual misconduct. Changing attitudes and behaviours should be the goal of any training and education program or campaign. As well as ensuring education increases individuals' understanding of consent and respectful relationships, it is important that all staff and students are skilled in taking action as ethical bystanders. Further, best practice also demands that programs and strategies designed to raise awareness of and prevent sexual misconduct should be evaluated. As Professor Catharine Lumby observes:

> *Sexual assault prevention does not end with posters and awareness raising ribbons. As my colleague and international expert in the field Professor Moira Carmody notes, too many universities are not applying their own standards of academic rigour when it comes to effective prevention education.*[20]

There is confusion among students and staff about reporting processes and uncertainty in the outcome

In Australia and internationally, sexual harassment and sexual assault are generally under-reported. A number of reasons contribute to this including shame, fear of retribution, lack of knowledge of reporting pathways, and lack of confidence that the reporting process is fair and sensitive and will lead to a good outcome. Given that context, strong and effective policies are a critical element of creating a safe and respectful university environment. In examining the reporting systems of universities across Australia, End Rape on Campus (EROC) found a number of common deficiencies. These included:

- *Universities' sexual assault policies are often difficult to locate, particularly for a person in trauma.*
- *Policies are frequently confusing, out-of-date, inconsistent or incomplete. Key problems include policies and procedures that use complicated, legalistic language; policies that do not provide the name and contact details for staff members designated to receive formal reports; and policies that do not use disciplinary action as part of responding to reports of sexual assault.*

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20 End Rape on Campus 2017, *Connecting the Dots: Understanding Sexual Assault in University Communities*. Available at https://static1.squarespace.com/static/5762fc04f5e231826f09afae/t/58b3d08ddb29d6e7a2b8271d/1488179368580/Connecting+the+dots.pdf.

- *Some policies encourage survivors to attempt to resolve the issue informally with the perpetrator, which is unsafe, not trauma-informed, and is likely to deter reporting.*
- *Complaint portals are frequently not survivor-friendly or trauma-informed.*
- *Some policies mandate police involvement, which is inappropriate given that many survivors do not want police involved.*
- *Some policies mandate that security be contacted regarding reports of sexual assault, despite the fact that not all campus security staff are trained to respond to sexual assault.*
- *Policies at residential facilities are often not harmonised with university policies.*
- *Some staff members are untrained or do not understand university policies. This can result in survivors not being informed of their rights under university policy when they report sexual assault, being given incorrect information, or investigations being dealt with improperly.*
- *Communication with survivors during investigation processes is often inadequate and investigations can take excessively long periods of time, often leaving survivors in prolonged states of stress and leaving key safety issues unresolved for significant periods.*
- *There is frequently a lack of protection offered to survivors who make reports to their university, leading to survivors feeling unsafe on campus because they fear seeing the perpetrator on campus, in class or at university residences. It is common for universities to fail to provide safeguards for survivors, to ensure they do not face harassment from friends of a perpetrator or indeed from the perpetrator themselves.*[21]

While the Project Team identified some aspects of the UC's complaints policies and systems to be sound, it also noted some deficiencies, which are consistent with a number of the elements raised by EROC (see Chapter 4 analysing sexual harassment and sexual assault policies).

UC has three reporting systems – one for staff, one for students and an additional reporting process for students in residences. The following discussion explores these three systems.

Reporting process – students

The Project Team heard that there was low reporting among students of sexual harassment. The findings of the National Survey found that:

- 93% of students who had been sexually harassed did not seek support from the University following that experience; the main reason (75%) was that it was not serious enough.
- 93% did not make a formal report and complaint; the main reason (80%) was that it was not serious enough.
- 61% of UC students either know 'nothing' or 'very little' about where to go within the university to make a complaint about sexual harassment. This is consistent with the national average of 60%.

For students, information about where they can make a complaint or access support is provided on the UC website, under 'Student Grievances' or 'Student Support'. According to the *Student Grievance Resolution Policy*, 'this may include grievances related to the University's administration, learning support, teaching services or breaches of the University's policy. For clarity, this includes student grievances relating to grades awarded for units and assessment items.' This policy sits alongside the *Charter of Conduct and Values*, the *Human Rights and Discrimination Policy* and the *Student Charter*. While not entirely clear, it is assumed that a student grievance may be lodged in the case that both the *Human Rights and Discrimination Policy* and the *Student Charter* are breached. There are no separate sexual harassment or sexual assault policies.

21 Ibid., pp. 35–45.

The Project Team believes that once connected with the Director of Student Life (formerly the Dean of Students), students' complaints and support needs are responded to expeditiously and sensitively. The Project Team is aware of a number of matters where the Director of Student Life acted swiftly to support students and assist them navigate the complaints process. In these instances, students spoke positively of the support they received from him. However, the Project Team was concerned that all students may not easily access the Director of Student Life and that the positive responses owe more to the current office holder's deep dedication and commitment, rather than a system that is responsive to the experiences of students.

Many students commented that they were confused about the complaints process and were also unclear about the policies that identify the University's position on sexual harassment and sexual assault:

> *I wouldn't know where to go or how to go about lodging a complaint of this nature. (Student)*
>
> *I don't know where I would go to complain about something like sexual harassment. (Student)*
>
> *I don't know who I would talk to at the University, to report sexual assault or harassment. Maybe the security? (Student)*
>
> *As a PhD student, I wouldn't know how to go about – if [sexual misconduct from a supervisor] happened to me. I would have no idea what to do about it. It would have to be some kind of anonymous whistleblower system, but at the same time, if you did that and you lost your supervisor you wouldn't have another supervisor here that could do that. So there's massive implications to the student themselves. (Postgraduate student)*

Staff also observed the lack of awareness among students of the reporting and complaints process:

> *Students don't know where to go and they don't have a contact with the faculty. Supports at the faculty level are no longer there (Staff)*

A former student and current staff member observed that there is a deficiency in the complaints model. She stated:

> *We push the student to navigate the complaints system … UC has many points to report on its website but students don't always know which to go to… We need a kind of Uni Ombudsman who can triage complaints and put the student on the right path depending what their complaint is. (Staff)*

An external stakeholder also believed that there was a lack of coordination in the University's response to sexual assault and sexual harassment which impacts on students' ability or desire to make complaints. She also believed that the power differentials between the University of Canberra on the one hand and a student on the other, who is reliant on the University for their degree, can prevent students from coming forward.

Another staff member stated:

> *We use the term 'student grievance' on the website when students want to make a complaint about something. It may not be the most appropriate term for someone looking to report a sexual harassment or assault incident. (Staff)*

While the formal policies of the University direct students to use the grievance procedure, most incidents of sexual harassment or sexual assault against students are dealt with directly by the Director of Student Life rather than through this process.

An expert stakeholder also believed that the term 'student grievance' is inappropriate in the case of sexual assault survivors and may put them off reporting. She stated:

> *It dilutes the fact that sexual assault is an act of violence. It is disrespectful to survivors.*

Reporting process – students in residences

Students in residence have an option of reporting an incident of sexual harassment or sexual assault to the residence staff or a Resident Assistant (RA), separate to the University's process. Resident Assistants can often be the first point of contact and are provided with first responder training. RAs told the Project Team:

> *I have addressed [a sexual assault disclosure]. I've dealt with situations in the moment. (Resident Assistant)*

> *[As an RA], I've had people come up and tell me things, but they won't necessarily say, 'Oh, I got sexually assaulted' or, 'Oh, I was in a domestic violence-related thing'. It's more like they'll kind of fox step around the issue. Like, they don't want to say the actual name of it because they don't want to give it a label. And they don't want to be seen as that. (Resident Assistant)*

In some residences, guides are provided on how to respond when a disclosure is made. UniLodge provides a useful information pack for RAs and other resident staff on what to do when a sexual assault disclosure is made. The pack contains a guide on when to escalate the matter, and how to do this in discussion with the survivor, as well as a list of campus-based and external support services.

While all RAs in residences receive first responder training, they do not receive cultural-awareness training which may impact on their response to international students or indeed, the willingness of international students to disclose an incident.

There is no protocol requiring any of the residences to notify the University about a sexual assault of or by one of its residents. According to a female resident, reports are not made because:

> *People just accept it as uni culture. (Student in residence)*

Reporting process – staff

The Project Team was told that reports of incidents by staff are generally made to Human Resources or through their Faculty. The *Respect at Work (Bullying) Policy* identifies the University's position of bullying. This policy supports the University's *Charter of Conduct and Values*. There is no staff policy on sexual harassment or sexual assault.

The Project Team understands that in recent times responses to staff complaints have been strengthened and matters are handled more expeditiously than in the past. Nevertheless, some staff who contacted the Project Team felt that the process was still unclear, including one person who said that "nothing happened" when she made a complaint. Others felt that matters, particularly if they were reported at the Faculty level, were not always handled effectively:

> *I had noticed … that people didn't take the sexual harassment claims seriously but that it had been stalled for quite some time … [with] people not realising that this was a potential issue that could get out of control, which it did. It escalated and continued to escalate and it wasn't until we intervened and pushed that further things should happen that [something happened] … I was a bit surprised at how many people at a senior level above me did not feel that that sort of conduct was inappropriate. (Staff)*

> *A lot of people have been frightened to put through an incident report on something that might be not completely serious but over time could show a bigger problem, and so I think just knowing the process, that the process must be explicit, that the contact people be explicit and that people be aware of the legal [issues]… When we went through, with the legal team, the code of conduct with students and what happens when a student breaches the code of conduct, it was really clear that something should have been done much, much earlier. (Staff)*

The Project Team heard from staff who are also students of UC. The *Respect at Work (Bullying) Policy* provides that in instances where the employee is also a student of the University, consideration must be given by the complainant and/or Human Resources as to whether the complaint is best handled under this policy or the *Student Grievance Resolution Policy*. Where doubt remains, the Chief Executive, People and Diversity will confer with the Director of Student Life. In some circumstances, it may be appropriate to deal with the complaint under both the student and the staff processes concurrently.[22]

Nevertheless, a number of individuals told the Project Team that they believed that the process was ambiguous:

> *I don't think it is clear… I've just been dealing with one before I came here. Do you go to HR or do you just immediately trigger the student grievance process? (Staff)*

> *If it's staff … we have to ascertain whether that complaint comes from their role as a student or from their role as a staffer, and we have had some examples of that too: students complaining about their supervisors, PT students, at the same time they were hired to work on research projects, and depending on what the complaint was we [decide whether to take the matter to] HR as if they were a staff member, or with the student conduct rules from the student aspect of the engagement … I think that for most people it will be fairly confusing. (Staff)*

International students experience significant barriers to reporting

Research suggests that there are very low levels of reporting of sexual assault and sexual harassment by international students at Australian universities. Indeed, the National Survey found that 62.5% of UC international students know nothing or very little about the University's policy on sexual assault, compared to 45.5% of domestic students. The complexity and lack of clarity of the complaints system, as well as a lack of cultural awareness within that system and by those taking complaints, contribute to this.

In addition, international students indicated to the Project Team the fear that a complaint would negatively impact on their place at the University, fear that a complaint would affect their visa status, and the shame they would feel if their families were aware of the incident. All of these contribute to their reluctance to report an incident.

This is consistent with the findings of the National Survey which found indications that international students experienced different and a greater number of barriers that prevent them from reporting incidents. These barriers included 'a lack of understanding of what constitutes sexual assault or sexual harassment, isolation from traditional networks and concerns that reporting an incident may affect a student's visa.'[23] In addition, shame and not wanting others to know were also twice as likely to prevent an international student from reporting a sexual assault than a domestic student.[24] They were more likely than domestic students to say that they did not know where to make a report or that they felt too embarrassed to report the incident.

International students shared their experiences of isolation and difficulties in navigating the reporting process. Further, staff who support international students shared that overseas students experience high levels of stress and mental health issues and are often reluctant to seek support. Comments from international students included:

> *I wouldn't report. You just come and survive however you can. (Student)*

> *[My friend] doesn't like to complain … because she doesn't want problems with the University … Some people are scared about talking. (Student)*

22 University of Canberra 2016, 'Respect at Work (Prevention of Bullying) Policy.' Available at https://www.canberra.edu.au/Policies/policyprocedure/Index/24.

23 Australian Human Rights Commission 2017, *Change the Course: National Report on Sexual Assault and Sexual Harassment at Australian Universities*, Australian Government. Available at https://www.humanrights.gov.au/sites/default/files/document/publication/ AHRC_2017_ChangeTheCourse_UniversityReport.pdf.

24 Ibid.

UC's International Student Support Service (ISSS) is a key contact at the University for international students who require assistance in a range of areas including 'life outside of study.' The Project Team understands not all ISSS staff have attended first responder training. In addition, ISSS officers told the Project Team:

> *[Due to] certain changes around the University … our overall figures [show we] used to be seeing 20 students face to face on a daily basis, whereas now our roles are a bit more back-end. So, the [general University] student support staff have taken over all of the enquiries [from international students]. So, we don't get first-hand information … It's often information that's been passed on by other areas … which means we are not directly in touch with international students who need support. (Staff)*

It is understood that the general University student support staff do not receive sexual assault disclosure or cultural awareness training and so may lack the knowledge and capacity to assist international students in relation to these complex and sensitive issues. In its publication, *Complaint handling at universities: Australasian best practice guidelines*, the NSW Ombudsman has identified that:

> *Cultural barriers that can impede use of complaint options should … be highlighted in cross-cultural training of complaint staff.*[25]

The UC website provides information to international students on the ISSS page about how to keep safe at night. It does not provide any information on what sort of behaviours are unacceptable or criminal and can impact on their personal safety. In relation to reporting instances, international students are directed to the general page on 'Safety on Campus', which provides the contact number for campus security. A drop-down menu of other services lists mental health and lifeline supports as well as the University's Medical and Counselling Centre. There are no contact details provided for specialist sexual assault services. The Project Team believes that the information provided to international students needs improvement, including in relation to content and accessibility.

There is a need for accessible specialist trauma-informed counselling services

UC's Medical and Counselling Centre (MCC) is located on campus and is available to students and staff. It has 13 medical practitioners including a psychiatrist on staff. Additionally, there are seven counsellors and five nurses. The Project Team heard of the deep commitment of the staff of the MCC from students and staff who accessed the service. Staff and students acknowledged the excellent support provided by the MCC on a range of issues including mental health and respectful relationships.

In relation to sexual harassment and sexual assault specifically, the Project Team observed that there is no specialist trauma counselling service offered by the MCC. The provision of therapeutic services in Australia for both crisis presentations and longer-term support for survivors of sexual assault is based on trauma-informed practice. According to the Australian Institute of Family Studies:

> *There is increasing awareness [regarding] adult-focused specialist services on the need for, and value of trauma-informed approaches to practice … Trauma-informed practice … is dictated by principles of safety, and the understanding that service users may have a history of violence/victimisation. This supports services to avoid potentially re-victimising processes that may be experienced as distressing for victims/survivors.*[26]

Trauma-informed counselling is different from generalist or other forms of counselling in that providers are trained to recognise and understand the impact of trauma on survivors of sexual assault or other personal violence, such as domestic violence. It directly responds to the trauma experienced by survivors so as to 'identify and limit potential triggers to reduce their re-traumatization and protect their mental and emotional health.'[27]

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25 NSW Ombudsman 2015, *Complaint handling at universities: Australasian best practice guidelines*, NSW Government, p. 8.

26 Australian Institute of Family Studies n.d., *Current approaches to preventing and responding to sexual assault: A Rapid Evidence Assessment*. Available at https://www.women.nsw.gov.au/__data/assets/pdf_file/0010/389134/rapid-review-sexual-assault.pdf.

27 The United States Department of Justice Archives 2014, *The Importance of Understanding Trauma-Informed Care and Self-Care for Victim Service Providers*. Available at https://www.justice.gov/archives/ovw/blog/importance-understanding-trauma-informed-care-and-self-care-victim-service-providers.

The Project Team heard that students often face long waiting times to see a counsellor. Some participants proposed to the Project Team that the presence of or collaboration with a specialist service would be of value to survivors at UC:

> *I would 100% support the University having an arrangement with Canberra Rape Crisis so that there is a specialist a victim can go to. (Student)*

> *I think it would be good if someone from a sexual assault service [is] available to students on the campus. (Student)*

The Project Team believes that any service that supports students who have disclosed sexual harassment or sexual assault, whether the service is directly connected to the campus or an external contractor, should ensure that their staff have appropriate cultural awareness training, and training in relation to the needs of LGBTIQ students.

The *Respect. Now. Always.* Committee reflects a strong commitment, but requires a strategic plan, improved visibility and adequate resourcing

UC has established the *Respect. Now. Always. Committee* (RNA Committee) with the task of: implementing and overseeing projects that will enhance a safe and respectful University community; monitoring the issues raised in the National Survey; and raising awareness of issues regarding sexual harassment and sexual assault at the University of Canberra. There are 15 members on the RNA Committee, including 13 staff and 2 students. Staff representatives are largely non-faculty members and include those from security, medical and counselling, the residences and diversity and inclusion.

When members of the Project Team met with the RNA Committee, members showed a strong commitment to ensuring the campus is safe and respectful for all. However, at the time, there were no clear terms of reference for the RNA Committee and the nature of how it would deliver on its aims had not been properly defined. It also lacked adequate and dedicated resources to fulfil its mandate and be fully effective. As one member of the RNA Committee stated:

> *We all want a better website and we all know we need it, but … we need the resources to do it ... We knew what we needed to do, and we had lots of great ideas coming from the group but it's just being able to action these things. So, I'm really hoping that with a bit of funding this year that we can really sort of kick things off and get things moving. (Staff)*

The Project Team understands that no funding was allocated to the Committee last year, but it applied for funding this year and received a one-off grant of about $100,000. According to the Committee:

> *We're going to hire a staff member part-time to assist with running projects and making sure things are up and running and following through on things, but I'm not sure what else exactly we're going to do. (Staff)*

The Project Team is concerned that without ongoing appropriate funding, the RNA Committee will not be able to achieve any lasting impact on the campus. The lack of ongoing or secure funding also suggests that the RNA Committee is not a priority for the University.

Given these issues it is not surprising then that the RNA Committee lacked visibility among students and staff with whom the Project Team engaged:

> *Project Team: Have you been involved in the Respect Now Always committee at all?*
> *Student: No… I wouldn't even know who's on it.*

> *Project Team: Do you think the work of that Committee is known around the Uni?*
> *Student: No, not particularly.*

> *I am not aware of that committee or what it does. (Student)*

> *The Committee is not at all visible. (Student)*

An RNA Committee member with whom the Project Team met separately also commented:

> *Staff: I'd be surprised if [students and staff on campus] even know about the [RNA] campaign.*
>
> *Project Team: Do you think the students see … the Respect. Now. Always. Committee as a priority? Do most students know about it?*
>
> *Staff: No.*

The Project Team believes that the concept of the RNA Committee is a positive initiative and with proper resourcing, mandate and membership, and having the ability to report to the Vice-Chancellor and the Council, it has the potential to be a strong forum for strategically guiding campus-wide policy responses to preventing sexual harassment and sexual assault.

The physical environment has improved, but there are still areas that are unsafe

Some staff and students commented that the physical environment of the UC campus was safer than it had been in previous years as a result of improved lighting, cameras and the option of having a member of campus security walk students and staff to their cars. The Project Team heard:

> *I've noticed significant improvement in the car parks and lighting on the path. I leave in the dark a lot. (Staff)*
>
> *I think there has been improvement on the campus regarding lighting and so forth, so it's not as creepy. (Student)*
>
> *I think it's getting better because we've got more cameras around … [and] there's definitely a lot more walkway lights where they come up to the bus stops. (Student)*

However, the National Survey found that women experience sexual harassment in the UC grounds and public spaces at a higher level that the national average. The survey found that of the most recent experience of sexual harassment at university, they occurred:

- 19% on university grounds, e.g. car park, walkways, gardens (compared to 14% national average)
- 18% at a university social space, e.g. bar, refectory, shops (compared to 8% national average)
- 18% at the library (compared to 4% national average)

Students and staff told the Project Team that several areas on the University campus remain unsafe:

> *The students going out to their car at one of the new 'raised ground' car parks, they could be at risk of being assaulted. (Student)*
>
> *I feel frightened walking to my car after the closing shift at night. (Staff)*
>
> *Our campus is so spread out and there's that one bus stop that is quite a trek and I've kind of stopped using it. That's the reason I … got my licence because I knew that [with my degree], I have to stay back late at the workshop and stuff and if I have the safety of my car, I won't have to trek all the way up there to the top and it's by the road and it just looks a bit scary … My mum didn't feel comfortable with me waiting there. There's a lot of bush around. (Student)*

The option of being able to call on security to escort students and staff to their cars at night was acknowledged as positive:

> *I think … a lot of my female friends when they do have to stay late they know that they can call security, they can actually get escorted to their car and that's a good incentive. (Student)*

However, others believed that security is under-resourced and can often be delayed in following up on an escort request because of competing obligations:

> *We need more security staff. Often they are tied up walking around the ressies. (Student)*

Data collection and monitoring systems need to be strengthened

Staff also expressed a lack of knowledge as to where data on sexual harassment and sexual assault in the university was held.

Despite a number of requests from the Project Team, UC was unable to provide data on incidents of sexual harassment and sexual assault in relation to both staff and students. Our observations from discussions with relevant staff was that there is no central repository for the collection of such data, even in a de-identified way. The Project Team heard, for instance:

> *I don't think we log those sorts of things. We don't have any mechanism or system for it. (Staff)*
>
> *Project Team: If we wanted to say to the University, 'Can you please give us a log of all the incidents related to any sexual harassment or sexual misconduct for the last 12 months', who would be able to provide that data?*
>
> *Staff: You wouldn't get it ... there is no cross-collaboration [between the various areas that take complaints or provide support]. (Staff)*

Chapter 4 – Comparative policy analysis

Accessible, comprehensive and effective policies to prevent and respond to sexual harassment and sexual assault are the foundation for cultural change to create safe and respectful university environments. Policies that are clear and unambiguous around the behaviours that are acceptable and unacceptable in the university environment can support efforts to eliminate sexual harassment and sexual assault.

Benchmarking – the process of comparing systems, policies, practices and outcomes – is an established tool for improving performance in the private and public sector. The process enables organisations to identify strengths and weaknesses, learn from each other and improve their approaches. Benchmarking has been used at the global level, for example by the OECD, to look at the quality of secondary education and the performance of higher educational institutions.

The intention of benchmarking in this report is not to rank universities, but to draw attention to the areas where UC can strengthen its policies and where it can learn from others through a comparative analysis of UC's sexual harassment and sexual assault policies with those of other universities. The comparison focuses on formal policy provisions and supporting mechanisms and does not seek to assess the implementation of policies or organisational culture (addressed earlier in this report). The best designed policies will not properly address sexual harassment and sexual assault if they are not implemented and enforced. The exercise does not seek to assess the level of input and consultation with key stakeholders, particularly women staff and students, in the development of policies, which should be a key consideration in any policy review or development process.

The comparator universities have been selected on the basis of their similarity to UC in size, share of international students, age or geographical location.

Benchmarking UC's sexual harassment policies and responses

The following table assesses UC sexual harassment policies in comparison to other university policies according to 10 policy dimensions that build upon the essential elements outlined in the Australian Human Rights Commission publication, 'Effectively preventing and responding to sexual harassment: A Code of Practice for Employers'.[28] The *Code of Practice* sets out best practice standards for designing and implementing sexual harassment policies to meet legal obligations under Australia's *Sex Discrimination Act (1984).*

28 Australian Human Rights Commission 2008, *Effectively preventing and responding to sexual harassment: A Code of Practice for Employers*. Available at http://www.humanrights.gov.au/sites/default/files/content/sexualharassment/employers_code/COP2008.pdf.

The policy dimensions for comparing sexual harassment policies are:

1. Is there a stand-alone sexual harassment policy that is easily accessible to students and staff in a logical place?
2. Does the policy contain a strong statement communicating zero tolerance of sexual harassment and a stated commitment to eliminate sexual harassment in the university environment?
3. Does the policy outline the university's objectives to prevent and respond to sexual harassment?
4. Does the university define sexual harassment clearly and in line with the *Sex Discrimination Act* and state that sexual harassment is against the law?
5. Does the policy provide relevant examples of what sexual harassment is, the circumstances where it may occur in the university context, and what it is not?
6. Does the policy outline the consequences if the policy is breached?
7. Does the policy make clear the responsibilities of management, staff and students in relation to preventing and responding to sexual harassment?
8. Is there clear information on where individuals who experience sexual harassment can get help, support, and advice and make a complaint?
9. Does the policy clearly explain the options for dealing with sexual harassment? Does it set expectations regarding the timeliness of responses to complaints?
10. Does the policy mandate compulsory training on sexual harassment for all staff?

Key to analysis

Yes	The university policy meets this benchmark • The policy dimension is clear
Partly	The university policy partly meets this benchmark • The policy dimension exists but is not easily accessible in a logical place • The policy dimension exists but needs to be strengthened
No	The university policy does not meet this benchmark • The policy dimension does not exist • The policy dimension exists but is inadequately formulated

Comparison of university sexual harassment policies

	University of Canberra	Charles Darwin University	Flinders University
01 Is there a stand-alone sexual harassment policy that is easily accessible to students and staff?	No, harassment is addressed under the Human Rights and Discrimination policy, but not sexual harassment specifically	Yes, there is a specific Sexual Harassment Prevention Policy	Yes, there is a specific Sexual Harassment Policy and Grievance Procedures
02 Is there a strong statement communicating zero tolerance of sexual harassment and a stated commitment to eliminate sexual harassment in the university environment?	No, the Human Rights and Discrimination policy commits to an environment free from discrimination, but there is no specific mention of sexual harassment	Yes, the policy clearly states that the University has a commitment to an environment free from sexual harassment	Yes, the policy clearly states that the University has a commitment to an environment free from sexual harassment
03 Does the policy outline the university's objectives to prevent and respond to sexual harassment?	No	Yes, the policy explains the University's objectives to respond to and prevent sexual harassment	Yes, the policy explains the University's objectives to respond to and prevent sexual harassment
04 Does the university define sexual harassment clearly and in line with the Sex Discrimination Act and state that sexual harassment is against the law?	No	Yes, sexual harassment is defined in line with the SDA and the policy states that it is unlawful	Yes, sexual harassment is defined in line with the SDA and the policy states that it is unlawful
05 Does the policy provide relevant examples of what sexual harassment is, the circumstances where it may occur in the university context, and what it is not?	No	Yes, the policy gives examples of what sexual harassment is and what it is not	Yes, the policy gives examples of what sexual harassment is and what it is not

Griffith University	La Trobe University	Murdoch University	University of Newcastle
Partly, the university has a specific student policy on sexual assault and harassment and a staff policy on workplace harassment, bullying and discrimination	No, sexual harassment is addressed under a broader staff policy on workplace behaviours; for students, there is an anti-bullying and harassment procedure	No, there is no specific policy; the website directs staff and students to 'Equal Opportunity Grievance Management'	Partly, the university has a specific policy addressing sexual harassment against students, but does not have a specific policy addressing sexual harassment for staff (it falls under a broader diversity and inclusion policy)
Partly, the student policy has a zero-tolerance message, but the staff policy does not have a specific statement around sexual harassment	Partly, the policies state that students and staff are entitled to an environment free from harassment, but they do not specifically mention sexual harassment	No, there is no statement addressing sexual harassment in university policies	Partly, the student policy states the university's commitment to provide a safe learning environment and zero tolerance; the staff policy condemns any unwelcome conduct, including sexual harassment
Partly, the student policy explains the University's objectives to respond to and prevent sexual harassment, but the staff one is not clear	No, they do not specifically address the objectives of preventing and responding to sexual harassment	No	Partly, the student policy focuses primarily on the response to sexual harassment rather than prevention, and the staff policy does not outline the objectives of preventing and responding to sexual harassment
Yes, both the staff and student policy define sexual harassment in line with the SDA and state that it is unlawful	Partly, both the student and staff policies define sexual harassment in line with the SDA, but they do not state that sexual harassment is against the law	No	Partly, the staff policy provides some examples of sexual harassment as part of a list of examples of harassment, but there are no examples of what is not sexual harassment; the student policy does not provide examples of sexual harassment
Partly, the staff policy does not provide examples, but the student policy gives examples of what sexual harassment is and what it is not	Partly, both the student and staff policies provide relevant examples of what sexual harassment is, but do not provide examples of what it is not	No	Partly, the staff policy provides some examples of sexual harassment as part of a list of harassment examples, but there are no examples of what is not sexual harassment; the student policy does not provide examples of sexual harassment

	University of Canberra	Charles Darwin University	Flinders University
06 Does the policy outline the consequences if the policy is breached?	No	No	No
07 Does the policy make clear the responsibilities of management, staff and students in relation to preventing and responding to sexual harassment?	No	Partly, the policy states the responsibilities of all staff and students to create an environment free from sexual harassment but does not outline specific responsibilities	Yes, the policy clearly outlines the responsibilities of all students, staff, managers, equal opportunity contact officers and equal opportunity managers
08 Is there clear information on where individuals who experience sexual harassment can get help, support and advice and make a complaint?	No	Yes, there are details of support services provided	No
09 Does the policy clearly explain the options for dealing with sexual harassment? Does it set expectations with regards to the timeliness of responses to complaints?	Partly, the Human Rights and Discrimination policy directs staff to the enterprise agreement and students to the Student Grievance Resolution Policy and the Student Conduct Rules	Partly, the policy refers to the complaints management unit and states that complaints will be dealt with promptly	Partly, the policy refers to the complaints and grievance processes and procedures, but it does not state the timeframe for responding to complaints
10 Does the policy mandate compulsory training on sexual harassment for all staff?	No	No	Partly, the policy states that it is the responsibility of HR and equal opportunity managers to ensure staff and students receive training and information on sexual harassment

Griffith University	La Trobe University	Murdoch University	University of Newcastle
No	Partly, the staff policy outlines consequences if there is a breach, but the student policy does not	No	Partly, the staff policy explains consequences for non-compliance; however, the student policy on sexual harassment does not state consequences for breaches
Yes, the staff policy outlines the accountabilities of managers and HR and the student policy outlines the accountabilities of senior leaders and various sections of the university	Yes, both the staff and student policies outline the accountabilities of managers, staff and students in relation to preventing and responding to sexual harassment	No	Partly, the staff policy sets out the responsibilities of university leaders, managers and all staff; the student policy does not provide them
Partly, the staff policy does not provide information, but the student policy does provide a range of support services	Yes, both the staff and student policies provide referrals to internal and external support and advice options	No	Yes, the staff policy provides a number of external and internal options for students and the sexual assault and sexual harassment web page for students also provides external and internal support and advice options
Partly, the student policy sets out options for dealing with sexual harassment but does not provide information on the complaints process. The staff policy directs students to a separate policy on the resolution of complaints which clearly sets out options and sets clear timeframes for responses.	Yes, both the staff and student policies clearly lay out the different options for dealing with sexual harassment and set out the range of potential outcomes. Both policies say that complaints will be dealt with in a timely manner.	Partly, the Equal Opportunity Grievance Management procedure sets out different options; the procedure does not state the timeframe for responding to complaints	Yes, the policy refers to the complaints procedure which clearly presents the different options for resolving complaints; the procedure states timeframes for acknowledging and tacking action in relation to a complaint
Partly, the student policy encourages training for students on consent, but the staff policy does not address training	Partly, both staff and student policies state the university's commitment to provide training, but does not set expectations that all staff and students must receive training	No	No

Benchmarking UC's sexual assault policies and responses

The following table assesses the UC's sexual assault policies in comparison to other university policies. Despite being a long-standing concern of women students and staff, the development of policy responses to sexual assault in the university context in Australia is at very early and experimental stages. There are very few examples of universities that have introduced specific, comprehensive and robust policies to specifically prevent and respond to sexual assault.

Against this background, the 10 policy dimensions for the following analysis build upon international standards including a comprehensive investigation into university responses to violence against women[29] in the United Kingdom and the report of a White House Task Force (USA) on addressing sexual assault and sexual misconduct at colleges and universities.[30] The policy dimensions also draw on the Australian Human Rights Commission's *National Report on Sexual Assault and Sexual Harassment at Australian Universities, 'Change the Course'*[31] and the model responses to sexual assault in university contexts proposed by the Australian advocacy organisation, End Rape on Campus.[32]

The policy dimensions for comparison are:

- Is there a stand-alone policy on sexual assault that is easily accessible to students and staff?
- Is there a strong statement communicating zero tolerance of sexual assault within the university context?
- Does the policy state the responsibility of the university in providing a safe and respectful learning and working environment for all staff and students?
- Does the policy define key terms, including sexual assault and consent?
- Does the policy identify a senior official in the university who is responsible for overseeing its implementation and receiving reports?
- Does the policy provide clear guidance and options (internal and external) for survivors/victims to seek support, counselling and health services on campus and off campus? Does it provide the contact details of:
    - » Local police
    - » Medical services
    - » Hospitals
    - » Sexual assault counselling services
    - » Community legal centres
    - » Anti-discrimination agencies
- Does the policy provide clear avenues and protocols, with specific contact details, for making confidential disclosures and/or formal reports within the university and with external agencies (e.g. police)?
- Is there an option to make an anonymous or confidential report of sexual assault?
- Does the policy outline a clear process and pathway for responding to formal reports and complaints and a clear explanation of what will happen after a report, including investigation and disciplinary action processes?
- Does the policy impose arbitrary or unreasonable timeframes for making a report of sexual assault?
- Does the policy outline interim action to support and keep the survivor/victim safe?
- Does the policy provide information for students and staff on how to appropriately respond to and support someone who has experience sexual assault?

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29 Universities UK 2016, *Changing the culture: Report of the Universities UK Taskforce examining violence against women, harassment and hate crime affecting university students*. Available at http://www.universitiesuk.ac.uk/policy-and-analysis/reports/Documents/2016/guidance-for-higher-education-institutions.pdf.

30 White House Task Force to Protect Students From Sexual Assault (USA) 2014, *Checklist for Campus Sexual Misconduct Policies*. Available at https://www.justice.gov/ovw/page/file/910271/download.

31 Australian Human Rights Commission 2017, *Change the Course: National Report on Sexual Assault and Sexual Harassment at Australian Universities*, Australian Government.

32 End Rape on Campus 2017, *Connecting the Dots: Understanding Sexual Assault in University Communities*.

Key to analysis

Yes	The university policy meets this benchmark • The policy dimension is clear
Partly	The university policy partly meets this benchmark • The policy dimension exists but is not easily accessible in a logical place • The policy dimension exists but needs to be strengthened
No	The university policy does not meet this benchmark • The policy dimension does not exist • The policy dimension exists but is inadequately formulated

Comparison of university sexual assault policies

	University of Canberra	Charles Darwin University	Flinders University
01 Is there a stand-alone policy on sexual assault that is easily accessible to students and staff?	No, but there is a webpage for 'Safe and Respectful Community' which provides information on sexual assault	Yes, there is a specific policy that is easily accessible from the 'Respect Now Always' webpage	No, but there is a webpage for safety on campus
02 Is there a strong statement communicating zero tolerance of sexual assault within the university context?	Yes, the webpage has a strong zero tolerance message	Yes, both the webpage and policy have a strong zero tolerance message	Yes, the webpage has a strong zero tolerance message
03 Does the policy define key terms, including sexual assault and consent?	Partly, the webpage provides information on Consent Matters, but does not provide definitions of key terms	Partly, the policy defines the terms of sexual harassment and sexual assault, but not consent; there is a link to 'Consent Matters'	No, the webpage does not define key terms
04 Does the policy identify a senior official in the university who is responsible for overseeing its implementation and receiving reports?	Partly, the webpage directs students to the Director of Student Administration, but it does not state who is responsible for overseeing reports and complaints	No, there is no contact for a senior official who is responsible for overseeing reports	No, there is no contact for a senior official who is responsible for overseeing reports
05 Does the policy provide clear guidance and options (internal and external) for survivors/ victims to seek support, counselling and health services on campus and off campus? Does it provide the contact details of key services?	Yes, the web-page provides a range of referrals to internal and external support and advice services	Yes, the web-page provides a range of referrals to internal and external support and advice services	Yes, the web-page provides a range of referrals to internal and external support and advice services
06 Does the policy provide clear avenues and protocols, with specific contact details, for making confidential disclosures and/or formal reports within the university and with external agencies (e.g. police)?	Partly, the webpage directs students to the Director of Student Administration, but there are no clearly marked protocols for making confidential disclosures; the online reporting form deals with a broad range of incidents and hazards and it is not clear where the report will go to	Partly, the website directs students to the Complaints Management Unit to make a report of sexual assault; however; there is no information on how a report of sexual assault is dealt with. There is information on how to make a report to police	Yes, the webpage provides clear information to students on where they can make confidential disclosures in the university (counselling services) and externally

Griffith University	La Trobe University	Murdoch University	University of Newcastle
Yes, there is a specific policy addressing sexual assault; there is also a safe campuses webpage	Yes, there is a specific policy addressing sexual assault; there is also a webpage on sexual violence	No	Yes, there is a specific policy and procedure addressing sexual assault; and there is also a webpage on sexual assault
Yes, both the webpage and policy have a strong zero tolerance message	Yes, the policy has a strong zero tolerance message	No	Yes, both the webpage and policy have a strong zero tolerance message
Yes, the policy defines sexual assault and consent; and these definitions are also provided on the webpage	Yes, the policy defines sexual assault and consent; and these definitions are also provided on the webpage	No	Yes, the webpage defines the key terms
Yes, the website and policy direct students who wish to make a report to the academic registrar and contact details are easily accessible	No, there is no contact for a senior official who is responsible for overseeing reports	No	Yes, the webpage states that the Deputy Vice-Chancellor (Academic) is responsible for receiving and responding to formal reports of sexual assault
Yes, the policy and webpage provide a range of referrals to internal and external support and advice services	Yes, the policy and webpage provide a range of referrals to internal and external support and advice services	No	Yes, the webpage provides a range of referrals to internal and external support and advice services
Yes, the webpage provides clear information to students on where they can make confidential disclosures in the university (counselling services) and informal and formal reporting, as well as details of how to make a report to police	Yes, both the policy and webpage provide clear information to students on where they can make confidential disclosures through the 'Speak Up' service which acts as a central point of contact and makes links with other parts of the university	No	Yes, both the policy and webpage provide clear information to students on where they can make confidential disclosures and formal reports internally and externally

	University of Canberra	Charles Darwin University	Flinders University
07 Is there an option to make an anonymous or confidential report of sexual assault?	No	No	No
08 Does the policy outline a clear process and pathway for responding to formal reports and complaints and a clear explanation of what will happen after a report, including investigation and disciplinary action processes?	No, this information is not readily accessible	Partly, the Complaints Management Unit provides some information, but it is not clear what will happen after a report	Partly, the webpage explains what will happen after a student contacts the counselling service, including the option of a formal report which is then dealt with under grievance procedures
09 Does the policy impose arbitrary or unreasonable timeframes for making a report of sexual assault?	No, there is no information on timeframes for making a report	No, there is no information on timeframes for making a report	No
10 Does the policy outline interim actions to support and keep the survivor/victim safe?	No	No	No
11 Does the policy provide information for students and staff on how to appropriately respond to and support someone who has experience sexual assault?	Partly, some brief information is provided on the webpage on how to support someone who has experienced sexual assault	No	No

Griffith University	La Trobe University	Murdoch University	University of Newcastle
Yes	Yes	No	Yes
Partly, the webpage explains what is required to make a formal report, but does not provide information on what will happen after a report	Yes, the policy outlines how a report will be dealt with, including its investigation and disciplinary action processes	No	Yes, there is a specific procedure that sets out the process for investigating and responding to formal reports of sexual assault, including investigations, communications and the possible outcomes
No	No	No	No
Yes, the policy outlines precautionary actions to ensure the safety of the affected individuals and to prevent victimisation	Yes, the policy outlines that the university will take protective measures to ensure student safety, facilitated by the 'Speak Up' service	No	No
Yes, there is clear information on how to respond to a disclosure	Yes, the webpage has a specific section on helping someone who has experienced sexual assault	No	Yes, the webpage has a specific section on helping someone who has experienced sexual assault

Opportunities for strengthening policy responses to sexual harassment and sexual assault

The comparative analysis of sexual harassment and sexual assault policies shows that each institution has a range of areas where they can improve their policy response. Across all the universities, sexual harassment policies are better developed than sexual assault policies, which have been introduced more recently in the context of the National Survey. It is instructive to look at international examples of universities that have developed specific policies to address sexual assault (see below Manchester University and University of London (SOAS) policies on sexual assault).

Manchester University and University of London (SOAS) policies on sexual assault

Manchester University in the United Kingdom has developed a specific policy addressing sexual misconduct.[33] Features of the policy include:

- Definitions of the range of behaviours and actions that fall under the category of sexual misconduct in the university context.
- Name and contact details for the person who is responsible for the policy.
- Two clear reporting options: an online option for anonymous reporting and a formal reporting option.
- A commitment that all reporting incidents will be investigated and a clear pathway for the reporting and investigation process.
- A commitment to keep students safe and provide support in the interim while reports are being investigated.
- Referrals to a range of support agencies.
- A question and answer section with relevant scenarios.

The School of Oriental Studies (University of London) in the United Kingdom has developed a specific policy on preventing and responding to gender-based violence.[34] Features of the policy include:

- Definitions of what constitutes gender-based violence.
- Commitments on actions to prevent violence, including awareness-raising, training, working with student bodies and monitoring.
- A commitment to fast-track support for students who have experienced sexual assault and deal with reports in a way that does undermine the credibility of the victim.
- Clear options for seeking advice and support for those who have experienced sexual violence, including on and off campus.
- A guide on supporting victims of gender-based violence, with specific guidance on supporting international students.
- An empowering message that it is up to the victim to decide what action they take.

33 Manchester University 2015, *Manchester University Policy and Procedures for Sexual Misconduct Complaints.* Available at https://www.manchester.edu/docs/default-source/default-document-library/manchestertitleixpolicy3-24-15.pdf?sfvrsn=2.

34 University of London 2015, *Guidance to prevent and respond to gender based violence on campus.* Available at https://www.soas.ac.uk/equalitydiversity/gender-based-violence/.

For UC, the comparative analysis highlights several areas where policies can be strengthened. First, policies should be unequivocal and clear in establishing that both sexual harassment and sexual assault are not acceptable under any circumstances. The University policy should be clear in its commitment and responsibility to provide a safe and respectful educational environment for all students, free from discrimination, sexual harassment and sexual violence. Defining key terms and concepts with relevant examples can help staff and students strengthen their understanding of what sexual harassment, sexual assault and consent is and is not.

Due to the terms of reference of this project, the policy dimensions address sexual assault; however, policy responses should also be responsive to the broad spectrum of sexual violence and abuse that students and staff may experience, such as stalking, sexual threats online, filming of sex without consent, sexting and revenge porn. Some universities also have a specific policy addressing staff and student relationships, outlining key concepts of power and coercion and setting out key steps and processes for disclosing such relationships and consequences if the policy is breached. As the Project Team heard, the expectations of staff and students when entering into relationships should be explained and communicated to all staff, particularly those in supervisory positions.

Policies should be clear on the consequences of actions that are unacceptable, and they should be complemented with clear disciplinary processes to demonstrate that the university takes sexual harassment and sexual assault very seriously. Having clearly articulated responsibilities for managers, staff and students in the policies with specific requirements is critical for signalling that everyone has a role to play in creating a safe and respectful university environment.

Given the broad range of barriers that students and staff face in reporting sexual harassment and sexual assault, it is vital that policies clearly signpost options for reporting and making confidential disclosures and seeking information and support within the university and through external services. Providing different options to make reports, including anonymously, can help survivors navigate the process to best suit their personal circumstances. It is important that universities place priority on the safety and well-being of survivors and, as such, it is not appropriate to suggest that complaints of sexual harassment and sexual assault should be resolved by informally approaching the perpetrator.

Survivors of sexual violence often feel powerless after their experiences. Providing easy-to-access information in a central place with specific contact details of a person who can help students and staff navigate the process can help empower survivors. Survivors also need confidence in the reporting process and to know that action will be taken. Therefore, providing clear information on how reports are received, timeframes for responses, and processes for investigations is important. Some universities, such as the University of Newcastle, explicitly state in their policy that their response to sexual assault is survivor-led.

Finally, particularly in relation to sexual assault, first responders are most likely to be staff or students. Policies should clearly signpost how to support someone who has experienced sexual assault and how they can seek support themselves. The best examples not only provide information on where survivors should be referred to, but also provide guidance on how fellow students and staff should respond to a disclosure so as to not further re-traumatise or minimise the experience of the survivor.

The key to effectively preventing and responding to sexual harassment and sexual assault is to make it clear to all staff and students that those actions and behaviours are unacceptable in the university environment. Having clear policies is the first step; however, they need to be effectively communicated to all staff and students so everyone understands their roles and responsibilities. A policy on its own is never enough – it needs to be implemented and enforced through communication, education, training and decisive action that draws the line on what behaviour is not acceptable in the university environment.

Chapter 5 – Recommendations

Principle 1: Ensuring safety, respect and inclusion are at the heart of UC's future living/ learning community will attract students from Australia and around the globe

Articulate a vision and embedding an institution-wide approach

Immediate priorities (3 to 6 months):

- Publish a clear and strong written statement of commitment signed by the Chancellor and Vice-Chancellor in which they: express their commitment to a zero-tolerance approach to sexual harassment and sexual assault, commit to implementing the recommendations of this report, and outline the institution-wide actions that will be taken to eliminate sexual harassment and sexual assault, tied to the vision of positioning UC as a safe and inclusive living/learning community.
- Establish a centralised reporting, advice and referral service for students and staff to provide one point of contact to triage reports and complaints of students and staff in relation to sexual harassment, sexual misconduct and sexual assault. The service should be in regular communication with faculties (Deans) and report quarterly to the Vice-Chancellor and the University Executive to provide information on sexual misconduct in the University.
- Review the terms of reference of the *Respect. Now. Always* Committee (RNA Committee) and position it under the leadership of the Vice-Chancellor, reflecting a whole-of-institution approach:
    - » The membership of the Committee should be gender-balanced and include focal points from faculties, student representation (including, international, LGBTIQ and Aboriginal and Torres Strait Islander students), senior library staff, and managers from the residences
    - » The Committee should also engage external experts as required to provide perspectives on specific issues
    - » The terms of reference should include roles and responsibilities, the expected meeting schedule, expected outputs and outcomes and reporting channels.

Medium-term priorities (6 to 12 months):

- Develop and Implement a Plan of Action for the RNA Committee including activities, timeframes and accountabilities for the implementation of the recommendations of this report.
- Allocate adequate and sustainable funding for the RNA Committee to fulfil its mandate and to implement the Plan of Action.

Strengthen accountabilities for preventing and responding to sexual harassment and sexual assault

Medium-term priorities (6 to 12 months):

- Ensure the responsibility of the Vice-Chancellor to oversee the Plan of Action and hold the ultimate responsibility for ensuring that those who report sexual misconduct receive an effective response.
- Introduce a process for the Vice-Chancellor to report regularly to the University Council on the actions taken to prevent and respond to sexual harassment and sexual assault.
- Introduce accountabilities for Deans, Executive Deans and Directors in their performance measures to report quarterly to the Vice-Chancellor on actions taken to prevent and respond to sexual harassment and sexual assault, and the reports and complaints received, and action taken as a result.

Data systems and evaluation

Immediate priorities (3 to 6 months):

- Establish a central repository for data on sexual harassment and sexual assault and create a systematised approach to data collection, with due attention to privacy protections; all incidents should be entered into this database regardless of whether the survivor has made a formal complaint, and with the following information:
  - » Gender, faculty (where relevant), school, residence or role, and any key demographic characteristics (e.g. Aboriginal and Torres Strait Islander, international or postgraduate students) of the alleged victim
  - » Name, gender, faculty (where relevant), school, and residence or role of the alleged perpetrator
  - » Nature and type of incident
  - » Location of the incident.
- Quarterly updates on the data should be provided to the Vice-Chancellor and the RNA Committee, with appropriate strategies to address any issues arising from the data.

Medium-term priorities (6 to 12 months):

- Develop a monitoring and evaluation framework that allows the University to track activity toward the goal of eliminating sexual harassment and sexual assault, and to evaluate the impact of that activity.

Principle 2: Effective and accessible systems are needed to create a safe and supportive response for individuals

Strengthen policy frameworks to align with best practice standards

Immediate priorities (3 to 6 months):

- Review and strengthen UC policies on sexual harassment and sexual assault to ensure they meet best-practice standards as outlined in this report, including:
  - » Unequivocally stating that both sexual harassment and sexual assault are not acceptable under any circumstances; and that UC is committed to and responsible for providing a safe and respectful environment for all students and staff, free from discrimination, sexual harassment and sexual violence
  - » Recognising the broad spectrum of sexual violence and abuse that students and staff may experience, such as stalking, sexual threats online, sexting and revenge porn
  - » Clearly outlining the consequences of actions that are unacceptable, linking to clear disciplinary processes and articulating responsibilities for managers, staff and students
  - » Providing appropriate responses to allegations which may constitute both a breach of UC policy and a criminal offence
  - » Signposting multiple options for reporting, making confidential or anonymous disclosures, and seeking information and support within the University and through external services
  - » Providing easy-to-access information in a central location with specific contact details of a person who can help students and staff navigate the process with a view to empower survivors
  - » Providing information on the reporting process, pathways and possible outcomes, as well as a clear commitment to action on unacceptable behaviour
  - » Signposting how first responders can support someone who has experienced sexual assault and how they can seek support themselves
  - » Emphasising the safety and well-being of survivors and other students and staff as paramount, including providing interim measures to protect alleged victims while an investigation is underway
  - » Aligning with natural justice principles
  - » Committing the University to take disciplinary action where an investigation has found that the Student or Staff Code of Conduct has been breached, regardless of whether a criminal investigation is still underway.
- Introduce strategies to communicate policies and procedures on sexual harassment and sexual assault, with a focus on accessibility.

Medium-term priorities (6 to 12 months):

- Develop a stand-alone policy on staff-student relationships that aligns with the forthcoming Universities Australia Principles for Postgraduate Student-Staff Relationships.
- Revise all relevant UC policies (including but not limited to Human Resources policies) to align with and give effect to the UC Policy on Sexual Harassment and Sexual Assault.
- Require all staff working at UC – including contractors – to complete a working with children check as a condition of employment, in recognition of the fact that some students at UC are under 18 years of age.

Establish a survivor-centred system of support

Immediate priorities (3 to 6 months):

- Establish a survivor-centred centralised reporting, advice and referral service including:
  - » One point of contact, a trained first responder, to act as a facilitator to all services and support that the student needs
  - » The provision of easy-to-access information on internal and external reporting and complaints processes and guidance through the process
  - » An option for anonymous reporting, but capacity to take action in prescribed circumstances.
- Ensure the case management system is culturally competent to facilitate access by international and Aboriginal and Torres Strait Islander students.
- Establish a partnership with a local specialist sexual violence service to provide specialist trauma-informed counselling services on campus available everyday.

Medium-term priorities (6 to 12 months):

- Provide training by an expert provider to all medical and counselling staff on trauma-informed responses to sexual assault.
- Provide first responder training for security and library staff, student support services and all student-facing academic staff.

A responsive support system for international students

Immediate priorities (3 to 6 months):

- Make support information in relation to sexual harassment and sexual assault available on campus and online in different languages.
- Provide cultural-awareness training for all staff who provide services to students, including student support staff, security, residence staff and resident advisers.

Medium-term priorities (6 to 12 months):

- Provide information to international students prior to arrival and on arrival, specifically in relation to sexual assault, consent, sexual harassment, domestic violence, sexual and reproductive health, Australian law in relation to sexual harassment and sexual assault, and available support and services.
- Create a peer support system among international students (based on the residential adviser system) to provide regular 'check ins' with international students and referrals for support.

A safe and secure physical environment

Medium-term priorities (6 to 12 months):

- Commission an independent audit of the physical environment in relation to personal safety and student and staff risk of sexual violence and identify priorities for action. This audit should include campuses and field sites, with particular attention to areas reported to be unsafe such as the library, car parks and isolated areas.
- Increase security in identified hotspots and provide allocated security staff for the library and residences.

Safe and inclusive residences and lodges

Immediate priorities (3 to 6 months):

- Establish a clear zero-tolerance policy and a harmonized and consistent approach among the residences, lodges and University to preventing and responding to sexual misconduct.
- Ensure that at least one resident adviser in each residence/lodge is an international student and there is a gender balance among resident advisers.
- Ensure all students are trained on sexual misconduct as part of orientation, and that staff and student leaders in residences/lodges regularly receive first responder training.

Principle 3: Shifting norms, attitudes and behaviours is key to preventing sexual harassment and sexual assault

Deliver comprehensive training and awareness-raising on sexual harassment, sexual assault and respectful relationships across the University community

Immediate priorities (3 to 6 months):

- Establish 'Consent Matters' as compulsory for all students on first enrolment and ensure refresher training is completed on an annual basis, as one aspect of prevention; evaluate the impact and outcomes of the training.
- Provide ethics training to PhD supervisors, to reinforce UC's commitment to the elimination of sexual harassment and sexual assault and to raise awareness of ethical responsibilities as they relate to the supervision of higher research degree students.

Medium-term priorities (6 to 12 months):

- Train all staff on identifying and responding to sexual harassment in the workplace and taking action as a bystander.
- Ensure each time a PhD supervisor takes on a new student they re-sign a Code of Conduct, affirming their commitment to eliminating sexual harassment and sexual assault, and meeting UC standards in relation to appropriate staff-student relationships, bullying and academic integrity.

Foster social norm and behaviour change

Immediate priorities (3 to 6 months):

- Retain an expert provider to deliver a face-to-face session for all first year students to increase knowledge and awareness of sexual ethics, sexual harassment, sexual assault, consent, respectful relationships and how to take action as a bystander
- Integrate communication and awareness-raising about sexual harassment, sexual misconduct, consent and respectful relationships in existing student initiatives, for example 'SHAG' week and Orientation Week activities.

Medium-term priorities (6 to 12 months):

- Implement a bystander intervention program based on best practice principles to encourage students and staff to take action when they witness sexual harassment or sexual assault.
- Develop and implement an evidence-based communications strategy which is deployed through a variety of modalities, including the website, social media, signage and posters. This strategy should target both staff and students and include information on University policies, how to lodge a formal complaint about sexual harassment and sexual assault, support services for survivors, and consequences for perpetrators.
- Work with the affiliated sports teams and major sporting events to promote messages around respect and inclusion and to model positive, respectful behaviour and ethical standards.

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