



Australian  
Human Rights  
Commission

Independent review of  
residential colleges at the  
University of New England

FINAL REPORT • MAY 2019



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**Kate Jenkins**

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*Sex Discrimination Commissioner  
Australian Human Rights Commission*



## Commissioner's Foreword

The Australian Human Rights Commission's *Independent review of residential colleges at the University of New England Final Report* (the review) details the Commission's key findings on the prevalence and nature of sexual assault and sexual harassment at the seven residential colleges of the University of New England (UNE). The findings and recommendations are based on analysis of the data collected through both quantitative and qualitative research methods, including interviews, focus groups, written submissions and a survey.

The review follows the Commission's 2017 release of *Change the course: National report on sexual assault and sexual harassment at Australian universities (Change the course)*. *Change the course* reported on the results of a national survey of more than 30,000 university students from all 39 Australian universities, as well as qualitative information gathered from over 1800 submissions.

Recommendation 9 of *Change the course* states that residential colleges and university residents should commission an independent, expert led review of the factors which contribute to sexual assault and sexual harassment in these settings.

On behalf of the Commission, I commend UNE for being proactive and engaging the Commission to implement Recommendation 9 of *Change the course*. It is encouraging to see a university take ownership of the issues and demonstrate its commitment to this work through its ongoing and meaningful involvement in the review. This is indicative of strong leadership and governance, and is crucial to effecting cultural change.

The purpose of the review is to gain a comprehensive understanding of the culture at UNE colleges, the factors that contribute to the risk of sexual assault and sexual harassment, and any barriers to reporting incidents.

This report would not have been possible without the assistance of student residents and staff who participated in interviews and focus groups, completed the survey or made a submission. On behalf of the Commission, I would like to acknowledge those who shared their views and experiences throughout the review with courage and determination. Disclosing information of this nature can be confronting and daunting, and I sincerely thank you for your contribution and guidance that has informed the findings and recommendations of the review.

This report contains a number of recommendations to assist UNE to address the barriers and challenges that currently exist at its residential colleges. I have every confidence that UNE will continue to pioneer cultural change in residential colleges, and create an inclusive and safe education environment that allows students to thrive.

A handwritten signature in black ink that reads "Kate Jenkins". The signature is written in a cursive, flowing style.

Kate Jenkins  
**Sex Discrimination Commissioner**

May 2019

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# Acronyms and abbreviations

<b>AA</b>	Academic Advisor
<b>AM</b>	Academic Mentor
<b>Code</b>	Residential College Code of Conduct
<b>JCR</b>	Junior Common Room
<b>PA</b>	Pastoral Advisor
<b>RA</b>	Resident Advisor
<b>RF</b>	Residential Fellow
<b>RST</b>	Residential Support Team
<b>RT</b>	Residential Tutor
<b>Rules</b>	Student Behavioural Misconduct Rules
<b>SAA</b>	Senior Academic Advisor
<b>SCR</b>	Senior Common Room
<b>SGU</b>	Student Grievance Unit
<b>SRA</b>	Senior Residential Advisor
<b>SRF</b>	Senior Residential Fellow
<b>SRT</b>	Senior Residential Tutor
<b>UNE</b>	University of New England



# Executive Summary

In March 2018, the Australian Human Rights Commission ('the Commission') was engaged by the University of New England (UNE) to undertake an independent, expert led review of the seven residential colleges at UNE.

The review process led to a comprehensive understanding of:

- the culture at each of the seven UNE colleges, specifically in relation to attitudes towards women, sexual assault and sexual harassment
- the factors which contribute to the risk of sexual assault and sexual harassment in UNE colleges, and
- barriers to reporting sexual assault and sexual harassment at UNE colleges.

As part of the review, the Commission used both quantitative and qualitative research methods, including interviews, focus groups, submissions and a survey, to develop a comprehensive evidence base.

This report outlines the Commission's key findings, provides an analysis of the qualitative and quantitative data gathered through the review, and presents recommendations for UNE. The Commission's key findings and recommendations are summarised below.

## **Prevalence of sexual harassment and sexual assault**

Approximately one-third of residents that responded to the survey disclosed that they had experienced sexual harassment **while** residing at their college. This rate was two and half times higher for female residents than male residents.

There is evidence to suggest that female residents experience sexual assault at higher rates than male residents. Overall, 4% of all residents that responded to the survey reported experiencing actual or attempted sexual assault or rape since first residing at their current college.

The majority of reported sexual assault and sexual harassment took place within college grounds. The majority of perpetrators of sexual assault and sexual harassment were male residents, known to the victim.

The survey results also demonstrate that sexual assault and sexual harassment occurs throughout the academic year, and is not restricted to high-risk periods such as Orientation Week (O-Week), or specific events.

Conclusions and recommendations relating to these findings have been made throughout the report.

## **College identity**

Each of the seven colleges at UNE has a unique culture and identity. The differences that exist within each college influence and shape the experiences of its residents, leading to different cultures.

The Commission also identified shared experiences and commonalities across all colleges. Most colleges have a 'family-like' environment and a strong sense of community that foster positive college experiences.

Aspects of college culture at UNE also contribute to a negative college experience for some residents. For example, the Commission was told about hierarchical systems, incidents of social isolation and coercion to participate in 'hazing' rituals. These features have an impact on resident experiences, and particularly decisions concerning the reporting of sexual assault and sexual harassment.

### **Leadership and governance**

Strong leadership and governance is required to effect cultural change. To ensure the review delivers its intended outcomes, there should be clearly defined leadership arrangements to oversee the implementation of recommendations and drive cultural change.

Recommendation 1 has been made to ensure there is a clear governance structure to support the implementation of recommendations, and to drive cultural change within the UNE residential system.

### **Student support services**

The UNE Residential System has limited resources, particularly with respect to after-hours support and counselling and mental health services. Similar staffing issues affect the Student Grievance Unit (SGU).

It is also not clear that college staff are given appropriate decision-making authority or financial means to drive cultural change within their colleges, particularly regarding the prevention of, and response to, sexual assault and sexual harassment.

Recommendations 2 to 5 have been made to improve the organisational structure and resourcing of the UNE Residential System's student support services, and to ensure college staff are equipped to prevent and respond to experiences of sexual assault and sexual harassment.

### **The role of alcohol in college culture**

Alcohol appears to play a prominent role in UNE college life. While many student residents saw alcohol consumption as a wider societal issue that is not limited to college life, other residents described a college 'drinking culture', that in some instances could be excessive, harmful and alienating.

The Commission frequently heard from staff and residents identifying a relationship or causal link between alcohol and sexual assault and sexual harassment.

Considering the prevalence of alcohol within the UNE colleges and the relationship between alcohol and sexual harassment and sexual assault, UNE's current focus on limiting alcohol consumption should be strengthened.

UNE has implemented a number of policy responses to alcohol consumption within the colleges, many of which align with best practice in harm minimisation. However, further changes could better support the responsible consumption of alcohol among residents.

Recommendations 6 to 8 have been made to strengthen UNE's efforts in limiting alcohol consumption and minimising harm within the colleges.

### **Hazing**

'Hazing' was reported to still be taking place at several colleges, despite its being explicitly prohibited by UNE. There appears to be some confusion among residents as to what behaviours constitute hazing, and some students expressed a belief that consent to participate in hazing rituals negates the prohibition.

'Hazing' practices are characterised by specific behaviours and attitudes, including: excessive alcohol consumption and performing humiliating or degrading acts, in some cases sexual assault and sexual harassment, usually of female residents.

There is also a lack of clarity around the process for responding to hazing within the colleges. It is evident that there are inconsistencies in the way in which hazing has been responded to between colleges.

Recommendations 9 and 10 have been made to strengthen UNE's response to hazing within the colleges and increase residents' levels of understanding of hazing, while simultaneously ensuring a consistent response to hazing across all UNE colleges.

### **Attitudes towards women**

Many residents described attitudes and practices that align with stereotypical conceptions of masculinity and femininity, and others demonstrated attitudes that could be understood as supporting a victim-blaming culture.

Survey evidence indicates that there are low levels of understanding of what amounts to sexual harassment among residents, with slightly better levels of understanding of what amounts to sexual assault.

The existence of these harmful attitudes not only contributes to the risk of sexual assault and sexual harassment, but also influences the extent to which people are willing to intervene and report experiences of sexual assault or sexual harassment.

The Commission observed gender inequality at the colleges, especially at the student leadership level. Some colleges had significantly greater numbers of male residents in leadership positions, despite there being a higher proportion of female residents at the college. Gender disparity in leadership positions works to perpetuate harmful attitudes towards women, such as views around traditional gender roles.

Recommendations 11 to 14 have been made to address the existence of harmful attitudes to improve efforts to prevent sexual assault and sexual harassment, and to improve gender equality within the UNE colleges.

### **UNE's Wellness Week program**

The Commission identified a number of issues with the UNE Wellness Week program delivered to first year residents. These include the limited focus on primary prevention of sexual assault and sexual harassment, minimal content relating to sexual harassment and insufficient or poorly timed content warnings. Additionally, the program fails to effectively communicate information relating to UNE policies on hazing, sexual assault and sexual harassment, as well as information on available reporting pathways.

The duration, content, accessibility and mode of delivery also limits residents' engagement with the program, and affects the overall effectiveness of the program in influencing residents' attitudes and behaviours.

Recommendation 15 has been made to strengthen and develop the content and delivery of the Wellness Week program and enhance its impact.

### **Policies regarding responses to sexual assault and sexual harassment**

There are multiple UNE and college-specific policies relating to sexual assault and sexual harassment, which has resulted in fragmented, inconsistent and ineffective responses to sexual assault and sexual harassment at UNE. Many residents also have a limited understanding of the relevant policies, reporting options and available supports.

There are few accountability mechanisms in place for Heads of Colleges, resulting in inconsistent application of policies and procedures between colleges.

Recommendations 16 to 22 have been made to improve and streamline the policy response to sexual assault and sexual harassment, and improve levels of accountability for Heads of Colleges in ensuring their responses to incidents of sexual assault and sexual harassment are appropriate.

### **Formal reporting of sexual assault and sexual harassment**

There is significant underreporting of incidents of sexual harassment and sexual assault. The majority of residents are not formally reporting experiences of sexual assault and sexual harassment, despite there being a number of pathways for residents to do so. Reasons for not formally reporting are many and varied, including: a belief that the incident is not serious enough or they do not need help; a lack of confidence in the reporting process; and the influence of relationship dynamics within their college.

Recommendation 23 has been made to address identified barriers to reporting.

### **Student leader responses to sexual assault and sexual harassment**

Student leaders play a critical role in the residential college system, especially as first responders to disclosures of sexual assault and sexual harassment. However, there are concerns regarding the level of responsibility placed on young and unqualified residents, who are often required to deal with high-pressure situations with limited support.

Student leaders have an essential role in shaping a college culture that does not tolerate or support sexual assault and sexual harassment. Despite this, it has been reported to the Commission that there have been instances where student leaders are themselves the perpetrators of sexual assault and sexual harassment.

Student leaders require greater support to respond to disclosures of sexual assault and sexual harassment. Recommendations 24 to 26 have been made to support student leaders to effectively and appropriately respond to disclosures of sexual assault and sexual harassment and also drive a college culture that does not condone sexual assault and sexual harassment. The recommendations work to ensure a no-tolerance response to sexual assault and sexual harassment by student leaders.

### **The physical environment of UNE colleges**

There is limited evidence to suggest that the physical environment of UNE colleges increases the risk of sexual assault and sexual harassment in particular. However, there are aspects of the physical environment of some colleges that could be addressed to improve general resident safety, including the lack of CCTV and inadequate outdoor lighting.

Recommendation 27 has been made to address general safety-related concerns within the UNE residential colleges, and recommends measures to improve the safety and comfort of students.

## Implementation of recommendations

Delivering meaningful and sustained cultural change within the UNE colleges will require UNE to regularly monitor the implementation and evaluate the impact of the changes that come from this review.

Recommendation 28 has been made to ensure UNE have structures in place to support the monitoring and evaluation of progress.

## Recommendations

### Governance, leadership and the structure of the residential system

#### **Recommendation 1: The UNE Vice-Chancellor should take responsibility for the implementation of the review's recommendations to drive cultural change**

The Commission recommends that the UNE Vice-Chancellor take ultimate responsibility for the implementation of the Commission's recommendations, and for ensuring UNE's reforms achieve their desired goals.

True cultural reform will require the engagement of all areas of the UNE residential system, and it is important that there is involvement in this process from college staff, residents, and the university more broadly.

#### **Recommendation 2: Heads of Colleges should be afforded decision-making powers, and provided adequate funding to support the prevention of, and response to, sexual assault and sexual harassment at the college level**

The Commission recommends that Heads of Colleges be afforded decision-making powers that will allow them to develop and implement college-specific initiatives that will help to prevent sexual assault and sexual harassment, in alignment with broader UNE policies. To support the implementation of these initiatives, Heads of Colleges should be provided adequate funding to support the prevention of, and response to, sexual assault and sexual harassment. Heads of Colleges should work with their residents to develop these initiatives based on their understanding of the unique culture and environment within their college.

#### **Recommendation 3: UNE should engage after-hours professional support for residents and student leaders**

The Commission recommends that UNE employ qualified first responders to be available to residents and student leaders after-hours. This after-hours resource would be able to:

- immediately manage and respond to incidents of sexual assault, sexual harassment, and other student crises, including acute mental health-related incidents
- provide referral to UNE support services
- ensure appropriate follow up.

At a minimum, the Commission recommends that residents and student leaders have access to a 24-hour telephone service staffed by personnel qualified in providing an effective first response. The service should have an understanding of local supports and available reporting pathways. This service would be in addition to the crisis telephone counselling service recently engaged by UNE.

UNE should also ensure the service is widely promoted to student leaders and residents.

#### **Recommendation 4: UNE should undertake an organisational redesign of the Student Grievance Unit (SGU)**

The Commission recommends UNE undertake an organisational redesign of the SGU. This redesign should include an increase to the staff complement of the SGU, to carry out the current and anticipated future workload of the SGU.

A suggested new structure of the SGU could include, for example:

- one Manager, at 1.0 FTE (an increase from 0.4 FTE)
- three Senior Case Officers, totalling 3.0 FTE (an increase from 2.0 FTE)
- one Student Support Officer, at 1.0 FTE (a new position)
- one case officer, at 1.0 FTE (unchanged).

The increase in staff, and introduction of a new student support position, should reduce the time required to investigate matters of sexual assault and sexual harassment, whilst also improving the support provided to residents involved in the investigation process. The increase would also allow the SGU to undertake additional promotional and educational activities.

UNE should also consider revising the name of the SGU, to remove specific reference to 'grievance'.

#### **Recommendation 5: UNE should employ an increased number of counselling staff dedicated to residents**

The Commission recommends UNE employ additional dedicated college counsellors, to bring the total number of dedicated college counsellors to at least two. This would improve access to counselling support for residents, whilst also allowing the college counsellors to develop and implement mental health promotion, prevention and early intervention programs.

### **Alcohol**

#### **Recommendation 6: UNE should strengthen efforts to reduce alcohol**

The Commission recommends that UNE strengthen its alcohol reduction efforts. This should include the implementation of an alcohol reduction program, utilising peer education approaches. The alcohol reduction program should commence during Wellness Week, and continue to be delivered throughout the year.

UNE should undertake an evaluation of the #MyMorningsMatter program being trialled at Mary White College, and consider expanding to other UNE colleges if found to be effective in reducing residents' alcohol consumption.

#### **Recommendation 7: UNE should review and enhance current responses to alcohol consumption to ensure their alignment with a harm minimisation approach**

The Commission recommends that UNE revise relevant policies and procedures to ensure alignment with a harm minimisation approach to responding to residents' consumption of alcohol. This should include:

- a) A review of the current mandatory finishing times of midnight for events and parties held on college grounds, to avoid continued alcohol consumption in unsupervised locations
- b) Formal events being held at licensed venues instead of on college grounds
- c) Improved accessibility of policies and strategies relating to alcohol and events
- d) Discontinuance of the current use of alcohol bans as a penalty for residents that display problematic alcohol consumption, or for perpetration of sexual assault or sexual harassment.

#### **Recommendation 8: UNE should prohibit financial payments from licensed hotels to Junior Common Rooms (JCRs)**

The Commission recommends that UNE strengthen the 2019 sponsorship guidelines to prohibit any arrangements between college JCRs and licensed hotels that involve financial payments or benefits in exchange for patronage, to ensure its alignment with an alcohol reduction and harm minimisation approach.

While JCRs may still wish to enter into arrangements with local licensed hotels, these arrangements should instead focus on venues providing non-financial support, such as safe transport for residents between their college and the venue.

The Commission acknowledges that the prohibition of sponsorship arrangements may have a negative financial impact on JCRs, and recommends that UNE consider alternative options to mitigate this. This may include, for example, sponsorship from local businesses, or the introduction of a program where college sporting clubs receive sponsorship funds from the university in exchange for club members upholding a code of conduct that focuses on respectful interactions between students and reinforces positive behaviours.

### **Hazing**

#### **Recommendation 9: UNE should revise the Residential College Code of Conduct to strengthen the definition of and response to 'hazing'**

The Commission recommends that UNE revise the definition of hazing in the Residential College Code of Conduct (the Code) to ensure it is more succinct and to increase residents' understanding of behaviours that constitute hazing. Further, revisions should be made to address inconsistencies with the process for managing and responding to hazing activities, including penalties. The Commission's suggested revised definition is:

*'Any action or situation (with or without the consent of participants) used for the purpose of initiation, admission into, affiliation with, or as a condition for, continued membership or acceptance in a group. Hazing activities may be intentional or unintentional, may involve humiliation, discomfort, embarrassment or physical and/or emotional harm to any individual or group.'*

To support increasing residents' understanding of what constitutes hazing, UNE should ensure that there is better communication of the definition of hazing. This should include a Wellness Week session that has an impact on the students, which should cover, at a minimum, the definition, examples of behaviours that constitute hazing and hazing practices, good bystander responses and be explicit on how consent to participate does not excuse hazing. This message should be reiterated to residents throughout the year.

The Commission also recommends that the Code be revised to address inconsistencies with the process for responding and managing hazing activities, including the penalty for hazing activities. Hazing should be considered a Level 2 breach of the Code, and be automatically referred by Heads of Colleges to the SGU for investigation.

**Recommendation 10: St Albert's College should formally adopt the Code for its residents**

The Commission recommends that, effective from 2019, St Albert's College adopt the Code to improve responses to behavioural misconduct and ensure consistency in response across all UNE residential colleges.

To support St Albert's College's implementation of the Code, UNE should provide information and education to staff, student leaders and residents on the Code and its application. St Albert's College residents should be required to attend Wellness Week, including the session that provides residents with detailed information on the Code.

As part of the implementation of the Code at St Albert's College, a review of St Albert's College policies should be undertaken to identify duplication between the Code and existing policies. Any St Albert's College policies that duplicate areas of the Code should be superseded, including the *Behavioural Expectations Policy* and the *Disciplinary Procedures*.

**Attitudes that increase the risk of sexual assault and sexual harassment**

**Recommendation 11: UNE should implement a sexual assault and sexual harassment prevention program**

The Commission recommends that UNE implement an evidence-based program of sexual assault and sexual harassment prevention education to address existing harmful attitudes towards sexual assault and sexual harassment within the culture at all seven UNE colleges.

Primary prevention aims to change the underlying behaviours and conditions that facilitate and support assault and sexual harassment, before it ever occurs. A stronger focus on primary prevention has the potential to change attitudes and behaviours, influencing the broader culture within UNE residential colleges and reducing the risk of sexual assault and sexual harassment.

In line with guidance for effective practice, the prevention program should be run throughout the academic year to facilitate the delivery of multiple sessions and the use of different strategies to maximise engagement and impact. This should include opportunities for residents and staff to test new skills and strategies to reinforce positive attitudes and behaviours.

UNE should also ensure that any program is implemented along with a comprehensive monitoring and evaluation strategy that will measure impact and effectiveness.

**Recommendation 12: All UNE colleges should encourage leadership committees to have proportional representation of female and male leaders**

The Commission recommends that all UNE colleges should encourage their leadership committees to have proportional representation of female and male residents, reflecting the demographic makeup of the college.

**Recommendation 13: St Albert's College should review the terms of reference and establish a work plan for its Gender Equality Working Group**

The Commission recommends that St Albert's College reviews the terms of reference for the Gender Equality Working Group (Working Group), and establishes a work plan to ensure the Working Group is action focused and can deliver outcomes to improve gender equality and reduce experiences of sexual assault and sexual harassment. The Working Group's work plan and outcomes should be made available to all residents to ensure transparency and accountability.

**Recommendation 14: UNE and the colleges should introduce policies regarding sexualised themes for social events and parties**

The Commission recommends that UNE introduce policies regarding sexualised themes for parties and events to address the sexual objectification of women and men at UNE social events. For example, college staff could be required to review and approve proposed themes for college social events and parties as part of the planning stage.

## Wellness Week

### **Recommendation 15: UNE should undertake a complete review and redesign of Wellness Week**

The Commission recommends that UNE undertake a complete review and redesign of Wellness Week. The redesigned Wellness Week should aim to improve residents' understanding of UNE policies relating to hazing and sexual assault and sexual harassment, as well as available reporting pathways.

The redesigned Wellness Week program should:

- Include a stronger focus on alcohol reduction and harm minimisation (recommendation 6).
- Include a stronger focus on primary prevention of sexual assault and sexual harassment. Wellness Week should include sessions that form part of the sexual assault and sexual harassment prevention program (recommendation 11).
- Increase the focus on sexual harassment, instead of focusing predominately on sexual assault.
- Reposition messaging around sexual assault and sexual harassment, from 'personal responsibility' to the promotion of 'collective responsibility' or 'shared responsibility'. The focus should be on gender equality and respectful attitudes and behaviours. All presentations should be reviewed (including from guest speakers) to ensure their key messages align with this focus, and that they do not reinforce harmful messages.
- Provide content warnings in advance, and allow opportunity for residents to leave Wellness Week sessions, if affected by the content.
- Review the duration, content, accessibility and mode of delivery to increase levels of engagement by residents, including international student residents.
- Provide more specific and clearer information on relevant UNE policies (eg, the Code and policies relating to hazing and sexual assault and sexual harassment).
- Provide clearer and more specific information on reporting options, including external pathways such as the SGU.
- Engage returning residents in relevant sessions, including in sessions that form part of the sexual assault and sexual harassment prevention program.

UNE should seek the input and knowledge of experts in the field of sexual assault and sexual harassment prevention and adult learning to ensure the program is appropriate and effective. UNE should also develop a monitoring and evaluation framework for Wellness Week to ensure impact and effectiveness.

St Albert's College residents should be required to attend UNE Wellness Week.

## **Policies and procedures relating to sexual assault and sexual harassment**

### **Recommendation 16: UNE should develop a standalone sexual assault and sexual harassment policy**

The Commission recommends that UNE develop a standalone sexual assault and sexual harassment policy that will address the issues with the existing policies identified by the Commission. This policy should supersede existing policies relating to sexual assault and sexual harassment.

The policy should also direct all students to internal and external support services, including police sexual assault units and other useful links. The Commission suggests that UNE consider Universities Australia's *Guidelines for University responses to sexual assault and sexual harassment* in developing the standalone policy.

Once developed, UNE should promote the policy to ensure all students (including residents) are aware of the policy and understand its application. UNE should consider developing educational materials and seminars for all residents, student leaders and staff.

### **Recommendation 17: Heads of Colleges should notify the Student Grievance Unit (SGU) of all reported incidents of sexual assault and sexual harassment**

The Commission recommends that the SGU be notified of all incidents of alleged sexual assault and sexual harassment. This may be in the form of an incident report for a disclosure (de-identified, if requested by the resident involved) or as a request for investigation for a formal report. Data can also be collected by leadership periodically and anonymously across the colleges.

The SGU will not investigate de-identified incidents, instead they will act as a record of the matter to allow the SGU to identify trends, develop responses and make improvements to the response to sexual assault and sexual harassment. The SGU should also ensure updates on reports, responses and trends are regularly provided to the Vice Chancellor. Reported incidents of sexual assault to the SGU may also involve escalation to the police.

**Recommendation 18: The Student Grievance Unit (SGU) should provide regular reports to the UNE Vice-Chancellor on incidents of sexual assault and sexual harassment within UNE colleges**

The Commission recommends that the SGU provides regular reports on incidents of alleged sexual assault and sexual harassment to the UNE Vice-Chancellor. To ensure accountability for Heads of Colleges, these reports should include details of their response to formal reports or disclosures of sexual assault and sexual harassment.

**Recommendation 19: The Student Grievance Unit (SGU) should undertake six-monthly audits of college responses to disclosures and formal reports of sexual assault and sexual harassment**

The Commission recommends six-monthly audits of college responses to disclosures and formal reports of sexual assault and sexual harassment. This audit will support the SGU to monitor the nature of responses, improve consistency and identify any required changes to existing policy and practice.

**Recommendation 20: St Albert's College should discontinue its use of College Discipline Committees to deliberate on matters relating to sexual harassment**

The Commission recommends that St Albert's College discontinue its use of the College Discipline Committee to investigate and deliberate on matters relating to sexual harassment as it has done with respect to sexual assault matters.

Instead, St Albert's College should engage with the SGU and the standard UNE processes and procedures for managing investigations of sexual assault and sexual harassment.

**Recommendation 21: UNE should engage experts for a review of its online Sexual Assault/Harassment Information Form**

The Commission recommends that UNE engage appropriate experts to review the online Sexual Assault/Harassment Information Form to ensure that all questions are appropriate and trauma-informed.

**Recommendation 22: UNE should ensure there is wider promotion of external reporting processes consistent with internal processes**

The Commission recommends that there be wider promotion of reporting processes external to the college system, consistent with internal process. Resources, such as flow charts, that clearly describe internal and external processes for disclosures and formal reports should be developed and made readily available to all residents. These resources should complement the standalone sexual assault and sexual harassment policy (recommendation 16). Additionally, information regarding all reporting processes should emphasise that the resident is in control of the process.

**Barriers to reporting of sexual assault and sexual harassment**

**Recommendation 23: UNE International should be engaged during the development of training, resources and policies to ensure they are culturally appropriate and accessible for all students**

The Commission recommends that UNE International be engaged during the development of any training, resources or policies relating to sexual assault and sexual harassment, to ensure they are culturally appropriate and accessible for international student residents. This recognises the unique barriers to reporting faced by international student residents, including visa concerns, language barriers, and fear of authority figures.

**Student leaders**

**Recommendation 24: UNE Counselling should provide additional support for student leaders in a pastoral care role**

The Commission recommends that all student leaders in a pastoral care role should undertake mandatory monthly supervision with UNE Student Support Counselling Service. This supervision should provide student leaders an opportunity to debrief following complex incidents, manage their risk of vicarious trauma, reflect on their experiences as first responders, and identify ways to deliver improved responses.



Student leaders should have a self-care plan to manage the risk of vicarious trauma, and to ensure that their leadership responsibilities do not interfere with their academic performance. This self-care plan should be developed in consultation with a counsellor from the UNE Student Support Counselling Service, and be regularly monitored and revised, as required.

**Recommendation 25: UNE should ensure any future delivery of the *Responding with Compassion* first responder training is tailored to the UNE context**

The Commission recommends that any future delivery of *Responding with Compassion* be tailored to reflect UNE's policies, procedures and support mechanisms. This will ensure that student leaders and staff are considering their responses in light of the UNE system.

**Recommendation 26: Heads of Colleges should implement interim measures for leaders accused of sexual assault or sexual harassment**

The Commission recommends Heads of Colleges adopt a no-tolerance approach to allegations of sexual assault and sexual harassment against student leaders. Where Heads of Colleges are made aware of an allegation of sexual harassment or sexual assault against a student leader, they should temporarily suspend their leadership responsibilities pending the outcome of a formal investigation.

Other measures should be considered to minimise the potential for harm for all persons involved. These may include the prohibition of student leaders from a certain block or floor, moving leaders to rooms away from the person making the allegations and changing mealtimes for residents involved.

## Physical environment

**Recommendation 27: UNE should implement safety enhancements to the physical environment of residential colleges, and also consider implementing accommodation arrangements to suit residents' preferences**

The Commission recommends UNE consider the implementation of safety enhancements to the physical environment of residential colleges. Changes may include:

- a) Installation of CCTV cameras in communal areas across all colleges, including entrance points to the buildings, in social spaces and in the hallways of each floor in every college.

- b) Upgrade of lighting in communal areas across all colleges, including the installation of sensor lighting and higher wattage light globes.
- c) Discouragement of open-door policies for bedroom doors.
- d) Installation of card access to bedroom doors in any future redevelopments of residential colleges.

The Commission also recommends that Heads of College regularly engage with their residents to identify resident accommodation preferences, and implement alternative residential living options, such as alcohol-free and same-sex floors.

## Monitoring and evaluation

**Recommendation 28: UNE should develop a monitoring and evaluation framework to measure the impact of its response to the review**

UNE should engage experts in the area of monitoring and evaluation to develop a monitoring and evaluation framework that will identify short, medium and long term outcomes that will result from the implementation of recommendations. The framework should also identify the data to be collected to support the measurement of impact, as well as targets and timeframes.

UNE should identify a senior executive to be responsible for overseeing the implementation of the monitoring and evaluation framework, and for reporting the outcomes of monitoring and evaluation to the Vice Chancellor.



# 1 Introduction

## 1.1 Review purpose

In March 2018, the University of New England (UNE) engaged the Australian Human Rights Commission (the Commission) to undertake an independent, expert led review of UNE's residential colleges.

The review aimed to gain a comprehensive understanding of:

- the culture at each of the seven UNE colleges, specifically in relation to attitudes towards women, sexual assault and sexual harassment
- the factors which contribute to the risk of sexual assault and sexual harassment in UNE colleges
- barriers to reporting sexual assault and sexual harassment at UNE colleges.

The scope was limited to the experiences of current residents, and recent former residents (residents that had left a UNE college in or after 2015) to ensure the review reflected the current culture at UNE colleges.

The review did not investigate specific incidents or allegations of sexual assault and sexual harassment.

## 1.2 Background and context

The review follows the Commission's 2017 release of *Change the course: National report on sexual assault and sexual harassment at Australian universities (Change the course)*. *Change the course* reported on the results of a national survey of more than 30,000 university students from all 39 Australian universities, as well as qualitative information gathered from over 1800 submissions.

UNE generally reported similar levels of experiences of sexual harassment at university when compared with the national average (15% of students reported they were sexually harassed at university in 2016, excluding travel to or from university). However, it was reported that sexual harassment at UNE was more likely to occur at a University or residence social event (24% of incidents, compared with a national average of 6%) or at a university residence/college (34% of sexual harassment, compared with a national average of 3%). Students at UNE were also more likely to be sexually harassed by a student from their place of residence (46% compared with national average of 8%).

Students at UNE reported a higher prevalence than the national student population to have been sexually assaulted at university in 2015 or 2016. 4% of students at UNE reported experiencing sexual assault at university in 2015/16 compared to 1.6% of students nationally.

In response to the issues identified through the national survey regarding sexual assault and sexual harassment in residential settings, recommendation 9 of *Change the course* was:

In addition to considering the implementation of the university recommendations made in this report, residential colleges and university residences should commission an independent, expert led review of the factors which contribute to sexual assault and sexual harassment in these settings.

This review should consider:

- appropriate responses by a college or university residence to reports of sexual assault and sexual harassment
- a trauma-informed and rights-based approach in a situation in which an allegation of sexual assault has been made
- the ways that hazing practices and college ‘traditions’ facilitate a culture which may increase the likelihood of sexual violence
- the role of alcohol in facilitating a culture which may increase the likelihood of sexual violence
- the level and nature of supervision in a twenty-four hour residential setting in which large numbers of young people are living away from home, and
- the level and adequacy of training required to equip residential advisors to serve as first responders or in response to matters of sexual assault and harassment.<sup>1</sup>

This review implements recommendation 9.

### 1.3 Methodology

The review was undertaken between March 2018 and September 2018. The Commission adopted a mixed methods approach, utilising both quantitative and qualitative research methods to develop a comprehensive evidence base in support of its findings and recommendations.

Resident participation in the review was completely voluntary, and all responses have been treated as confidential and de-identified.

The views and experiences reflected in this report are of residents who self-selected to participate in the review and are not necessarily representative of the entire UNE college population.

Some residents spoke of a fear of the outcome of the UNE college review, noting that there had been significant negative public and media attention following the release of *Change the Course* and *The Red Zone Report*.<sup>2</sup>

‘The Red Zone Report was really, I thought, was really unfair because there was a lot of things that don’t happen anymore.’

‘After seeing the report on Albies and whatnot. That was pretty hard-hitting, and we thought, we don’t want to be in that same position.’

‘I feel this recent survey that’s come out has definitely changed a lot of people’s views lately just because I know my mum called me up and said, hey, I don’t want you at that Uni anymore.’

‘I think because of, with how much focus there is on the sexual harassment and assault and hazing it is really tricky because you know like we keep getting grilled by the media and honestly like it’s a rumour, like a joke around college now that we’re just waiting for them to finally hit us with something.’

The Commission is cognisant that this concern may have affected the tone of input from some residents.

This report reflects the data that was collected through qualitative and quantitative research. The quotes included in the report are drawn from focus groups, interviews and submissions, and are a reflection of the personal experiences and opinions of the individuals that chose to participate.

The Commission has only reported on themes that were raised by a number of residents, staff and stakeholders through focus groups, interviews and submissions. Many of the themes raised are also reflected in both empirical research and unpublished literature, such as internal policy papers or commissioned, unpublished research reports.

#### Qualitative data

##### Focus groups

In May 2018, the Commission conducted 32 focus groups with a total of 240 residents. The format of these focus groups was semi-structured, with groups discussing a range of themes relevant to the review.

Focus groups were recorded with the consent of participants. All responses provided through focus groups were de-identified and treated as confidential. The Commission analysed transcriptions of the recordings to identify recurring themes, which are reflected in this report.

Engaging residents through focus groups enabled the Commission to hear from significantly more residents than through other qualitative methods, such as interviews.

##### Interviews

The Commission undertook 28 semi-structured interviews with 33 participants, including residents, former residents, college and UNE staff, Armidale Police and Rape and Domestic Violence Services Australia.

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Interviews were recorded with the consent of participants. All responses provided through interviews were de-identified and treated as confidential. The Commission analysed transcriptions of the recordings to identify recurring themes, which are reflected in this report.

## Submissions

Between May 2018 and July 2018, the Commission accepted online and telephone submissions from current and former UNE college residents. The 1682 residents living at a UNE college in May 2018, as well as 1669 former residents that left a UNE college between 2015 and 2017 were invited to make a submission. Due to the scope of the review, submissions were actively invited from former residents that had left a UNE College in or after 2015. However, former residents that left prior to 2015 were not precluded from making a submission.

A total of 106 submissions were received, 43 from current residents, 56 from former residents, and 7 where residence status was not disclosed. Staff, parents and other stakeholders were also invited to make submissions, however none were received.

All submissions have been de-identified and treated as confidential.

The Commission analysed submissions to identify recurring themes, which are reflected in this report.

## Desktop review

The Commission undertook a desktop review of UNE and the colleges' policies and procedures as they relate to sexual assault, sexual harassment, behavioural misconduct, and alcohol and other drugs. The Commission also analysed de-identified reports of sexual assault and sexual harassment from 2016 to 2018 to gain an understanding of reporting and investigation processes and outcomes.

A review of literature was undertaken on key themes that emerged through the qualitative research, to further inform the Commission's recommendations.

## Quantitative data

The Commission engaged Roy Morgan Research to conduct the UNE college review survey. The survey received ethics approval from Charles Sturt University's Human Research Ethics Committee on 21 June 2018.

In developing the survey instrument, the Commission ensured the questions aligned with best practice in undertaking surveys to measure prevalence and incidence of sexual assault and sexual harassment in university settings. This included referencing specific sexual assault

behaviours, as this approach has been found to yield more accurate results than the use of broader labels such as 'sexual assault' and 'rape', as people may be hesitant to label their experience as such, or may have differing understandings of what behaviours constitute that label.<sup>3</sup>

All 1585 residents living in a UNE college in July 2018 were invited to participate in the survey. The survey was distributed online via email in July 2018 and was open for three weeks. A total of 522 responses were received, representing an overall response rate of 33%. Female residents had a higher response rate of 38% compared to 26% for male residents.

The survey measured the experiences of UNE college residents as they relate to sexual assault, sexual harassment and bullying, and provided information on:

- numbers of residents that had experienced sexual assault, sexual harassment and bullying since commencing at college, as well as the number of residents that had experienced sexual assault, sexual harassment and bullying in 2018
- where residents experienced sexual assault, sexual harassment and bullying in university and college settings
- the characteristics of perpetrators of sexual assault, sexual harassment and bullying
- the number of residents that intervened when witnessing sexual assault, sexual harassment or bullying, and the nature of this intervention
- reporting practices for experiences of sexual assault and sexual harassment
- perspectives on how common sexual assault, sexual harassment and bullying is within college settings, and
- levels of awareness of and confidence in formal reporting processes and support mechanisms

For some areas of investigation, the number of responses has returned sufficient data to be able to undertake detailed analysis. For other areas, specifically questions relating to sexual assault, the number of responses were too low to allow detailed reliable information to be extrapolated.

While the Commission has been able to provide a broad overview of the experiences of residents concerning sexual assault, these observations should be regarded as indicative information only. They may reflect the experiences of others residents who have experienced actual or attempted sexual assault, but should not be understood as conclusive observations.

The number of responses also poses issues around confidentiality. There is the risk that an individual or group of respondents could be identified (or assumptions made about their possible identity) by publishing some results where the number of responses is very low. The Commission has not published any results that could potentially result in the identification of respondent/s.

Unless otherwise indicated, statistics referred to in this document are in reference to findings from the UNE college review survey.

## 1.4 Definitions of sexual assault and sexual harassment

### Sexual Assault

Sexual assault has a specific meaning when used to describe particular criminal sexual offences. However, it also has a broader, more general meaning when used in everyday conversation.

In the community, the terms ‘sexual assault’, ‘sexual abuse’ and ‘rape’ are often used interchangeably.<sup>4</sup> The NSW Department of Justice has defined the following terms commonly used to describe sexual assault in the community:

- ‘Rape is a term used in the community which describes the forced penetration of the vagina or anus of any person with any part of the body of another person, or any object, against their will or consent. It also includes oral sex’.<sup>5</sup>
- ‘Indecent assault is unwanted touching of a person’s body by another person. For example it can include kissing or inappropriate touching of a person’s breasts, bottom or genitals’.<sup>6</sup>

‘Sexual assault’ is the legal term for sexual intercourse without consent in New South Wales.<sup>7</sup>

The definition of ‘sexual intercourse’ or ‘sexual penetration’ can include:

- penetration of the vagina or anus of one person by another person with any body part
- penetration of the vagina or anus of one person by another person with any object
- oral sexual contact, including: insertion of the penis of one person into the mouth of another person,
- performing oral sex on a person (cunnilingus or fellatio)
- forced self-manipulation of the vagina or anus of a person.<sup>8</sup>

NSW also has an offence of indecent assault, which covers sexual acts other than a penetrative sexual offence.<sup>9</sup>

Indecent assault can be defined as an assault that has a sexual connotation, which is offensive to the ordinary modesty of an average person.<sup>10</sup>

For the purposes of this review, actual or attempted sexual assault or rape was defined to include the following behaviours:

- Forced touching of a sexual nature (forced kissing, touching of genitals, fondling, rubbing against a person in a sexual way)
- Oral sex
- Sexual intercourse
- Anal sex
- Sexual penetration with a finger or object.

### Sexual Harassment

Under the *Sex Discrimination Act 1984* (Cth), sexual harassment is defined as ‘an unwelcome sexual advance’, ‘an unwelcome request for sexual favours’, or ‘other unwelcome conduct of a sexual nature’.<sup>11</sup>

To be considered unlawful under the *Sex Discrimination Act 1984* (Cth), this behaviour must have taken place in ‘circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the person harassed would be offended, humiliated or intimidated’.<sup>12</sup> The *Sex Discrimination Act 1984* (Cth) makes sexual harassment or sexual assault unlawful in certain areas of public life, including in an educational institution.<sup>13</sup>

Sexual harassment can take many forms, both physical and non-physical. Sexual harassment may include the following unwelcome conduct that reasonably causes offense:

- unwelcome staring or leering
- unnecessary familiarity, such as deliberately brushing up against you or unwelcome touching
- offensive suggestive comments or jokes
- insults or taunts of a sexual nature
- intrusive questions or statements about someone’s private life
- displaying posters, magazines or screen savers of a sexual nature that are unwanted and/or cause offense
- sending unwanted sexually explicit emails or text messages
- inappropriate advances on social networking sites
- showing someone sexually explicit internet sites
- unwanted requests for sex or repeated unwanted requests to go out on dates, and
- behaviour that may also be considered to be an offence under criminal law, such as physical assault
- indecent exposure, sexual assault, stalking or obscene communications.

Certain conduct—which may not on its own amount to conduct of a sexual nature—may still be classified as such where it forms part of a broader pattern of inappropriate sexual conduct.<sup>14</sup>

Actions that are characterised as sexual harassment may also constitute a criminal offence, including sexual assault and indecent assault. Actions that amount to sexual assault may also meet the definition of sexual harassment.

NSW has equivalent anti-discrimination legislation that also prohibits sexual harassment.<sup>15</sup>

## 1.5 The difference between a disclosure, a formal report and external reporting

Universities Australia in its *Guidelines for University Responses to Sexual Assault and Sexual Harassment* distinguishes between a disclosure and a formal report:<sup>16</sup>

A **disclosure** involves the sharing of information about an incident(s) of sexual assault or sexual harassment with another person. Disclosures can be made to anyone and are usually made to a person who is known and trusted. A person who discloses may not want to make a formal report and may instead be looking for information about resources and support.

**Formal reporting** refers to providing a formal account or statement about sexual assault or sexual harassment to a person or institution that has the authority to take action.

Reporting can be an outcome of disclosure, but it is not the only possible outcome.<sup>17</sup>

The Commission acknowledges that possible outcomes of disclosure or formal reporting is escalation to external authorities. If allegations relate to sexual assault, this may include police intervention or investigation. Complaints relating to sexual harassment or sexual assault can be made to the Australian Human Rights Commission or the NSW Anti-Discrimination Board.

## 1.6 About this report

This report details the Commission's findings from the review, and makes recommendations relevant for UNE and its seven colleges.

For the purposes of the report, 'UNE colleges' refers to all seven residential colleges at UNE. 'UNE-operated colleges' refers to the six colleges managed by the UNE Residential System, and excludes St Albert's College which is operated privately.

Throughout the report, the terms 'victim' and 'perpetrator' are used to describe people's experiences of sexual assault and sexual harassment. The term 'victim' is used to refer to individuals who say they have experienced sexual assault or sexual harassment and the term 'perpetrator' is used to refer to individuals who are alleged to have sexually assaulted or harassed others. The use of the term 'perpetrator' is not intended to suggest that there has been a finding of guilt in relation to a criminal offence or a breach of discrimination legislation.

## Chapter 1: Endnotes

- 1 Australian Human Rights Commission, *Change the Course: National Report on Sexual Assault and Sexual Harassment at Australian Universities* (2017) 16.
- 2 End Rape on Campus, *The Red Zone Report* (2018).
- 3 White House Taskforce to Protect Students from Sexual Assault, *Climate surveys: Useful tools to help colleges and universities in their efforts to reduce and prevent sexual assault* (2014).
- 4 NSW Department of Justice, *What is sexual assault?* (2016). At [http://www.victimsservices.justice.nsw.gov.au/sexualassault/Pages/sexual\\_assault\\_victims.aspx](http://www.victimsservices.justice.nsw.gov.au/sexualassault/Pages/sexual_assault_victims.aspx) (viewed 18 June 2018).
- 5 NSW Department of Justice, *What is sexual assault?* (2016). At [http://www.victimsservices.justice.nsw.gov.au/sexualassault/Pages/sexual\\_assault\\_victims.aspx](http://www.victimsservices.justice.nsw.gov.au/sexualassault/Pages/sexual_assault_victims.aspx) (viewed 18 June 2018).
- 6 NSW Department of Justice, *What is sexual assault?* (2016). At [http://www.victimsservices.justice.nsw.gov.au/sexualassault/Pages/sexual\\_assault\\_victims.aspx](http://www.victimsservices.justice.nsw.gov.au/sexualassault/Pages/sexual_assault_victims.aspx) (viewed 18 June 2018).
- 7 *Crimes Act 1900* (NSW) s 61L.
- 8 Australian Institute of Family Studies, *Appendix A: legislation table: Elements of the laws surrounding sexual assault, by jurisdiction* (2018) At <https://aifs.gov.au/appendix-legislation-table-elements-laws-surrounding-sexual-assault-jurisdiction> (viewed 18 June 2018).
- 9 *Crimes Act 1900* (NSW) s 61L.
- 10 *Crimes Act 1900* (NSW) s 61L.
- 11 *Sex Discrimination Act 1984* (Cth) s 28A(1).
- 12 *Sex Discrimination Act 1984* (Cth) s 28A(1).
- 13 *Sex Discrimination Act 1984* (Cth) s 28F.
- 14 See, for example, *Harwin v Pateluch* [1995] HREOCA 23 (extract at (1995) EOC 92-770) in Australian Human Rights Commission, *Federal Discrimination Law* (2016) 140.
- 15 *Anti-Discrimination Act 1977* (NSW) Pt 2A.
- 16 Universities Australia, *Guidelines for University Responses to Reports of Sexual Assault and Sexual Harassment* (2018). At <https://www.universitiesaustralia.edu.au/uni-participation-quality/students/Student-safety/Guidelines-for-university-responses-to-sexual-assault-and-sexual-harassment#.W-kD6NVLhOQ> (viewed 12 November 2018).
- 17 Universities Australia, *Guidelines for University Responses to Sexual Assault and Sexual Harassment* (2018) 12. At <https://www.universitiesaustralia.edu.au/ArticleDocuments/797/UA%20Guidelines.pdf.aspx> (viewed 10 August 2018).





## 2 Key findings: Prevalence of sexual assault and sexual harassment at UNE colleges

This chapter summarises the key survey findings relating to the prevalence of sexual assault and sexual harassment within the current resident population at UNE.

The experience and perpetration of both sexual assault and sexual harassment at UNE colleges was gendered. Approximately one-third (30%) of residents that responded to the survey reported experiencing sexual harassment since residing at their college, with female residents experiencing sexual harassment at two and a half times the rate of male residents. Of residents that completed the survey, 4% said they had experienced actual or attempted sexual assault since first residing at their college, and there was evidence that female residents experience sexual assault at higher rates. Most incidents of sexual assault and sexual harassment involved a single perpetrator, who was male.

Sexual assault and sexual harassment predominantly took place on college grounds and throughout the year. However, the majority of incidents of sexual assault and sexual harassment were not reported, with only 8% of those who completed the survey who had experienced sexual harassment reporting their most recent incident.

The reported prevalence of sexual assault and sexual harassment, as well as reporting practices and general awareness of reporting mechanisms and support services, have informed the recommendations made in this report.

### 2.1 Sexual Assault

Given the overall response rate to the survey and the low proportion of residents that said they had experienced sexual assault, there is insufficient data to allow a detailed and statistically reliable examination of residents' experiences of sexual assault. Reporting on the low number of responses also carries the risk of unintentional identification of survey respondents.

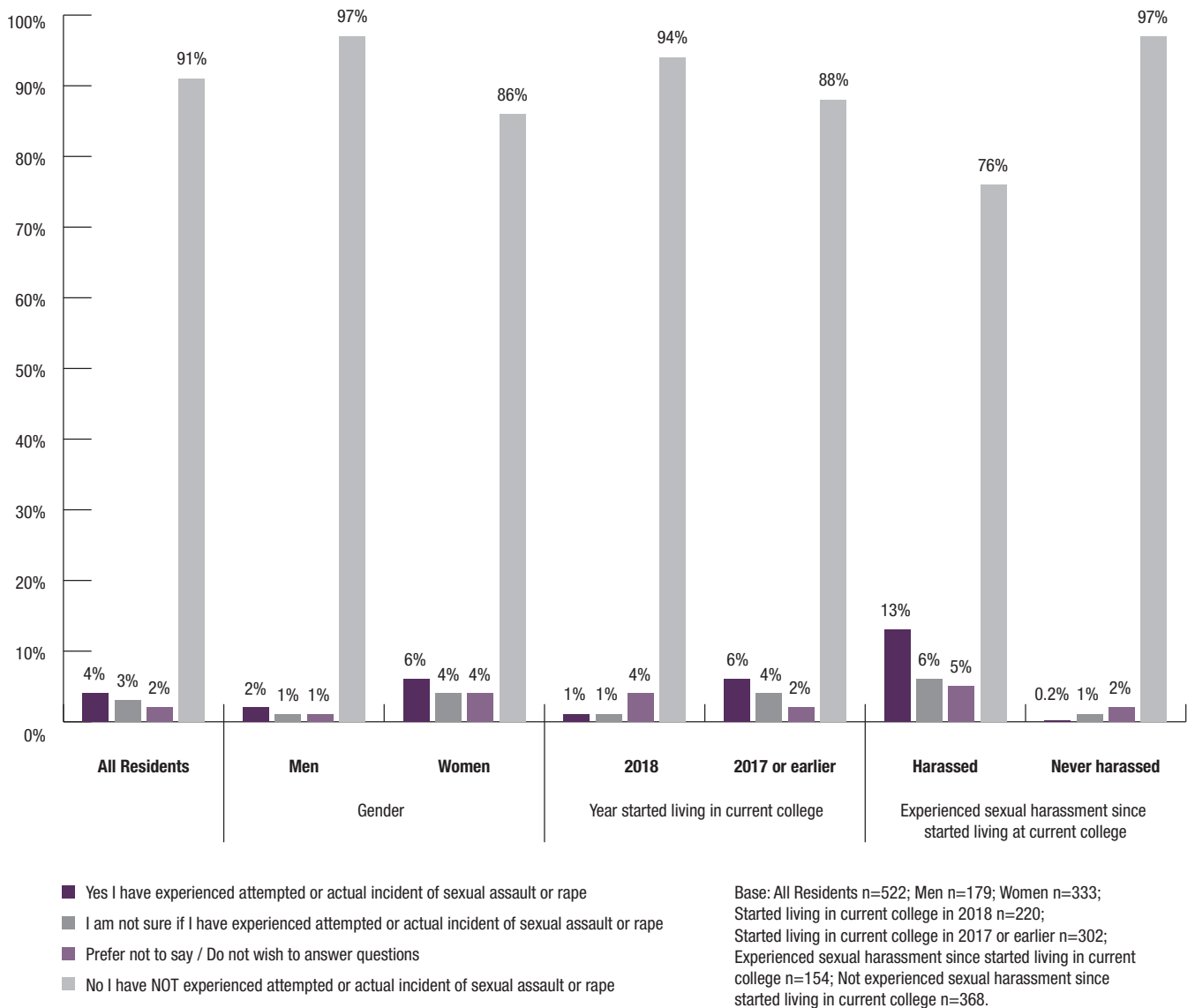
Given this, a broad overview of residents' experiences of sexual assault has been provided. This should be considered indicative only, and may or may not be applicable to the experiences of other residents who have experienced actual or attempted sexual assault.

#### Prevalence of sexual assault

Overall, 4% of residents that responded to the survey reported experiencing actual or attempted sexual assault since first residing at their current college. There is evidence to suggest that this happened at higher rates for female residents than male residents, with 6.1% of female respondents reporting experiencing sexual assault compared to 1.8% of male respondents. Further, 97% of male respondents specifically reported that they had no experience of actual or attempted sexual assault, compared to 86% of female respondents.

17% of survey respondents who chose to answer questions relating to sexual assault reported that they had witnessed or heard about an incident of sexual assault since they started living at college.

**Figure 1 – Experienced actual or attempted sexual assault or rape since started living at current college**



Please note the percentages in Figure 1 have been rounded to the nearest whole number.

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## **Where and when is sexual assault occurring?**

Residents said they experienced actual or attempted sexual assault most frequently at their own college. The most recent experience of actual or attempted sexual assault was most likely to have taken place within a room at their college, either their own or someone else's.

Residents also reported experiencing actual or attempted sexual assault at social events, and usually at social events endorsed by UNE or by a college (either their own college, or another college). Licensed hotels and bars used by college residents were also said to be common places for actual or attempted sexual assault to occur.

Most residents reported that their most recent incident of actual or attempted sexual assault took place during the academic year, suggesting that sexual assault was not a problem exclusive to O-Week. While the number of most recent reported incidents occurring in 2017 was twice as high as 2018, it should be noted that the survey was conducted less than halfway through 2018.

## **Who is perpetrating sexual assault?**

Three quarters of the most recent incidents of actual or attempted sexual assault revealed in the UNE college review survey involved a single perpetrator. In these instances, the perpetrator was almost always a male and known to the victim. For instances involving multiple perpetrators, the majority of incidents involved male perpetrators known to the victim.

Most perpetrators of sexual assault were fellow residents from the same college, although there were some incidents where the perpetrator was a student who did not reside at the victim's college.

## **Is sexual assault being reported?**

Around a quarter of residents that said they had experienced actual or attempted sexual assault in the UNE college review survey had formally reported their most recent experience. The reasons cited for not reporting were largely systemic, with a lack of trust or confidence in the reporting process, or in those that were available to talk to.

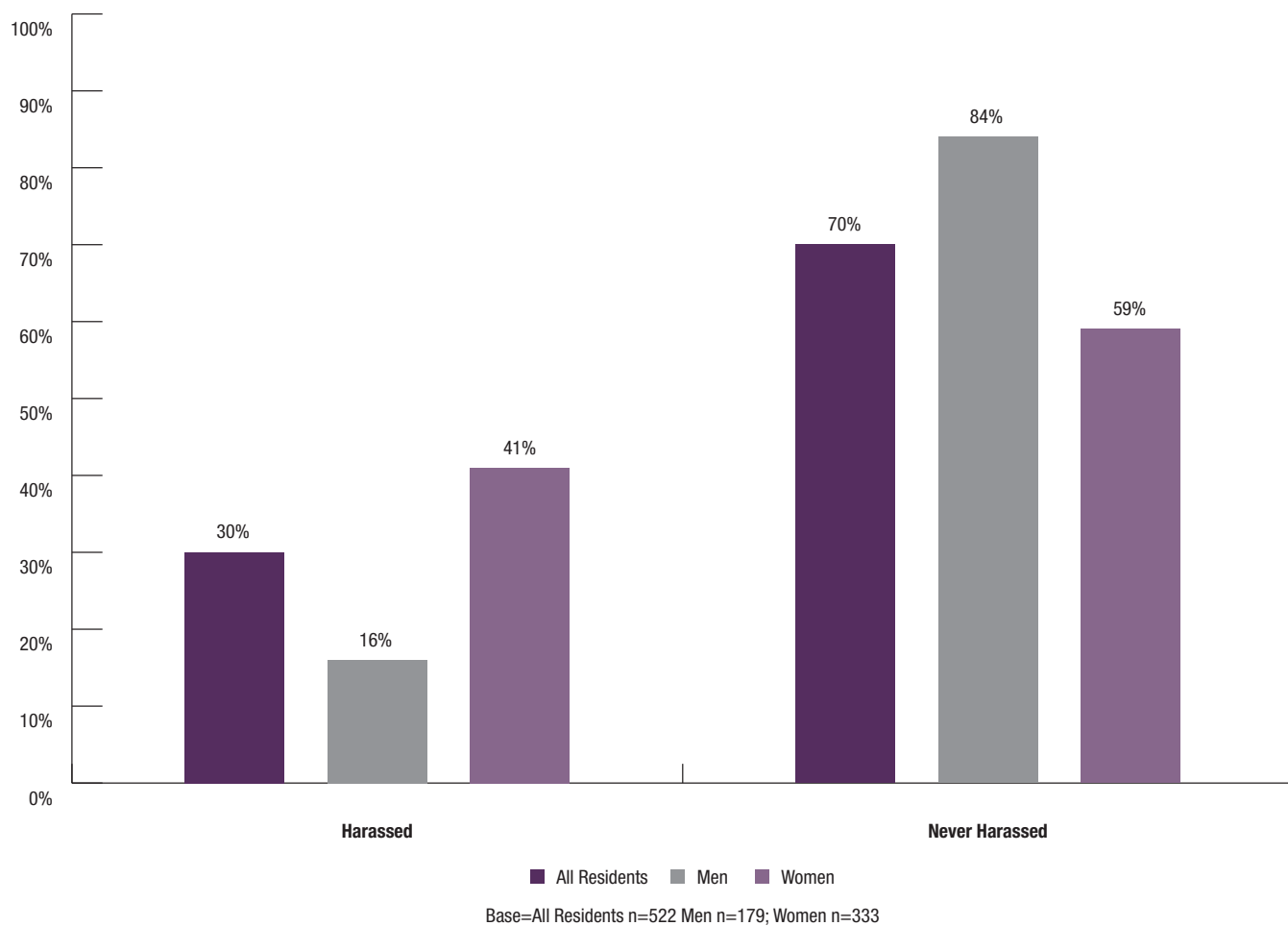
Barriers to reporting are explored in more detail in *Chapter 10: Barriers to reporting sexual assault and sexual harassment*.

## 2.2 Sexual harassment

### Prevalence of sexual harassment

Approximately one-third (30%) of residents that responded to the survey disclosed that they had experienced sexual harassment since residing at their college. This rate was two and half times higher for female residents (41%) than male residents (16%).

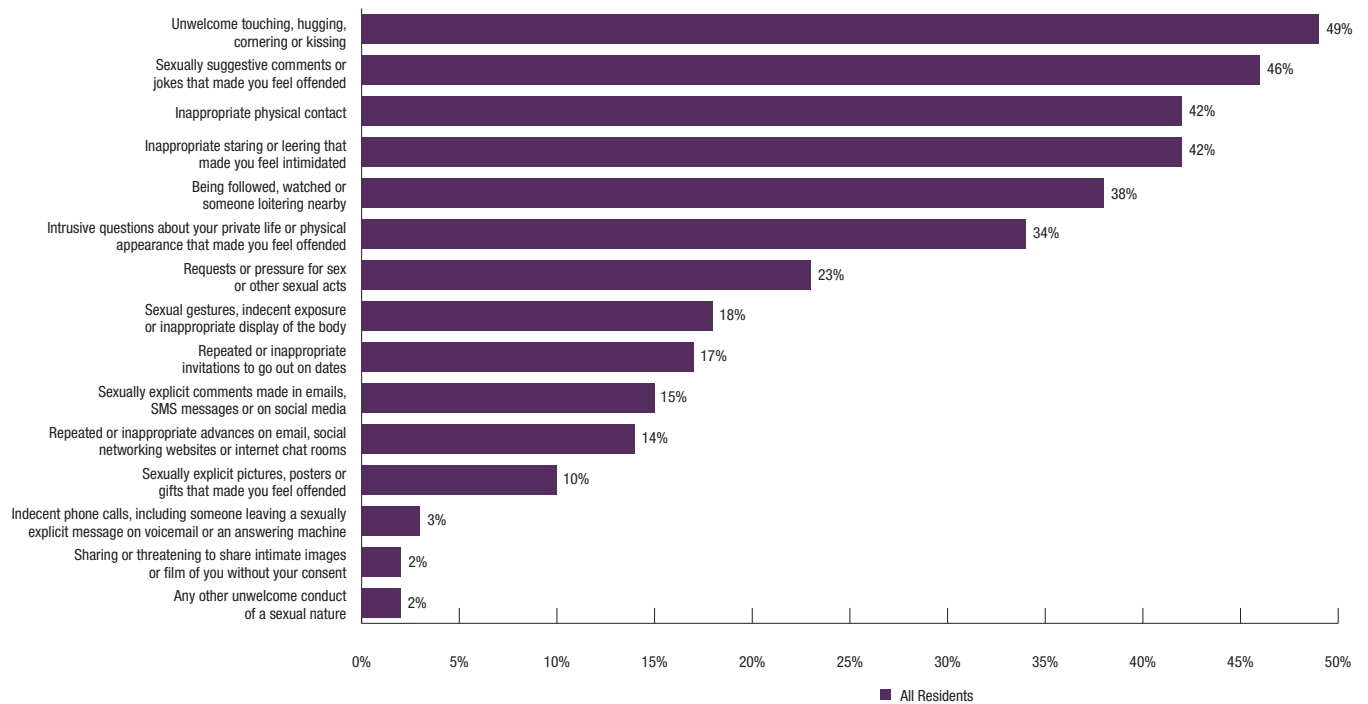
**Figure 2 – Experienced sexual harassment since started living at current college – Men & Women**



The most common types of sexual harassment experienced were:

- unwelcome touching, hugging, cornering or kissing (49%)
- offensive sexually suggestive comments or jokes (46%)
- inappropriate physical contact (42%)
- inappropriate staring or leering (42%)
- being followed, watched or someone loitering nearby (38%).

**Figure 3 – Types of sexual harassment experienced since started living at current college**



Female survey respondents experienced inappropriate staring or leering more often than male respondents. The most common form of sexual harassment experienced by male respondents was inappropriate touching, hugging, cornering or kissing.

Almost two-thirds (62%) of those who had been sexually harassed said that they were aware of other resident/s at their college who had also experienced the same form of sexual harassment. Further, 34% of residents that responded to the survey reported that they had either witnessed or heard about sexual harassment occurring at their college.

### Where and when is sexual harassment occurring?

The majority of sexual harassment experienced by residents who completed the survey took place on college grounds, with almost two-thirds (62%) experiencing sexual harassment at their college residence or grounds on at least one occasion since they began living at their college. Other common areas where residents said they had experienced sexual harassment were:

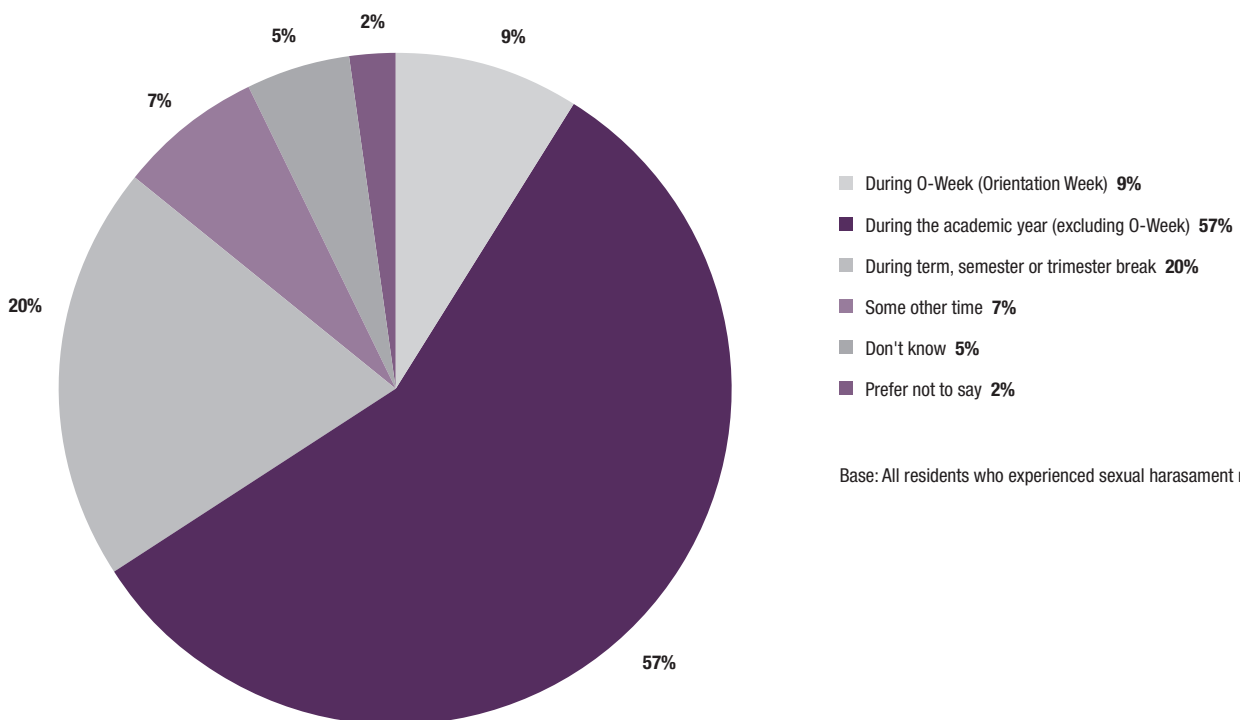
- an event or social occasion attended by residents including from other colleges (39%)
- another UNE college or its grounds (26%)
- a college event or social occasion that was not held at the college (26%).

There was no significant difference between where female and male residents were more likely to be sexually harassed, nor between first year residents (residents who commenced living at their current college in 2018) and longer term residents (residents who commenced living at their current college in or before 2017).

The survey results indicate that sexual harassment was an ongoing issue for residents and not just limited to the initial period of residency. For three out of five (61%) survey respondents who said they had experienced sexual harassment, their most recent incident had occurred in 2018. A further one in four (25%) said they had experienced their most recent incident in 2017, and the remainder prior to 2017. When first year residents are excluded from this analysis (as their most recent experience could only have occurred in 2018) the proportion of longer term residents whose most recent experience of sexual harassment occurred in 2018 and 2017 remains common.

Survey respondents' most recent incident of sexual harassment was most likely to occur during the academic year (57% of most recent cases). Fewer than one in ten (9%) of the most recent incidents occurred during O-week. However, this is not necessarily indicative of a low incidence of sexual harassment during O-week. As the survey was conducted five months after O-week, there is a possibility that respondents whose most recent experience had occurred during the academic year had also experienced a less recent incident during O-week. Despite this, the results do provide evidence to conclude that sexual harassment occurred at any time during the academic year, and was not predominantly associated with O-week.

**Figure 4 – When the most recent sexual harassment occurred**

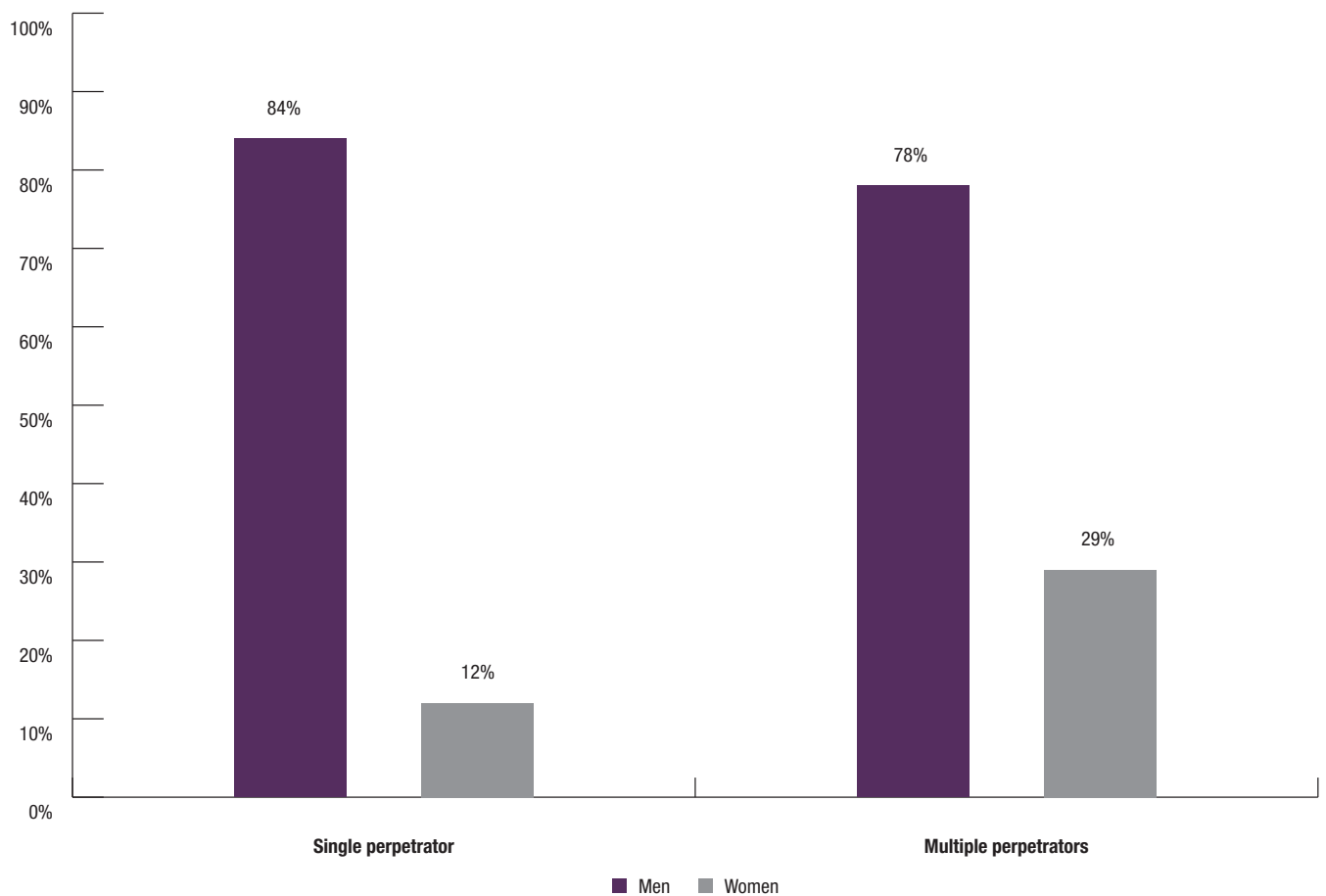


## Who is perpetrating sexual harassment?

The majority of incidents of sexual harassment reported involved a single perpetrator who was male. Of the most recent incidents of sexual harassment disclosed in the survey, 66% involved a single perpetrator only, and in 84% of these cases, the perpetrator was male.

A woman was more likely to be a perpetrator when there were multiple perpetrators involved in an alleged incident of sexual harassment. Where the most recent incident involved multiple perpetrators, one or more of these perpetrators was male in 78% of cases, with one or more of the perpetrators a female in 29% of cases. Where the victim was female, one or more of the perpetrators was a male in 83% of cases, and a female in 15% of cases.

**Figure 5 – Characteristics of perpetrators: Gender**



Sexual harassment was also most likely to be perpetrated by people known to the victim. Where the most recent reported incident of sexual harassment involved a single perpetrator, the perpetrator was known to the victim in more than half (57%) of the cases. In incidents involving multiple perpetrators, at least some, if not all, of the perpetrators were also known in the majority (57%) of instances.

The most recent alleged incident of sexual harassment was most likely to have been perpetrated by another resident at the victim’s college (39% of cases involving a single perpetrator and 51% of cases involving multiple perpetrators). For incidents involving multiple perpetrators, 29% of cases also involved a resident from another UNE college.

### Is sexual harassment being reported?

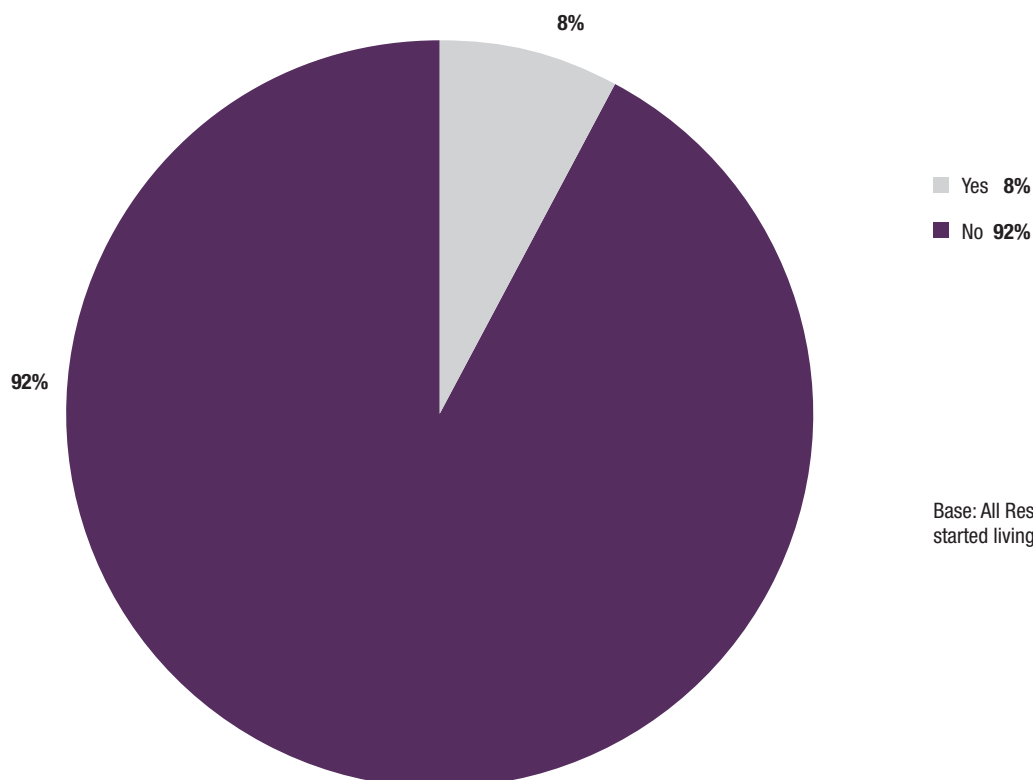
Sexual harassment was significantly underreported. Only 8% of those who completed the survey who said they had experienced sexual harassment made a formal report or complaint about the most recent incident. Additionally, only 12% of victims who completed the survey sought support or advice.

More than half of those who did not make a formal report and/or seek advice for their most recent incident identified that they did not report or seek support because they did not think the incident had been serious enough and/or they did not need help. Other common reasons included that:

- they thought that people would think that they were over-reacting (39%)
- they took care of the problem themselves (33%), and
- it was easier to keep quiet (31%).

Barriers to reporting are explored in more detail in *Chapter 10: Barriers to reporting sexual assault and sexual harassment*.

**Figure 6 – Made a Report or Complaint**



Base: All Residents sexually harassed since they started living at their current college n=154.







## 3 Key findings: Culture and identity

Each UNE college has a unique identity, particularly in relation to general interests, areas of study and student leadership. This chapter examines the culture of each of the seven UNE colleges and also identifies areas of commonality.

Most residents spoke positively about their college's strong sense of community, the close friendships formed, and the support and connections developed during their time in residence.

However, residents also referenced aspects of college culture that had a negative impact on their experiences, including social hierarchies and a general pressure to fit in. These aspects of college culture have an impact on the reporting of incidents of sexual assault and sexual harassment.

The Commission's recommendations in this report are underpinned by an understanding of the culture and identity of each of the UNE colleges to ensure the recommendations are made in that context and are fit for purpose.

### 3.1 Areas of commonality

There are common elements of the culture of all UNE colleges. Residents at each of the colleges spoke of a strong sense of community, with college environments characterised by close, familial-like relationships. While this strong sense of community and family-like relationships have definite benefits for residents, there are also some negative consequences, including residents feeling pressure to fit in, tribalism, and an entrenched power hierarchy.

#### **Community**

One commonality between each of the seven UNE colleges is a strong sense of community. Residents spoke of the close-knit and friendly nature of their college community.

'Almost like a cult because of how tightly knit we are.'

'I made friends easily and always felt included and part of the community.'

'The culture at my college was extremely friendly.'

A sense of community is fostered by common interests, particularly with sport at St Albert's College and Robb College.

With the exception of Wright College and Village, which generally had less of a strong communal atmosphere (see section 3.2), residents from across the colleges regularly used the word 'family' to describe the culture at their college.

'I just feel like I'm living with a massive big family.'

'Family. That's probably one of the biggest ones we use around here: family.'

'Everyone feels like family here.'

While generally positive about the impact of this close-knit, family environment, some residents identified how the environment makes it difficult to keep personal matters private and confidential, including matters relating to sexual assault and sexual harassment.

‘We are a pretty small college, so like when something would happen, unfortunately people generally would hear.’

‘Being in a community like this, most people know what, like, if something’s ... not if something’s happened, but everyone knows what’s going on.’

‘I know of a couple of examples here now where a person has filed an online complaint and then told all of their friends about it.’

The issue of confidentiality and the prevalence of rumours around experiences of sexual assault and sexual harassment was also raised in submissions:

‘At the moment, if a victim was to report anything, there would be no confidentiality or additional protection. He or she would straight away become a subject of rumours and discussions.’

‘[I] have heard many rumours and stories which I could easily believe are true.’

The comparison of college culture to a family environment, and the ramifications this has for confidentiality, presents a number of challenges for those that have experienced sexual assault and sexual harassment, especially when it comes to reporting their experiences. Where sexual assault occurs in a ‘family context’, there are additional factors associated with the nature and dynamics of family-like relationships that may prevent victims from reporting. The impact of these family-like dynamics on reporting are discussed in more detail in *Chapter 10: Barriers to reporting sexual assault and sexual harassment*.

### Fitting in

Residents referenced the pressure they felt to fit in with the culture at their college.

‘There is huge pressure to fit in.’

‘Peer pressure to fit in was huge factor.’

‘There was pressure, but I found that an important method of making friends and having fun.’

For many, this was reflected in an expectation that they get involved in many aspects of college life, such as sport, social events or cultural activities.

‘You were just always encouraged to be involved.’

‘There was enormous pressure to join in on events.’

‘The culture theoretically was about getting us involved in uni life however practically they pushed too hard to get us to be involved in everything. We would end up burnt out and criticised if we decided not to go to an event because of this or any other reason. You would lose friends and mostly respect as a person if you didn’t do everything.’

In addition to experiencing pressure from other residents, there was also a sense that residents placed pressure on themselves to be involved.

‘You were probably the one that pressured yourself, out of anything, like you really want to do everything.’

‘Have you ever heard of the term Fomo [fear of missing out]? ... it wasn’t like pressure from us [older residents] per se, but like they [first years] didn’t want to miss out on anything.’

Residents also described the negative impact of not fitting in with the broader college culture.

‘I can see if you didn’t fit in at all in some way would make it harder to remain at college.’

‘I found it difficult to make friends and fit in. I often felt alone.’

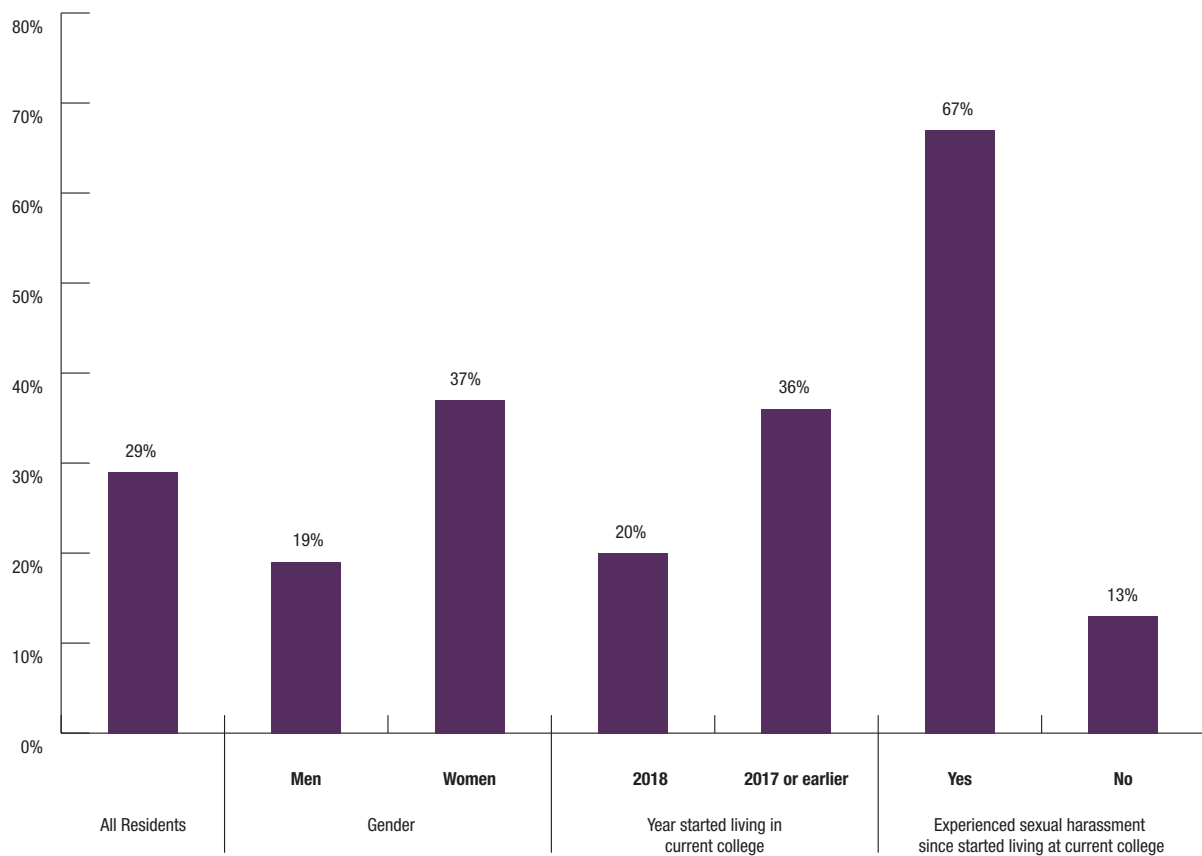
‘Throughout my time there I found that I was continuously bullied, peer pressured and put down by fellow residents.’

‘One was ostracized [sic] from the group if they did not wish to participate in sports, parties or even attending dinner at precisely the same time as the rest of the floor.’

## Bullying

The survey results identified that three in ten (29%) residents who completed the survey had experienced at least one form of bullying or intimidation since they had started living at their college. The rate for women (37%) was nearly double the rate for men (19%). The survey results also highlighted a relationship between experiences of sexual harassment and bullying, with those who said they had experienced sexual harassment substantially more likely also to have experienced bullying since living at their college (67%), compared with 13% for those who had not experienced sexual harassment).

**Figure 7 – Experienced bullying or intimidation since started living at current college**

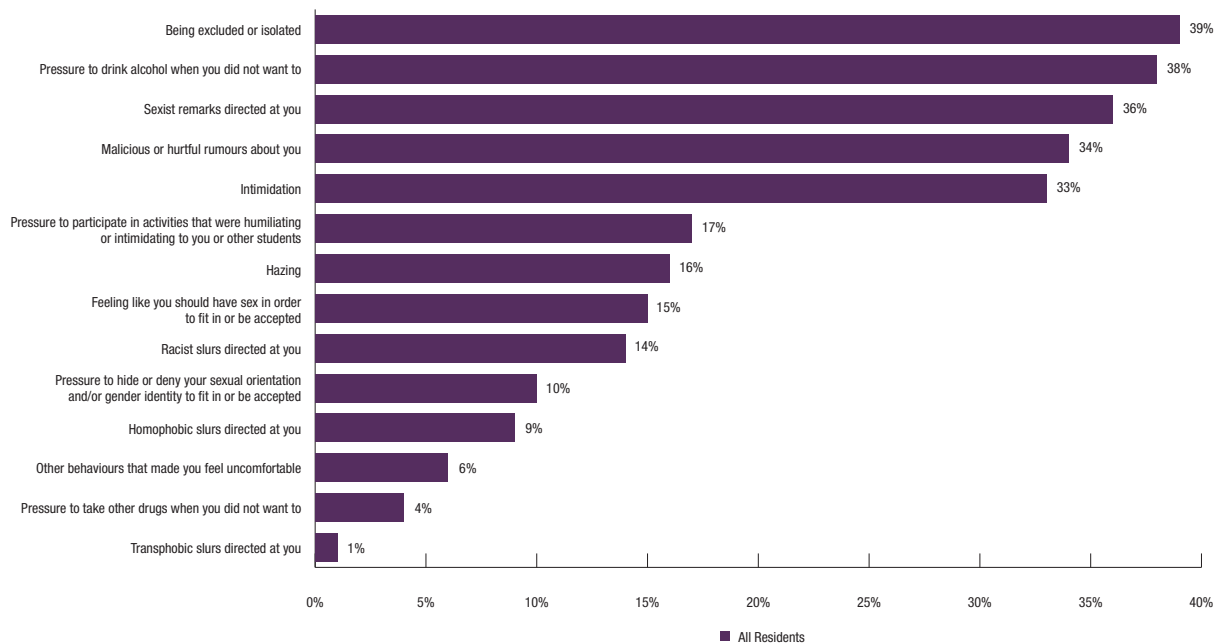


Base: All Residents n=522; Gender Men n=179; Women n=333; Year started living at current college 2018 n=220; 2017 or earlier n=302; Experienced sexual harassment since started living in current college Yes n=154, No n=368.

Of those who said that had experienced bullying, the most common forms of bullying were:

- being excluded or isolated (39%)
- pressure to drink alcohol when they did not want to (38%)
- sexist remarks directed at them (36%)
- malicious or hurtful rumours about them (34%)
- intimidation (33%).

**Figure 8 – Types of bullying or intimidation since started living at current college**



Base: All Residents bullied or intimidated since they started living at their current college n=148.  
 Note: Small bases or cell (n≤30) should be treated as indicative data only; data based on a cell size that is ≤30 are shown as a hatched bar.

More than half (59%) of those who had reported being bullied or intimidated said that they knew of another resident who had experienced the same form of bullying and intimidation.

## Tribalism

The identification of college communities as a family, the strong sense of loyalty many residents demonstrated towards their college, and the pressure on residents to fit in with their peers, suggest that there is an element of tribalism within the culture of some of the UNE colleges. In this context, tribalism refers to the conforming behaviours and attitudes demonstrated by individuals fiercely loyal to a specific group—in this context, a residential college community.

The presence of tribalism is further supported by statements from residents referencing the homogeneity of the culture at some colleges.

‘Everyone has kind of similar values, similar vibe.’

‘You’ve got to try and fit into a certain culture.’

‘Likeminded people, I think, everyone gets along, and from the same sort of background.’

The Commission also heard of examples of ‘hazing’ practices in some colleges, which also point to a culture of tribalism. Hazing at UNE colleges is explored in more detail in *Chapter 6: Hazing*.

A culture of tribalism may influence decisions about reporting experiences of sexual assault and sexual harassment. Residents may be hesitant or fearful of reporting their experiences due to concerns they may appear disloyal to the ‘tribe’, and be ostracised.

‘The RF [resident fellow] tried to keep a lid on it but it got out and the result was the person who made the complaint ended up getting bullied out of the university.’

‘Everyone who wanted to report something was too afraid to because it was like social suicide.’

Tribalism may also be why many residents were hesitant to speak negatively of their experiences at college, especially in focus groups. Fear of appearing disloyal to the “tribe”, or of being ostracised, may have prevented residents from speaking candidly in front of their peers. Conversely, many submissions, especially those from recent former residents, provided further details about the culture of their residence (or former residence) that were not discussed in the focus groups.

## Social hierarchy

The Commission observed the existence of a social hierarchy within some UNE colleges. This hierarchy was observed to differing degrees within each college, and it is not possible to generalise the nature and extent of hierarchy across all UNE colleges.

However, the fact that the hierarchy is largely determined by duration of residency at college was common to all colleges.

‘You’ve got to earn your way up through being at college and experiencing everything.’

‘There was also a hierarchy built into the time elapsed at college. If you were a “returner” student who had spent two or more years at college, you were allowed to “ask” (I am uneasy to use to the word “force”) the younger “fresher” students to do your bidding, from getting you another drink to taking your laundry to the wash rooms.’

The Commission observed the power dynamics within the college hierarchy in focus groups. Often, senior residents and student leaders were first to answer questions, and set the tone for other residents’ contributions. At times, non-leaders’ views were also ‘corrected’ by student leaders.

Duration of residency and leadership positions were not the only factors identified by the Commission as influencing hierarchy. A number of residents also referenced the relationship between alcohol and social hierarchy within some of the colleges.

‘Literally a hierarchy of popular to non-popular ... The drinking culture is a major part of separating the popular with the non-popular. The popular people are part of a drinking group that go out do activities together and sit together at formal dinners etc, and if you aren’t popular enough, you aren’t picked to join those groups and you’re left out.’

‘If you didn’t drink, you were peer pressured, bullied and we’re made to feel irrelevant.’

## 3.2 Individual college cultures and identities

### Austin College

Established as an all-female college in 1972, the now co-educational Austin College accommodates 139 residents as at August 2018. The current cohort is comprised entirely of domestic students, almost 60% of whom are female. All but one resident was undertaking undergraduate study and over 60% were in their first or second year of residency at Austin College.

Austin College is managed by a Head of College and an Officer Manager and has a 29-person student leadership team including Resident Fellows, Academic Mentors and a Junior Common Room. Resident Fellows are responsible for residents' pastoral care, Academic Mentors provide academic support, and the Junior Common Room is the college's social club.

Despite there being a larger proportion of female residents, Austin College has fewer female residents in leadership positions: 45% of student leaders were female. While this gender disparity remains, the Commission understands that there has been an improvement in the number of female student leaders at Austin College in recent years.

'When I first came here, the girls didn't ... I couldn't understand why the girls didn't want to go for leadership or anything like that. It was astounding. And there was very much like a boys' club culture here. And within years we've got more girls telling the boys what to do.'

When describing the culture of Austin College, many residents stated that it had a 'good balance' in terms of focus on academics, socialising, sport, and other activities.

'I'd say I've heard a bit that some people say that we've got a good balance.'

'I had a lot of friends at other colleges and I had heard that Austin had a good balance between the social aspect and the study aspect. And there was a lot of colleges that I heard they just had one or the other, and I think I kind of wanted a mix of both, and that's what I was getting here.'

'Yeah, a good balance, and a lot of people from my school came here, and I just heard good things and it was sporty as well.'

Residents at Austin College are undertaking a range of degrees, and come from diverse backgrounds. The Commission heard that this diversity was viewed positively by residents.

'It's quite a diverse college. Like, it's got people from all different backgrounds, all the people from the city, or especially from the country as well, and yes, there's quite a lot of diversity, so I think it's really good, so I enjoy it.'

'Some of the other colleges looked like they were for certain types of people. Like, certain people would be better fit in certain things, but Austin felt like anything goes. So I thought it would be a better choice.'

During focus groups at Austin College, nearly all residents spoke of the ease in which they made friends in their first year at the College.

'Yeah, it was so easy. Even with being a first year, even with the student leaders, everyone was just so welcoming and everything.'

'It's ridiculous how quick you make friends.'

'Everyone was really—like everyone is really approachable. Like for my first year people that were in their fourth and fifth and like talked to me.'

'Yeah, I found it pretty easy. I felt like I had better friends here than I ever had anywhere else.'

However, the Commission heard in submissions from both current and former residents about a strong social hierarchy within Austin College, as well as the dominance of 'drinking groups'. These drinking groups are discussed in more detail in *Chapter 6: Hazing*.

### Duval College

Duval College was established in 1959 as UNE's second all-female college. Now co-educational, approximately 60% of Duval College's 158 residents were female as at August 2018. All residents at Duval College are domestic students undertaking undergraduate study, with approximately 75% in their first or second year of residency at Duval College.

Duval College is managed by a Head of College and Office Manager. The 30-person student leadership team includes Resident Fellows, Academic Mentors and a Junior Common Room. 55% of all student leaders were female.



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Residents at Duval College are undertaking a range of degrees and have varied affiliations with sporting groups, particularly with rugby union, netball and kayaking. Duval College's diversity of interests and 'all-roundedness' was highlighted by many residents when asked to describe the college culture.

'I think Duval also has a really good balance of study and social life and, I guess, unlike other colleges, it doesn't really have an agenda; whereas you can see with other colleges they do and you've got to try and fit into a certain culture.'

'People say we are pretty much all rounded, I guess. So, a lot of colleges, like it was said, rugby college or etc., at Duval, we're pretty good at academics with decent sporting fields. Like we don't have a specific identity. So, all-rounded, have a go, maybe, is our identity. I don't know.'

'I think that's the best way is all-rounded. There's nothing specifically that we do, I wouldn't say well in, but we do well in everything and then it's just, sort of, everyone appreciates that you can come here with any interest and any hobbies and people love it and you can thrive at whatever you love. I think that's the biggest attraction for Duval College.'

'I think it's reflected in the intake of degrees, like you probably saw international business, agriculture. There're so many different types of degrees here at Duval as well, which is interesting.'

Duval College's 'all-roundedness' and balanced approach to study and extra-curricular activities was also recognised by residents from other colleges.

'They've [Duval College] got a fairly good balance of study and play, so they'd have plenty of events and have a lot of fun, but also work pretty hard as well.'

The sense of community at Duval College was also highlighted by a number of current residents.

'Yeah, it's a really nice social community. Like, if you're just in your room or something, if you see someone walk past, they'll be happy to talk to you about stuff. There're also really good like studying systems and things like that. Like, I don't really suffer here at all. I'm happy.'

'It's really supportive as a community.'

## Earle Page College

Established in 1963, Earle Page College accommodates 166 students, comprising of 146 undergraduates and 20 postgraduates as at August 2018. Of the resident body, 56% identified as female. The college has 144 domestic and 22 international residents. Students at Earle Page College study a broad range of degrees.

Earle Page College is managed by a Head of College and an Office Manager and has a 28-person student leadership team. The student leadership team includes Resident Fellows, Academic Mentors and a Junior Common Room. Approximately 57% of the student leadership team was female.

One member of each of the three student leadership teams live on each floor, in a model referred to as the Trident System. Residents spoke highly of the Trident System, recognising the support it provides residents, as well as student leaders.

'So on each floor – in some colleges it's block – we have one JCR at least ... One academic mentor and one RF and they work as a committee together to make sure that the overall wellbeing of happiness – all the aspects of life are working well for everyone on the floor.'

'If you do not feel comfortable coming to your RF or one of the other RFs because you don't know them as well, you can go to the other people on the [trident] team and they will do – there's another support system there to make sure people do feel comfortable to go and talk to a leader.' So that was another thing with the [trident] system that was really good.'

'Also, each floor has like three, at least three of the main three leaders and so like you act as support systems for each other.'

Many residents described Earle Page College as a tight-knit and welcoming college community in both their submissions and in focus groups.

'We all just stick up for each other. I know other colleges see Earle Page as almost like a cult because of how tightly knit we are.'

‘For us, all the residents here in this community is our family away from home. I think the most important thing that Page creates is an atmosphere—especially for the younger students—the first year, second year students who do really leave home without knowing what they’re stepping into. It creates this safe barrier for them to feel accepted but still get used to adulthood on a lighter level, as opposed to being thrown into a house on their own and those sorts of things.’

Residents also spoke of Earle Page College’s focus on creative and performing arts. Many residents identified that this focus on creative and performing arts was what had drawn them to Earle Page College.

‘It’s quite a diverse student base that are attracted to Earl Page perhaps more than some of the other colleges that have a sporting focus.’

‘For me, it was culture. It had a lot to offer that other colleges didn’t. I’m into the arts, so it offers a musical. The other colleges didn’t.’

‘Every college definitely has its stigma, though, as to whether it’s like an outside one so ours has been, I think musical, especially being the only college to put one on, it’s been branded as the theatre college for a while.’

Inclusiveness was another frequently mentioned feature of Earle Page College’s culture, particularly for LGBTI residents. Several residents described how Earle Page College was a welcoming environment for LGBTI students, with the College community demonstrating a strong willingness to celebrate gender diversity.

‘We’re definitely known as the gay college. We’re very okay with it. We’re very open. This year has been incredible because we’ve had quite a few transgender people come through in the last few years and it’s been really amazing how welcoming this place has been to those people and accepting. Because, in our society, you’re always worried about those people and how they’re going to be taken. But this place is just incredible and it’s never failed me in those sorts of ways.’

‘There’s been gay senior leaders across all of them. We’ve had running this college—at one point there was just three of them. That wasn’t even a big thing for us.’

‘We had this event called Mardi Gras and I’ve never seen the whole college come together—it was last year—and the amount of glitter and rainbow and costumes; our college was just stained for weeks with glitter.’

## Mary White College

Established in 1957 as an all-female college, the now co-educational Mary White College accommodates 177 residents as at August 2018, with approximately 55% of the cohort female. Most residents are domestic students undertaking undergraduate study, with approximately 77% of residents in either their first or second year at Mary White College.

Mary White College is managed by a Head of College and Office Manager with a 34-person student leadership team. The student leadership team includes Resident Fellows, Academic Mentors and a Junior Common Room. Mary White College has the greatest female representation in leadership positions across all colleges at UNE. Approximately 65% of the entire student leadership is female and 75% of the college-appointed student leadership positions are held by female residents.

Located ‘up top’ within the UNE academic campus, Mary White College sits outside the residential precinct. Many residents identified that this proximity to the academic campus was one of the reasons they had chosen to live at Mary White College.

Some residents also saw that this geographic separation from the other colleges had a positive impact on the culture at Mary White College, as it allowed them to develop a unique identity separate to the other colleges.

‘Mary White, in terms of your uni colleges in general, is a different college. You know, with all the other colleges they were kind of fairly co-located down the hill whereas we’re up here by ourselves. You know, and I think that sort of – not only does it take us away from the noise but you know it kind of means that we kind of build our own identity, you know rather than just like in the colleges you know there’s drinking all the time and all of that kind of stuff; you know we’re a different college.’

Residents at Mary White College described the culture at the College as well-balanced, with a particular focus on academic performance. Over one-third of Mary White College residents are studying medicine.

‘It’s definitely a very academically driven college, from comparing to other colleges, but we do try and keep a really good balance, and I think we achieve that balance quite well. It’s not too many parties and drinking and passing out; it’s a lot of keeping everything quite balanced.’

'I heard that it was a more academic college, it was more, you know. I heard a lot about the other colleges being more party orientated, that sort of thing, but Mary White was more focused.'

'There was a lot of talk about you know, like Mary White being more studious than a lot of the – and especially a big thing for me was like a lot of the med cohort is here, so like we all, you know, use the spaces here, so it's good to have like people doing the same degree at the same place, so that was a big thing that led to me coming here.'

Mary White College residents identified that they generally adhered to rules and guidelines implemented by the college and UNE. Some residents saw Mary White College as unique in this regard, with a view that other colleges did not abide as strictly to UNE rules and guidelines.

'When the university says something, whether or not we're like "Oh, that's so annoying" we actually do follow that rule, which I think at certain points during O-Week and Wellness Week it caused a bit of a tension because some of the bottom colleges were like "Oh, that's nice" and ignored the rules.'

'I think we take a lot of pride—I think a lot of us take a lot of pride in the fact that if a lot of the bottom colleges are bending the rules then we take pride in the fact that we're standing up and we're doing the right thing. And I think people can think of it as making us boring or making us the lame college but I think a lot of us, especially the leadership teams, take a lot of pride in the fact that if there's the rule we'll follow it, and you know because people do appreciate it.'

Residents attributed their adherence to rules and guidelines to the fact that their Head of College lives on site.

'We abide by our rules because our head of college lives with us, where none of the other colleges, their head of college doesn't live with them ... [Head of College] knows if something happens here, because he lives just there; he can hear everything. He sees everything.'

## Robb College

Established as an all male college in 1960, Robb College became co-educational in 1977 and as at August 2018 has a total of 194 residents, all of whom are domestic residents. 55% of the resident cohort were female, with all residents currently undertaking undergraduate study. Almost 80% of residents were either in their first or second year at Robb College.

Robb College is managed by a Head of College and Office Manager. The 19-person student leadership team comprises of Resident Tutors and a Junior Common Room executive. With only 37% of student leaders female, Robb College had a greater number of male residents in leadership positions, despite there being a larger proportion of female residents.

Robb College is known as an agriculturally-focused college, with over 60% of residents at Robb College currently undertaking an agriculture-related degree. Many residents also told the Commission that they had come from a rural or regional background. The Commission heard how Robb College residents shared rural and farming backgrounds and interests creating a strong sense of community.

'Well most of us come from an agricultural background, so there's a—so it's a tight community already that we come from, so you know how to look out for each other already.'

'Because you're all from pretty similar backgrounds in terms of where you've come from and what you've done and it's just pretty easy to get along with people, seeing as you have the same sort of characteristics I guess.'

'I think what also helps is—because we've got the same background, we generally pick the same courses, so then you're with them in your lectures too, so then you've got people that you know from college which you can go and do lectures with and come back.'

However, this lack of diversity, particularly relating to areas of study, has proved difficult for residents not undertaking agriculture-related degrees.

'But then there are obviously people who aren't studying ag, or don't have an interest in agriculture. I mean a couple of them don't enjoy it here as much, but most of them do.'

'That is really hard. I don't study an ag degree, and there's no—like I can't really get any academic help at college.'

Residents and staff shared that they would like greater resident diversity at Robb College.

'I think more diversity would be good, though. In any community, it's good to have people from a range of backgrounds.'

'I would like more diversity. I'd like more diversity not only in the type of person here, but the degrees that we do.'

However, some residents were of the view that residents should be like-minded or from similar backgrounds, and saw that there would be a negative impact from selecting residents for the sole purpose of increasing diversity.

‘They’re likeminded, but they’re going—they’re not doing ag, but they are from very similar backgrounds. Very similar interests. Things like that. For example, there’s an international student and she’s got very similar interests and backgrounds to us, so we would love to have people like her.’

‘I think everyone should be here on their own merit and their own suitability to the college. So I think it could have a negative impact if you try to increase the diversity because you might not be getting the right people that make the college, like you shouldn’t be looking for the people.’

Sport is also an important part of Robb College’s culture. During focus groups, the Commission heard that most residents were involved with sport in some way, with Robb College having a long-standing rugby union rivalry with St Albert’s College.

‘It’d be tough to find ten people who don’t play sport.’

‘I like the sporting culture that like Robb and [Albies] have, especially with the rugby.’

‘I never played sport before I came here and I started playing sport.’

The Commission heard how Robb College had recently introduced a women’s rugby team. The introduction of women’s rugby was lauded by residents.

‘It’s a massive club thing now for the girls and the boys. Which is something that I am just so proud of with Robb College.’

Another feature of college culture at Robb College emphasised in focus groups was the importance of charitable work, with residents proud of the money they raise annually for charity.

‘Everyone here will agree that the charity aspect of Robb is huge.’

## St Albert’s College

Founded in 1969 by the Armidale Catholic Diocese, St Albert’s College is the only independent college at UNE. As at August 2018, St Albert’s College accommodated 291 residents, approximately 54% of whom were female. All current residents are domestic students and are undertaking undergraduate study, with approximately 71% in either their first or second year at St Albert’s College.

St Albert’s College has a different staffing structure from the six UNE-operated colleges and is led by a College Master and Deputy Master, who are supported by a team of 11 staff. The Residential Support Team (RST) is comprised of 40 student leaders, including Residential, Pastoral and Academic Advisers. There were slightly more female residents in RST leadership positions. The RST members are tasked with providing pastoral care to students, and helping maintain a positive environment at the college. There is also a Junior Common Room Executive.

St Albert’s College residents generally described the college community as very close-knit and inclusive, using the word ‘family’ to describe the culture at the college.

‘It’s just like a massive big family so everyone’s here and it’s a lovely place to be really.’

‘We’re all in a big community basically and that’s what we are, that’s what we try and encourage being like a family.’

‘All the floors are set up as well, so you’ve got your own little family on your floor and you kind of—it grows sort of a real kind of special connection with those guys.’

When describing the culture of St Albert’s College, residents referenced sport and the role it plays in college life.

‘It’s good there’s a wide variety of sports you can play like, it’s not just rugby and netball, there’s heaps like water polo, basketball, soccer, there’s heaps of different things you can get involved in. And that was a big plus for me when I was looking at where I wanted to go because there’s so many options.’

‘I think as a whole, sport is a massive thing for the College like, rugby, netball, hockey, basketball, water polo, there’s so many sports and musical and all that so, yeah.’

‘And they’re always posting on the College page about different sporting matches so that they get a crowd to watch all the different sports.’

'Being involved in a sport gets you more involved in the College and how the college life is and the college spirit. And if you get around that then everyone will get around you as well.'

St Albert's College has also introduced a women's rugby team.

'The rugby club is, or it used to be, known just because we never used to have female rugby teams and over the past few years we've got female rugby teams which is great.'

Many residents spoke to the relationship between St Albert's College and Robb College.

'Mainly it's just the ones across the road there at Robb College. We are big rivals on the sporting fields but off the sporting fields even like, we know a lot of boys over there, a lot of girls too.'

'We have a pretty good relationship with Robb like, we have a good—even though we're rivalry and we verse each other in football and whatever in netball, we do—like, I have a lot of friends from Robb and I'm sure everyone around here has friends from Robb as well.'

The relationship has been developed through shared interests and experiences, particularly in relation to school, agriculture and sport.

'If you're into agriculture you've got Robb and Albies.'

'We might have gone to school with them, we might live in the same area so that's sort of how we form our friendships based off that.'

In light of recent media attention, particularly following the release of End Rape on Campus Australia's *The Red Zone Report*, many residents shared that they felt that the positive aspects of St Albert's College culture were being ignored, particularly their charity work.

'The biggest thing is what's been on the media at the moment how it has targeted—it feels like it's—we, as a community, feel like it's targeted us. We don't see why it has to be so heavily on us because the amount of good things that we do and we never get praised about like, the charity work we do.'

'And I don't think the charity work that we do gets recognised much. Last year we handed a cheque over to the McGrath Foundation for \$35,000.'

The Commission understands a number of changes have been introduced at St Albert's College in recent years to improve the College's culture. Residents attributed these changes to the work led by the current Master since commencing at the College in 2015.

'But the thing is, there's been a huge culture change since ... the Headmaster has been here. Things were a lot different before he was here, all the years before that but yeah, there's been a huge change, even though I wasn't there back then. You hear stories from back in the day, like—yeah, it's just a lot different.'

'When [College Master] came, there was more ... there was a shift to what we ... I don't know what the person was like before, but definitely feel as though we're being heard, and what we want, and just kind of, like, what cultural changes we want to make is well supported. I don't know what it looks like in years gone past, but it definitely feels we're supported now. And, as we've gone through, more supported each year, I think.'

'I was here a year before [College Master] came and he's changed it a lot, which is good. He's tidied everything up and he brought in the no bullying policy which is good.'

Changes include the introduction of college values, efforts to democratise student leadership processes to increase the diversity amongst leaders, and efforts to build a strong rapport between residents and management.

Residents indicated that these changes have been successful in improving the culture at St Albert's College.

'I think it's really good the changes that they've just made in the last few years, I think people are feeling more comfortable, more confident and I think the culture is much healthier.'

'I think you can see like, the trends if you're looking at how many people we've got here now, at the changes that we are putting in place and how much healthier it is.'

'I think there's been a huge ... I wouldn't say a huge culture shift, but there definitely has been changes implemented.'

Some residents identified the recent increase in applications to St Albert's College, stronger resident retention, and the size of the waiting list as evidence of the impact of these changes.

'I'm a fourth year, and in our first year in the block that I lived in, there was only two floors out of three filled, and they weren't even full. In the last three years, the college has grown to overcapacity, whereas in that first year when we came, there was two floors shut.'

'In my first year we had maybe, I don't even know, eight or 10 freshers leave in my first year and then this year maybe we've had two.'

## Wright College and Village

Founded in 1956, Wright College and Village is the oldest college at UNE. Wright consists of the College, made up of self-contained apartments, and the Village, made up of a combination of four, six and eight bedroom flats.

Wright College and Village is the largest UNE residence by resident numbers. As at August 2018, Wright College and Village accommodates 458 residents, 55% of whom were female. Wright College and Village is notable for having the largest number of both postgraduate student residents and international student residents across all colleges at UNE. As at August 2018, Wright College and Village had 134 international student residents, representing nearly 30% of the resident population. Approximately 68% of residents at Wright College and Village are in either their first or second year of residence.

Wright College and Village is managed by a Head of College, a Deputy Head of College and an Office Manager. Wright College and Village has a 35-person student leadership team, consisting of Resident Fellows, Academic Mentors and a Junior Common Room. Just over 50% of student leaders were female.

The Commission heard that a number of student leaders lived on different floors from the residents they are required to support. Some residents raised concerns regarding the impact this had on the connection between residents and leaders.

'I was living over there and RF-ing ["resident fellow-ing"] over that village. That was a bit harder against because I wasn't with the block. So it's a bit harder. You've really got [to] live with the block, amongst them.'

The Commission also heard of a desire for greater representation of international student residents in leadership positions.

Wright College and Village's combination of larger apartments and self-contained studios has created an environment and culture that is unique among the UNE colleges. The Commission heard how many residents liked the sense of independence and autonomy that Wright College and Village's living arrangements afforded them.

'I think a lot of people who move to Wright move because you come in, you do your work and then you leave. Like, there's no forced socialising that you have to do so it's an easy place to go into if you don't want to socialise.'

'Wright Village has got these self-catered flats, which—those international students prefer to cook on their own, rather than going through the public kitchen, or shared kitchen.'

However, the Commission also heard that the large, decentralised nature of Wright College and Village and residents' preference for independent living meant that it lacked the tight-knit culture of some of the other colleges. There are also fewer college social events, and less engagement by residents in college social activities, compared to other colleges.

'Not antisocial, but not as involved as the other colleges. The other colleges do a lot of sporting and other activities together as a college and we don't really—they try really hard but just the way that it's set up with everybody has their individual room and it just doesn't kind of mix that way. And because all of our meals are self-catered, we don't get together for dinners or breakfasts or anything, it's just kind of separated.'

'We don't have as many traditions.'

'It's similar to the other colleges, but we don't have the level of dinners and formal events that they do.'

'For a college wide event—like a junior common room event, a social event—out of the 500 residents, if they get 75 or 80 people there, they think it's a pretty good attendance.'







## 4 Governance and structure of the UNE residential system

This chapter looks at the governance and structure of the UNE residential system and its impact on managing and responding to incidents of sexual assault and sexual harassment.

UNE and college staff have an important role in the prevention and response to sexual assault and sexual harassment. It is essential that UNE's senior leadership takes responsibility for, and drives, improvements to the prevention and response of sexual assault and sexual harassment within UNE residential colleges. College staff should also be held accountable for preventing sexual assault and sexual harassment within their colleges, and for ensuring their responses to disclosures of sexual assault and sexual harassment are appropriate.

The UNE Residential System is largely centralised, with the UNE Residential System Directorate responsible for overseeing administration and operations for the six UNE-operated colleges. Residents at the six UNE-operated colleges also have access to support services through the SGU and the UNE Student Support Counselling Service.

The heads of the six UNE-operated colleges report to the Director of the UNE Residential System. As an independent College, the reporting lines for the St Albert's College Master differ, with the Master reporting to the St Albert's College Board.

As stated in *Chapter 11: Student leaders*, the Commission has concerns about the level of after-hours support for residents and student leaders. It is recommended that UNE employ qualified first responders to be available to residents and student leaders after-hours. At a minimum, residents and student leaders should have access to a 24-hour telephone service staffed by personnel qualified in providing an effective first response.

Staff and residents described resource constraints across the UNE residential system, especially with regard to the SGU and the UNE Student Support Counselling Service. The Commission recommends that UNE undertake an organisational redesign of the SGU to increase the staff complement to a total of six FTE (full-time equivalent) to deal with the current workload and address the issue of protracted investigations. Further, UNE should increase the number of counselling staff dedicated to residents in line with ratios of students to counsellors recommended by a number of bodies.

### 4.1 Governance and leadership

The Commission has identified that sexual assault and sexual harassment is being experienced within UNE residential colleges, and that there are a number of factors that contribute to its prevalence. It is therefore evident that UNE needs to improve the measures they have in place for preventing and responding to disclosures or formal reporting of sexual assault and sexual harassment. The recommendations contained within this report are designed to assist UNE in this process.

As with the implementation of any significant reform, leadership and organisational support play a crucial role. To drive cultural reform within the UNE Colleges, UNE senior leadership must take responsibility for this process, and drive change.

The Commission recommends that the UNE Vice-Chancellor take ultimate responsibility for the implementation of the Commission’s recommendations, and for ensuring that UNE’s reforms achieve their desired goals (Recommendation 1). However, true cultural reform will require the engagement of all areas of the UNE residential system, and it is important that there is involvement in this process from college staff, residents, and the university more broadly.

## 4.2 Role of college staff in preventing and responding to sexual assault and sexual harassment

College staff, and particularly Heads of Colleges, have a fundamental role in the prevention of sexual assault and sexual harassment. For the purposes of this report, all college heads will be referred to collectively as ‘Heads of Colleges’. This includes the St Albert’s College Master.

As outlined in *Chapter 7: Attitudes that increase the risk of sexual assault and sexual harassment*, the Commission identified a number of attitudes and norms within college cultures that increase the risk of sexual assault and sexual harassment. College staff, in collaboration with Student Leaders, should be responsible for challenging these attitudes and norms within their college environments, and establishing a culture which does not tolerate sexual assault and sexual harassment. To equip Heads of Colleges and other college staff to lead cultural change, there should be staff-specific sessions as part of the sexual assault and sexual harassment prevention program (recommendation 11).

Heads of Colleges should also be afforded executive decision-making capabilities that will allow them to develop and implement college-specific initiatives that will prevent and address sexual assault and sexual harassment, in alignment with broader UNE policies. Heads of Colleges should work with their residents to develop these initiatives based on their understanding of the unique culture and environment within their college. The Commission recommends that Heads of Colleges are provided a dedicated sexual assault and sexual harassment prevention budget that will support the implementation of these initiatives and drive cultural change (recommendation 2).

Heads of Colleges must also be held accountable for preventing sexual assault and sexual harassment within their colleges, and for ensuring responses are appropriate and trauma-informed. This accountability will come through the SGU monitoring of all reports and disclosures of sexual assault and sexual harassment, and Heads of Colleges’ responses to incidents of sexual assault and sexual harassment (recommendation 17).

## 4.3 College staffing structure

Each UNE-operated college has a Head of College and an office manager. Wright College and Village also has a Deputy Head of College. The heads of the six UNE-operated colleges report to the Director of the UNE Residential System.

‘We have made the Heads of Colleges primarily responsible for the student experience. We have ensured that other operational aspects as to who’s going to do the cleaning and who will be the cleaning contractor, et cetera, has been centralised.’

St Albert’s College has a different staffing structure, operating under a more autonomous model. St Albert’s College is managed by a team of 13 staff members, including the College Master, Deputy Master, College Dean, and Registrar and Student Advisor. The College Master reports to the St Albert’s College Board.

UNE-operated college staff described the impact of the centralised operational model on their management of their colleges, with a general view that individual college staffing levels were not sufficient.

‘I don’t think we have enough people at the coalface. We’re highly centralised.’

‘I feel we’re too light on the ground in staff in the colleges.’

‘I’m here for 205 students with an office manager, it’s very hard for me to cover those 205 students.’

UNE-operated college staff noted that an increase in the volume and complexity of mental health issues were placing growing demands on their time. While UNE-operated college staff commended the dedicated counselling resource for the colleges, they spoke of how they were regularly required to provide intensive case management support for residents with complex mental health needs and comorbidities. Staff described how this impacts their capacity to provide general support to the remainder of the college population.

‘Say, for example, one head of college has one student who has attempted suicide or something like that. The entire college resources are going to that sole student, and that has ramifications for the rest of the college.’

‘A lot of my time is spent in one on ones with the students and getting them the care and support that they need.’

‘There’s one student who will be taking up their entire time. They will be here until 7pm with this one particular student ... Whereas it’s often that there’s another 202 students or something that just aren’t—they’re not the loudest and the most urgent, so they’re sort of not getting any additional care, or even being looked at, at that point in time.’

‘There’s always the firefighting—yesterday there was two emergency cases, and that just takes up your whole day.’

UNE-operated college staff spoke of a need for additional resources within the colleges that would allow for a dedicated pastoral care staff member.

‘I think that, for me personally, to have another person that would be able to be just at a different level, would be better for the student experience.’

‘You could employ someone at each of the colleges just dealing with mental health issues and coping mechanisms.’

The Commission supports the call by staff for additional resources within the UNE-operated colleges. However, given the fluctuating nature of the workload of college staff across the year with many colleges only occupied during trimester periods, the Commission does not consider additional day staff to be the best use of limited resources. Instead, the Commission recommends additional resources be provided to support a greater after-hours staff presence (recommendation 3).

UNE Life currently employs security personnel that patrol the university campus, including the residential precinct, after hours. Students and staff commended the recent increased presence of security personnel on campus, and their role in preventing and responding to immediate security concerns. The Commission also understands that Heads of College are on-call each evening and on weekends, and will return to college if required in the event of an emergency. Additionally, UNE has recently engaged an after-hours crisis telephone counselling service.

The Commission recognises the contributions of UNE Life security personnel to promoting campus safety, as well as the fact that residents can access their Heads of Colleges and crisis telephone counselling after hours, when required. However, the Commission considers there is also a need for readily available after hour access to qualified first responders. This resource would be able to immediately manage incidents of sexual assault, sexual harassment, and other student crises, including acute mental health-related incidents; provide referral to UNE support services; and ensure appropriate follow up.

Staff and residents also identified value in other staff being readily available to provide support to residents after hours.

‘I think certainly a night manager would be a more senior resource that will be more effective in sort of being available to an incident that occurs.’

‘I did a tour of some of the universities in Victoria, and in their colleges they have like a real-world adult that is like a proper trained counsellor who lives on each residential campus.’

‘I think it [after hours support] would also ease off the amount of things that get piled onto the RFs.’

A staffing presence after hours would provide support for student leaders. As identified in *Chapter 11: Student Leaders*, the Commission has concerns about the responsibilities placed on student leaders, especially after hours. Student leaders are expected to be first responders for a range of incidents, including sexual assault and sexual harassment. This involves leaders referring residents to college staff and support services, neither of which are readily available after hours.

‘Well, usually those things occur ... Usually they’ll get those reports at night, or in the early hours of the morning. And so, if a terrible thing has occurred—not just that [sexual harassment or sexual assault], something else, you know, somebody saying that they’re suicidal, or something really serious like that—that’s the time when there is no-one else to go to.’

At a minimum, the Commission recommends that residents and student leaders at all UNE colleges have access to a 24-hour telephone service staffed by personnel qualified in providing an effective first response (recommendation 3). This telephone service should be able to refer victims to nearby police, forensic, medical or counselling services.<sup>18</sup> This is in addition to the crisis telephone counselling service recently engaged by UNE. The after-hours service should be widely promoted to all residents and student leaders.

#### 4.4 Student Grievance Unit

The SGU investigates and resolves student-related complaints. The SGU also has a number of secondary responsibilities. These include providing support to the academic appeals process; undertaking complaint-related policy development and improvement; and educating students and staff on the SGU and UNE complaint procedures. The Commission understands that the extent to which the SGU is able to undertake these secondary responsibilities is limited by current staffing capacity.

Throughout consultation, the Commission heard praise for the SGU and their role in investigating and resolving student complaints.

'I think it's made the process clearer. And a more consistent process, I'd say, across the colleges. I think previously, each college would deal with an issue in a different way, and there might be a different outcome for each individual offence in each college. I think the consistency has improved with the Student Grievance Unit.'

'I think we've come a long way. I think the way it's investigated also by [SGU], for instance, it's a very professional rather than a kangaroo court investigation. People are allowed to get their support people into it, they've been provided with allegations well in time, they're given an opportunity to respond and then interviewed, and yet she's kept it balanced enough so it's very robust but equally there is that level of urgency that we need to get this matter resolved.'

However, the Commission also heard concerns about the time it takes for investigations to be finalised by the SGU.

'But by the time [SGU] actually is able to get any resolution at all on an investigation—that's the important thing that I want to say. Especially if it's a sexual harassment or assault, by the time that investigation finally comes out, that immediacy has gone.'

'Yeah, this [SGU investigation] is getting a bit longer now than we would like.'

'The problem we had with that particular case—and I know it's happened with others as well—is that the process involved in them going through all of that took a very long time.'

The complexity of the investigations process, and the minimum timeframes prescribed in the *Student Behavioural Misconduct Rules* (under which most investigations of sexual assault and sexual harassment are run), was identified as one contributor to the length of time required to complete investigations.

'The process once they enter the student behavioural misconduct rules process is so laborious and it takes way too long and we need to cut it down and make it quicker and more efficient.'

Despite this, the current staffing capacity within the Student Grievance Unit (SGU) was generally understood to be the main reason for the time required for investigations to be completed.

'Ever since the report last year came out, I have noticed that there is an increase in reporting. I don't know necessarily if we've staffed the Student Grievance Unit well enough to deal with that increase in reporting. So there is a long time in dealing with a lot of the issues that are reported.'

'The process is taking a long time and I assume that's because of the sheer volume. So, I definitely think that there could be more invested in that space and more assistance for [SGU].'

'I think that the people that are there to help the students, the counselling service, and [UNE Student Support Counselling Service] and [SGU], they're the ones that need the help. They're the ones that need the help, because, seriously, what we throw at them.'

Investigations can also be protracted due to observation of the principles of natural justice and procedural fairness to the alleged perpetrator. It is important that any investigations or consideration of a formal report will be undertaken in a manner that is a fair, impartial and unbiased to all parties involved. Alleged perpetrators should also be afforded pastoral care and assistance.

Universities Australia in its *Guidelines for University Responses to Reports of Sexual Assault and Sexual Harassment*, outline the obligations universities have to the alleged perpetrator, which may include but is not limited to:

- access to information about appropriate emergency health, counselling, security and accommodation providers
- information about and assistance with navigating the university's formal report process and misconduct investigation processes
- referral to internal and external support services
- regular and timely communication about the process and its resolution.<sup>19</sup>

As far as possible, however, it is important that investigation processes are timely and streamlined to ensure they do not cause significant trauma to either the victim or the alleged perpetrator. This is especially relevant for students at university, where the victim and alleged perpetrator may continue to study together, or be living together in a residential college.

'You know, when it happens, and if it happens within a college, you need to resolve it then and now. It's not going to be something that can sit for too long.'

‘You’ve got an alleged victim, an alleged perpetrator, if not living in the same colleges, still in their lecture theatres, in their classes, while the incident is being resolved. And that’s a very real problem.’

## 4.5 Student Grievance Unit staff complement

The current staffing levels of the SGU appear to be inadequate to support the timely resolution of matters relating to sexual assault and sexual harassment. As at 1 August 2018, the SGU had four staff members totalling the equivalent of 3.4 FTE:

- one Manager at 0.4 FTE
- two Senior Case Officers at 1.0 FTE each
- one Case Officer at 1.0 FTE (the case officer also undertakes administrative activities equivalent to roughly 0.1 FTE).

The SGU has estimated that the equivalent of 1.0 FTE is currently dedicated to investigating sexual assault and sexual harassment matters, with this workload distributed between the Manager and two Senior Case Officers. The Commission understands that the entirety of the Manager’s 0.4 FTE capacity involves undertaking investigations relating to sexual assault matters.

To support more timely resolution of investigations, the Commission recommends UNE undertake an organisational redesign of the SGU, as per recommendation 4. This redesign should include an increase to the staff complement of the SGU, to carry out the current and anticipated future workload of the SGU. This proposed staffing increase follows consultation with both staff and residents and a review of the SGU’s current workload.

This increase in staff is also necessary to support the implementation of a number of the Commission’s recommendations, which will increase the SGU’s workload. Specifically, the Commission is recommending that all Heads of College be required to report all incidents relating to sexual assault and sexual harassment to the SGU. The Commission is also recommending six-monthly audits of college responses to sexual assault and sexual harassment. These recommendations are outlined in more detail in *Chapter 9: Policies and procedures relating to sexual assault and sexual harassment*.

The staffing increase has also been proposed as the Commission anticipates that the workload of the SGU may increase over time as a consequence of greater numbers of reports of sexual assault and sexual harassment resulting from the review’s recommendations around the development of a sexual assault and sexual harassment prevention program and greater promotion of the SGU.

UNE should review the position of Manager of the SGU and consider increasing this role to 1.0 FTE. This would allow the Manager of the SGU to undertake the secondary responsibilities of the SGU and provide professional development support to the SGU team, in addition to current duties. The Manager position should be suitably experienced to lead a team that is undertaking investigations of such nature. Further, the Manager should be skilled in responding in a trauma-informed manner and in appropriately engaging with both victims and perpetrators of incidents involving sexual assault and sexual harassment.

UNE should also consider increasing the number of Senior Case Officers to at least three, each at 1.0 FTE. One of these case officer positions should be entirely dedicated to managing matters relating to sexual assault and sexual harassment. This is in line with University Australia’s recommendation that universities have a single point of contact for all reports of sexual assault and harassment, to ensure a response that is ‘coordinated, consistent, robust and effective’ and that is ‘handled with the strongest expertise’.<sup>20</sup> This Senior Case Officer should be suitably experienced to undertake investigations of such nature, and be skilled to respond in a trauma-informed manner and to engage appropriately with both victims and perpetrators of incidents involving sexual assault and sexual harassment.

The Commission also recommends that a position of Student Support Officer at 1.0 FTE be introduced, to provide independent information, advocacy and support for all students, including residents throughout their involvement with the SGU. The Student Support Officer would also facilitate referrals for students, including residents, to relevant support services both within and outside of the university. The Student Support Officer should be suitably experienced to provide support in a trauma-informed manner to people who disclose that they have experienced sexual assault or sexual harassment. The Commission heard support for such a position from residents and staff.

‘Having that emotional support, that kind of understands ... not just like “we’ve emailed this person and we’ve been communicating because we’re helping you deal with it”.’

'Somebody who is there to just kind of go with you and to guide you and to tag along with you and, you know, they know what's going on because they're there with you and they see how you're reacting and you can offload to them, I think it's super important for that.'

'I'm sure there would be value in something like that. Not a counsellor, but just a student support.'

The current position of Case Officer should remain unchanged at 1.0 FTE.

As part of the organisational redesign, the Commission also recommends that UNE consider changing the name of the Student Grievance Unit. It is recommended the revised name remove reference to 'grievance', which some residents identified as disconcerting. The current name also focuses on the grievance, rather than welfare and support of the student, which should be the higher priority. For example, a 'Student Welfare Unit' or 'Student Support Unit' may resonate with students.

'The Student Grievance Unit is kind of a scary sounding name, and you don't really know what it does.'

'When you think of grievance, you think of something seriously bad has happened. It's something you don't want to think of.'

## 4.6 UNE Student Support Counselling Service

The UNE Student Support Counselling Service is staffed by four counsellors. The Commission understands that a dedicated counsellor resource for the colleges was established in 2017, funded through the UNE Student Services and Amenities Fund. This position is in addition to the three general student counsellors employed at the UNE Student Support Counselling Service.

Residents and staff spoke highly of the college counsellor, and the counselling service more generally. Residents appreciated the fact that the dedicated college counsellor is located within the residential precinct some of the time.

'I think it's a good thing too that the counsellors have moved down here, that they are so on hand, that even if there were residents that couldn't find their way to get to an RF and tell them what happened, the counsellor is that close that that is another point of call for them straightaway.'

'They don't have the walk of shame going to the counsellor, for example, it's just pop around the corner.'

'Students don't like going up top for counsellors appointments. They hate walking through the university. They feel like—people who are already anxious feel like they're just being watched and that people just know.'

A number of residents were not aware that there was a counsellor available within the residential precinct, with a view that counsellors were only available 'up top'.

'So I've lived on campus for four years I'm the same I don't know where the counsellor's office is. I don't know how to access the service. I definitely didn't know that there was one down here. Like maybe if it was better advertised even if they just had a poster or something in the dining hall we'd all see it.'

'There's also counsellors up top, I think. We got talked to about that during wellness week, that if you have anything and you don't feel that you can talk to someone within the college environment, that they're up there and you can book an appointment, and if it's urgent, you can walk in and they try and fit you within the next couple of days, or if it's not, then they can fit you in later.'

Some residents and staff noted that there was often a waiting list for counselling, although some were aware that emergency appointments were generally available within a few days.

'They just haven't got the staff, and the waiting list is always huge.'

'So at the moment, the counsellors have done a wonderful job, but their waiting time is usually three or four weeks.'

'The overall waiting list for a non-serious matter might be still long, and I understand it is. But if the Head can raise—so, there is like a two o'clock spot or three o'clock spot—I think it's two o'clock—which is kept for emergencies, so if a Head calls the Counselling Unit, even if it's not [name redacted], they will slot.'

'Certainly the counsellors are stretched but not in case—for us not in case of serious matters.'

## 4.7 Counselling staff complement

The current number of counsellors at UNE may not be sufficient for its student population. UNE has over 22,000 students,<sup>21</sup> all of whom are eligible to access the UNE Student Support Counselling Service. The Australian and New Zealand Student Services Association (ANZSSA) recommends a ratio of one counsellor per 1,000 to 3,000 students, depending on the nature of the counsellors' position descriptions.<sup>22</sup> This ratio is roughly in line with international recommendations for student/counsellor ratios, with the International Association of Counselling Services (IACS) recommending a ratio of one counsellor per 1,000 to 1,500 students.<sup>23</sup> The UNE Student Support Counselling Service staff complement of four counsellors falls short of both the ANZSSA and IACS recommended ratios.

ANZSSA also identifies that these ratios may not be sufficient where the university population includes high proportions of under-served, disadvantaged or minority populations.<sup>24</sup>

This is relevant for UNE, and especially the UNE Residential System, as studies have found that students living at a university residence are generally at higher risk of mental health issues, due to their transition to university involving relocation from home and associated feelings of loneliness, alienation, lack of support, anxiety or depression.<sup>25</sup> Students at regional universities, such as UNE, face additional challenges, such as the distance to travel and costs associated with travel and accommodation.<sup>26</sup> Further, regional universities also attract students from equity groups, such as students of low socioeconomic status, students from rural or regional areas, Aboriginal and/or Torres Strait Islander students, and students with disability, who experience higher rates of mental health issues.<sup>27</sup>

Further, regional areas such as Armidale have, on average, fewer mental health professionals and specialised mental health services than major cities.<sup>28</sup> Given the limited availability of mental health professionals in regional areas, and the fact that the UNE student population is at higher risk of experiencing mental health issues, there is a strong argument for UNE to increase the number of counsellors employed by the UNE Student Support Counselling Service. At a minimum, UNE should consider employing seven full time equivalent counsellors, which would be closer to the upper limit of ANZSSA's recommended ratio of one counsellor per 3,000 students.

For the purposes of the dedicated college counselling support, the Commission recommends UNE ensure that there are at least two counsellors primarily dedicated to UNE college residents, with at minimum one counsellor with significant experience in sexual assault counselling (recommendation 5). This staffing level equates to a ratio of approximately one counsellor per 800 students, and reflects the increased challenges faced by college residents.

The Commission also recommends that, to some capacity, college counsellors be dedicated to developing and implementing mental health promotion, prevention and early intervention programs. Residents suggested value in an 'outreach' service, whereby counsellors would establish a pop-up clinic within each college. This service could increase awareness of the UNE Student Support Counselling Service, and potentially promote students seeking earlier intervention and support for mental health issues.

'I feel like if that counsellor did like a monthly check-in with every resident at college like you rock up like once a month and you can just say anything that you need to, yes, so every student gets covered and it's like everyone goes to it so no one's going to feel like they're the only one going through something.'

'I actually think they'd be better off putting in like a pop-up counselling service that you didn't have to have an appointment to go in because, well, now with the shortened trimesters the amount of stress that the students are facing is ridiculous.'

## 4.8 Recommendations

### **Recommendation 1: The UNE Vice-Chancellor should take responsibility for the implementation of the review's recommendations to drive cultural change**

The Commission recommends that the UNE Vice Chancellor take ultimate responsibility for the implementation of the Commission's recommendations, and for ensuring UNE's reforms achieve their desired goals.

True cultural reform will require the engagement of all areas of the UNE residential system, and it is important that there is involvement in this process from college staff, residents, and the university more broadly.

### **Recommendation 2: Heads of Colleges should be afforded decision-making powers, and provided adequate funding to support the prevention of, and response to, sexual assault and sexual harassment at the college level.**

The Commission recommends that Heads of Colleges be afforded decision-making powers that will allow them to develop and implement college-specific initiatives that will help to prevent sexual assault and sexual harassment, in alignment with broader UNE policies. To support the implementation of these initiatives, Heads of Colleges should be provided adequate funding to support the prevention of, and response to, sexual assault and sexual harassment. Heads of Colleges should work with their residents to develop these initiatives based on their understanding of the unique culture and environment within their college.

### **Recommendation 3: UNE should employ after-hours professional support for residents and student leaders**

The Commission recommends that UNE employ qualified first responders to be available to residents and student leaders after-hours. This after-hours resource would be able to:

- immediately manage and respond to incidents of sexual assault, sexual harassment, and other student crises, including acute mental health-related incidents
- provide referral to UNE support services
- ensure appropriate follow up.

At a minimum, the Commission recommends that residents and student leaders have access to a 24-hour telephone service staffed by personnel qualified in providing an effective first response. The service should have an understanding of local supports and available reporting pathways. This service would be in addition to the crisis telephone counselling service recently engaged by UNE.

UNE should also ensure the service is widely promoted to student leaders and residents.



#### **Recommendation 4: UNE should undertake an organisational redesign of the Student Grievance Unit (SGU)**

The Commission recommends UNE undertake an organisational redesign of the SGU. This redesign should include an increase to the staff complement of the SGUFTE, to carry out the current and anticipated future workload of the SGU.

Proposed suggested new structure of the SGU could include, for example:

- one Manager, at 1.0 FTE (an increase from 0.4 FTE)
- three Senior Case Officers, totalling 3.0 FTE (an increase from 2.0 FTE)
- one Student Support Officer, at 1.0 FTE (a new position)
- one case officer, at 1.0 FTE (unchanged).

The increase in staff, and introduction of a new student support position, should reduce the time required to investigate matters of sexual assault and sexual harassment, whilst also improving the support provided to residents involved in the investigation process. The increase would also allow the SGU to undertake additional promotional and educational activities.

UNE should also consider revising the name of the SGU, to remove specific reference to 'grievance'.

#### **Recommendation 5: UNE should employ an increased number of counselling staff dedicated to residents**

The Commission recommends UNE employ an additional dedicated college counsellor, to bring the total number of dedicated college counsellors to two. This would improve access to counselling support for residents, whilst also allowing the college counsellors to develop and implement mental health promotion, prevention and early intervention programs.

## **Chapter 4: Endnotes**

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## 5 Alcohol

This chapter explores the role that alcohol plays at all UNE colleges as well as UNE's policy response to alcohol consumption. Residents, staff, support services and other stakeholders all identified a college culture where alcohol featured prominently. A number of residents disclosed that their place and sense of belonging at college was affected by both their participation in social events and the consumption of alcohol.

The Commission also heard from residents, staff and other stakeholders on the perceived causal link between alcohol consumption and sexual assault and sexual harassment. While there is a correlation between alcohol and many incidents of sexual assault and sexual harassment, alcohol is not in itself a causal factor. Greater education on the causes of sexual assault and sexual harassment is recommended as well as the impact of alcohol on an individual's ability to provide consent.

UNE has introduced a number of initiatives in response to the prevalence of alcohol within colleges, however its focus on preventing harmful alcohol consumption could be strengthened.

Many of UNE's responses to alcohol consumption align with best practice in harm minimisation, and the Commission commends UNE for an evidence-based response. However, further changes and modified approaches could better support responsible consumption of alcohol amongst residents. These include a review of mandatory finishing times for events; formal events involving alcohol being held at licensed venues; clear documentation and dissemination of relevant policies and procedures; and a review of the use of alcohol bans as a penalty for behavioural misconduct.

The Commission also heard about examples of agreements between colleges and local pubs, with such venues providing college sporting and social clubs with financial support in exchange for regular patronage. There are concerns that this may promote excessive consumption of alcohol. The Commission recommends agreements that involve financial payments or benefits in exchange for patronage be replaced by a UNE funded program. The proposed program will involve college sporting clubs receiving sponsorship funds in exchange for club members upholding a code of conduct that prohibits sexual assault, sexual harassment, bullying and misogyny.

### 5.1 Drinking culture

Alcohol plays a prominent role in the culture of UNE colleges, however this is not unique to UNE. The importance and place of alcohol in college culture has been widely reported on, with Elizabeth Broderick & Co's review of residential colleges at the University of Sydney finding that 'alcohol plays an important part in the culture of College life and underpins a number of so-called College traditions'.<sup>29</sup> *Change the course* also reported that excessive alcohol consumption was a feature of college life.<sup>30</sup>

While alcohol consumption among younger people is generally falling,<sup>31</sup> students at residential colleges have been found to drink more than the rest of their peer group. A survey of drinking patterns conducted by Schofield et al for University Colleges Australia found that over 40% of college students reported alcohol consumption that could be characterised as 'harmful', compared with 24% of those living with a partner and around 26% of those living with family.<sup>32</sup> The study also found that college residents drink significantly more than the rest of the student population.<sup>33</sup>

The Commission received conflicting responses regarding the extent of alcohol consumption within the colleges at UNE. Some residents did not view the drinking culture at their college as problematic, excessive or harmful. Drinking was also not seen as an issue limited to UNE colleges, but rather as a wider societal issue.

‘Alcohol is an issue I believe. I don’t think drugs are such an issue, but alcohol is a huge issue but that, I believe, is also across society.’

‘Well, it’s the same anywhere if you’re over 18, alcohol—we use it like, if alcohol is—yeah, like, everyone who is over 18, alcohol is a big thing.’

‘It’s a big part of college life. It doesn’t matter whether it’s UNE or Monash or wherever, it’s a massive part of what happens in colleges.’

However, the Commission also heard from others that college drinking culture was excessive and harmful.

‘The alcohol consumption is just off the radar I believe in that it’s, I know it’s reduced from what it was, and they keep telling me, the leaders telling me it’s come way down. It’s down, but there’s still such a strong focus on alcohol.’

‘My views on the culture of college is that it was heavily influenced by drinking.’

‘The culture at residential colleges focuses heavily on alcohol and encouraging social interactions.’

‘Drinking and drug culture and was high. Peer pressure to fit in was huge factor. Binge drinking was a stress relief.’

A number of residents referenced a recent change to the drinking culture, with residents noticing a reduction in alcohol consumption.

‘In the last two years, especially—the emphasis on drinking has gone down a lot.’

‘People drink a lot less [now].’

The rationale provided by residents for this reduction in drinking ranged from individual changes, such as greater self-awareness of drinking limitations, to UNE policy responses and the introduction of new programs and procedures.

## 5.2 Pressure to drink

It was reported in *Change the course* that people had described a college environment where ‘binge drinking’ was common, alcohol was readily available and residents were sometimes pressured by their peers to drink.<sup>34</sup>

The Commission similarly heard how some residents at UNE feel a pressure to drink alcohol. Of the survey respondents who reported experiencing bullying since commencing at college, 38% reported that they had experienced pressure to drink alcohol when they did not want to.

Some residents identified the pressure as internal, with residents feeling the need to drink in order to socialise.

‘More than anything I feel pressure to drink, not because I feel pressure to drink but because I get FOMO [fear of missing out] and I just want to hang out.’

‘I think it [alcohol] helps to make friends, if anything. It sort of loosens people up.’

‘Everyone has courage when they’re on—you know, everyone has a bit more courage when they have a few beers under them to say good day or go out of their comfort zone and do something that they’d not normally do, which I think in this day and age is not a bad thing at all.’

Other residents spoke of experiencing external pressure to drink, with their peers encouraging excessive alcohol consumption.

‘The ‘tradition’ which they like to call is ... pretty much forcing people to drink, compulsory events and public humiliation.’

‘If you didn’t drink, you were peer pressured, bullied and we’re made to feel irrelevant.’

‘A strong drinking culture is something I believe is dominant throughout the college and this is shown through “initiations” of new members of college by heavily intoxicating them to “fit in”.’

While acknowledging the existence of a drinking culture, some residents stated that they did not believe there was pressure to drink.

‘There was definitely a drinking culture—but from day one it was if you don’t want to, you don’t have to. I had several friends who didn’t drink while the rest of us did.’

‘It’s not looked down on if you don’t drink which is good.’

‘There are a number of people that are here and choose not to drink and they’re not frowned upon.’

‘It’s very pushed that you don’t have to drink if you don’t want to. Like, we still have a choice.’

Residents also reported that their social standing and ability to fit in with their peers was influenced by their participation in alcohol-based activities. This reflects similar findings from Elizabeth Broderick & Co’s review of University of Sydney colleges, which found that a significant factor in determining a resident’s ability to fit in was whether they socialised and drank alcohol.<sup>35</sup>

‘Yeah, people who don’t drink tend to be excluded. Most of the events are based on drinking. And even when there are alcohol free events, almost no one comes to them and those who do come are seen as boring or “nerds”.’

‘Those who had no interest in drinking would tend to disappear, since because alcohol was introduced so early, most people quickly got the idea that “dry” events were not worth participating in, making them so unpopular that the college would rarely organise them.’

‘If you didn’t drink, you were peer-pressured, bullied and were made to feel irrelevant. Drinking was the culture.’

This was particularly the case at Austin College, where a number of residents said that their college was dominated by ‘drinking groups’. The Commission heard how those who did not participate in these drinking groups were ostracised. Further detail on Austin College’s drinking groups is included in *Chapter 6: Hazing*.

Considering the prominence of the drinking culture at UNE colleges and the pressure reported by residents to participate in this culture, the Commission recommends that UNE strengthen its alcohol reduction efforts (recommendation 6). UNE should implement an alcohol reduction program that commences during Wellness Week and continues throughout the year.

As part of this program, UNE should consider engaging peer education approaches. Peer-led interventions have been found to be effective in preventing alcohol use amongst young people<sup>36</sup> and in changing attitudes and influencing behavioural intentions around alcohol consumption.<sup>37</sup>

The Commission understands that some colleges are implementing programs aimed at preventing or reducing excessive alcohol consumption. Mary White College is currently trialling the #MyMorningsMatter program, which is an example of a peer-led program. The Commission recommends that UNE undertake an evaluation of the impact of #MyMorningsMatter at the end of the trial period, to determine its impact in changing residents’ behaviours around alcohol consumption. If #MyMorningsMatter is found to have been effective, UNE may wish to expand the program to other colleges.

### 5.3 Alcohol and social events

The role of alcohol in college culture was particularly evident when discussing college social events. The Commission heard how most college social events involved alcohol consumption.

‘Alcohol plays a strong, or a leading role in our social events.’

‘Most of the college activities revolve around drinking culture. There is not a party or even formal event—even when distinguished politicians visit—without at least wine at tables if not a large open bar. There are very few activities one can participate in without having to drink.’

‘Probably all the events, or the majority ... we have a couple, like in project week, we have a couple of sober nights, but we did like a movie night, and stuff like that, but most of them there’s alcohol there.’

A number of residents said that while alcohol was a key component at many social events, there were also events at college that did not involve alcohol.

‘I think it’s good, as well, how we have social events that aren’t just centred around drinking. Like, we do, like, non-alcoholic parties, and we do block challenges, and we do other things that just isn’t based around alcohol, which I really like.’

‘There are sober activities provided when there are drinking ones and there is drinking involved but you can come down and participate even if you’re not drinking.’

## 5.4 The relationship between alcohol and sexual assault and sexual harassment

The co-occurrence of alcohol and sexual assault has been widely examined and is generally acknowledged within the body of research.<sup>38</sup>

The Commission frequently heard from staff and residents of a relationship between alcohol and sexual assault and sexual harassment. Some identified alcohol as a contributor to sexual assault and sexual harassment.

‘It’s a contributing factor, not a causal factor. It’s contributing to the victim’s vulnerability. It’s contributing to the offender’s ability to make a determination about what’s wrong. And perhaps more likely to commit an offence in that instance, of being affected by alcohol.’

‘The amount and frequency of alcohol intake definitely affects the risk of sexual assault. However, I find this is only a risk due to certain people not being very nice. Alcohol does not cause the assaults. It is the 1% of the population who does things like sexual assault, and yes alcohol assists, but it is not the problem, the problem is their individual values and limits.’

‘Alcohol consumption itself isn’t bad in a friendly, social environment, it’s the attitudes of the people who drink that causes ill behaviour. These attitudes should be addressed.’

Other staff and residents identified a causal relationship between alcohol and sexual assault and sexual harassment.

‘I have yet to have one [incident of sexual harassment or sexual assault] where there hasn’t been alcohol involved.’

‘At any point during a social event involving alcohol, boys instantly assume it is okay to look, touch and make inappropriate comments to women.’

The causal nature of the relationship between alcohol and sexual assault and sexual harassment remains contested within the literature. Attributing causality to alcohol has been heavily criticised as it does not explain why most men who do use alcohol are not violent.<sup>39</sup>

The Commission does not consider alcohol to be the cause of sexual assault and sexual harassment. As outlined in *Chapter 7: Attitudes that increase the risk of sexual assault and sexual harassment*, sexual violence against women is the result of gender inequality.<sup>40</sup>

## 5.5 Consent

Consultation also raised issues about consent, and levels of understanding of an individual’s ability to consent to sexual activity when under the influence of alcohol.

‘Guys need to understand that someone being so drunk you cannot speak or stand without support means you cannot give consent.’

‘Males need to understand that drinking is no excuse.’

The Commission also heard from residents on how alcohol influences perceptions of responsibility for sexual assault or sexual harassment. There was a view that victims may be responsible, or feel that they are responsible, for their experiences of sexual assault or sexual harassment if under the influence of alcohol.

‘There’s a real sense of “I’m responsible that this incident went too far”.’

‘They may have drunk alcohol for the first time, and a male or a female has come up and touched them, and they think I let my guard down; that must be my fault. I can’t report that. I was under the influence of alcohol.’

‘It’s certainly the question that often operates on the victim’s mind about that whole consent, alcohol consumption—I suppose blaming themselves to some degree, often, in that environment.’

The impact of alcohol on consent and perceptions of responsibility is also found in the literature. A study conducted by VicHealth found that 10% of respondents aged between 16 and 24 were of the view that a man is less responsible for rape if he is drunk or affected by drugs at the time.<sup>41</sup> Further, 18% of respondents were of the opinion that if a woman is raped while affected by alcohol or drugs she is at least partly responsible.<sup>42</sup> A qualitative study produced similar results regarding a perceived correlation between alcohol and accountability, with a number of the participants holding the perpetrator less accountable because he had been drinking.<sup>43</sup> Residents’ levels of understanding of consent, and the impact of alcohol on consent, is explored in more detail in *Chapter 7: Attitudes that increase the risk of sexual assault and sexual harassment*.

As outlined in recommendation 11, the Commission recommends UNE implements an evidence-based program of sexual assault and sexual harassment prevention education.

This program should educate participants on the known causes of sexual harassment and sexual assault and challenge the myths around alcohol as a cause of violence, whilst also improving understanding of informed consent and the role alcohol plays in limiting or preventing someone from providing consent to sexual activity.

## 5.6 UNE policy response to alcohol

UNE has recently introduced a number of initiatives and procedures relating to alcohol in an attempt to reduce associated harm, including:

- prohibition of drinking games
- mandatory provision of food and water at events where alcohol is provided
- regulation of alcohol content in punch drinks
- ban of 'recovery events' following events such as College Balls
- event finishing times of no later than midnight
- mandatory employment of fully licensed security guards for events with over 50 attendees
- sober event supervisors
- provision of transport to and from Armidale town via shuttle
- monitoring of events by UNE security.

The Commission understands that 'recovery events' are typically held the day after major college and/or university wide events and involve social drinking and related activities.

In addition, individual colleges have implemented a range of initiatives to promote safer alcohol consumption. This includes options for sober socialising such as alcohol-free communal spaces and alcohol-free events and activities. Mary White College also has a designated alcohol-free floor, and residents can opt to live at an alcohol-free flat at Wright Village. Residents were supportive of many of these initiatives, particularly the introduction of alcohol free spaces.

'There's been some fantastic moves in terms of making alcohol-free spaces where we can be proud of.'

'We just opened up our new alcohol-free zone, which is good.'

'We have an alcohol-free floor now which has helped to control those who weren't meant to be drinking, that were underage drinking at the beginning of the year that have been—you know, it's done really well to kind of control that.'

While evidence on the effectiveness of alcohol-free living and social spaces is limited, the Commission supports the provision of alcohol-free spaces to ensure that all residents feel comfortable in their environment.

UNE Life has also developed an Incident Report and Recording System that requires residents to complete a UNE Residential System Event Registration Form when holding an event on college grounds with more than 20 people.

The Commission supports most of UNE's policy responses to alcohol consumption. Many of these initiatives reflect examples of evidence-based and practice-informed approaches to harm minimisation outlined in the National Drug Strategy 2017–2026.<sup>44</sup> A harm minimisation approach is key in university environments given that rates of risky behaviours are generally higher among young people.<sup>45</sup>

However, there are some policy responses that the Commission finds lacking in an evidence base, such as mandatory finishing time for events. While lock out times have been identified as a harm reduction strategy in the National Drug Strategy,<sup>46</sup> the Commission has concerns that this approach may be counterproductive in college environments given that residents can continue drinking in less regulated environments.

As outlined in recommendation 7, the Commission recommends that UNE Life reviews the current mandatory finishing time of midnight for events and parties held on college grounds. Instead, UNE Life may wish to consider undertaking a risk assessment, which includes a consideration of noise levels and alternative event locations when determining the finishing time of an event.

In developing strategies for responding to alcohol in university settings, it has been suggested that the appropriateness of having licensed premises on a university campus be reassessed.<sup>47</sup> Limiting the density of licensed venues and retailers has been identified as a best-practice example of supply reduction, which is a pillar of harm minimisation.<sup>48</sup> Currently, UNE-operated colleges apply through UNE Life to allow alcohol to be served or sold at events held at college, and the appropriateness of this arrangement was questioned during consultation.

'But the big issue for me in college—you know, personally, I'd like to see all events being in a licensed venue; that's my personal opinion is that they should be—we've got a licensed venue on-campus; if they want to hold a big event they put it through there and it's run properly with all the licensing laws, and that would solve half of those intoxication issues.'

As part of recommendation 7, the Commission recommends that UNE re-consider the merit of allowing formal events (where alcohol is served) to be held on college grounds. Rather, UNE should consider holding these events at licensed venues such as the 'Stro or venues in town. If formal events continue to be held on college grounds, it is recommended that all efforts are made to ensure alcohol is served in accordance with Responsible Service of Alcohol requirements.

The Commission has been advised that communication regarding changes to policy and procedure have been done in the form of meetings with JCRs and have not been circulated in writing or more broadly. As outlined in recommendation 7, the Commission recommends that such policies and strategies be communicated in writing and centrally located to ensure that all residents and student leaders have access to the information and are aware of any changes.

## 5.7 Alcohol bans

Alcohol bans can be imposed as a minor penalty for breaches of the Residential College Code of Conduct (the Code). Alcohol bans are imposed on individual residents and prohibit the consumption of alcohol within the college or at any college function outside the college, as well as returning to the college after drinking alcohol outside the college. Alcohol bans can be imposed for a period not exceeding the current calendar year.

A number of residents and staff spoke about alcohol bans being enforced as a way of addressing harmful alcohol consumption or as a penalty for behavioural misconduct.

'If there is concern about somebody continually being drunk at events, we will put alcohol bans on them to support them through that [to say] that it's too much, it's impacting others.'

'They basically put a ban on him and said, look, you can't be here doing this.'

Research has found that alcohol bans and other punitive approaches can have negative consequences and may heighten the symbolic significance of drinking.<sup>49</sup> Existing literature indicates that bans may have the unintended consequence of driving college residents' drinking to less safe, unregulated environments, as well as creating more harmful alcohol consumption.<sup>50</sup>

Alcohol bans are also used as a penalty for perpetrators of sexual assault or sexual harassment.

'Although she did go to someone, the punishment wasn't satisfying for her, as it was just a drinking ban.'

'I still had to deal with him and act like nothing happened because the head of college wouldn't punish him with anything other than a 2 week drinking ban.'

While it is understood that alcohol bans are not frequently used in this way, at least not in isolation, they are not a sufficient response to matters relating to sexual assault and sexual harassment. As outlined in section 5.4, while there is a relationship between alcohol and sexual assault and sexual harassment, this is not a causal relationship. Therefore alcohol bans as a penalty for sexual assault or sexual harassment will not address the cause of the behaviour.

The Commission recommends that UNE review the use of alcohol bans as a penalty (recommendation 7). The focus instead should be on linking residents who are engaging in harmful or problematic alcohol consumption into appropriate supports and services. For residents that have allegedly perpetrated sexual assault or sexual harassment, the appropriate penalty should be determined through an independent investigation. This may involve an external authority, like a police investigation, for incidents involving allegations of sexual assault.

## 5.8 JCR Sponsorships by local pubs and hotels

The JCRs at Robb College, Earle Page College, Austin College, Duval College, Wright College and Village and St. Albert's College all have arrangements with pubs and hotels in town. The nature of these arrangements vary, however typically involve residents receiving cheaper drinks and meals, transport between the college and venue, and financial sponsorship of sporting clubs in exchange for agreed patronage. There are some examples of how these arrangements benefit residents, with one venue offering defensive driving courses for first year residents.

While there are some benefits to the relationship between colleges and pubs and hotels, these relationships are also potentially problematic. This is especially the case given that these arrangements are negotiated between publicans and residents. The Commission views this negotiation as a potential imbalance of power, which could result in residents entering into formal arrangements that could be exploitative. Some residents identified this potential power imbalance, with one noting that:

'These are students who are negotiating contracts with country blokes who have been in the business for 30 plus years.'



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The specifics of the agreements, and the nature of the contractual requirements, differ between Colleges and venues. The Commission reviewed the terms of two agreements, which included the following requirements in exchange for financial payments, cheaper drinks and meals, and other forms of support (eg, transport):

- a minimum number of events being held at the venue over the year
- a minimum spend on beverages at the venue over the year
- all alcohol for functions to be purchased from the venue's bottle shop.

It is understood that at the end of the year, venues only honour sponsorship payments if these requirements are fulfilled. The Commission heard anecdotal evidence of JCRs not fulfilling these requirements, and consequently not receiving their sponsorship payment at the end of the year. This places an obligation on residents to ensure their contractual requirements are met by the end of the year.

'It would be a bit hard for us to our sponsors to say "no, we're not coming to you".'

In February 2018, UNE issued sponsorship guidelines to ensure sponsorship arrangements were in the best interests of residents. These guidelines state that residents should not enter into arrangements which: involved payments contingent on minimum attendance or other conditions; promotions with beverage discounting; could be considered to promote irresponsible drinking; and which may be considered undesirable or not in the public interest. The Guidelines do permit arrangements which involve up-front payments without conditions.

While the Commission commends UNE on issuing the 2018 guidelines, Recommendation 8 is that UNE consider further strengthening the guidelines for the start of 2019, to ensure its alignment with an alcohol reduction and harm minimisation approach.

UNE may wish to consider prohibiting any arrangement which involves venues providing financial payments or benefits in exchange for patronage. Instead, the focus could be on venues providing non-financial support, such as safe and secure transport between the college and venue.

The Commission recognises that prohibiting financial payments or benefits may negatively affect JCRs and college sporting clubs, which currently rely on these payments for purchase of sporting equipment and uniforms as well as to support social events.

'If we lose the funding we lose everything. We can't buy alcohol on the cheap for our functions ... We can't run anything so they've really got us.'

To mitigate this impact, the Commission recommends UNE consider alternative options. This may include, for example, sponsorship from local businesses, or the introduction of a program whereby members of college sporting clubs develop and sign a code of conduct that focuses on respectful interactions between students and reinforces positive behaviours (recommendation 8). College sporting clubs would then penalise club members for breaches of this code, for example through suspension or expulsion. Similar programs operate successfully in regional and community rugby league clubs through the NSW Government's *Tackling Violence* program, and the National Rugby League's *Voice against Violence*, which UNE could refer to when developing the program.

In exchange for upholding the code of conduct, sporting clubs would receive an annual sponsorship payment from the university to cover the costs of equipment and uniforms. The program would help relieve JCRs and college sporting clubs of their current reliance on funding from pubs and hotels, whilst also helping to promote a culture within sporting clubs and colleges where sexual assault, sexual harassment, bullying and misogyny are not tolerated.

UNE may also wish to consider exploring other opportunities for sponsorship from local businesses that do not involve alcohol, gambling or tobacco.

## 5.9 Recommendations

### **Recommendation 6: UNE should strengthen efforts to reduce alcohol**

The Commission recommends that UNE strengthen its alcohol reduction efforts. This should include the implementation of an alcohol reduction program, utilising peer education approaches. The alcohol reduction program should commence during Wellness Week, and continue to be delivered throughout the year.

UNE should also undertake an evaluation of the #MyMorningsMatter program being trialled at Mary White College, and consider expanding to other UNE colleges if found to be effective in reducing residents' alcohol consumption.

### **Recommendation 7: UNE should review and enhance current responses to alcohol consumption to ensure their alignment with a harm minimisation approach**

The Commission recommends that UNE review and revise relevant policies and procedures to ensure alignment with a harm minimisation approach to responding to residents' consumption of alcohol. This should include:

#### **A review of current mandatory finishing times of midnight for events and parties held on college grounds, to avoid continued alcohol consumption in unsupervised locations**

UNE should consider allowing later finishing times for events. This may prevent residents from going from a party environment where their alcohol consumption is regulated, to private settings, such as residents' rooms, where they may continue to consume alcohol in less safe circumstances. Instead, UNE Life may wish to adopt a system whereby a risk assessment is undertaken to determine the appropriate finishing time of an event. This risk assessment could include consideration of the nature of the event, anticipated noise levels and alternative event locations.

#### **Requiring formal events to be held at licensed venues**

UNE Life should consider requiring formal events where alcohol is served be held at licensed venues, such as the 'Stro or venues in town. This would ensure that all college events are required to adhere to liquor licensing laws, including the responsible service of alcohol.

#### **Documenting alcohol and event-related policies**

UNE Life should ensure that all alcohol and event related policies and strategies are clearly documented in writing, and are available from a central location (e.g. the UNE website and UNE Safe App). This will ensure that all residents and student leaders can easily access the information and are aware of the requirements when organising and holding parties and events.

#### **Discontinuance of the current use of alcohol bans as a penalty for residents that display problematic alcohol consumption, or for perpetration of sexual assault or sexual harassment**

UNE should discontinue the use of alcohol bans as a penalty for residents that engage in problematic alcohol consumption. Instead, UNE should focus on linking residents into appropriate supports and services. Further, UNE should cease the use of alcohol bans for perpetrators of sexual assault or sexual harassment and ensure all penalties are appropriate and the result of an independent investigation.

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**Recommendation 8: UNE should prohibit financial payments from licensed hotels to Junior Common Rooms (JCRs)**

The Commission recommends that UNE strengthen the 2019 sponsorship guidelines to prohibit any arrangements between college JCRs and licensed hotels that involve financial payments or benefits in exchange for patronage, to ensure its alignment with an alcohol reduction and harm minimisation approach. While JCRs may still wish to enter into arrangements with local licensed hotels, these arrangements should instead focus on venues providing non-financial support, such as safe transport for residents between their college and the venue.

The Commission acknowledges that the prohibition of sponsorship arrangements may have a negative financial impact on JCRs, and recommends that UNE consider alternative options to mitigate this. This may include, for example, sponsorship from local businesses, or the introduction of a program where college sporting clubs receive sponsorship funds from the university in exchange for club members upholding a code of conduct that focuses on respectful interactions between students and reinforces positive behaviours.

## Chapter 5: Endnotes

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## 6 Hazing

This chapter outlines the ‘hazing’ practices identified by the Commission within some of the UNE colleges.

Hazing has previously been examined in relation to the *Change the Course* report. The report identified some specific behaviours and attitudes which may amount to ‘hazing’, including: excessive alcohol consumption, performing humiliating or degrading acts, and in many cases sexual assault and sexual harassment, usually of female residents.<sup>51</sup>

UNE has implemented a number of policy responses to hazing, including the banning of hazing, strengthening the definition and including a presentation at Wellness Week. However, residents’ understanding of the definition, particularly regarding consent to hazing activities, varied throughout consultation, with a number perceiving hazing practices to be acceptable if consent is provided beforehand. To address this the Commission recommends that the definition and response to hazing outlined in the Code be revised and that St Albert’s College formally adopt the Code to ensure responses to hazing are consistent across UNE Colleges.

The Commission heard that hazing is being used by senior residents to express dominance and to facilitate solidarity within some colleges. This was evident at both Earle Page College and St Albert’s College with the respective ‘fresher challenge’ and practice of ‘ordering’ where older residents coerce younger residents to complete tasks or activities. Hazing practices has also been used as a means of identifying potential members for exclusive groups. Austin College residents spoke of ‘drinking groups’, which require participation in hazing initiations prior to acceptance.

### 6.1 Residents’ understanding of hazing

Many residents denied the existence of hazing practices within their college.

‘I know from my experience, we don’t haze here, it’s just not a thing, we don’t do it and we don’t accept it.’

‘We’re not allowed to haze and we’ve had a big crackdown on like no hazing, nothing, you can’t joke about hazing or anything.’

‘The traditions haven’t really changed. It’s more there’s no hazing.’

This aligns with research that has found that college residents are generally reluctant to describe their experiences as hazing.<sup>52</sup>

When asked what they thought the definition of hazing was, residents agreed that hazing was something someone was forced to do and that would place them at immediate threat of danger.

‘Hazing? I think anyone who puts anyone in danger, like immediate threat of danger or just like harm or just something that you’re forced to do.’

‘Like physically forced or they’ve got absolutely no option sort of thing.’

‘Yeah, actually forcing someone to do.’

Many residents described activities that could constitute hazing but did not identify them as such, as they were not forced to participate. This view, that activities do not constitute hazing if they are voluntary or involve consent, has been found in other research into university residents' experiences of hazing.<sup>53</sup>

For example, residents spoke of practices where junior residents were requested to do certain activities that were seen as relatively innocuous (eg, sing in public, eat certain food combinations, clean up after senior residents), but distinguished these from hazing as they are 'voluntary'. The normalisation of less severe forms of hazing if consent is given can also contribute to the normalisation of more concerning practices of hazing, such as "consensual" participation in drinking games involving excessive alcohol consumption.

'There's been an element which has changed in each initiation to make it, to bring it come more in line so now mostly initiations have an opt out policy—where someone's feeling upset or it's getting too much they're allowed to remove themselves and there's no consequence of it.'

'Obviously, like any college, you have traditions but I think, as part of the junior common room, we make it blatantly obvious that it's voluntary. If you don't want to partake in anything that's happening, not that anything is what we've ever deemed hazing or anything like that, it's voluntary and so if you don't want to no one's going to stand there and make you do something you don't want to do.'

'You can always opt out and nothing—there's no shame put on you or anything.'

'But we're not forcing our residents—hey, you have to come and do this; it's a tradition. We've got our traditions that we're trying to build up, but it's opt-in.'

An individual's willingness to voluntarily participate is not a factor in determining whether such activities constitute hazing.<sup>54</sup> Further, regardless of whether these activities are promoted as voluntary, opt-in or opt-out, it is likely that there would still be social pressure or expectation on residents to participate. Residents spoke of 'encouragement' to participate in activities, which is an example of social pressure that might mean residents feel coerced to participate in activities.

'I wouldn't say pressure. Like, there's encouragement to do it.'

'It's not forced, but you're advised like get involved join in, but you don't have to do it.'

'You don't have to do things. It's encouraged.'

Residents also did not understand the definition of hazing contained in the Code. This lack of understanding around the definition was particularly evident amongst Austin College residents.

'At the start of this year no one really had a definition of hazing because everyone found a way to put hazing into that.'

'I think the definitions that were provided were too broad and left people in a lot of confusion about what it is.'

'Yeah, it's certainly ambiguous. It needs to be defined properly.'

The Commission understands that there was a session in Wellness Week in 2018 that stepped through the definition of hazing, and that consent does not excuse hazing activities. However, this Wellness Week session does not seem to have been effective in changing residents' understanding of hazing.

As per recommendation 9, the communication of the definition of hazing should be improved. This should include a redesigned Wellness Week session that clearly explains the definition, provides examples of hazing practices, and is explicit on how consent to participate does not excuse hazing. This message should be reiterated to residents throughout the year.

## 6.2 Hazing at UNE

While some residents denied the current existence of hazing, or excused hazing practices on the basis that they were 'voluntary' or 'opt-in', the Commission heard that forced hazing practices do continue to exist within the UNE residential colleges. The Commission heard how hazing practices at UNE residential colleges often involve excessive alcohol consumption. Further, residents described hazing practices that were gendered and involved sexual objectification, and which contribute to a culture that increases the risk of sexual assault and sexual harassment.

'Upon arrival to college we were required to participate in initiations and activities that involved heavy drinking in unsafe surroundings and make us feel vulnerable. At one stage in my first year, the boys were told to strip and have their hands duct taped behind their backs and run around the college naked.'

'The boys would line up and to be allowed access into the party the women had to run through the group and be slapped on the ass by everybody.'



‘Excessively drunk first year girls including myself made to give ‘lap dances’ to first year boys during the ‘Ladies Lounge’ initiation.’

Theories for the existence of hazing include that it creates group solidarity, is an expression of dominance, and that it allows for the identification and selection of specific group members.<sup>55</sup> The Commission identified attitudes around hazing that align with these theories.

Firstly, the idea of hazing as a practice to generate group solidarity was strongly reiterated by residents. Many residents spoke positively of hazing activities in helping to create a bond between residents.

‘It’s just the shared experience with 100 other people in the exact same situation, not knowing a clue, not knowing anyone else, which really does help people form bonds.’

‘I think colleges that throw or host a lot of activities which may or may not be deemed hazing, sort of promote a bit more social interaction.’

‘So they like to do games where you’ll have a sip of your drink, but here’s a question or here’s a story, do Never Have I Ever and you can find out some silly things about each other and it bonded us a lot easier.’

Residents also described the role of hazing as an expression of dominance, and in supporting the establishment and maintenance of the status quo within college communities.

‘It kind of built like a lot of our freshers to respect the older ones and like to respect their, not just like their leadership, their being there for a year, that they had gone through what you’ve gone through and now it’s your turn.’

‘I definitely matured a hell of a lot when I went through all of that [hazing] because I was like, okay, I need to respect these people that are adults, and now I am an adult respect myself and everyone else.’

‘It’s been used in the past—hazing has been used as gaining the respect of the older years and of the leaders, and making a group conform so that you have control over them.’

The use of hazing by older residents as a way of entrenching power structures within the college community may create a fear of retaliation that makes victims unlikely to speak up and report it.<sup>56</sup>

This may partly explain why many residents strongly denied the existence of hazing activities within their college environment, especially in focus groups, despite the Commission obtaining clear evidence that hazing does still occur.

Finally, the Commission heard of the role of hazing as a practice used to select committed group members, however the Commission heard that this was a practice only observed at Austin College, with students subjected to initiation activities to join ‘drinking groups’. This is explored in more detail below.

The nature and extent of hazing practices differs between the colleges. Duval College and Mary White College residents detailed how some practices that were considered hazing, such as waking students early in the morning to participate in group activities, had ceased in 2018 due to increased restrictions implemented by UNE. The Commission was unable to confirm whether other hazing practices were still taking place at these Colleges. Residents at other colleges did not claim to have ceased hazing practices, with the Commission hearing specific examples of hazing taking place at Earle Page College, St Albert’s College and Austin College in 2018.

### Hazing at Earle Page College

The Commission heard that Earle Page College residents participate in hazing practices that are entrenched in a hierarchical system that distinguishes ‘freshers’, or first year residents, and ‘gerros’ (short for ‘geriatric’), or older residents. Common practices involved the ‘fresher challenge’, where first year residents are expected to perform various tasks at the request of older residents. The Commission heard of examples of tasks that ranged in seriousness from being asked to make popcorn, to being forced to consume excessive amounts of alcohol.

‘So you had a thing called the fresher challenge and that was basically just you challenge someone ... tell them to do whatever you want.’

‘There was also a hierarchy built into the time elapsed at college. If you were a “returner” student who had spent two or more years at college, you were allowed to “ask” (I am uneasy to use to the word “force”) the younger “fresher” students to do your bidding, from getting you another drink to taking your laundry to the wash rooms. Refusal to participate meant that people saw you as unfriendly and ‘unable to take a joke’.

'I know a girl who was here last year and she got [fresher challenged] —it sounds really bad—a bunch of older gerro boys came down and found the smallest girl on the floor and made her do a beer bong and a dirty water bong in the bathroom, and it wasn't a good experience for her ... basically they put beer in there and they just kept putting stuff in and she was this little small girl on the floor and said, "Please stop", then they laughed at her and left.'

The Commission additionally heard of first year residents participating in other initiation practices involving the wearing of Hawaiian leis and large name tags. However, the Commission understands first year residents in 2018 were told not to openly display these outside the college grounds for fear of reprisal from university management.

'Around the college we had to wear them. It was all joking and stuff ... And if you didn't wear it you got your face drawn on, like it was chill. No one cared. But we weren't allowed to wear them at top to the uni events and stuff, because it could be seen as being hazed or whatever.'

'We did have these nametags which was so that people knew your name and, yeah, just this big piece of laminated paper with a string tied around it—whatever—and after a couple of days we weren't allowed to wear that up top because apparently that could have been seen as hazing.'

### Hazing at St Albert's College

The Commission heard that St Albert's College residents participate in a practice called 'ordering', where older residents force younger residents to complete tasks or activities. The Commission heard of examples of younger residents being forced to clear older residents' plates, to eat certain food combinations, and to sing or perform in front of other residents.

'There's a bit of a hierarchy, the older girl like, in terms of how long you've been here and you can—well, it's like, if an older girls asks you to maybe clear her table of dinner plates because she just wants to leave or whatever, she'll just say, [name], can you just clean my plate for me and then it will happen because just in terms of hierarchy.'

'You were told to eat the Weet-Bix with wasabi sauce which I've done.'

'I got asked to play the piano and even though I play piano I didn't want to do that in front of everyone.'

'If you get asked to do something when you're younger then you can then go and do it when you're older so you kind of want to do it so that then you can.'

Residents spoke of other hazing practices that take place at St Albert's College, including 'Feral Women's' and walkabout. The Feral Women's initiation tradition was described in the *Red Zone Report*:

'Girls do "feral women's" on the same night. Fresher girls are labelled "feral god-daughters" and have a senior girl "feral godmother" allocated to them. These are self-organised in advance of the event. The feral godmothers dress up their goddaughters in old clothes from Vinnies and tease their hair, and put terrible makeup on your face to the point where you can't recognise your friends in the room. The feral god-daughters are not allowed to walk, they move on all fours and can only speak if spoken to. There's a vomit bucket in the middle of the circle. One senior student leads the evening and there are different challenges and activities. If you lose a race or activity you go to the punishment room where an egg is cracked into your hair and you have to do shots as you do sit ups. The idea of masters and feral godmothers is actually that they look after you during these challenges.'<sup>57</sup>

While Feral Women's and other hazing traditions such as walkabout were still planned for 2018, residents explained that there would now be a requirement for more attendees to remain sober.

'You sit in a room and you all have drinks and then you play a game ... drinking games and so everyone got quite drunk. And, I guess, in terms of that it would probably be hard for your mum, which is like, an older girl to a fresher, to look after you if they were drunk as well.'

'Now the mothers are going to be sober and when we do feral women's the mothers are going to be sober as well.'

Residents also emphasised how participation in hazing activities was voluntary.

'You can always opt out and nothing—there's no shame put on you or anything.'

However, as outlined previously, regardless of whether participation is seen to be voluntary, there would likely be social pressure on residents to participate.

## Hazing at Austin College

Some residents at Austin College are members of drinking groups. Membership is understood to be dependent on a number of factors, including physical attractiveness and willingness to engage in binge drinking and sexual activity.

‘At Austin College, they had drinking groups which were selective as to who was allowed in, mainly based on popularity and looks.’

‘Another part of the popularity is numbers of sexual partners ... if you aren’t thin, pretty and someone who sleeps around (unless your partner is part of the popular group) you aren’t included and you feel terrible and base your self-worth off of this stupid, immature system.’

Residents also shared that prospective members are required to complete hazing initiations before being accepted into a group.

‘The drinking groups make the younger members do humiliating things in the form of an “initiation”.’

‘These groups also pressure their new “recruits” to perform and undertake in hazing like acts to become a member of the group.’

While the groups appear to be informal, the Commission heard from current and former residents that membership offers residents a privileged position within the college’s social hierarchy. A number of residents shared that exclusion from a drinking group resulted in a sense of social isolation.

‘If you were not in one of the stated “drinking groups” you were considered a nobody at the college and socially excluded from certain events.’

‘If you were not in a drinking group or into drinking alcohol every single night, then there was no way you were being included in particular activities.’

‘They almost form a segregation-like situation between them and all other residents.’

While the Commission was informed that consideration had been given by college staff to addressing drinking groups, one resident was of the view that the groups had not been disbanded as they were seen to be part of Austin College’s ‘college experience’.

‘Apparently the head of college has been concerned about the drinking groups behaviour but leaves them intact as she feels that it’s part of the college experience.’

## 6.3 UNE policy response to hazing

Since at least 2016, the Code has prohibited hazing and initiation activities within UNE-operated residential colleges. St Albert’s College students are not required to adhere to the Code, however the St Albert’s College *Behavioural Expectations Policy* also prohibits hazing and initiation activities. This policy is discussed in more detail in section 6.4: St Albert’s College policy response to hazing.

Prior to 2017, the wording of the Code suggested hazing and initiation activities were prohibited only if they could be seen to ‘single out particular College Members and/or create mental or physical discomfort, and/or expose another to undue embarrassment or ridicule and/or may be physically or emotionally harmful to others’.<sup>58</sup>

In 2017, the Code was updated to include reference to participant consent, specifically prohibiting any hazing or initiation activity regardless of whether participants were willing or had consented. This iteration of the Code also updated the definition of hazing.

The Code describes ‘hazing’ as “any action or situation (with or without the consent of participants) used for the purpose of initiation, admission into, affiliation with or as a condition for continued membership or acceptance in a group”. It also outlines the impact the action/s may have on the victim, describes behaviours and practices that may amount to ‘hazing’, and provides examples.

The Commission commends UNE for initiating changes to the definition, which effectively removes any ambiguity and clearly states that hazing is not tolerated within the UNE residential system. However, the updated definition is lengthy, and provides a number of examples that may risk residents perceiving anything not listed to be ‘acceptable’ behaviour. Further, the fact that many residents still see hazing as involving force or a lack of consent suggests the updated definition of hazing has not been effectively communicated to many residents.

As outlined in recommendation 9, the Commission recommends that UNE consider revising its definition of hazing to be more succinct in an attempt to improve residents’ levels of understanding of the definition of hazing. A suggested revised definition is:

*‘Any action or situation (with or without the consent of participants) used for the purpose of initiation, admission into, affiliation with, or as a condition for, continued membership or acceptance in a group. Hazing activities may be intentional or unintentional, may involve humiliation, discomfort, embarrassment or physical and/or emotional harm to any individual or group.’*

As previously stated, it will be important for UNE to effectively communicate the revised definition of hazing to all residents.

While the updates to the Code were made in 2017, many residents only spoke of noticing an impact on their activities in 2018. In general, residents in focus groups spoke negatively of the change in policies around hazing.

‘There’s a lot of anti-hazing rules coming into place ... I personally think it’s over to the top.’

‘It’s a bit of a knee-jerk reaction.’

Further, according to residents from Mary White College, there have been inconsistencies with how the recent changes to the Code relating to hazing have been implemented across the colleges. In focus groups, Mary White College residents explained how their college had stopped practices that could be considered hazing, such as forcing residents to wake up in the morning, whilst hearing examples of hazing activities still taking place at other colleges.

‘The frustrating thing, too, is that we’re a leadership team that really respects our head of college, and the rules, and there’s other colleges in this university that don’t, and still did these things.’

‘I knew from the friends, some of the friends that I had at the other colleges, that even though we were told we weren’t allowed to wake them up, they were still waking their first years up this O week.’

‘When the university says something, whether or not we’re like “Oh, that’s so annoying” we actually do follow that rule, which I think at certain points during O-Week and Wellness Week it caused a bit of a tension because some of the bottom colleges were like ‘Oh, that’s nice’ and ignored the rules.’

Given that hazing activities are most likely still taking place within UNE’s residential colleges, it is important that there be clear guidance on penalties for engaging in such activities. The current process for investigating and responding to reports of hazing and the penalty for engaging in hazing activities is not clear to the Commission.

In the Code’s Penalty Guidelines, ‘initiation activities’ is included as both a Level 1 and Level 2 behaviour. Heads of College are able to manage and respond to Level 1 breaches of the Code, whereas Level 2 breaches of the Code must be reported to the Student Grievance Unit (SGU) for investigation. The SGU has confirmed that they have no record of receiving any reports of hazing for investigation from a Head of College. While the SGU has previously identified examples of hazing practices when investigating

matters, these matters had been referred to the SGU for other presenting issues, such as bullying.

As per recommendation 9, UNE should review and address the inconsistencies in the 2019 version of the Code. Hazing activities should be a Level 2 breach of the Code and should be automatically referred to the SGU for investigation. This is not only due to the potential physical, emotional and social harms that can result, but also due to the apparent variances in interpretation of ‘hazing activities’ between colleges.

## 6.4 St Albert’s College policy response to hazing

While St Albert’s College residents are not currently bound by the Code, hazing at St Albert’s College is prohibited under its *Behavioural Expectations Policy*. This policy states that:

‘Participation in any act of hazing arising from initiation, affiliation or membership is not permitted at the college.’<sup>59</sup>

The *Behavioural Expectations Policy* does not provide a definition of hazing, and does not articulate how claims of hazing will be investigated or responded. This is particularly problematic, considering that many residents have a limited understanding of the definition of hazing, as previously outlined.

Further, the *Behavioural Expectations Policy* states that all formal complaints will be investigated and dealt with in accordance with the Code. However, the St Albert’s College *Disciplinary Procedures* details a process for managing reports of behaviour misconduct through student disciplinary hearings, which is an approach not aligned with the Code. St Albert’s College also does not utilise the penalty point system outlined in the Code, and does not refer serious misconduct to the SGU for investigation as required under the Code.

Recommendation 10 is that, effective as of 2019, all St Albert’s College residents be required to abide by the Code. This will ensure that incidents of hazing, as well as all other examples of behavioural misconduct, are managed by St Albert’s College staff in accordance with the Code, and in a manner consistent across all UNE colleges.

To support St Albert’s College in its implementation of the Code, UNE should provide staff, student leaders and residents with information and training on the Code and its application. St Albert’s College residents should also be required to attend UNE Wellness Week, which will ensure they receive the same information regarding the Code as residents at other UNE colleges.

## 6.5 Recommendations

### **Recommendation 9: UNE should revise the Residential College Code of Conduct to strengthen the definition of and response to hazing**

The Commission recommends that UNE revise the definition of hazing in the Residential College Code of Conduct (the Code) to ensure it is more succinct and to increase residents' understanding of behaviours that constitute hazing. Further, revisions should be made to address inconsistencies with the process for managing and responding to hazing activities, including penalties. The Commission's suggested revised definition is:

*'Any action or situation (with or without the consent of participants) used for the purpose of initiation, admission into, affiliation with or as a condition for continued membership or acceptance in a group. Hazing activities may be intentional or unintentional, may involve humiliation, discomfort, embarrassment or physical and/or emotional harm to any individual or group.'*

To support increasing residents' understanding of what constitutes hazing, UNE should ensure that there is better communication of the definition of hazing. This should include a Wellness Week session that should cover, at a minimum, the definition, examples of behaviours that constitute hazing and hazing practices, good bystander responses and be explicit on how consent to participate does not excuse hazing. This message should be reiterated to residents throughout the year.

The Commission also recommends that the Code be revised to address inconsistencies with the process for responding and managing hazing activities, including the penalty for hazing activities. Hazing should be considered a Level 2 breach of the Code, and be automatically referred by Heads of Colleges to the SGU for investigation.

### **Recommendation 10: St Albert's College should formally adopt the Code for its residents**

The Commission recommends that, effective 2019, St Albert's College adopt the Code. This will improve responses to behavioural misconduct, including hazing, and ensure consistency in response across all UNE residential colleges.

To support St Albert's College in its implementation of the Code, UNE should provide staff, student leaders and residents with information and training on the Code and its application. St Albert's College residents should be required to attend Wellness Week, including the session that provides residents with detailed information on the Code.

As part of the implementation of the Code at St Albert's College, a review of St Albert's College policies should be undertaken to identify duplication between the Code and existing policies. Any St Albert's College policies that duplicate areas of the Code should be superseded, including the *Behavioural Expectations Policy* and the *Disciplinary Procedures*.

## Chapter 6: Endnotes

- 51 Australian Human Rights Commission, *Change the Course: National Report on Sexual Assault and Sexual Harassment at Australian Universities* (2017) 99.
- 52 Elizabeth Allan and Mary Madden, 'The nature and extent of college student hazing', (2012) 24(1) *International Journal of Adolescent Medicine and Health* 83; Elizabeth Allan and Mary Madden, 'Hazing in View: College Students at Risk' (2008).
- 53 Elizabeth Allan and Mary Madden, 'Hazing in View: College Students at Risk' (2008).
- 54 Nadine Hoover, *Initiation Rites and Athletics for NCAA Sports Teams*, Alfred University (1999).
- 55 Aldo Cimino, 'The Evolution of Hazing: Motivational Mechanisms and the Abuse of Newcomers' (2011) 11(3-4) *Journal of Cognition and Culture* 241, 243.
- 56 Jason Silveira, Michael Hudson, 'Hazing in the college marching band' (2015) 63(1) *Journal of Research in Music Education* 7, 16.
- 57 End Rape on Campus, *The Red Zone Report* (2018).
- 58 University of New England Residential College Code of Conduct 2015.
- 59 St Albert's College Behavioural Expectations Policy.



# 7 Attitudes that increase the risk of sexual assault and sexual harassment

The Commission observed that certain attitudes exist within UNE college culture that can increase the risk of sexual assault and sexual harassment, including negative attitudes towards women and stereotypical gender roles. This chapter details these attitudes and provides recommendations to address their possible harmful impacts.

While residents of all genders can experience sexual assault and sexual harassment, women are predominantly affected. Gender inequality is widely accepted to be the key driver of sexual assault and sexual harassment.

Residents spoke of practices and attitudes that highlighted the existence of traditional and rigid gender roles within a number of the colleges, particularly at Robb College and St Albert's College. Residents at these two colleges often equated gender equality with practices of general courtesy. Gender inequality was also observed at the student leadership level, with Austin College and Robb College having significantly lower representation of females amongst their student leaders.

Some residents also appeared to have a limited understanding of, and concerning attitudes towards, sexual assault and sexual harassment. These included: high levels of tolerance, especially for sexual harassment; efforts to trivialise sexual assault and sexual harassment; and victim-blaming.

The Commission proposes that UNE implement an evidence-based program of sexual assault and sexual harassment primary prevention education throughout the year to address these behaviours and attitudes. Further, it is recommended that all colleges establish quotas for female leadership positions, to ensure the number of female student leaders is representative of the overall student population. Finally, in addressing the culture that facilitates these attitudes, the Commission recommends that all colleges ban sexualised themes for social events, for example, events themed 'Gym Bros and Yoga Hoes'.

## 7.1 Attitudes towards women

Attitudes towards women that increase the risk of sexual assault and sexual harassment were identified within the culture at some UNE colleges.

Sexual violence (including sexual assault and sexual harassment) is deeply gendered. While people of all genders are affected by sexual violence, the majority of people that experience sexual violence are women and girls. In 2016, 1 in 2 women said they had experienced sexual harassment during their lifetime, and 1 in 5 women had experienced sexual violence since the age of 15. This is compared to 1 in 4 men saying they had experienced sexual harassment during their lifetime, and 1 in 20 men experiencing sexual violence since the age of 15.<sup>60</sup>

These statistics are mirrored in the results of the UNE college review survey. The survey results found that 41% of female residents that completed the survey said they had experienced sexual harassment since commencing at college, compared to 16% of male residents. Further, 6.1% of female residents that completed the survey said they had experienced sexual assault since commencing at college, compared to 1.8% of male residents.

It is generally accepted, and supported by a wealth of evidence, that violence against women is the result of gender inequality.<sup>61</sup>

‘... violence against women is a manifestation of historically unequal power relations between men and women, which have led to domination over and discrimination against women by men and to the prevention of the full advancement of women.’<sup>62</sup>

Rigid or traditional gender roles and stereotypical understanding of masculinity and femininity are manifestations of gender inequality that are predictors of higher rates of violence against women.<sup>63</sup> Residents spoke of practices and attitudes that point to the existence of traditional gender roles within some UNE colleges.

‘There were definitely misogynistic attitudes shared by guys at the college.’

‘Whether you’re working in the canteen—because the girls all run that ... the boys help out as well. They’ll have the boys with them that do the barbecues and all the heavy lifting. They’ll go and get the grog.’

‘You have like half the girls that say “we can do everything boys can” and then you have the other half of the girls that would say “a man is supposed to do A, B and C for me”.’

These attitudes were particularly pronounced at St Albert’s College and Robb College. Many residents at these two colleges referred to practices of courtesy when talking about gender equality and respectful behaviour.

‘The boys like, will always let the girls go through the door. I know it sounds a bit old-fashioned but it’s nice.’

‘Say if you’re on the bus, that they [female residents] can get off first, and it’s just being courteous and kind, gentlemanly. I think it’s something that we pride ourselves on.’

‘The history of Robb College has always respected women. For instance, when we get off a bus, women are always first on and off, and it’s just simple things like that that we try and push.’

At St Albert’s College, male and female residents also dine separately in the college dining hall.

‘I know boys and girls sit separately which a lot of people would look at and go, that’s weird.’

Recognising these traditional gender roles within UNE colleges, the Commission recommends that the prevention program proposed in recommendation 11 works to challenge and expand residents’ attitudes towards women, including attitudes about gender equality and gender roles.

Despite the existence of traditional gender roles at St Albert’s College, it has recently established a Gender Equality Working Group in 2018. This Working Group is tasked with developing a range of strategies aimed at making St Albert’s College a more inclusive and respectful place for all residents.

‘This year we have a gender equality committee, which is new, and we’ve had a few meetings, and it’s been working really well.’

‘A lot of it’s been historical stuff as well, and how we’re a lot further now than we were a couple of years ago, and how we can keep on building on that each year, to get gender equality.’

The Commission commends St Albert’s College for establishing a Gender Equality Working Group. However, the Commission did hear the Working Group had not yet taken significant action.

‘It’s really just discussion; it’s not been a lot of action, but it’s just kind of trying to instil a better attitude.’

The Commission recommends that St Albert’s review the terms of reference for the Working Group, and establish a work plan to ensure the Working Group is action-focused, and can deliver outcomes to improve gender equality and reduce sexual assault and sexual harassment. The Working Group’s work plan and outcomes should be made available to all residents to ensure transparency and accountability.

## 7.2 Women in leadership positions

Austin College and Robb College have significantly greater numbers of male residents in student leadership positions. This is despite there being a larger proportion of female residents at each college. While 60% of residents at Austin College are female, only 45% of residents in a leadership position are female. At Robb College, 55% of the resident population is female, yet only 37% of student leaders are female.

On the contrary, 75% of leaders at Mary White College were female. The Head of College at Mary White described the strong calibre of female leaders at the College.



‘We’ve had strong female leaders, and have had for a number of years ... We’ve had some guys that have been fantastic in the roles, but we have had very strong women in leadership roles.’

Gender disparity in leadership positions works to perpetuate harmful attitudes towards women, such as views around traditional gender roles.<sup>64</sup> In addition to being a matter of gender equality, greater female representation in leadership positions bring significant benefits.

‘A more balanced representation of men and women in leadership and decision-making roles will mean that organisations are making better use of the full range of available talent and better meeting the needs of both men and women.’<sup>65</sup>

Improving the female representation at the student leadership level will support colleges to address harmful attitudes towards women, as outlined in section 7.1, and advance gender equality. The Commission recommends that all UNE colleges ensure their leadership committees have proportional representation of female and male residents, reflecting the demographic makeup of the college.

### 7.3 Attitudes towards sexual assault and sexual harassment

There are certain attitudes and norms within the broader community that arise from gender inequality, and work to support and condone violence against women. Many of these attitudes and norms were identified within the culture of the UNE Colleges.

As Flood and Pease (2006) state:

‘Because the community is the context in which violence against women occurs, if community norms do not sanction it, they will provide legitimisation and support for its continuance.’<sup>66</sup>

The National Community Attitudes Survey identified a number of categories or dimensions of community attitudes that contribute to violence against women. Of these categories, the Commission identified three particularly evident within the culture of UNE residential colleges. These include: attitudes that trivialise violence against women; attitudes that minimise violence against women; and attitudes that shift blame for violence from the perpetrator to the victim.<sup>67</sup>

Attitudes that trivialise violence are often based on the view that the impacts of violence are not serious.<sup>68</sup> Some residents trivialised the impact of violence, especially the impact of sexual harassment. While most residents demonstrated a low level of tolerance for sexual assault, levels of tolerance towards sexual harassment were higher.

‘Everyone in this room knows that it is wrong to go up to someone, hold them on the ground while you rape them; everyone knows that. But people—there are still people who think that harassment is a joke.’

‘In terms of like sexual assault everyone at our college like from my understanding knows what’s right and wrong.’

There were also higher levels of tolerance demonstrated for indecent assault (ie, sexual assault not involving intercourse) than sexual assault involving intercourse.

‘I think it comes down to personal interpretation where [name redacted] here might feel sexually assaulted and threatened because some guy’s groped her in the pub. I’ve had that happen, shit happens sometimes. I can’t say that I would say that if someone had been raped.’

Some residents trivialised sexual harassment behaviours, with a view that such behaviours were not serious.

‘Definitely scope for improved understanding on the sexual harassment side of things, even like victims of it think it’s funny or think it’s just a joke and it’s light-hearted because I don’t think anyone really understands the gravity of it.’

‘For me, a wolf whistle isn’t the worst thing in the world.’

‘If someone makes a [suggestive] comment like I’d say I wouldn’t be really bothered.’

Female residents spoke of becoming desensitised to sexual harassment due to their multiple experiences of harassment, or the view that harassment was just a reality of being a woman.

‘I feel like it comes to—it’s similar to—like analogies, like similar like racism as well, like the first time I experienced it I was like ... I was shocked and I didn’t know how to deal with it, but like as time has come there’s things that you just like—that’s going to happen, I’ve accepted that, just move on.’

‘I don’t find comments very serious, because I got some throughout all of high school so I’m just kind of used to it right now.’

'It's just the fact of being a woman.'

'There's things where you're just like—you put too much more energy into and the results are minimum so you just kind of let it be.'

The Commission observed attitudes that work to minimise violence. This category of attitudes is seen in denials that sexual harassment and sexual assault occurs, or that certain types of behaviours constitute sexual harassment or sexual assault.<sup>69</sup>

'It was a rare event when a sexual harassment event occurred. My only memory of such an event was a female alleging assault which was proven false.'

'I believe that sometimes males often get stereotyped into this sexual harassing type without the real behaviour.'

'I don't qualify them [inappropriate comments, jokes, staring, leering] as sexual harassment in my opinion.'

'I was asked numerous times if I had made my "story" up for attention ... they questioned the events of the night telling me "I don't think that happened".'

The third category of violence-supportive attitudes observed within UNE college culture were attitudes that seek to blame victims for their experiences of sexual assault or sexual harassment. These attitudes 'shift blame for the violence from the perpetrator to the victim or hold women at least partially responsible for their victimisation or for preventing victimisation'.<sup>70</sup>

Residents spoke of incidents where female residents had been held responsible for their experiences of sexual assault or sexual harassment.

'Another friend got really drunk one night, and said one particular guy had assaulted her. She had gone to speak to the Head of College who had said maybe she shouldn't have been drinking and putting herself in that position.'

'I had a boy who was essentially a stranger come into my room while I was asleep, jump on top of me and start kissing me saying, ah, you want to have sex with me I know you do blah, blah, blah, And I was like obviously, no, I don't, get off me ... I reported it to my RF and said, hey, look this thing happened maybe something should be done about it? And he said, ah, well, you probably should just lock your door when you're asleep.'

'The male who sexually assaulted/harassed me was not fined, was not even spoken to by anyone at [name of] college, he received no punishment at all. However I was forced (my room was packed up for me) to move floors, leaving behind the friends I had made, going into a whole new environment where I was not spoken to by any member on that floor for 8 days. It was the most depressing, lonely and unforgiving time of my life.'

Further, residents described a culture of victim blaming within the colleges.

'There is still that level of this happened to you because of something that you did.'

'If a woman reports it [sexual assault], both men and women will say she was dressing the wrong way or she "should have expected it at college".'

'It's always the girl's fault—while I don't believe they always "blame" girls, they definitely act as though we have more control over what happens than I believe we do.'

'I definitely know that there's a stigma around will I be believed like, that's a huge, you know, if I report this am I going to be asked if I was drunk, what I was wearing, if I'm the type of girl who whores around.'

To address the existence of violence-supportive attitudes, the Commission recommends that the prevention program proposed in recommendation 11 explicitly challenge these attitudes. The program should work to educate residents on myths around sexual assault and sexual harassment, ensure residents are able to identify harmful attitudes within themselves and their peers, and be equipped to appropriately challenge others.

## 7.4 Understanding of sexual assault and sexual harassment

There appears to be a lack of understanding of sexual assault and sexual harassment amongst some UNE college residents.

'Perhaps a lack of understanding of sexual assault and harassment could lead to misunderstanding and thus increase risk.'

'Awareness of sexual harassment and assault as well as consent needs to continue to be a focus.'

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Residents generally have a comprehensive understanding of sexual assault involving penetrative intercourse, but that levels of understanding about other forms of sexual assault (ie, not involving penetration) and sexual harassment are less developed. Residents in focus groups and through submissions repeatedly referred to 'sexual harassment' and 'assault' interchangeably to describe the same set of behaviours, and used 'harassment' when describing incidents of rape.

This was further demonstrated in the following submission from a resident, which described experiences that constitute sexual harassment despite the resident feeling like the perpetrator had not 'actually done anything'.

'There is a first-year guy who has feelings for me that aren't reciprocated and he knows this yet it still feels like he is hoping I will change my mind. Like if we are walking together in a group of people he will often invade my personal space and walk right up close next to me and I often find him staring at me which makes me feel uncomfortable ... but because he hasn't actually done anything I feel like I can't say anything to anyone about it.'

A lack of understanding has consequences for the reporting of experiences of sexual assault and sexual harassment. If residents are not aware that their experiences constitute assault or harassment, they are unlikely to report it and seek support.

The Commission also heard of inconsistencies in residents' levels of understanding around consent.

'The only thing that would need to change is how boys understand sex and when it is okay or not okay to have sex.'

'A male student put his hand into my underwear without consent, when I told him no and pushed his hand away he said "later then" and shadowed me the rest of the night.'

'There was little to no education provided about consent or sexual safety.'

The Wellness Week program includes content aimed at increasing residents' understanding of sexual consent. This includes a viewing of the video, 'Tea and Consent', and a presentation by Brent Sanders that explains the legal definition of consent. Some residents spoke to the effectiveness of the Wellness Week content in increasing their awareness of consent.

'The guys came back from their talk and a lot of them were like really shocked, because they didn't realise how fine consent actually was ... just because somebody eventually says yes, that's not consent. They have to say yes from the very start. And I just know even some people on my floor were shocked because they didn't realise that. They just thought that seeing it was a yes, it was a yes.'

'There were people laughing, but they got the point of it. They got the point that sexual assault is wrong. They got the point that violence is a no go that talking to people in a certain way is a no go—through a cup of tea. It's amazing how far a bloody cup of tea analogy went.'

However, the effectiveness of the 'Tea and Consent' video in increasing understanding of consent was questioned despite its positive reception amongst residents.

'I saw it [Tea and Consent] like 80 times and everyone talks about it for a year ... But if everyone's remembering it then, surely, they should understand the lines of consent.'

The Commission also heard of a significant lack of demonstrated understanding around the impact of alcohol on an individual's ability to provide consent.

'Guys need to understand that someone being so drunk you can't speak or stand without support means you can't give consent.'

'I know a bunch of girls who have been touched who have been kissed or raped when very very very drunk beyond consent these happened at college functions.'

'You hear about what happened and you think that kind of behaviour isn't okay, that person was way too drunk to consent kind of thing.'

'There have also been times when I've been drunk and find myself alone with him that he's tried to start something and my friends have had to tell him to back off for me because I'm clearly in no shape or form to consent and his response has been "Nah it's all good she wants it she wants it".'

It may be the case that residents are aware that alcohol can inhibit an individual's ability to provide consent, but that this awareness is not necessarily translating into behaviour change when it comes to seeking consent. This is in line with evidence around influencing and changing behaviour, which recognises that while increasing knowledge and awareness is important, it is generally not sufficient in producing behaviour change.<sup>71</sup>

To address this, the Commission recommends that the prevention program proposed in recommendation 11 also include a focus on the role alcohol plays in limiting or preventing someone from providing consent to sexual activity.

## 7.5 Attitudes towards sex

The Commission heard of a college culture that encourages sexual activity.

‘There definitely is a culture of sleeping around and having sex ... I always found it to be, hey, you can have sex with whoever you want to and that’s okay because that’s your right to do that.’

‘General high level of promiscuity, but that comes with the territory of having a hundred recently liberated young adults in close proximity.’

Through submissions, residents spoke of a culture that rewarded multiple sexual experiences, and a culture that expected individuals to share the details of their sexual experiences with their peers.

‘The amount of people you’ve slept with (unless you’re in a relationship with a popular person at that college) makes you popular. College encourages sleeping around.’

‘There were many situations where I was forced to drink, or tell a story of a past sexual experience that was unique (in a bad way). If no such story existed, you were shamed. The above sharing experiences develops a culture which makes sexual harassment and assault “acceptable”.’

‘If you’re not open about your sex life you’re a prude.’

Through submissions, especially from female residents, the Commission also heard of a culture of male sexual entitlement. Male sexual entitlement has been identified as increasing the risk of sexual assault and sexual harassment, as it ‘may result in the use of force by some men to secure their will’.<sup>72</sup>

‘Some individuals ... had strong opinions about sex and entitlement, for example a male resident became very angry at a female resident at a group gathering at college, essentially for dressing up and not putting out.’

‘He proceeded to make sexual advances on her, tried to kiss and touch her, and when she said no and asked him to leave her alone he responded with “but you’re a slut right? It’s what you do”.’

‘One of these males went onto brag about the sexual encounter to his friends and implied I was a slut despite no sex actually occurring.’

‘During my third year I heard that some of the first year boys had created a group chat on facebook where they would send photos of girls they had slept with—sometimes photos that were taken while they were sleeping with them.’

Male entitlement can also result in the sexual objectification of women, whereby:

‘women are sexually objectified and treated as an object to be valued for its use by others. SO [sexual objectification] occurs when a woman’s body or body parts are singled out and separated from her as a person and she is viewed primarily as a physical object of male sexual desire.’<sup>73</sup>

The sexual objectification of female and male residents is evident through themed social events at some colleges. While on campus, the Commission witnessed promotional materials displayed for a ‘Gym Bros and Yoga Hoes’ themed event, and residents spoke of attending events with sexualised themes and activities.

‘One of the events that they were talking about being over-sexualised where all the girls dress as like short skirt, pigtail, glasses. Like you know the type of dressing. So that sort of thing and then everyone’s sort of encouraged to have sex because they’ve come back to school you may as well start the year off with a bang type deal.’

‘The theme was GI Joes and Army Hoes—so dress up like the title says.’

‘Events where you’ve got like a wet tee-shirt on or something like that.’

‘It was fairly common for the colleges to hold events where the boys/girls would act as “strippers” for one another at certain events.’

One resident made the connection between these events, and an increased risk of sexual assault or sexual harassment, especially when alcohol was involved.

‘When there’s events where there’s been an element in an event that is highly sexualised or something like that, and alcohol is involved where they get intoxicated, that is a breeding ground for that kind of thing [sexual assault and sexual harassment] because people are intoxicated, they misread signals and there’s already high sexualised nature so it’s creating something.’

These sexualised themes reinforce stereotypical notions of masculinity and femininity, which, as discussed previously, are linked to an increased risk of violence against women.<sup>74</sup> For this reason, the Commission recommends that UNE considers banning highly sexualised themes for events and parties, and implements a system whereby Heads of College are required to review and approve themes to ensure they are appropriate (recommendation 14).

## 7.6 Ethical bystanders: responding to sexual assault and sexual harassment

The UNE colleges did not appear to have a strong culture of bystander intervention. Residents demonstrated varied levels of confidence when asked if they would intervene if they observed incidents of sexual assault and sexual harassment, or attitudes and behaviours that support violence. Strong bystander responses can significantly reduce risks of sexual harassment and sexual assault in any situation where other people are present.

Some residents, however, maintained that there was a culture of bystander intervention within their college.

‘Standing up for the girls if they see something happening where another boy personally is like I don’t know hurting them in some way, I know these boys will probably run up and be like, hey, no, stop that, stop that happening.’

‘There’s a strong culture of bystander behaviour and intervening.’

‘We have a lot of [intervention] strategies that are tried and true at a college level.’

However, other residents contradicted this, and suggested that residents within their college would not intervene in situations where they observed sexual assault or sexual harassment, gender inequality, or violence-supportive attitudes.

‘No one’s standing up and saying no, that’s not okay.’

‘I think people do generally feel that it’s not my business, I don’t want to interfere sort of thing.’

‘I wouldn’t say it’s like, no-one’s supporting it [sexual assault and sexual harassment], but I guess no-one’s actively saying stop it.’

‘I also think a culture needs to develop where people pull up each other for any sexual harassment kind of behaviour so it’s not seen as cool or trying to get some.’

The survey results support that there is not a culture of bystander intervention within the colleges. Of survey respondents that witnessed or heard about an incident of sexual assault or an incident of sexual harassment, 62% said they took no action.

Research has found that the existence of gender inequality, violence-supportive attitudes and male entitlement have an impact on the likelihood of bystander intervention.<sup>75</sup> Other potential barriers to bystander intervention include a fear that intervening will have ‘social costs’.<sup>76</sup> The Commission observed this barrier among residents, with some identifying that it can be difficult to be an ‘ethical bystander’, especially when it requires intervening with older residents, or residents of a different gender.

‘It is hard, I think, to come forward and say, “that’s really wrong for you to do that” when you know you’re worried about getting laughed out of the room, you know.’

‘I suppose a fresher, if it’s an older resident and like a fresher might not feel comfortable.’

‘It’s kind of difficult—like, say, if you are in a group where most of the people there are men, you know and you’re hearing a guy make a sexist joke or something like that, it’s kind of hard when you’re of the opposite sex to make a comment on that.’

The respectful relationships component of Wellness Week does not include any specific education on bystander intervention. This may be one reason there is inconsistency in residents’ levels of confidence to intervene, with intervention subject to an individual’s own level of understanding of what are unacceptable attitudes and behaviours, and how to effectively call them out.

To address this, the Commission recommends that the prevention program proposed in recommendation 11 includes a component around bystander intervention.

## 7.7 Recommendations

### **Recommendation 11: UNE should implement a sexual assault and sexual harassment prevention program**

The Commission recommends that UNE implement an evidence-based program of sexual assault and sexual harassment prevention education. Primary prevention aims to change the underlying behaviours and conditions that facilitate and support violence, before it ever occurs.<sup>77</sup> A stronger focus on primary prevention has the potential to change attitudes and behaviours, influencing the broader culture within UNE residential colleges and reducing the risk of sexual assault and sexual harassment.

This prevention education program should address the issues identified in this chapter, and work to:

- challenge harmful attitudes towards women, including attitudes around gender equality and stereotypical gender roles
- challenge violence-supportive attitudes
- increase understanding of sexual assault and sexual harassment, including how to identify behaviours that constitute sexual assault and sexual harassment
- increase understanding of consent, and change consent-seeking behaviours (including the role alcohol plays in limiting or preventing someone from providing consent to sexual activity)
- increase confidence and capacity to intervene as a bystander to address the attitudes and behaviours that support sexual assault and sexual harassment, as well as to intervene in potentially violent situations.

In line with guidance for effective practice, the prevention program should be run throughout the academic year to facilitate the delivery of multiple sessions and the use of different strategies to maximise engagement and impact. This should include opportunities for residents and staff to test new skills and strategies to reinforce positive attitudes and behaviours.<sup>78</sup>

The introduction of such a program is aligned with the Tertiary Education Quality and Standards Agency Guidance Note on Wellbeing and Safety (Guidance Note) which states that university residential colleges should implement measures, such as evidence-based sexual violence prevention education programs to address the risks of sexual assault and sexual harassment within university residences.<sup>79</sup> The Guidance Note also outlines that the intent of standard 2.3 of the Higher Education Standards Framework, relating to wellbeing and safety, requires providers to take active responsibility for fostering an environment of wellbeing and safety for residents. This includes conducting evidence-based sexual violence, drug and alcohol abuse prevention education programs.

There are a number of existing violence prevention programs that UNE may wish to consider, including:

- The *MATE Bystander Program*. MATE is an example of an evidence-based program developed for the Australian context. Developed by Griffith University, MATE offers a range of training options that teach participants to be 'effective bystanders to both overt violent behaviour and covert problematic situations that contribute to violence against women'.<sup>80</sup> While MATE has not yet been evaluated, it is based on the *Mentors in Violence Prevention* program, which has been found to be effective in changing attitudes and behaviours in university residents in the United States.<sup>81</sup>
- The *Understanding sexual consent & preventing sexual violence in universities* program. This was developed by the Full Stop Foundation of Rape and Domestic Violence Services Australia specifically for residential college residents and staff. The program aims to influence attitudes and behaviours of residents, as well to influence campus culture, and introduces residents to key concepts concerning sexual violence, legal responsibilities, ethical consent, and skills in being an ethical bystander. The program also includes a component around receiving disclosures, which may also be appropriate for resident leaders.<sup>82</sup> The program has not yet been formally evaluated.

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The Commission also understands that Universities Australia is in the early stages of developing a respectful relationships program for university students.

Alternatively, UNE may wish to consider developing their own program. If UNE seeks to develop their own program, the Commission recommends that experts in sexual assault and sexual harassment prevention be engaged to ensure the content and mode of delivery is evidence-based and effective.

UNE should also ensure that any program is implemented along with a comprehensive monitoring and evaluation strategy that will measure impact and effectiveness.

**Recommendation 12: All UNE colleges should encourage leadership committees to have proportional representation of female and male leaders**

The Commission recommends that all UNE colleges should encourage their leadership committees to have proportional representation of female and male residents, reflecting the demographic makeup of the college.

**Recommendation 13: St Albert's College should review the terms of reference and establish a work plan for its Gender Equality Working Group**

The Commission recommends that St Albert's College reviews the terms of reference for the Working Group, and establishes a work plan to ensure the Working Group is action focused, and can deliver outcomes to improve gender equality and reduce sexual assault and sexual harassment. The Working Group's work plan and outcomes should be made available to all residents to ensure transparency and accountability.

**Recommendation 14: UNE and the colleges should introduce policies regarding sexualised themes for social events and parties**

The Commission recommends that UNE introduce policies regarding sexualised themes for parties and events to address the sexual objectification of women and men at social events. For example, college staff could be required to review and approve proposed themes for college social events and parties as part of the planning stage.

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## 8 Wellness Week

This chapter reviews the effectiveness of the content and delivery of Wellness Week.

Wellness Week was introduced in 2017 for first year college residents at UNE-operated colleges. St. Albert's College residents do not currently participate in Wellness Week, with the College instead incorporating a wellness component into its orientation week program.

Wellness Week is held the week before O-week (two weeks before the university trimester begins). It involves five days of lectures and activities focused on respectful relationships, mental health and wellbeing, and the responsible consumption of alcohol.

UNE includes a component of respectful relationships education as part of its residential Wellness Week that aims to:

- increase awareness of sexual assault and sexual harassment, including definitions, consent and risk reduction
- provide residents with information on how to report and where to seek support following experiences of sexual assault and sexual harassment at UNE.

The Commission is of the view that a number of improvements to the program are required. A redesigned Wellness Week program has been proposed by the Commission to address its concerns with the currently limited focus on primary prevention and sexual harassment and use of the problematic risk-avoidance discourse.

The Commission recommends that UNE consult with appropriate experts in both sexual violence and adult learning to address the concerns raised by both residents and staff regarding the way Wellness Week is structured and delivered. This will ensure that the program is more effective and extends its reach to returning residents.

### 8.1 Primary prevention focus

Wellness Week aims to increase awareness of sexual assault and sexual harassment, however increasing awareness alone will not be sufficient to prevent violence from occurring.

Rather, efforts need to focus on changing attitudes and, importantly, behaviours.<sup>83</sup> Primary prevention works to address the attitudes and behaviours that excuse, justify or promote violence against women to stop sexual violence before it occurs, as well as the likelihood of sexual violence ever occurring.<sup>84</sup> University students are at a stage where their attitudes and behaviours are developing and evolving.<sup>85</sup> Through prevention education, universities can influence residents' attitudes about consent, gender and violence, and empower residents to drive cultural change through their challenging of social norms, structures and practices that promote and support sexual assault and sexual harassment.<sup>86</sup>

The Commission considers that UNE should increase its primary prevention efforts if it is to reduce the risk of sexual assault and sexual harassment within its colleges. This view was shared by a number of residents.

'There are no preventative measures and if there are they aren't working.'

'It's not how to stop it or prevent it; they're just telling people it happens, like they're not doing anything about it.'

‘Perhaps the Uni should be focusing more on preventing future occurrences.’

‘The best measure is a preventative one.’

As outlined in recommendation 11, UNE should implement an evidence-based program of sexual assault and sexual harassment prevention education. This program should commence during Wellness Week, and build on the current content dedicated to increasing awareness of sexual assault and sexual harassment.

## 8.2 A focus on sexual assault

The content of Wellness Week has a significantly greater focus on sexual assault than sexual harassment. This was evident through a review of the content of the Wellness Week program, as well as consultation with residents and staff.

‘I think they focused on the very big kinds of sexual assault, the big serious crimes rather than perhaps the more common ones. Yeah, which I think was odd. Because I guess probably everyone will experience some form of harassment or a minor form of assault during their lives, so I guess if the focus was more on the things people are more likely to experience, rather than the extremely serious crimes, which are actually less common.’

‘The whole what happens if someone wolf whistles repetitively, or makes moves on you that aren’t favoured, or even gets to the point where they make unwanted physical contact with you—there probably isn’t much of a focus on that, as much as the sexual assault.’

‘I found most of the focus was on very extreme cases. It was like rape and things like that, the extreme end of things rather than what people were more likely to experience in their day-to-day life, like someone continually messaging you and stuff. They didn’t really touch on that.’

Wellness Week appeared to be somewhat effective in increasing knowledge of sexual assault among residents. UNE conducted a survey of residents that had attended Wellness Week, revealing that 94% of residents agreed or strongly agreed that they better understood the meaning of sexual assault because of Wellness Week. The same survey found that 90% of residents were very confident or somewhat confident in their understanding about the need for a sexual partner’s consent, and that 91% of residents were very confident or somewhat confident in seeking sexual consent.

The UNE Wellness Week survey findings are supported by comments from residents in focus groups.

‘They really did put a big emphasis on the definitions so that nobody could plead ignorance, and that’s great ... I certainly have a very sound understanding of these definitions and I believe that everybody else who attended this Wellness Week would, as well.’

‘I think it was good to help define what is sexual assault, because sometimes there can be grey areas, and they sort of helped define what was sexual assault and what wasn’t.’

However, as discussed in *Chapter 7: Attitudes that increase the risk of sexual assault and sexual harassment*, the Commission heard that many residents had low levels of understanding of what constitutes sexual harassment. The Commission also observed high levels of tolerance for sexual harassment behaviours. If there is to be a change in knowledge, understanding, reporting and behaviours of sexual harassment, the Commission recommends that the redesigned Wellness Week program (recommendation 15) and sexual assault and sexual harassment prevention program (recommendation 11) include increased content on sexual harassment, as well as on sexual assault.

## 8.3 Risk-avoidance discourse

A key message communicated through Wellness Week is how residents, particularly female residents, can ‘reduce their risk’ of being sexually assaulted or sexually harassed.

‘It’s always how to minimize your chances, walking in groups or you know, like don’t go to the library when it’s too late, don’t walk back by yourself.’

‘Yeah, to reduce the risk, that was like a big focus, like “reduce the risk”.’

‘What can you do to get away from it, what can you do to minimize it, what can you do—like I feel like it’s so focused on the victim.’

Some residents also understood a key message of Wellness Week to be that sexual assault and sexual harassment is inevitable, and this is why minimisation of risk is promoted.

‘Trying to make it seem as if it’s natural or ... it’s just the fact of being a woman.’

‘Be prepared to be harassed and like while being prepared is good I guess it like, it insinuates that it almost definitely is going to happen.’

‘[Residents] got told that they’re going to be sexually assaulted every day, it really instilled fear.’

The Commission is of the view that messages about the inevitability of sexual assault or sexual harassment, and the role of the individual in minimising their own risk of sexual assault or sexual harassment, are examples of 'risk-avoidance discourse'. Risk-avoidance discourse places responsibility on the individual to prevent becoming a victim of sexual violence.<sup>87</sup> Sexual violence prevention programs based on risk-avoidance aim to improve knowledge of what constitutes sexual violence, provide information on recognising and avoiding risk, and teach strategies to manage individual safety, such as self-defence or verbal and physical resistance.<sup>88</sup> This discourse fails to consider the role of gender inequality as a driver of sexual violence, as well as the role of broader society in supporting and normalising violence.<sup>89</sup> It also places the responsibility of avoiding violence on the potential victim, rather than placing the responsibility to refrain from using violence on the potential perpetrator.

The Commission understands from residents that this message is repeated throughout Wellness Week from a range of presenters and guest speakers. One Wellness Week presentation that repeats this message is that from Armidale Police. A representative from Armidale Police presents on safety to residents as part of Wellness Week, with PowerPoint presentation slides including messages such as:

'Simply.... Do not put yourself in a situation or remove yourself from situations where you could be at risk.'

'Walking around...

- Don't be by yourself
- Think about where you are walking.'

Another guest speaker that presents each year at Wellness Week provides separate presentations to male and female residents. The Commission has been told that the presentation to female residents includes a lesson on sexual assault avoidance strategies, or 'refusal skills'. These skills and strategies are also characteristic of risk-avoidance discourse.<sup>90</sup>

The following are quotes from students who attended this presentation summarising the information that they say was presented:

'If a guy comes onto you, you can kind of trick them in a way to get away from the situation.'

'I think that particularly the talk that [presenter] does focuses more on the you've gone back to someone's bedroom scenario – how do you get out of it – prevention of sexual assault.'

'He was telling us the guy tries to sleep with you and you don't want to and you think he's about to rape you, say, yes, and say I'll be right back I'm going to the bathroom to get ready. But because you've told him, yes, he's under the assumption that you're okay with it and it's no longer valid to take it to the police because it's not rape because he doesn't. And when he said that I was like we were like, whoa, what's happening?'

The Commission has not been able to confirm what was communicated during this session.

While residents did speak positively of this presenter's presentation, the Commission's interpretation of much of this feedback is that residents appreciated his presentation style more than his messaging and content.

'I would have to say that the [presenter] talk is the best thing ever because he's a really engaging speaker. You actually sit down and want to listen.'

'He's an actual professional speaker, though, which I think makes quite a difference.'

'I know the biggest part for me in Wellness Week, that I remember from mine is the [presenter] talk, and that's pretty much it, because it was the only bit that actually kept me engaged.'

Other residents, especially female residents, identified concern with the message being promoted through this presenter's talk.

'I've had girls coming out and being concerned about what he said.'

'I particularly had a huge problem with this because the message that I got out of the talk was girls, if you're in that situation, you know, say yes and then run away.'

This messaging effectively places the burden of responsibility on victims (generally women) to avoid being sexually assaulted or sexually harassed. It also does little to address the behaviour of those that perpetrate sexual violence. Residents expressed similar concerns at the lack of attention given to perpetrator behaviour.

'I was just not too happy that they were addressing the victims more than the perpetrators.'

'It was coming from the presenters, they were sort of like "here are ways to avoid this" and it far outweighed the "here are ways not to sexually assault people".'

'I feel like the conversation should be addressed to the people that do it and, you know, fix that issue.'

The Commission recommends that UNE change the messaging around the prevention of sexual assault and sexual harassment for the redesigned Wellness Week program (recommendation 15) and the sexual assault and sexual harassment prevention program (recommendation 11). The messaging should shift from one of ‘personal responsibility’, which refers to individual minimisation of risk, to promotion of ‘collective responsibility’ or ‘shared responsibility’, which encourages residents to look out for each other as individual moral actors and take collective action.

Reference to risk-avoidance should discontinue, with greater focus given to gender equality and respectful attitudes and behaviours towards women. UNE should also review all guest speakers’ presentations to ensure they align with this focus, and do not reinforce harmful messages. Guest speakers whose presentations do not align with a focus on gender equality and respectful attitudes and behaviours towards women should not be invited to participate in Wellness Week.

## 8.4 Content warnings

Many residents find the content of Wellness Week confronting.

‘I noticed it drained a lot of my freshers. It’s a very emotionally heavy subject, and I did see the wear and tear on them.’

‘It just made me feel sad rather than helping.’

There were also instances of residents that had previously experienced sexual assault or sexual harassment finding the content traumatising.

‘I had to excuse a resident from it because she had been sexually assaulted, and she found it really hard to sit through it. But she didn’t feel comfortable actually saying it during, so she waited until after, until it had already stressed her out.’

‘I don’t think it was explained to her what she was going into, because she was devastated with one of the talks ... She later explained to me all the things that had happened to her.’

It is important that UNE recognises the likelihood that there will be residents in the audience for Wellness Week that will previously have experienced sexual assault and sexual harassment.

The Commission recommends that the redesigned Wellness Week program (recommendation 15) provide residents with appropriate advance warning of the content of Wellness Week. Residents should be provided with regular opportunities to leave the venue, and the contact details of the UNE Student Support Counselling Service should be made available to residents.

## 8.5 Duration, content and mode of delivery

The structure of Wellness Week, in particular its duration, content and mode of delivery, limits its effectiveness. The Commission heard concerns from residents and staff regarding the way Wellness Week is currently structured. Many residents commented on the duration of Wellness Week, with a view that Wellness Week is too long.

‘Wellness Week is very useful—it’s just much too long.’

‘It probably could go down to like three or four days rather than the whole lot.’

‘It was drawn out and it felt like everything could have been told, could have been covered in a day, two days, max.’

There is an issue with the content, with many residents describing Wellness Week as repetitive and boring.

‘It loses its meaning because you’re just told the same over and over again just by different people in slightly different ways and so it just gets boring.’

‘Wellness week, it was just like, boring, boring, boring, boring, and people didn’t really care about the content then, because they’re like, this is crap.’

‘Last year, it got to the point where blokes and stuff were laughing about it because they’ve heard it eight times in the last three days.’

Concerns regarding accessibility of content for international student residents were also raised during consultation.

‘I know there’s the attitude that they knew we were going to deliver it in English; they know we’re an English-speaking country; they should be able to understand English. But, again, when it comes to these situations, you find comfort in your home language. And you understand the nuances when it’s spoken in your home language. Which you don’t in English. There are so many assumptions that go with that.’

The majority of content is presented in a lecture format, with presentations from a range of speakers from within and outside of the university. The emphasis on lecture-style sessions was criticised by residents.

‘It’s just talks all day, all week.’

‘There could have been better ways to go about getting the information across, rather than having hundreds of kids sitting in a lecture all day just receiving the same information from different people.’

‘Wellness Week is pretty much just a blur of talks that you don’t remember.’

‘Being lectured, like I felt like it was in a class.’

The numerous concerns flagged with the Commission regarding its duration, content and delivery suggest that Wellness Week may not be fully effective in increasing knowledge and understanding of sexual assault and sexual harassment for all residents.

‘There was just a lot of information coming at us that first week ... personally I couldn’t process it in time to absorb it.’

‘I feel as though for me, Wellness Week had too much information that it did not sink in and there were so many people packed into that auditorium that didn’t care about what was being said.’

‘I just think it was not the best way to approach the topics and to handle that information because it just—it wasn’t absorbed by so many people.’

‘Wellness Week had too much information that it did not sink in.’

The Commission recommends that, as part of the redesign of Wellness Week (recommendation 15), UNE reconsiders the program, and ensures that only the most relevant and necessary content is included. The Commission understands that UNE is already considering whether some Wellness Week sessions are able to be delivered during orientation week, or later in the trimester. UNE should review the content concerning respectful relationships in line with the recommendation for the implementation of a sexual assault and sexual harassment prevention program that involves components being delivered throughout the year (as outlined in recommendation 11). It is recommended that UNE conduct a similar review of content around alcohol consumption, in line with the recommendation for the implementation of an alcohol reduction program that involves components being delivered throughout the year (recommendation 6).

UNE should also improve the accessibility of content for all residents, including international student residents.

Finally, UNE should engage experts in adult learning as part of the redesign of the Wellness Week program, to ensure the new program is engaging and effective, and aligns with best practice in adult learning.

## 8.6 Awareness of reporting and support mechanisms

Wellness Week aims to communicate available reporting and support mechanisms to residents. This is an important part of Wellness Week, and essential in ensuring residents who experience sexual assault or sexual harassment are confident to report their experiences.

However, many residents have limited understanding of available reporting and support mechanisms (outside of their college environment). This is explored in more detail in *Chapter 10: Barriers to reporting of sexual assault and sexual harassment*. In summary, residents were not overly familiar with the SGU, nor with the reporting and investigation process. This is likely due to the lack of effective communication of support and reporting mechanisms during Wellness Week.

‘I found that during Wellness Week they were like “if something happens, go to these people, go to these people, go to these people”. I have no idea who they were. Like sure, they have a title and they’re someone in the college, but I don’t know them.’

‘I know a bit about the process, but it’s from just, I work at the uni, and also, just being, or seeing some of their processes happen, but if I was a first year who came in without any of that experience, I don’t think I’d have a clue.’

‘By the end of Wellness Week I don’t necessarily think they’d know what to do or where to go because there’s just so many, and so many old people talking at them.’

As part of the redesign of Wellness Week outlined in recommendation 15, the Commission recommends that UNE enhances its delivery of messaging around reporting and support mechanisms as part of Wellness Week.

The Commission also recommends that UNE develop a suite of materials for residents outlining the available services, as well as a clear articulation of the SGU reporting and investigation process (eg, through a flowchart). It is essential that this material is readily available to residents online and in hard copy, and is displayed around the colleges.

## 8.7 Returning residents

Wellness Week is currently delivered to first year residents only. While some returning residents attend Wellness Week in their capacity as student leaders, the majority of residents do not receive any refresher or top-up training after their first year. As Wellness Week was only introduced in 2017, this also means that residents in third year or later in 2018 have not participated in the Wellness Week program. Prior to 2017, a condensed version of Wellness Week was delivered as part of O-Week.

There is the risk that returning residents will not remember what they learned during their Wellness Week (if they had participated in one), or will not be updated on changes to policies or reporting and support mechanisms. For these reasons, some residents identified a need for older residents to undertake refresher training.

‘I think something that could be good is a refresher for the older residents... I found some of the older residents are sometimes the ones who don’t know where they can go.’

‘There are also probably some of those talks that shouldn’t just be for the freshers.’

‘I think that they should be doing something for the returning students as well ... a refresher, you know, you’ve got to drill it again.’

In order to effect cultural change, it will be important for all residents and staff to be engaged in Wellness Week, especially the components relating to the sexual assault and sexual harassment prevention program—not just first year residents. It is also necessary for senior residents to fully understand their rights and responsibilities, and ensure they model appropriate attitudes and behaviours for first year residents.

The Commission recommends that returning residents participate in the redesigned Wellness Week (recommendation 15). It may not be necessary that returning residents attend the entirety of the Wellness Week program, however at a minimum returning residents should participate in sessions on sexual assault and sexual harassment prevention and on the reporting and support mechanisms available to residents who have experienced sexual assault and sexual harassment.

## 8.8 Wellness component of St Albert’s College orientation week

St Albert’s College residents do not currently participate in Wellness Week. Instead, St. Albert’s incorporates a wellness component into its O-week program, which takes place the week before the university trimester begins.

The respectful relationships content of this wellness component involves a presentation from a representative of Armidale Police, as well as a presentation from a UNE staff member on the *Respect. Now. Always* campaign and the SGU.

It is unclear that St Albert’s College wellness component is effective in:

- increasing residents’ awareness of sexual assault and sexual harassment
- providing residents with information on how to report and where to seek support following experiences of sexual assault and sexual harassment at UNE, and
- preventing sexual assault and sexual harassment.

The Commission strongly recommends that, commencing in 2019, St Albert’s College residents be required to attend the redesigned UNE Wellness Week (recommendation 15). This would ensure that St Albert’s College residents receive the same information as other UNE college residents regarding relevant policies and procedures and reporting pathways, and ensure that messaging about the prevention of sexual assault and sexual harassment is appropriate and consistent across the colleges.

Participation in Wellness Week would also ensure that St Albert’s College residents are also involved in sessions that form part of the alcohol reduction program outlined in recommendation 6, and the sexual assault and sexual harassment prevention program outlined in recommendation 11.



## 8.9 Recommendations

### **Recommendation 15: UNE should undertake a complete review and redesign of the Wellness Week**

The Commission recommends that UNE undertake a complete review and redesign of Wellness Week to address the issues identified through the review.

The redesigned Wellness Week program should:

- Include a stronger focus on alcohol reduction and harm minimisation (recommendation 6).
- Include a stronger focus on primary prevention of sexual assault and sexual harassment. Wellness Week should include sessions that form part of the sexual assault and sexual harassment prevention program (recommendation 11).
- Increase the focus on sexual harassment, instead of focusing predominately on sexual assault.
- Reposition messaging around sexual assault and sexual harassment, from 'personal responsibility' to the promotion of 'collective responsibility' or 'shared responsibility'. The focus should be on gender equality and respectful attitudes and behaviours. Any reference to or use of risk-avoidance discourse should cease. All presentations should be reviewed (including from guest speakers) to ensure their key messages align with this focus, and that they do not reinforce harmful messages.
- Provide content warnings in advance, and allow opportunity for residents to leave Wellness Week sessions, if affected by the content.
- Review the duration, content, accessibility and mode of delivery to increase levels of engagement by residents, including international student residents.
- Provide more specific and clearer information on relevant UNE policies (eg, the Code and policies relating to hazing and sexual assault and sexual harassment).
- Provide clearer and more specific information on reporting options, including external pathways such as the SGU.
- Engage returning residents in relevant sessions, including in sessions that form part of the sexual assault and sexual harassment prevention program.

UNE should seek the input and knowledge of experts in the field of sexual violence prevention and adult learning to ensure the program is appropriate and effective. UNE should also develop a monitoring and evaluation framework for Wellness Week to ensure impact and effectiveness.

St Albert's College residents should also be required to attend UNE Wellness Week.

## Chapter 8: Endnotes

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## 9 Policies and Procedures relating to Sexual Assault and Sexual Harassment

This chapter details the findings of the Commission's comprehensive review of UNE and St Albert's College policies relating to sexual assault and sexual harassment, as well as the pathways for reporting sexual assault and sexual harassment.

The current suite of UNE and St Albert's College policies contain fragmented and inconsistent information, particularly in relation to reporting processes and available supports.

The Commission has recommended that UNE develop a standalone sexual assault and sexual harassment policy to address the issues of inconsistency and other concerns relating to timeframes for lodging a complaint, limited detail regarding a person-centred response, and distinction between disclosures and formal reports. A standalone policy is in line with best practice and should be university-wide, superseding all relevant policies.

The Commission has also recommended that the SGU be notified of all incidents of sexual assault and sexual harassment by Heads of Colleges. This may be in the form of an incident report for a disclosure (de-identified, if requested by the resident involved) or as a request for investigation for a formal report. Data could be collected by leadership periodically and anonymously across the colleges. This is to ensure responses are appropriate and allows the SGU to monitor trends, develop responses and make improvements to the response to sexual assault and sexual harassment, irrespective of whether residents make a formal complaint. Disclosures via an incident report should be de-identified, if requested by the resident involved.

To ensure accountability for Heads of Colleges, the SGU should provide regular reports on all incidents of sexual assault and sexual harassment, and Heads of Colleges' responses to incidents, to the UNE Vice Chancellor. In conjunction with this, the Commission has also recommended six-monthly audits of college responses to disclosures and formal reports of sexual assault and sexual harassment. The audit should also monitor whether police involvement was appropriate in the circumstances, and whether escalation to the police was requested or refused by the student. This will allow the SGU to monitor responses, address any issues and implement any systemic improvements required.

St Albert's College currently uses a College Discipline Committee to deliberate on matters relating to sexual harassment. The Commission does not consider the format of the Committee to be appropriate for investigating or responding to sexual harassment, given the nature of the misconduct and the trauma that can result from these experiences. Given this, the Commission recommends that St Albert's College discontinue the use of the Committee to deliberate on matters relating to sexual harassment. Further, the Commission recommends that St Albert's College commission an independent review to determine the impact and efficacy of the model in addressing and responding to other forms of behavioural misconduct within residential college settings.

There are multiple pathways for formally reporting and disclosing sexual assault and sexual harassment. Residents can disclose or formally report incidents related to sexual assault and sexual harassment both internally within their college, externally at UNE via the SGU, as well as to external authorities like the police or the Australian Human Rights Commission. However, most residents appear to prefer to utilise internal reporting processes, and the Commission has a number of concerns relating to this preference. The Commission recommends that external reporting processes be more widely promoted to address this, to ensure students are making informed decisions.

## 9.1 Policy landscape

There are three key UNE policies relating to sexual assault and sexual harassment:

- The Code (currently applicable to UNE-operated college residents only).  
The Code outlines the principles, expectations and rules for resident conduct at UNE. Sexual assault and sexual harassment are major breaches of the Code.
- The *Student Behavioural Misconduct Rules* (the Rules) (applicable to all UNE students).  
The Rules set the expectations for behavioural conduct by students of UNE. Sexual assault and sexual harassment are identified as acts of behavioural misconduct in the Rules.
- The *Sex-Based Harassment Policy* (applicable to all UNE students and staff).  
The *Sex-Based Harassment Policy* defines sexual assault and sexual harassment and provides information on reporting and investigation procedures and available support.

In addition to the above, the *Student (Related) Grievance Handling Procedures* outline the process through which all grievances referred to the SGU (including reports of sexual assault and sexual harassment) are managed. UNE also has an *Emergency Response Plan—Sexual Assault* that outlines the response to incidents of sexual assault where there is an immediate level of risk to individual safety.

As an independent college, St Albert's College currently has its own policies and procedures.<sup>i</sup> There are three key St Albert's College policies and procedures that relate to sexual assault and sexual harassment.

### *Behavioural Expectations Policy*

The *Behavioural Expectations Policy* outlines the standards of behaviour which all St Albert's College residents are to uphold, including those relating to sexual and sexist harassment, hazing, confidentiality, and noise.

### *Disciplinary Procedures*

The *Disciplinary Procedures* detail the investigation and disciplinary procedures following a breach of expected behaviour.

### *Procedure for Reporting Sexual Harassment or Assault*

The *Procedure for Reporting Sexual Harassment or Assault* outlines the reporting and disciplinary processes and available supports following a report related to sexual assault and sexual harassment.

## 9.2 Inconsistencies between policies

There are a number of inconsistencies between the Code, the Rules and the *Sex-Based Harassment Policy*.

Both the Code and the Rules respectively stipulate that matters of sexual harassment and sexual assault are to be referred to the SGU or Pro Vice Chancellor, Academic Innovation (whereby the SGU can act as a delegate). This differs from the process outlined in the *Sex-Based Harassment Policy*, which states that most complaints of sexual harassment are to be resolved through information, discussions, mediations and conciliation. The policy also states that it may be appropriate in some instances for the person having experienced the alleged sex-based harassment to address the matter directly with the alleged perpetrator.

This is similarly put in the *Student (Related) Grievance Handling Procedures*, where parties to a grievance are strongly encouraged to engage a direct approach to resolve their issues prior to lodging a formal written grievance. However, it should be noted that this recommendation extends to all forms of grievances. The Commission considers that such an approach is not suitable for grievances that may/are likely to have caused trauma, such as sexual assault and sexual harassment.

Further, there is no direct reference to the SGU in UNE's *Sex-Based Harassment Policy*. Instead, the policy states that initial support and guidance is to be provided by Equal Opportunity Officers, which the Commission understands no longer exists.

There are also inconsistencies in responding to matters of sexual assault between the Code and Rules, and UNE's *Sex-Based Harassment Policy*. While the Code notes that if a student witnesses an assault, or suspects someone has been assaulted, they can report their observations to the police, UNE's *Sex-Based Harassment Policy* bypasses internal reporting processes and recommends that incidents of sexual assault and rape be reported to the police. The Rules do not mention the possibility of police involvement in relation to sexual assault.

The development of one standalone policy that supersedes existing policies, as per recommendation 16, will address these inconsistencies.

<sup>i</sup> As outlined in *Chapter 6: Hazing*, the Commission recommends that St Albert's College adopt the Code from 2019. The Code would consequently supersede many of St Albert's College's own policies and procedures.

There are also a number of inconsistencies between the relevant St Albert's College policies and UNE policies. While St Albert's College does not adhere to the Code, the *Behavioural Expectations Policy* states that all formal complaints will be investigated and dealt with in accordance with the Code. However, the *Disciplinary Procedures* details a process for managing reports of behaviour misconduct that involves the use of 'student disciplinary hearings' (also known as College Discipline Committees), an approach not aligned with the Code. St Albert's College also does not utilise the penalty point system outlined in the Code and does not refer serious misconduct to the SGU for investigation as required under the Code.

As outlined in recommendation 10, it is recommended that St Albert's College formally adopt the Code, effective from 2019. When adopted, the Code will supersede the *Behavioural Expectations Policy* and *Disciplinary Procedures*, and will ensure there is consistency with the management of and response to behavioural misconduct within all UNE residential college settings. As part of the implementation of the Code at St Albert's College, a review of St Albert's College policies should be undertaken. This will seek to identify areas of duplication between the Code and existing St Albert's College policies, and allow for policies that duplicate the Code to be superseded. The Commission expects this would include the *Behavioural Expectations Policy* and the *Disciplinary Procedures*.

### 9.3 Timeframes for lodging a complaint

Another discrepancy identified between the policies is the timeframes within which students can lodge a complaint or grievance. The *Student (Related) Grievance Handling Procedures* states that remoteness in time (12 months or older) will be a factor considered when assessing the validity of the grievance. A grievance 'out of time' will not be automatically disregarded but will be assessed on a case by case basis. It should again be acknowledged that this is for all types of grievances. In comparison, the *Sex-Based Harassment Policy* states that a complaint may not be made later than six months after the date on which the discrimination, harassment and/or vilification is alleged to have taken place. For those older than six months, 'good reasons' must be shown. The St Albert's College policies do not refer to a timeframe within which complaints can be lodged.

The Commission does not support any restrictions on timeframes for reporting, especially considering many victims do not immediately report their experiences of sexual assault and sexual harassment due to the impact of their trauma, fear for their safety or concerns around stigma.<sup>91</sup> The Commission heard of examples where residents had not immediately reported their experiences, and later came to rethink this decision.

'Regarding the first situation, I did not report it. I regret this. I was 18 and did not know how to process what had just happened to me.'

'I didn't tell any of my friends. I know now that I should have, and sometimes I wonder whether or not I should still do it, but I wasn't sure whether people would believe me or take me seriously if I said anything this late.'

The Commission recommends that the standalone policy outlined in recommendation 16 not specify time restrictions on reporting. Instead, students should have the possible impacts of their delayed reporting explained to them in an appropriate forum and in a way that is trauma-informed.

### 9.4 Disclosures and formal reports

Current policies on sexual assault and sexual harassment do not make a distinction between disclosures and formal reports. As per University Australia's *Guidelines for University responses to sexual assault and sexual harassment*:

A **disclosure** involves the sharing of information about an incident(s) of sexual assault or sexual harassment with another person. Disclosures can be made to anyone and are usually made to a person who is known and trusted. A person who discloses may not want to make a formal report and may instead be looking for information about resources and support.

**Formal reporting** refers to providing a formal account or statement about sexual assault or sexual harassment to a person or institution that has the authority to take action. Reporting can be an outcome of disclosure, but it is not the only possible outcome.<sup>92</sup>

The UNE and St Albert's College policies outline processes for receiving and responding to formal reports only. However, the Commission has identified that the UNE residential system is also implementing a currently undocumented approach to receiving and responding to disclosures.

The Commission's analysis of records of incidents of sexual assault and sexual harassment identified examples of residents informing their student leader or Head of College of an incident, but not wanting the matter progressed any further. The Head of College therefore did not refer the matter to the SGU for investigation, and instead managed the incident internally (eg, through providing the resident with support and talking to the alleged perpetrator). While not identified as such, this aligns with University Australia's definition of a 'disclosure'.

UNE's anonymous online Sexual Assault/Harassment Information Form is another mechanism through which residents are able to make disclosures. However, this mechanism is not documented in any policy relating to sexual assault and sexual harassment.

Further, the procedures outlined in the St Albert's College *Procedure for Reporting Sexual Harassment or Assault* focus on processes for making police reports. This may prevent residents from coming forward, especially if they decide to report the incident sometime after it took place. This highlights the need to make a distinction between formal reports and disclosures, as some residents may only wish to disclose an incident for the purpose of receiving support and information. It is important that policies and procedures outline the possibility of formal reporting to the police, however this needs to be discussed with the resident as part of a process of possible interventions. As outlined above, the Commission recommends that the St Albert's College *Procedure for Reporting Sexual Harassment or Assault* be superseded by the standalone sexual assault and sexual harassment policy.

The Commission recommends that the standalone policy outlined in recommendation 16 articulate the distinction between disclosures and formal reports, the mechanisms through which all students can make either a disclosure or a formal report, and specific processes in place for responding to each. UNE may wish to consider the University of Sydney's *Student Sexual Assault and Sexual Harassment Policy 2018* in considering how to articulate the distinct processes for responding to disclosures and formal reports.

Education about the differences between disclosures and formal reports should be delivered to residents and staff as part of education to support the implementation of the standalone policy, as well as through the redesigned Wellness Week program (recommendation 15).

## 9.5 Person-centred approach

A principle of person-centredness underpins the way in which reports and disclosures of sexual assault and sexual harassment are managed. Most residents understood this to mean that the individual is in control of the process, and whether their report is referred for investigation to the SGU or to external authorities.

'One of my biggest things is just making sure that they understand that whatever journey they take, they can stop at any time and that's it. I'm not going to pressure them.'

'You can also tell them like if they're uncomfortable, you can stop at any stage, you know, we're not there to push them along we're there to assist them, so if they want to stop—if you take them to the office and you get to outside the office and they don't want to go, you don't push them to go, you take that as that, you respect their decision, okay.'

'Yeah, well, look, at the end of the day, we're really big on saying, look, that person owns their story, and owns what happens with it. We can't dictate and say, okay, well, this has happened, this is going up there no matter what.'

However, this principle is not reflected in any of the UNE policies and procedures relating to sexual assault and sexual harassment.

'I would envision that it's not probably clear. It needs to be. The webpage says that we're guided by what the victim says. The Code probably doesn't, and it probably should.'

'I think the University policy, it's very ambiguous I think and I don't know if it 100% benefits the victim in the situation because in—I attended one of the focus groups and we were asked what we would do if the situation arose and I said I wouldn't actually report it unless the person wanted to. But legally—UNE's policy requires us to report it.'

The UNE policies require all matters relating to sexual assault and sexual harassment to be reported, and are silent on the wishes of the complainant. The St Albert's College *Procedure for Reporting Sexual Harassment or Assault* does reflect this person-centred approach, stating that students are in control and that no action will be taken unless the student wants it (except if there is the threat of danger).

The Commission is supportive of a person-centred approach, and recommends that this principle be explicitly referenced in the standalone policy proposed in recommendation 16. The inclusion of distinct processes around disclosures and formal reports in the standalone policy (as outlined above) will also provide practical options for student leaders and Heads of College to provide person-centred responses to both disclosures and formal reports.

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## 9.6 Implementation of policies at the college level

There are inconsistencies in the implementation of policies at the college level. The analysis of incidents of sexual assault and sexual harassment between 2016 and 2018 identified that Heads of Colleges did not always refer matters to the SGU for investigation, as currently required by the Code. The Commission found that many incidents of sexual assault or sexual harassment brought to the attention of the Heads of College at Austin College, Earle Page College and Mary White College had not been reported to the SGU.

As St Albert's College does not adhere to the Code, it is currently not required to report matters of sexual assault and sexual harassment to the SGU. However, since the commencement of the UNE college review, the Commission understands that St Albert's College has begun to notify the SGU of some incidents of sexual assault and sexual harassment, although not necessarily for investigation.

The Commission understands that, generally, incidents have not been referred to the SGU as the resident has asked that their disclosure not be progressed or investigated. In these instances, residents had come forward seeking to disclose (and not formally report) their experiences, and Heads of Colleges adopted a person-centred approach.

The Commission recommends that Heads of Colleges be required to notify the SGU of all disclosures of sexual assault or sexual harassment via an incident report, in addition to referring formal reports for investigation (recommendation 17). In the event that a resident does not wish to pursue further action, either internally or to external authorities like the police, this should also be recorded. In line with the person-centred approach, incident reports can be de-identified, if the resident requests. This incident report will not be for investigation, but will instead ensure that the matter is recorded externally to the college and also allow the SGU to identify trends, develop responses, and make improvements to address sexual assault and sexual harassment. This will build confidence in the SGU as well as UNE's system for responding to sexual assault and sexual harassment.

As per recommendation 18, the SGU should provide regular reports on incidents of sexual assault and sexual harassment within UNE colleges to the UNE Vice Chancellor. To ensure accountability for Heads of Colleges and facilitate quality improvement, these reports should include details of their response to reports or disclosures of sexual assault and sexual harassment.

To increase effectiveness, student leaders will be required to notify their Head of College of all disclosures of sexual assault and sexual harassment. The Commission understands that there may be instances where residents have disclosed experiences of sexual assault and sexual harassment to their student leader, who did not then refer the matter to their Head of College. This is explored in more detail in *Chapter 11: Student Leaders*. To support Heads of Colleges to notify the SGU of all incidents of sexual assault and sexual harassment, it is recommended that all disclosures to student leaders be referred the Head of College (again, de-identified if requested).

The Commission recommends that the expectations of first responders (including Heads of Colleges and student leaders) in referring and reporting incidents of sexual assault and sexual harassment be clearly articulated in the standalone policy proposed in recommendation 16.

Further, as outlined in recommendation 19, the Commission recommends six-monthly audits of college responses to all disclosures and formal reports of sexual assault and sexual harassment. These audits will support the SGU to monitor consistency in responses across the colleges, as well as to identify any required changes to existing policy and practice. To support this, the Commission recommends that UNE consider a data collection mechanism that captures de-identified disclosures and formal reports.<sup>93</sup>

## 9.7 Interim measures

Colleges and the university can impose emergency exclusions as an interim measure for breaches of the Code and Rules respectively. The Commission supports the use of interim measures for residents involved in an allegation of sexual assault or sexual harassment to minimise harm to either party.

It is recommended that the scope of interim measures in the standalone policy (recommendation 16) be expanded to include additional restrictions such as prohibition from a certain block or floor, moving residents involved to rooms away from each other, and changing mealtimes for residents involved. The proposed standalone policy should make it clear that all interim measures are unrelated to the outcome of the investigation.

## 9.8 Resident awareness of policies and procedures

Many residents do not have a strong understanding and awareness of the policies related to sexual assault and sexual harassment. The Commission heard how residents did not actively read the relevant policies, particularly the Code.

‘We were given it [the Code] to read—don’t know how many people read it.’

‘When they sign their accommodation contract we get them to sign off to say they’ve read the Code of Conduct. But who does?’

‘To a degree, yes. And also to a degree, no. Each student has to tick that they’ve read the code of conduct upon arriving. Again, realistically, we know that’s probably a very small percentage. It’s like signing up for a phone contract. Who reads that? No one does.’

In focus groups and interviews, residents also suggested they had limited understanding of the process of investigating complaints.

‘I personally don’t know what the process is at all.’

‘They understand where it [SGU] is and what they deal with and how to get in touch with them, but I don’t think they understand how all the processes work.’

‘I don’t know how many RFs would know what the process is either.’

‘I am [familiar with the reporting process], purely because I’ve been through it, but prior to that, I had no idea.’

This limited understanding of the investigation process revealed by students was further evidenced in the survey results. In the UNE college review survey, residents were asked for their levels of knowledge on where to get help, where to report, and what happens if someone reports. While levels of knowledge on where to get help and where to report were quite high (75% and 69% respectively), only 52% of survey respondents were knowledgeable about what happens when a student reports an incident of sexual assault or sexual harassment. 26% of male residents and 30% of female residents indicated that they did not know what happens when a student reports. For survey respondents who had experienced sexual assault and sexual harassment, the proportion of students that did not know what happens when an incident is reported increases to 42% and 37% respectively.

Considering the majority of survey respondents that had experienced sexual assault and sexual harassment had not reported their most recent incident, it may be that a lack of knowledge of what was involved in the reporting process was acting as a barrier. Barriers to reporting are explored in more detail in *Chapter 10: Barriers to reporting sexual assault and sexual harassment*.

The policies are currently not translated into other languages, and the Commission heard that this may have an impact on the level of comprehension of the policies by international student residents.

‘The Code of Conduct isn’t [translated]. Five years ago, we did translate the Wright Village contract, because the students had no idea what they were signing. But that would be way out of date now, and they haven’t come back to us to ask us to redo that. I don’t know if they’re doing it themselves. It would be fabulous if they were. But no, there’s not enough translation.’

The implementation of a clear, accessible and concise standalone policy, which contains all relevant information and resources, may increase levels of understanding among all students. Having one standalone policy will also ensure all students are able to easily access the relevant information when they require it, rather than having to refer to multiple policies.

To maximise levels of awareness among all students, the Commission recommends that the new policy proposed in recommendation 16 be well-publicised, widely disseminated and easily identifiable, as per good practice.<sup>94</sup> To ensure residents have a good level of understanding of the policy, it should be worded very clearly and in plain English, and include diagrams or flow charts outlining the disclosure and reporting processes.<sup>95</sup> Supporting policy documents should also list different behaviours and hypothetical case studies to ensure those who have experienced sexual assault and sexual harassment are able to identify the behaviours they have experienced, and know that they constitute sexual misconduct.<sup>96</sup>

Educational materials and seminars to support the promotion of the policy to all residents, student leaders and staff should be developed. To ensure the accessibility of the policy, UNE may wish to consider including it within the UNE Safe app, and furthermore producing translated copies for international student residents.



## 9.9 Student discipline committees at St Albert's College

Since 2016, St Albert's College has formally adopted the use of a College Discipline Committee (the Committee) to review, deliberate and recommend recourse for reports of a variety of misconduct and breaches, including sexual harassment. The Commission understands that matters relating to sexual assault are not managed by the Committee.

In the United States, many universities and colleges conduct disciplinary hearings using boards consisting of a mixture of faculty, administrative staff, and in many cases, students.<sup>97</sup> While placing students on disciplinary boards is widespread in the United States, it appears to be a relatively uncommon approach in Australia, with the University of Technology Sydney only recently announcing that panels dealing with allegations of sexual harassment and sexual assault would include students.<sup>98</sup>

At St Albert's College, the Committee comprises four student leaders and two staff members. Recommendations for expulsion or suspension are referred to the College Master for consideration and action. The Commission has been advised that, to date, the College Master has always acted in accordance with the recommendations of the Committee.

The Commission understands the rationale for the introduction of the Committee was to ensure residents had a role in shaping and owning college culture.

'We believe strongly that students must assist management to own college culture and be responsible for setting the standards that they require of each other.'

However, the use of the Committee by St Albert's College was questioned during consultation.

'Well, I think sexual assault and harassment is more serious than going through a student disciplinary committee.'

'I have thoughts and my view is we used to have similar [committee], and in my view I don't necessarily agree with that. I think colleges are a very small community; there may be conflicts of interest, there may also be a level of gossip which can get quite vicious in a college environment and certainly in a small town like Armidale ... there are people that think that peers are sort of harder, and that may be a view; it's not my personal view. Personally I don't sort of think that's appropriate.'

Brett Sokolow raised three similar critiques of having students on misconduct panels (disciplinary committees):

- 1) lack of requisite experience and sophistication to make significant decisions that may impact their peers' future
- 2) victims may be deterred from coming forward if faced with prospect of being judged by peers
- 3) issues of maintaining confidentiality, particularly in light of the tight-knit nature of the residential college community.<sup>99</sup>

While there is currently a lack of literature on the outcomes and impact of disciplinary committees, a footnote in a directive to colleges from the United States Department of Education's Office of Civil Rights indicated that colleges should be discouraged from allowing students to sit on misconduct panels involving sexual violence.<sup>100</sup>

The Commission is of the view that the format of the Committee is not appropriate for investigating or responding to sexual harassment or sexual assault, given the nature of the misconduct and the trauma that can result from these experiences.

Further, the involvement of residents in investigating and responding to sexual harassment is likely not suitable given the presence of attitudes that support or tolerate sexual assault and sexual harassment, as outlined in *Chapter 7: Attitudes that increase the risk of sexual assault and sexual harassment*. Student leaders who hold rigid or traditional attitudes towards gender roles or attitudes that trivialise violence may have limited comprehension of the impact or severity of harassment when assessing an incident.

As outlined in recommendation 20, the Commission recommends that no matters relating to sexual assault and sexual harassment be referred to a Committee. Instead, St Albert's College should engage with the SGU and the standard UNE processes and procedures for managing reports of sexual assault and sexual harassment.

Should St Albert's College continue to use the Committee model for responding to other forms of behavioural misconduct (ie, not sexual assault and sexual harassment), it is recommended that they commission an independent review to determine its impact and efficacy.

## 9.10 Pathways for reporting of sexual assault and sexual harassment

There are multiple pathways for disclosing and formally reporting sexual assault and sexual harassment within individual residential colleges at UNE and on-campus.

Throughout consultation, some residents also expressed that they would be comfortable to disclose their experiences directly to their Head of College.

All students, including residents, are able to formally report incidents of sexual assault and sexual harassment to the SGU. This can be done in writing, online or in person.

All students are additionally able to disclose (not formally report) anonymously online via the Sexual Assault/Harassment Information Form, which was introduced in February 2018. While the online form is intended to be an anonymous disclosure, students are able to use their disclosure as the basis of a formal report in the future, if they decide to proceed with a formal report. As at 10 September, 31 online submissions have been made via the Sexual Assault/Harassment Information Form.

The introduction of the online form was commended by a number of student residents.

‘Yeah, they much preferred it and would be worried about seeing someone face to face, I think it was better for them that they did it online and it’s pretty detailed, like they ask you to go into detail about what happened, what time it happened, who was it, that sort of thing.’

‘I really like the anonymous reporting. I try and get everyone, if they’re comfortable enough, to do that.’

However, a number of residents were not supportive of the introduction of the online form, criticising its length and utility.

‘It technically though isn’t actually a report; you’re just making an anonymous ... it clearly says on that if you are putting this form in it doesn’t actually constitute a proper complaint. It’s also extremely long, extremely clinical and clearly not very ... like I’ve walked a few people through it and it doesn’t validate them at all for putting anything in; it’s not very—it basically feels like you’re filling out a survey on like a medical form or something on something that’s extremely traumatic.’

‘It doesn’t actually mean anything. [SGU] reads them all apparently and if there’s like a name that keeps popping back up then [SGU] can look at that, but you know if it’s a one-time incident there’s not really much [SGU] can do. And I think a lot of people aren’t aware that just by putting in that form it doesn’t actually necessarily mean that something’s going to happen.’

While acknowledging concerns relating to utility, the Commission is supportive of the online form. It is aligned with the Commission’s recommendation in *Change the course* for students to be offered a way of making confidential disclosures when they do not wish to make a formal report.<sup>101</sup> The online form is flexible and places the control with the student.

However, for the purposes of best practice, and to address concerns raised by residents, the Commission recommends that UNE engage relevant experts to review the online form to ensure that all questions are appropriate and trauma-informed (recommendation 21).

The feedback on the online form also highlights the need to clarify the difference between a disclosure and a formal report.<sup>102</sup> This distinction should be explicitly made in the proposed standalone sexual assault and sexual harassment policy detailed in recommendation 16. The Commission also recommends that education about the differences between disclosures and formal reports be delivered, for example as part of the redesigned Wellness Week (recommendation 15), or as part of education to support the implementation of the standalone policy.

Despite the availability of external processes, the Commission found that residents were more likely to engage with internal processes, particularly with student leaders in the first instance.

‘The first thing you would do is probably talk to your RF.’

‘We feel comfortable going to talk to them [student leaders]. Rather than going to see someone up top that you don’t know.’

‘Most of anything that comes to me [Head of College] comes through my leadership team because that’s their first point of call.’

‘The first step you have to take in any sort of issue is to go to your RA and then they’ll guide you because they’re someone who obviously knows what to do and when to do it.’

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The UNE college review survey results support this. While the total number of respondents that reported an incident of sexual harassment was small, of those that did report, 70% went to a student leader (resident fellow, resident tutor or residential advisor). Very few survey respondents reported their experience to the SGU.

Of those that reported an incident of sexual assault, the majority went to their Head of College and/or a student leader (resident fellow, resident tutor or residential advisor). Utilisation of the SGU for reporting of sexual assault was higher than for sexual harassment.

This reliance on student leaders could be the result of a number of factors, including confidence in their abilities.

‘Yeah, they’ve [student leaders] been given that role for a reason so obviously they’re going to follow the right steps and way to do things, like if they do think it’s serious then they pass it on to someone with higher responsibility within the college.’

‘I don’t think there’s any reason for any of us to be uncomfortable because we know how trustworthy [student leaders are] and how responsible they’re going to be with the information you tell them.’

‘But I think that people with positions [student leaders] are sort of trained to talk about how to keep that and go straight to whoever they need to talk to.’

Other factors contributing to a reliance on internal reporting processes may include stigma about reporting outside of the college.

‘[It’s] frowned upon to go past the College.’

The Commission also found that internal reporting processes were more widely promoted by both staff and student leaders in college-wide discussions and educational programs.

‘A lot of the time in Wellness Week they have the sessions up top and then they’d come back down here, and we’d have like an informal debrief with them about, like what they’ve seen that morning, and then reiterate the processes at college as opposed to the whole university if they needed a place to start if something like that did happen.’

In general, residents had a good level of awareness of where to report experiences of sexual assault or sexual harassment within their Colleges. The survey indicated that 77% of survey respondents were knowledgeable about where to get help at their College if they or a friend experience sexual assault or sexual harassment, and 76% of respondents were knowledgeable about where to make a disclosure or report about sexual assault or sexual harassment at their College.

This focus on internal reporting processes may have resulted in limited awareness of external reporting processes and available support amongst student residents. For example, the survey results identified low levels of awareness of the SGU, with 57% of residents that responded to the survey indicating they were aware of the SGU. This level of awareness drops to 54% for women, and 52% for residents that commenced living at their college in 2018. Rates of awareness of the SGU were higher amongst respondents that had experienced sexual harassment (65%) and sexual assault (71%).

This aligns with what the Commission heard through focus groups and interviews, with residents describing low levels of awareness of external reporting mechanisms.

‘Afterwards we were talking about it, and some people did seem confused, I guess. So what happens if I report it? Does it go to the police and stuff? So I guess if there could be some kind of maybe further education that very clearly outlines or to give people some context.’

‘I don’t know how widely it’s [the online submission form] been publicised within the student community. I would say within the staff—aside from the two of us in the room, there’s probably only about three other staff who are aware of it, quite honestly.’

‘I think we need to put together a much clearer pathway for the students. I think they’re a bit confused about where to go, who to go.’

Residents also identified a desire for greater levels of understanding about the external reporting and support mechanisms available.

‘Some more information about what the reporting avenues are, what different types of reports mean, how they’re tracked and managed would be helpful for everyone, whether or not you’re involved in the incident.’

‘I also think greater transparency because I personally don’t know what the process is at all.’

While it is acknowledged that internal processes may be a preferred first step for some residents, the Commission is concerned that minimal promotion or an accurate and consistent understanding of disclosure and reporting processes may limit the ability of residents to make informed decisions. Additionally, a reliance on internal processes prevents the undertaking of independent and transparent investigations which may address a number of the issues raised below, particularly in relation to confidentiality.

To address this, the Commission recommends that there be wider promotion of the SGU and relevant policies to the same level as internal processes, as outlined in recommendation 22. Resources such as flow charts that clearly describe available internal and external processes for disclosures and reports should be developed. These resources should be included in the standalone sexual assault and sexual harassment policy (recommendation 16). Additionally, such resources should emphasise that decisions will be made and led by the resident, unless there are concerns for their safety.

‘I guess that also comes back to just educating people that if they do make a complaint they’re in control of what happens, and that’s not what will happen. It won’t just be taken out of control and gone everywhere.’

The Commission also has concerns about the levels of responsibility placed on student leaders as first responders. These concerns are outlined further in *Chapter 11: Student Leaders*.

Further, the Commission has concerns about the number of times a resident may have to disclose their experiences as part of the formal reporting process. The current process for managing formal reports, whereby an incident is investigated initially through internal processes prior to being referred to the SGU, has the potential to re-traumatise.

Where possible, Heads of College should limit the number of times a student has to repeat their experience as part of the formal reporting process. To minimise the potential for re-traumatisation and align with a trauma-informed approach, Heads of College should refer formal reports to the SGU directly as outlined in recommendation 17. The referral should be based on information provided during the first disclosure (for example from a resident to a student leader), without requiring further information or for the resident to recount their experiences again. Heads of Colleges should also ensure that residents are referred to appropriate support services, such as the UNE Student Support Counselling Service.

## 9.11 Recommendations

### **Recommendation 16: UNE should develop a standalone sexual assault and sexual harassment policy**

The Commission recommends that UNE develop a standalone sexual assault and sexual harassment policy that addresses the issues identified through the review. A standalone policy on sexual assault and sexual harassment is in line with best practice.<sup>103</sup>

The standalone policy should address the issues outlined in this chapter, and:

- be University-wide, and apply to all students (including residents) to ensure consistency in response—this would also mean the standalone policy applies to St Albert’s College residents
- supersede current UNE and St Albert’s College policies, including the *UNE Sex-based Harassment Policy*, and the *St Albert’s College Procedure for Reporting Sexual Harassment or Assault and Disciplinary Procedures*—current content about the management of sexual assault and sexual harassment in other policies should be replaced with a reference to the standalone policy
- be worded clearly and in plain English, with translated versions of the policy available for international student residents
- include definitions of sexual assault and sexual harassment that refer to a range of behaviours
- not specify time restrictions on reporting
- expand the scope of interim measures that can be implemented pending the outcome of an investigation
- articulate the distinction between a disclosure and a formal report, outline the mechanisms through which students can make a disclosure or a formal report, and the specific processes in place for responding to each
- include diagrams or flow charts describing available internal and external reporting and disclosure processes
- articulate the person-centred approach that underpins responses to disclosures and formal reports.

The policy should also direct all students to internal and external support services, including police sexual assault units and other useful links.<sup>104</sup> The Commission suggests that UNE consider Universities Australia’s *Guidelines for University responses to sexual assault and sexual harassment* in developing the standalone policy.

In developing the standalone policy, the Commission recommends that UNE consult with a diverse group of residents, relevant internal staff members including UNE International and external stakeholders such as Armidale Police. This is to ensure that the information provided is accurate, accessible and contributes to the development of a networked system. In addition, the Commission proposes that a draft of the standalone policy be reviewed by an organisation with expertise in responding to sexual assault and sexual harassment, such as Rape and Domestic Violence Services Australia, to ensure the policy’s alignment with best practice.

Once developed, UNE should promote the policy to ensure all students (including residents) are aware of the policy and understand its application. UNE should consider developing educational materials and seminars for all residents, student leaders and staff.

**Recommendation 17: Heads of Colleges should notify the Student Grievance Unit (SGU) of all reported incidents of sexual assault and sexual harassment**

The Commission recommends that the SGU be notified of all incidents of sexual assault or sexual harassment. This may be in the form of an incident report for a disclosure (de-identified, if requested by the resident involved) or as a request for investigation for a formal report. Data could also be collected by leadership periodically and anonymously across the colleges. The SGU will not investigate de-identified incidents, instead they will act as a record of the matter to allow the SGU to identify trends, develop responses and make improvements to the response to sexual assault and sexual harassment. The SGU should also ensure updates on reports, responses and trends are regularly provided to the Vice Chancellor. Reported incidents of sexual assault to the SGU may also involve escalation to the police.

To ensure this process is effective, it is recommended that all disclosures and formal reports made to student leaders be referred to their Head of College. Student leaders should respect the wishes of residents and may de-identify the details of residents involved if necessary.

Heads of Colleges should also immediately refer incidents to SGU. Heads of Colleges should not conduct an internal investigation, or request further information from the resident, before or after referring the matter to the SGU.

**Recommendation 18: The Student Grievance Unit (SGU) should provide regular reports to the UNE Vice Chancellor on incidents of sexual assault and sexual harassment within UNE colleges**

The Commission recommends that the SGU provide regular reports on incidents of sexual assault and sexual harassment to the UNE Vice Chancellor. To ensure accountability for Heads of Colleges and allow for systemic improvements, these reports should include details of their responses to formal reports or disclosures of sexual assault and sexual harassment.

**Recommendation 19: The Student Grievance Unit (SGU) should undertake six-monthly audit of college responses to disclosures and formal reports of sexual assault and sexual harassment**

The Commission recommends six-monthly audits of college responses to disclosures and formal reports of sexual assault and sexual harassment. This audit will support the SGU to monitor the nature of responses, improve consistency and identify any required changes to existing policy and practice.

**Recommendation 20: St Albert's College should discontinue its use of College Discipline Committees to deliberate on matters relating to sexual harassment**

The Commission recommends that St Albert's College discontinue its use of the College Discipline Committee to investigate and deliberate on matters relating to sexual harassment as it has done with respect to sexual assault matters.

Instead, St Albert's College should engage with the SGU and the standard UNE processes and procedures for managing disclosures and reports of sexual assault and sexual harassment.

### **Recommendation 21: UNE should commission a review of its online Sexual Assault/Harassment Information Form**

The Commission recommends that UNE engage appropriate experts to review the online Sexual Assault/Harassment Information Form to ensure that all questions are appropriate and trauma-informed.

### **Recommendation 22: UNE should ensure there is wider promotion of external reporting processes consistent with internal processes**

The Commission recommends that there be wider promotion of reporting processes external to the college system, such as the SGU, consistent with internal process. Resources, such as flow charts, that clearly describe internal and external processes for disclosures and reports should be developed and made readily available to all residents. These resources should be included in the standalone sexual assault and sexual harassment policy (recommendation 16). Additionally, information regarding all reporting processes should emphasise that the resident is in control of the process.

## **Chapter 9: Endnotes**

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- 92 Universities Australia, *Guidelines for University Responses to Sexual Assault and Sexual Harassment* (2018) 12. At <https://www.universitiesaustralia.edu.au/ArticleDocuments/797/UA%20Guidelines.pdf.aspx> (viewed 10 August 2018).
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# 10 Barriers to disclosing and reporting sexual assault and sexual harassment

This chapter examines the barriers to reporting sexual assault and sexual harassment.

The results of the survey demonstrated that the majority of respondents that had experienced sexual assault or sexual harassment did not formally report their experiences. Of respondents that had experienced sexual assault, 25% made a formal report or complaint, while 8% of respondents that had experienced sexual harassment made a formal report or complaint.

Given that the majority of residents that experienced sexual assault and sexual harassment did not formally report their experiences, there are evidently a number of barriers to reporting. Through consultation and the survey, the Commission identified a number of these barriers, including:

- perceptions regarding the severity of the incident
- shame and stigma
- confidence in reporting processes
- family dynamics.

The Commission also heard of specific barriers for international student residents, including shame and language barriers. To counter this, the Commission recommends that UNE International be engaged to develop culturally-appropriate and accessible training, resources and policies.

Students with a disability may be at a higher risk of sexual harassment or sexual assault, and may face additional barriers to reporting.

## 10.1 Reporting of sexual assault and sexual harassment at UNE colleges

There is a significant underreporting of sexual assault and sexual harassment at the UNE colleges. Only 8% of survey respondents that had experienced sexual harassment and 24% of respondents that said they had experienced sexual assault made a report or complaint. This is not unique to UNE college residents, with the 2016 Personal Safety Survey finding that 86.8% of Australian women who said they had been sexually assaulted by a male in the last 10 years did not report the most recent incident to police.<sup>105</sup>

The survey asked residents for their reasons for not reporting their experiences of sexual assault and sexual harassment. The reasons for not reporting sexual assault and sexual harassment differed considerably.

The common reasons for not reporting sexual assault were largely systemic, with residents demonstrating a lack of confidence or trust in the process. On the contrary, reasons for not reporting sexual harassment were largely attitudinal, and reflective of perceptions and level of understanding of sexual harassment and its impact.

The most common reasons survey respondents provided for not reporting incidents of sexual harassment were that they:

- did not think it was serious enough
- did not think that they needed help
- thought people would think they were overreacting
- took care of the problem themselves.

The survey results align with what the Commission heard from residents through other forms of consultation, as well as broader evidence on factors that affect an individual's decision to report experiences of sexual assault and sexual harassment. Evidence suggests reasons for not reporting include:

- considerations related to the relationship the individual has with the perpetrator
- fear of the perpetrator
- lack of confidence in the criminal justice system
- previous experiences with reporting
- notions of privacy, shame, trauma and stigma.<sup>106</sup>

## 10.2 Not serious enough

The survey results indicated that the most common reason for respondents not reporting experiences of sexual harassment was that they did not believe it was serious enough. This was not as much the case for respondents that said they had experienced sexual assault.

Of survey respondents that said they had experienced sexual harassment, 54% said they did not report their most recent incident as they did not believe that their experience was serious enough; and 39% said they did not report because they thought that people would think they were overreacting.

This aligns with what the Commission heard in focus groups, interviews and submissions, with a number of residents disclosing that they did not report or disclose experiences of sexual assault and sexual harassment because they did not believe the severity of the experience warranted it.

'I didn't think of reporting it as I didn't feel like there was anything to report.'

'No, I didn't report as I felt like it was a minor incident and I moved on from it very quickly.'

'No, never reported any incidents. Didn't think they were severe enough to warrant reporting and didn't feel that any person in particular needed to be pulled up about their actions.'

Of residents that said they had experienced sexual harassment, 51% said they had not reported as they did not need help. This aligns with what the Commission heard through consultation, with some residents stating that they had not been physically or psychologically affected by their experiences, and therefore did not need to take further action.

'I didn't report it as it did not affect me psychologically as no sex actually occurred.'

'I wasn't overly impacted by the situation so I never reported it.'

'I didn't report the harassment because I wasn't physically harmed and I consider what I experienced to be mild compared to what other people have experienced.'

As detailed in *Chapter 7: Attitudes that increase the risk of sexual assault and sexual harassment*, the Commission has identified attitudes within UNE college cultures that trivialise harassment and assault. The Commission also identified high levels of tolerance, particularly towards sexual harassment. In addition to increasing the risk of sexual assault and sexual harassment, these attitudes may also have an impact on residents' willingness to disclose or report experiences of sexual assault and sexual harassment, or on their understanding that their experience warranted reporting. The Commission's recommendation for UNE to implement a sexual assault and sexual harassment prevention program (recommendation 11) will work to address many of these attitudes, and in time may overcome these barriers to disclosure and reporting.

## 10.3 Lack of confidence in reporting processes

The survey results indicated that the most common reason for not formally reporting experiences of sexual assault was a lack of confidence in the reporting system. Over half of the survey respondents who said they had experienced sexual assault and had not formally reported did not believe that the incident would be kept confidential if they formally reported, and one third indicated that they did not trust the people they could talk to. Other respondents indicated a belief that formally reporting would not change things or that nothing would be done.

The survey also asked all respondents to rate the likelihood of a number of outcomes following the reporting of sexual assault or sexual harassment, including that

- the resident would be supported
- their safety would be protected

- the report would be taken seriously
- a fair investigation would be conducted
- action would be taken against the offender.

Most respondents provided positive ratings against these outcomes, however on average, those who said they had experienced sexual assault or sexual harassment were less optimistic than those who had not had those experiences.

This lack of confidence in reporting processes was also identified as a barrier to reporting by residents in focus groups, interviews and submissions.

‘Because if they know it’s not going to be handled well why bother.’

‘From what I’ve seen of how the College deals with assault I wouldn’t have been surprised if he had gotten away with it.’

‘Yes some of the incidents were reported, nothing happened, no support nothing. The incidents that weren’t reported were because people were to [sic] afraid of being bullied and they knew nothing would be done about it by college staff.’

‘I haven’t seen that there is a great process or a defined process.’

Residents also provided examples of being required to provide evidence of their experience when disclosing or reporting.

‘Reported one incident and was told that without evidence I should just forget what happened.’

‘[Head of College] goes “oh I can’t do anything about it ... I can’t do anything about it, like you’re going to have to give me more proof”.’

‘A couple of students that have been sexually assaulted on campus that I’ve spoken to have had the “but how can you prove it”. Like, that’s a shame that that’s happened but, you know, do you have proof that that happened to you.’

Imposing a requirement to produce evidence of sexual harassment or sexual assault may also deter residents from making a disclosure or formal report. This practice also supports the Commission’s recommendation for all reports and disclosures of sexual assault or sexual harassment to be referred directly to the SGU, without Heads of Colleges seeking additional information (recommendation 17).

## 10.4 Shame and stigma

Both former and current residents identified shame and stigma as a barrier to reporting experiences of sexual assault or sexual harassment.

‘No I didn’t report it. I was scared of him and ashamed I let it happen and still am. I didn’t want anyone to treat me differently or pity me.’

‘I didn’t report it. I felt uncomfortable that I was dirty and disgusting. Felt riddled with guilt.’

‘Both incidents weren’t reported because of the victim mentality, and how these people would have been viewed if this news came out.’

As outlined in *Chapter 7: Attitudes that increase the risk of sexual assault and sexual harassment*, the Commission identified a culture of ‘victim blaming’ within the colleges. The Commission’s recommendation for a sexual assault and sexual harassment prevention program (recommendation 11) will work to address myths about sexual assault and sexual harassment, including those that attribute responsibility for sexual assault and sexual harassment to the victim.

Shame was also identified as a particularly significant barrier for international student residents.

‘Speaking on Chinese students’ behalf, I think the cultural difference—they think this is something really—they’re ashamed of what has happened. They would think it was their fault. Or they triggered that to happen. I think that’s stopping them from letting it out and speaking about it in public. Also, because the Chinese community—they’re afraid their parents would get to know, eventually.’

‘Some of our Middle Eastern residents—whether they feel it’s their fault or not, they know they’re going to be judged. And returning home, it will go with you. If you’re seen to have, in any way, being involved in some kind of incident, that goes back to your family, that goes back to the community, and you can be shunned. We have seen similar things along those lines.’

While the total number of residents that reported their experiences of sexual assault and sexual harassment was low, there were no international student residents that reported their experiences. This highlights the additional challenges and concerns that international student residents may have when deciding to report an incident of sexual assault or sexual harassment, which include language barriers, visa concerns, and fear of authority figures.

Recognising the unique barriers to reporting experienced by international student residents, the Commission recommends that UNE International be engaged during the development of any training, resources or policies relating to sexual assault and sexual harassment, to ensure they are culturally appropriate and accessible for international student residents (recommendation 23).

## 10.5 Family dynamics

Where sexual assault occurs in a family context, there are additional factors associated with the nature and dynamics of family relationships that may prevent victims from reporting. These include an ongoing relationship between the victim and perpetrator; fear of being ostracised by family and friends; and the potential for reprisal from the offender.<sup>107</sup>

The Commission notes the significant benefits of the family dynamics within the colleges. These relationships support residents throughout their studies and help them to develop social and professional networks.

However, these dynamics may also be a barrier that prevents residents from reporting experiences of sexual assault and sexual harassment.

‘It’s no different to the dynamics of a family, where someone within the family is the perpetrator. Then that extra pressure of coming in and saying my dad, or my uncle, or someone that I’m going to have to see again—you know, if it’s a random offender, well there’s no pressure in that way. But there’s that additional I’ve got to see this person again. Especially if it’s the lower end sort of stuff.’

‘But that would be like any family environment dynamic—the same as domestic violence—where that additional pressure comes from knowing the perpetrator.’

‘You live here, so if the person or someone lived here also had to deal with the process and also seeing them around would be difficult ... you can’t hide from this person who is hurting you.’

The survey results reflect the impact of family dynamics on decisions to report experiences of sexual harassment and sexual assault. Of survey respondents that had experienced sexual harassment, 16% identified a fear of negative consequences for the perpetrator as a reason for not reporting. Concern for the perpetrator was also raised as a reason for not reporting in focus groups and submissions.

‘I didn’t want to get people in trouble and I didn’t feel comfortable talking about it with people.’

‘He was planning to become a police officer and I did not want to impact another person’s career.’

‘If they know that someone is well liked and well liked in the college, then they don’t want to do anything against them because that would make them look bad, I guess.’

The impact of the power hierarchy within the colleges was also identified as a barrier to reporting, particularly where offending residents are in a leadership position or have a strong social standing.

‘One did not report it as they were unsure anything would be done to this person who had a leadership role, and that it could affect their chances of getting a leadership role in the following year.’

‘She didn’t end up going to report it because this man has so much power she didn’t think anything would come of reporting him.’

‘I think yes, I think that if it was an older student or a trusted student, I think that that inherently would make it harder for students to report.’

To mitigate the impact of family dynamics on decisions about reporting, the Commission recommends greater promotion of external reporting mechanisms as well as internal mechanisms, such as the SGU (recommendation 22). These external mechanisms will provide residents with reporting options outside of the college environment.

## 10.6 Confidentiality

While the issue of confidentiality is not limited to residential college environments, concerns relating to privacy are exacerbated by the small size of the colleges at UNE and the promotion of internal reporting processes.

‘At the moment, if a victim was to report anything, there would be no confidentiality or additional protection. He or she would straight away become a subject of rumours and discussions among staff and student leaders.’

‘We are a pretty small college, so like when something would happen, unfortunately people generally would hear.’

‘Being in a community like this, most people know what, like, if something’s ... not if something’s happened, but everyone knows what’s going on.’

The Commission heard how this barrier to reporting could be overcome through reporting mechanisms outside of the college system.

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‘Some people are a bit reluctant to go to their RFs or people at college, solely because they’re at college with them and they would appreciate it if there was someone, you know ... outside or even removed from the college system they could go to.’

‘I actually think that [lack of confidentiality] is more of a barrier to them reporting than the actual process. I think if they can report and that process could be engaged without everybody in the college knowing what’s happening, they’d be more willing to do it.’

Given that these external mechanisms already exist, the priority should be promoting greater uptake of external reporting mechanisms. To improve residents’ levels of understanding and awareness of external reporting mechanisms, such as the SGU, the Commission recommends that there be wider promotion of all reporting processes—internal and external to the college system (recommendation 22).

## 10.7 Recommendation

### **Recommendation 23: UNE International should be engaged during the development of training, resources and policies to ensure they are culturally appropriate and accessible**

The Commission recommends that UNE International be engaged during the development of any training, resources or policies relating to sexual assault and sexual harassment, to ensure they are culturally appropriate and accessible for international student residents. This recognises the unique barriers to reporting faced by international student residents, including visa concerns, language barriers, and fear of authority figures.

## Chapter 10: Endnotes

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# 11 Student Leaders

This chapter investigates the role and responsibilities of student leaders within UNE colleges.

It is evident that student leaders have an important role within the residential college system. While leadership roles and titles differ across the colleges, there are generally three types of student leaders:

- pastoral care leaders (eg, residential fellows, residential tutors, residential advisers or pastoral advisers)
- academic leaders (eg, academic mentors and academic advisers)
- social club leaders (eg, junior common room representatives)

Pastoral care and academic leaders are college-appointed, and selected on the basis of a competitive application process. Social club leaders are student-elected, following an election campaign.

The focus of this chapter is on pastoral care leaders, who will collectively be referred to as 'student leaders'.

While student leaders were praised for their professionalism, trustworthiness and approachability, the Commission has concerns about the responsibility placed on student leaders for responding to disclosures and formal reports of sexual assault and sexual harassment, particularly given their limited experience and expertise.

In acknowledging that residents will likely first turn to student leaders following an incident of sexual assault or sexual harassment, the Commission recommends that there be greater support for student leaders in a pastoral care role. This support should include mandatory monthly supervision with the UNE Student Support Counselling Service, which will allow student leaders to debrief following complex incidents, manage their risk of vicarious trauma and reflect on the experiences as first responders.

These sessions will also allow student leaders to identify ways to deliver improved responses. This is particularly important as the Commission heard from a number of student leaders about their different approaches to their role, some of which were not aligned with general expectations of UNE or the Head of College. This was particularly evident when exploring the role of student leaders as first responders to disclosures of incidents relating to sexual assault and sexual harassment.

The Commission also has concerns relating to the support currently provided to student leaders, particularly after-hours. The limited support available has affected the capacity of student leaders to respond appropriately to disclosures of sexual assault and sexual harassment. In addition to recommendation 3, made in *Chapter 4: Governance and structure of the UNE residential system*, the Commission recommends that the delivery of *Responding with Compassion* be tailored to ensure that student leaders consider their responses within the UNE system.

Finally, the Commission recommends that Heads of College adopt a 'no-tolerance' approach to allegations of sexual assault and sexual harassment against student leaders. Interim measures for student leaders accused of perpetrating sexual assault or sexual harassment should be implemented.

## 11.1 Role and expectations

Student leaders play an integral role within the residential college system. Staff and residents regularly praised the professionalism, approachability and trustworthiness of student leaders. Residents, particularly those in their first and second year, identified their student leaders as the role models within the college.

‘Well, they’re your role models, they’re teaching you how the college runs, what you do, what you don’t do, so you look up to them for anything, like all through O-Week, all through Wellness Week, if you didn’t know what you were doing, you’d go to them and they’d just tell you how it goes.’

‘Pretty much the position holders are role models. Especially, the RFs.’

‘I think most of the role models are the people that have been chosen for leadership roles.’

In responding to disclosures of sexual assault and sexual harassment, the Commission heard that the role of a student leader was to refer residents to appropriate support and provide information on relevant processes. Staff advised that the following messages are communicated in training:

‘You need to refer. You are a student, you are a peer.’

‘You need to understand that your job is to actually highlight it or refer. I mean referring is your key job; your job is not to necessarily solve that problem.’

Some student leaders also recognised that their role was purely to direct students to more qualified support after a resident makes a disclosure of sexual harassment or sexual assault.

‘I think we are just refer-ologists, and that we see an issue and pass it on, so it’s not necessarily our responsibility anymore.’

‘I think it’s one of the most important things that I’ve learnt this year, is to tell everyone that comes to me with an issue that I’m just a student; I’m one year older than you, potentially not even older than you. I don’t know everything; I can’t deal with everything, and ultimately, my role is to support you in any way I can, which ultimately means pass you onto someone, and I can’t really do any more than pass you on for a significant matter.’

‘We aren’t personally trained to deal with stuff, we know that we can help them and be like, okay, you should talk to so and so, and again, refer them on to the people that can help.’

Despite this, there are concerns regarding the level of pressure and responsibility placed on student leaders, especially given their limited professional experience and the lack of after-hours support services.

‘I think the fact that something will happen one day, that it’ll be a major incident in a college somewhere, where someone will say, hang on, what was a 18- or 19-year-old kid doing responding to a threat in a college, and it’ll be an RF who goes to a room, or answers a call, and something will happen.’

‘I know personally, most of the time I’m flailing around in the dark googling things myself before I can answer a resident, trying to figure out what to actually tell them.’

‘But then again, when I was involved in that incident, it scared the shit out of me, because I didn’t really know what to do, or how to go about things, either.’

Research from the United States highlights that student leaders are placed with overwhelming responsibility for the welfare of their peers. Student leaders often have to act as first responders to situations that they may be unprepared to manage, placing them at risk of emotional stress.<sup>108</sup>

However, student leaders identified that they felt supported by their Head of College, referencing their regular team and one-on-one meetings. The Commission also understands that vicarious trauma is covered in the training undertaken by student leaders.

In addition, the Commission was advised that the UNE Student Support Counselling Service provide support through group and individual debriefs. There is a dedicated counsellor for the colleges who provides support to student leaders through urgent appointments and the development of self-care plans.

For the purposes of ensuring student leaders are consistently supported, the Commission recommends that all student leaders in a pastoral care role undertake mandatory monthly supervision with the UNE Student Support Counselling Service (recommendation 24). This supervision should provide student leaders an opportunity to debrief following complex incidents, manage their risk of vicarious trauma, reflect on their experiences as first responders, and identify ways to deliver improved responses.



## 11.2 Student leaders as first responders

Student leaders at UNE are often the first responders to disclosures of sexual assault and sexual harassment. In focus groups, residents spoke of how they would first go to their student leader for support, before seeking any formal assistance.

'In my first year, I was so lucky that I had such a good RF and, like, you come here and don't know anything else and they're the first person you're introduced to and you're kind of like put into their hands a bit and you're like, "Okay. I can trust this person".'

'I see my RA and my PA as like, an older brother and an older sister. I know that I can go to them for everything and everything and they're always there to support me.'

'I think that the RFs, in a way, they'll almost—they're the aunt of the floor. Like, they're not a mother because they'll have fun and hang out with you.'

These observations were confirmed through the survey, with the majority of respondents that initially disclosed sexual assault or sexual harassment did so initially through their student leader.

This is not unique to UNE, with similar responsibilities of student leaders described in Elizabeth Broderick & Co's review of residential colleges at the University of Sydney.<sup>109</sup>

Given that most residents indicated that they would likely disclose experiences of sexual harassment or sexual assault to student leaders in the first instance, it is essential that their response is trauma-informed.

'The first response a person receives when they share their experience of sexual assault or sexual harassment is key to their recovery. This response should validate the person's experiences and feelings by being compassionate, empathic and supportive. When a student discloses or makes a formal report to someone at their university, it may be the first time they have told anyone about their experience. If the response is one that validates them through compassion and support, it may encourage the student to identify their needs more clearly and seek additional support and determine whether they want to make a formal report.'<sup>110</sup>

The Commission identified a number of examples of student leaders not responding in ways that align with best practice. This was particularly evident in one situation described to the Commission, in which a resident had informally disclosed sexual harassment to one leader. In response to this disclosure, at least four leaders entered the resident's room to ask for more details of the incident and to provide information on their options. Following the discussion, the student decided not to pursue a formal report.

The Commission is concerned by the lack of confidentiality demonstrated for the resident's initial disclosure, which was shared with a number of student leaders. This lack of confidentiality amongst the leadership team was reiterated by another resident, through a submission.

'At the moment, if a victim was to report anything, there would be no confidentiality or additional protection. He or she would straight away become a subject of rumours and discussions among staff and student leaders. It would be beneficial to keep these incidents more confidential rather than informing an entire student leadership team about it.'

Given their limited experience and a lack of out-of-hours support, it is understandable that student leaders rely on each other when responding to certain disclosures. However, it is essential that student leaders are bound by confidentiality, and ensure that information they receive through disclosures is only shared on a 'needs to know' basis (eg. Heads of Colleges).

In the above example, the Commission also identified a potential for re-traumatisation, with the student required to repeat their experiences to a number of leaders. Further, the number of leaders in the room may have placed pressure on the resident to comply with suggestions for courses of action, and may have influenced the decision not to take the matter any further.

The Commission heard other examples by leaders in their capacity as first responders that would not be considered best practice. This included instances of leaders covering up allegations of assault and harassment (either against fellow leaders, or leaders' friends), for example by not notifying their senior leader or Head of College of the disclosure.

'The incident was eventually reported after being covered by a current RF (student leader) who faced no repercussions for the cover up.'

'[Leaders] pulled him aside and said, "hey, mate you've got to stop this", trying to stop those things from getting to me and to getting to [head of college] ... They [leaders] were just trying to help him out as a friend to stop him getting in trouble and preventing him from doing anything stupid which is understandable, but it was inappropriate. And I think that the fact that they then did that, the rest of the college viewed that as them protecting him.'

The capacity of all student leaders to respond effectively to disclosures was also questioned by some residents.

'I think there's definitely better and worse RFs. I'm not saying any of them are bad. There are a few that I could name that I think would more confidently handle something better than another one.'

'I would agree with that, I have a fair lack of confidence in the RF team this year, I wouldn't go to my RF personally.'

The above examples highlight the difficulties with student leaders acting as first responders, and the need for them to manage disclosures sensitively and make objective decisions.

The Commission also understands that there may be instances where residents are disclosing experiences of sexual assault and sexual harassment to their student leader, who are not then referring the matter to their Head of College. This is likely due to the fact that residents and student leaders are unclear of confidentiality obligations and the requirement to refer the matter to their Head of College, in either an identified or de-identified way.. For example, some student leaders said that it was up to the resident as to whether the matter was reported to the Head of College. If the resident did not want the matter referred to the Head of College, these student leaders would respect that wish.

'Yeah, and it's confidential too. If you ask them not to say anything they're not going to say anything because at the end of the day it jeopardises their position at the College if anything.'

'It's one of the things we did in education, it's one of our modules, is reporting incidents, and it's like, if a student trusts, or if a student or peer trusts you enough to tell you something, but then says don't tell anyone else, it's almost as if it's up to your discretion whether to tell someone else, and if it involves their safety.'

However, some student leaders advised that they would report the matter to the Head of College irrespective of the resident's wishes. Some student leaders noted how they would not identify the student/s involved when reporting to the Head of College. The Commission heard how the decision to report against a resident's wishes could be difficult for student leaders.

'It's hard, when that student doesn't want to be referred on it's hard for them to then break that trust.'

To counter the above, and to support the implementation of recommendation 17, the Commission recommends that all student leaders be required to notify their Head of College (or Deputy, where relevant) of all disclosures of sexual assault and sexual harassment. In line with the person-centred approach outlined in *Chapter 9: Policies and procedures relating to sexual assault and sexual harassment*, student leaders should respect the wishes of residents and may de-identify the details of residents involved if requested. Residents should also be informed of the requirement for student leaders' to refer disclosures.

### 11.3 Training

The UNE Residential System runs training for student leaders at the UNE-operated colleges. The centralised leadership training program is offered to pastoral care leaders, academic leaders and the senior social club leaders. Most of the training takes place in third trimester (when the leadership terms commence). There is also additional training at a college-level that is run on an ad-hoc basis throughout the year.

'We'll do certain in-house training and that can range anywhere from going through different scenarios and how we would deal with those scenarios to we did a lot on *Respect. Now. Always* this year, where to go for that.'

Student leaders also attend a retreat with their Head of College that is aimed at building trust and collaboration, and enhancing leaders' abilities in responding to varied crises and incidents.

This section will focus on the centralised leadership training program developed and delivered by the UNE Residential System. This training program includes Mental Health First Aid and Physical First Aid, as well as a number of modules delivered by UNE staff on sexual assault and sexual harassment, mental health and hazing.

While many student leaders were satisfied with the suite of training modules provided, the Commission heard from some student leaders that the training was not overly effective in supporting them in their role.

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‘We do go through training. I think ultimately, it comes down to the person that you are, and how well your life experience shapes your ability to cope in these situations. I’m not sure how effective training is, for that matter.’

Some student leaders also identified issues with the content of the student leadership training program, and its lack of relevance to the role of a student leader within a residential environment.

‘The things we basically had were, I [am] trying to think, yes, very broad, very general, very non-specific, very impractical.’

‘Mental Health First Aid is good. But it’s not as like in a college system you’re more likely going to deal with those the kind of things like panic attacks, major depression and sexual assaults and help, my assignments due in three hours, those are like the main things you deal with. But Mental Health First Aid they go into a lot of like psychosis and all that sort of stuff and that’s very rare to come across.’

There were also concerns with the practical aspects of the delivery of the training, including the time of year in which the training was delivered.

‘The UNE one last year at the beginning of last year when I was stepping into my RF role was really good, but it still wasn’t enough I don’t think. But this year they did it the year before, so they did it in like November and by the time they actually came around we’d completely forgotten everything in January.’

To enhance the training provided to student leaders about responding to sexual assault and sexual harassment, UNE engaged Rape and Domestic Violence Services Australia to deliver their *Responding with Compassion* program to student leaders and Heads of Colleges in May 2018. *Responding with Compassion* aims to equip anyone that may be in a position to receive initial disclosures of sexual assault and sexual harassment with tools to respond appropriately and in a manner that is compassionate and empathetic. This was the first time student leaders and college staff had undertaken any form of specialised first responder training.

The Commission heard a mixed response from student leaders regarding the first responders training. Some leaders identified an increase in their knowledge and capacity to respond after attending the first responder training.

‘There were just a couple of things that I hadn’t normally thought of saying and when they say you know, you could respond this way and yeah, that makes sense, that would work for a lot of people.’

‘I found the training personally helpful ... found it really good to have a practical step kind of how you would respond to things view of what to do if there is a disclosure made. So the practical steps like making sure that the student can tell their full story without being interrupted or cast onto someone.’

Other students felt that the first responder training did not deliver anything new.

‘I do feel like the training—didn’t provide me too much additional training. There was nothing I really didn’t already know.’

‘They [other leaders] also found it slightly repetitive and very like, we’ve heard it all, you know, what we do in this situation and we do everything that they said there.’

Rape and Domestic Violence Services Australia can tailor the *Responding with Compassion* training program to ensure it reflects the audience’s policies and procedures, however the program delivered at UNE was not tailored. As per recommendation 25, the Commission recommends that any future delivery of *Responding with Commission* be tailored to ensure residents, student leaders and staff align or are using UNE’s existing policies, procedures and support mechanisms to guide their responses.

It is unlikely that there is additional training that would improve student leaders’ responses to disclosures of sexual assault or sexual harassment. Instead, the question is about the appropriateness of student leaders being placed in the position of a first responder, as spoken to by one UNE employee.

‘I would say the University is getting a lot closer to an appropriate level of training for student leaders but I don’t know that it can ever be sufficient to have people that aren’t professionally qualified being trained to deal with disclosures so they can provide adequate support to other students.’

For as long as student leaders are expected to respond to sexual assault and sexual harassment, there should be greater focus on supporting student leaders to perform this role. The suite of support mechanisms recommended by the Commission (recommendation 24), including mandatory supervision, self-care plans, greater access to support after hours, and tailored training, will assist student leaders in their role as first responders and referrers.

## 11.4 Role of student leaders in preventing sexual assault and sexual harassment

Student leaders have a fundamental role in the prevention of sexual assault and sexual harassment. As outlined in *Chapter 7: Attitudes that increase the risk of sexual assault and sexual harassment*, the Commission identified a number of attitudes and norms within college cultures that increase the risk of violence. Student leaders should be responsible for challenging these attitudes and norms within their college environments.

A number of students spoke to the influence of student leaders in effecting cultural change within their college.

‘The leadership team, I think, has the power to entirely change the culture every year.’

‘The third-years were really good role models and it was such a big graduating year so a lot of them left, and we had that influence.’

‘We just decided that it’s better enforced with student sort of push, like I think if the Head of College or like the Uni’s trying to enforce it we’re going to rebel straight away but if we decided that’s how we want our culture and we want to be friends with people as well, then it’s better if we drive it.’

This suggests that student leaders can be a powerful force in addressing the college culture that condones and supports sexual assault and sexual harassment. To equip student leaders to lead cultural change, there should be leader-specific sessions as part of the sexual assault and sexual harassment prevention program recommended in *Chapter 7: Attitudes that increase the risk of sexual assault and sexual harassment*.

To effect cultural change, student leaders need to model respectful attitudes, norms and behaviours. However, through interviews and submissions, the Commission was provided with a number of examples where student leaders were the perpetrators of sexual assault and sexual harassment.

‘Leaders can be the people assaulting others. The people that assaulted and harassed me are now RFs.’

‘2 occasions that I know of both involve current leaders of my college.’

‘He was having sexual relations with a first year which is under our leadership contract a no go. You can’t do that.’

‘Need to be careful also who you choose as college leaders and mentors ... a guy who was a known predator was still given the master key.’

This was supported by survey data, with student leaders identified as alleged perpetrators (either as the sole perpetrator, or as one of multiple perpetrators) in multiple incidents of both sexual assault and sexual harassment. For allegations of both sexual assault and sexual harassment, student-elected leaders were more likely to be identified as a perpetrator than college-appointed leaders.

As detailed in recommendation 26, there should be a ‘no-tolerance’ approach to sexual assault and sexual harassment, regardless of leadership position. If allegations of sexual assault and sexual harassment are made against a student leader, it is recommended that their leadership responsibilities be temporarily suspended pending investigation. Other interim measures should be considered to minimise the potential for harm for all persons involved (see Section 9.7 Interim measures).

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## 11.5 Recommendations

### **Recommendation 24: UNE Counselling should provide additional support for student leaders in a pastoral care role**

The Commission recommends that all student leaders in a pastoral care role undertake mandatory monthly supervision with UNE Student Support Counselling Service. This supervision should provide student leaders an opportunity to debrief following complex incidents, manage their risk of vicarious trauma, reflect on their experiences as first responders, and identify ways to deliver improved responses.

Student leaders should also have a self-care plan to manage the risk of vicarious trauma, and to ensure that their leadership responsibilities do not interfere with their academic performance. This self-care plan should be developed in consultation with a counsellor from the UNE Student Support Counselling Service, and be regularly monitored and revised, as required.

### **Recommendation 25: UNE should ensure any future delivery of the Responding with Compassion first responder training is tailored for the UNE context**

The Commission recommends that any future delivery of *Responding with Compassion* be tailored to reflect UNE's policies, procedures and support mechanisms. This will ensure that student leaders and staff are considering their responses in light of the UNE system.

### **Recommendation 26: Heads of Colleges should implement interim measures for leaders accused of perpetrating sexual assault or sexual harassment**

The Commission recommends Heads of Colleges adopt a 'no-tolerance' approach to allegations of sexual assault and sexual harassment against student leaders. Where Heads of Colleges are made aware of an allegation of sexual harassment or sexual assault against a student leader, they should temporarily suspend their leadership responsibilities pending the outcome of a formal investigation.

Other interim measures should be considered to minimise the potential for harm for all persons involved. These may include the prohibition of student leaders from a certain block or floor, moving leaders to rooms away from the victim and changing mealtimes for residents involved.

## Chapter 11: Endnotes

- 108 Derrick Paladino et al, 'Resident Assistant Burnout: Factors Impacting Depersonalisation, Emotional Exhaustion and Personal Accomplishment' (2005) 33(2) *Journal of College and University Student Housing* 18, 25; Christie Letarte, 'Keepers of the Night: The Dangerously Important Role of Resident Assistants on College Campuses' (2013) 2(2) *Kentucky Journal of Higher Education Policy and Practice* 1, 24.
- 109 Elizabeth Broderick & Co, *Cultural Renewal at the University of Sydney Residential Colleges* (2017) 13. At <https://sydney.edu.au/content/dam/corporate/documents/news-opinions/Overarching%20Report%202017.pdf> (viewed 10 August 2018).
- 110 Universities Australia, *Guidelines for University Responses to Sexual Assault and Sexual Harassment* (2018) 7. At <https://www.universitiesaustralia.edu.au/ArticleDocuments/797/UA%20Guidelines.pdf.aspx> (viewed 10 August 2018).



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## 12 Physical environment

This chapter examines the Commission's assessment of the physical environment at UNE colleges, and the relationship between the physical environment and risks of sexual assault and sexual harassment.

All residential colleges at UNE are mixed-gender. Floors across the colleges are also mixed-gender, although Mary White College and Earle Page College each offer one female-only floor. Residents also share bathroom facilities with others on their floor, with the exception of Wright College (where all rooms have ensuites) and residents living in ensuite accommodation at Mary White College. Some student leaders also have ensuite facilities in their room.

The Commission undertook physical inspections of the seven UNE colleges and asked residents about their experiences in UNE residential settings, particularly regarding use of shared facilities. Most residents raised little or no concern with their physical environment, including shared bathroom facilities.

In addition to this feedback, there is minimal research into personal safety related risks associated with residential settings.

The Commission recommends UNE consider of the implementation of safety enhancements to improve safety and mitigate the potential for risk. Changes may include: the installation of closed-circuit television (CCTV), upgrade of lighting, discouragement of an open door policy and installation of card access to bedroom doors in future redevelopments. The Commission also recommends that residents be regularly engaged by Heads of Colleges to ensure that any preferences for alternative residential living options, for example same-sex floors and alcohol-free floors, is given due consideration.

Outside of these changes, the Commission reiterates that the focus should remain on primary prevention when addressing sexual assault and sexual harassment in residential college settings as detailed in *Chapter 7: Attitudes that increase the risk of sexual assault and sexual harassment*.

### 12.1 Mixed-gender living arrangements

All residential colleges at UNE are mixed-gender. Floors across the colleges are also mixed-gender, although Mary White College and Earle Page College each offer one female-only floor. For the majority of residents living on a mixed-gender floor, bathroom facilities are unisex.

The Australian Federal Police (AFP), in its Australian Defence Force Academy (ADFA) Student Accommodation Block Crime Prevention Assessment, suggested that same-sex wings in accommodation blocks would address 'likely anti-social and human rights aspects that can occur from mixed environments. Particularly shared amenities.'<sup>111</sup> However, outside of this assessment, there is limited evidence that there are risks associated with mixed-gender residential living.

Research specifically on unisex bathrooms is limited, with little evidence that such an environment increases instances of sexual assault and sexual harassment. The 'bathroom myth', or the unsubstantiated belief that unisex bathrooms increase the risk of sexual assault and sexual harassment, was part of the rationale behind a suite of controversial laws enacted in the United States requiring people to use the bathroom associated with their biological sex at birth.<sup>112</sup> Research has largely been responsive to this legislation, and has shown that anti-discrimination laws which allow trans people to use the bathroom of their choice have not led to an increase in reported incidents of sexual assault or sexual harassment.<sup>113</sup>

The Commission also heard no concerns from residents regarding mixed-gender living arrangements. On the contrary, most residents said that they felt comfortable sharing facilities, including bathrooms.

‘Everyone really respects their space and boys don’t intrude on girls like, especially in the toilets.’

‘I know for myself, I only lived with myself, mum and dad at home, didn’t go to boarding school, coming here, didn’t feel uncomfortable, wasn’t a shock, wasn’t an issue going to the shower or the bathroom.’

‘I think the environment is pretty comfortable actually because from the start the college bathrooms and things like that and we’ve got sort of like, an open door policy where everyone trusts everyone.’

‘You get comfortable with everyone in your block and then you realize like, oh yeah, I’m fine with all of you and then you just get into routine and you just start to feel comfortable and then you just realize “well, I use the bathroom at home with my family” and then you realize like this is also really good for people who do struggle with their sexual identity.’

Recognising some female residents may not be comfortable sharing facilities with residents of other genders, Mary White College and Earle Page College have established female-only floors. Residents at Mary White College spoke to the options available to female residents who may not feel comfortable living in mixed-gender accommodation facilities.

‘When you do come to Mary White College particularly, if you do not feel comfortable with that you can always opt to be on the all-girls floor and use the all-girls bathroom.’

‘You’ve got the option of—if you want an alcohol-free block or do you want a females-only block, that sort of thing. Selfcatered block, you do have a lot of options in here. I know females want to be with just females and they do have that option.’

As outlined in *Chapter 5: Alcohol*, Mary White College has also established an alcohol-free floor in recognition of the preferences of its resident population. Residents at Wright Village can also apply to live in an alcohol-free flat, depending on availability.

Informal arrangements relating to gender-specific bathroom facilities are also in place in some colleges.

‘We have different ladies and men’s toilets on each floor. There’s like, two men’s and two women’s on most floors.’

‘There’s a designated female toilet and a designated male toilet and anyone uses the showers. It’s not a big deal.’

As per recommendation 27, the Commission recommends all Heads of College regularly engage with their residents to identify resident accommodation preferences, and implement alternative residential living options, such as alcohol-free and same-sex floors.

## 12.2 Closed-circuit television

St Albert’s College and Wright College are the only colleges to have installed CCTV in communal spaces such as hallways, social areas and outside premises.

St Albert’s College residents felt particularly reassured by the presence of CCTV.

‘And there’s obviously cameras in the hallway so if anything does go wrong it’s not going to be like—you know, what I mean?’

‘And there’s cameras so if anything was to ever happen like, you feel like you’re covered anyway.’

A desire for CCTV was identified by college staff from other colleges during physical inspections, as well as in interviews with UNE staff.

‘It’s [CCTV] one of those things that’s a really essential security measure for university.’

‘Certainly one of the big things this university needs is cameras.’

The installation of CCTV was identified as a priority by the AFP in its ADFA Student Accommodation Block Crime Prevention Assessment in 2012, with a view that CCTV would increase surveillance abilities, act as a deterrent, and improve investigations.<sup>114</sup> In light of this, the Commission recommends that CCTV be installed in the communal areas of all colleges as a priority (recommendation 27).



## 12.3 Lighting

The quality of lighting varied across the colleges. The Commission identified the lighting arrangements at Wright College as the most appropriate. Lighting in hallways and communal areas at Wright College is controlled through the use of sensors. The lighting arrangements in the hallways of accommodation facilities at Robb College were particularly concerning, with lighting on the floor inspected controlled by a single light switch located in the middle of the floor. Across most colleges, the quality of lighting in terms of brightness was also a concern.

As stated by the AFP in its ADFa Student Accommodation Block Crime Prevention Assessment, ‘maintaining the lighting, especially in the vicinity of the car park and walkways will increase the feeling of safety and visibility for residents/visitors’.<sup>115</sup>

The Commission recommends that UNE upgrade the lighting in communal areas of all colleges, as part of safety enhancements suggested in recommendation 27. At a minimum, this upgrade should involve the installation of sensor lighting and higher wattage light globes.

## 12.4 Doors and locks

Locking mechanisms for doors to bedroom facilities at most colleges require a physical key, with the exception of Wright College and some rooms at Mary White College, which require an electronic swipe card. Doors at some colleges lock automatically upon closing, whereas doors at other colleges require residents to lock their door manually.

The Commission heard how most residents felt safe in their blocks and rooms, with many saying that they leave their doors open most of the time.

‘And in terms of assault and stuff like that, I know I sleep with my door unlocked and I feel so comfortable here that I would never ever lock my bedroom door when I was asleep like.’

‘Yeah, like, I would never ever lock my door when I left like, in terms of like, stealing or having my stuff feel safe.’

‘Whereas here, we’re explaining how everything is open, unlocked and they’re like, what, so anyone can walk in? And we’re like, yeah, but we trust everyone.’

The Commission also heard there was an expectation that residents keep their bedroom doors open to enable socialising.

‘We have an open door policy on most floors, like people can choose to do it if they want to or not, but you can basically go into anyone’s room whenever you want, have a chat, which is really good.’

‘We have like, an open door policy but you don’t have to follow it but we like to have our doors open to see what everyone’s doing unless you’re studying or getting changed or something, and your sleeping you shut the door. But usually our doors are open so we can just walk along and chat and say hello.’

‘We’re all about like, involvement, getting people involved and that’s why we have like, even on our floors we try and sort of encourage an open door policy which means that your door is open so if someone walks past you go and talk to them.’

The Commission has concerns that some residents may feel pressured to keep their doors open and that this ‘open door’ policy may increase the incidence of inappropriate behaviour.

‘I had one boy last night jump on me he’s like “I haven’t done my quiz!” ... Stuff like that happens, but it’s not like forcing them on you.’

‘People will come in and be like “someone’s sleeping in my bed” and you’re like “you’re going to sleep here then”.’

While the Commission recognises the sense of community that residential colleges fosters, there need to be measures in place that ensure safety and comfort. As part of safety enhancements proposed in recommendation 27, UNE may wish to consider discouraging the use of open-door policies. Further, the Commission suggests that door lock mechanisms for bedroom doors potentially be updated to electronic card access as part of any future redevelopments or upgrades of residential colleges.

Addressing concerns relating to the physical environment should not be done in isolation when attempting to address and reduce the incidence of sexual assault and sexual harassment. A strong focus needs to remain on primary prevention and the need to address the attitudes and culture that enable sexual assault and sexual harassment to occur. The Commission’s recommendations for an increased focus on primary prevention are outlined in more detail in *Chapter 7: Attitudes that increase the risk of sexual assault and sexual harassment*.

## 12.5 Recommendation

### **Recommendation 27: UNE should implement safety enhancements to the physical environment of residential colleges, and also consider implementing accommodation arrangements to suit residents' preferences**

The Commission recommends UNE consider the implementation of safety enhancements to the physical environment of residential colleges. Changes may include:

- a) Installation of CCTV in communal areas across all colleges, including entrance points to the buildings, in social spaces and in the hallways of each floor in every college.
- b) Upgrade of lighting in communal areas across all colleges, including the installation of sensor lighting and higher wattage light globes.
- c) Discouragement of open-door policies for bedroom doors.
- d) Installation of card access to bedroom doors in any future redevelopments of residential colleges.

The Commission also recommends that Heads of College regularly engage with their residents to identify resident accommodation preferences, and implement alternative residential living options, such as alcohol-free and same-sex floors.

## Chapter 12: Endnotes

- 111 Australian Federal Police, 'ADFA Student Accommodation Block Crime Prevention Assessment', 30 August 2012; 'RFI 3.28: Final Report', provided to the Australian Human Rights Commission, *Review into the Treatment of Women at the Australian Defence Force Academy: Audit Report* (the Audit) (2013) by Dr N Miller, 28 September 2012.
- 112 Emanuella Grinberg and Dani Stewart, '3 Myths that Shape the Transgender Bathroom Debate' on *CNN* (8 March 2017), <https://edition.cnn.com/2017/03/07/health/transgender-bathroom-law-facts-myths/index.html>.
- 113 Vincent Samar, 'The Right to Privacy and the Right to Use the Bathroom Consistent with One's Gender Identity' (2016) 24 *Duke Journal of Gender Law & Policy* 57.
- 114 Australian Federal Police, 'ADFA Student Accommodation Block Crime Prevention Assessment', 30 August 2012; 'RFI 3.28: Final Report', provided to the Audit by Dr N Miller, 28 September 2012.
- 115 Australian Federal Police, 'ADFA Student Accommodation Block Crime Prevention Assessment', 30 August 2012; 'RFI 3.28: Final Report', provided to the Audit by Dr N Miller, 28 September 2012.





# 13 Monitoring and evaluation

Delivering meaningful and sustained cultural change within the UNE colleges will require UNE to monitor the implementation and impact of the changes arising from this review. Regular progress reviews will be necessary to ensure that the implementation of recommendations are delivering the intended benefits, and to allow opportunity to revise plans if outcomes are not being achieved.

The Commission recommends that UNE engage experts in monitoring and evaluation to design a monitoring and evaluation framework (recommendation 28). This framework should identify short, medium and long-term outcomes that will result from the changes that are implemented by UNE. The framework should also specify the data required to be collected to support UNE in measuring impact.

At a minimum, UNE should be looking to measure outcomes with regard to:

- rates of sexual assault and sexual harassment within UNE colleges
- rates of reporting of sexual assault and sexual harassment within UNE colleges (including both de-identified disclosures referred on to Heads of College from student leaders and formal reports)
- appropriateness of college responses to incidents of sexual assault and sexual harassment
- levels of resident understanding of sexual assault and sexual harassment
- levels of harmful attitudes that increase the risk of sexual assault and sexual harassment
- levels of resident understanding of relevant policies as well as procedures for reporting sexual assault and sexual harassment
- levels of alcohol consumption among residents of UNE colleges.

The monitoring and evaluation framework should establish realistic targets and timeframes for meeting these targets. Some of the Commission's recommendations will deliver immediate outcomes, while others may take longer for their full impact to be demonstrated.

UNE should identify a senior executive to be responsible for overseeing the implementation of the monitoring and evaluation framework, and for reporting the outcomes of monitoring and evaluation to the Vice Chancellor. Evaluation results should also be made publicly available to ensure accountability. Where it is found that changes implemented by UNE have not achieved their stated goals, UNE should establish a review process that will support the development and implementation of new or revised initiatives.

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## 13.1 Recommendation

**Recommendation 28: UNE should develop a monitoring and evaluation framework to measure the impact of its response to the review**

UNE should engage experts in the area of monitoring and evaluation to develop a monitoring and evaluation framework that will identify short, medium and long-term outcomes that will result from the implementation of recommendations. The framework should also identify the data to be collected to support the measurement of impact, as well as targets and timeframes.

UNE should identify a senior executive to be responsible for overseeing the implementation of the monitoring and evaluation framework, and for reporting the outcomes of monitoring and evaluation to the Vice Chancellor.

# Appendix 1

Survey Questionnaire





# Appendix 1

## Survey Questionnaire

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Thank you for sharing your views

**Tips for completing the survey:**

To navigate through the survey, please use the buttons within the survey.



Please **DO NOT** use the refresh, back or forward buttons on your browser.

If you experience technical difficulties please contact us at [unecollegesurvey@roymorgan.com](mailto:unecollegesurvey@roymorgan.com) with a description of the problem.

Please remember to hit the 'Next' button at the end of the survey to ensure your responses are submitted.

**Please maximise this window before you continue.**

The Australian Human Rights Commission is inviting all student residents to complete a survey on the prevalence and nature of sexual assault, sexual harassment and bullying at residential colleges at UNE. The survey is part of the Australian Human Rights Commission's review of residential colleges at UNE.

The Australian Human Rights Commission has engaged Roy Morgan, an independent social and market research company, to undertake this survey on its behalf. The results will be used to gain a deeper understanding of the factors which contribute to sexual assault and sexual harassment at residential colleges at UNE and the nature of current reporting processes.

**TRIGGER WARNING:** The survey includes sections that ask about incidents of sexual assault, sexual harassment and bullying that you may have experienced or witnessed whilst living at college at UNE and the reporting processes and support you may have accessed. Some of the language used in this survey is explicit and some people may find it uncomfortable. However, it is important that we ask the questions in this way to ensure that you are clear on what we mean.

This survey should take most students approximately 15 minutes to complete. It may take some students longer. Participation is completely voluntary, and you can stop or withdraw at any time. There will be no consequences for not completing the survey.

To thank you for your participation, every student who completes the survey can enter into a draw to win one of two Apple iPhone 8s.

Your answers will be strictly confidential and no information collected in the survey will be used to identify you. Your answers will be combined with the information from other UNE student residents for analysis and reporting by the Australian Human Rights Commission and Roy Morgan.

If you have any questions about this review or your participating in the survey, please contact the UNE College Review Team at [unecollegereview@humanrights.gov.au](mailto:unecollegereview@humanrights.gov.au) or on 1800 931 750.

The survey is being conducted under Charles Stuart University Ethics Committee approval (HC Reference Number H18118).

Prior to continuing, please read the full Participant Information Statement prepared by the Australian Human Rights Commission here <LINK>.

**To continue the survey click [HERE](#).**

The Ethics Approval process requires us to obtain your consent to do the survey by completing the table below before you start the survey. Please complete this Consent Form and then start the survey by clicking on the link below (or copy and paste the link into your browser).

### **Consent Form – Participant providing own consent**

#### **Declaration by the participant**

- I understand I am being asked to provide consent to participate in this research project;
- I have read the Participant Information Sheet or someone has read it to me in a language that I understand;
- I understand the purposes and risks of the research described in the project;
- I provide my consent for the information collected about me to be used for the purpose of this research study only.
- I have had an opportunity to ask questions and I am satisfied with the answers I have received;
- I freely agree to participate in this research study as described and understand that I am free to withdraw at any time during the project and withdrawal will not affect my relationship with any of the named organisations and/or research team members;
- I understand that I can download a copy of this consent form from <LINK>.

**IF YOU EXPERIENCE ANY DISTRESS DURING OR AFTER PARTICIPATING IN THE SURVEY, YOU CAN ACCESS SUPPORT BY CALLING 1800RESPECT ON 1800 737 732.**

To start the survey just click on the link below (or copy and paste the link into your browser) to take part now:

<LINK>

If you have any questions, are unable to access the link, or if you require assistance completing the survey, please email Roy Morgan Research at [unecollegesurvey@roymorgan.com](mailto:unecollegesurvey@roymorgan.com).

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## A QUESTIONNAIRE

[single]

**Q1** What is your age?

1	Record
99	Prefer not to say

**IF DOES NOT GIVE AGE (CODE 99 ON Q1) ASK Q2.**

**IF AGED UNDER 18 AT Q1 SHOW TERMINATE MESSAGE 1**

TERMINATE MESSAGE 1

We are sorry but the survey can only be completed by student residents who are at least 18 years old. Thank you for your interest in our study.

PROGRAMMER DISPLAY COUNSELLING MESSAGE ON CLOSING SCREEN

Relaying experience(s) of sexual assault and/or harassment can be distressing. If your engagement with this survey has caused you any distress, you may wish to access counselling support through:

- Armidale Sexual Assault Counselling Service (02) 6776 9655
- 1800RESPECT 1800 737 732
- NSW Rape Crisis Centre 1800 424 017
- UNE Student Support Counselling Service (02) 6773 2897

**IF AGED 18 OR OLDER AT Q1 SKIP TO Q3**

[single]

**Q2** To which of the following age groups do you belong?

1	17 or younger
2	18-21
3	22-25
4	26 or older
99	Prefer not to say

**IF AGE UNDER 17 OR YOUNGER (CODE 1 ON Q2) SHOW TERMINATE MESSAGE 1**

**TERMINATE MESSAGE 1**

We are sorry but the survey can only be completed by student residents who are at least 18 years old. Thank you for your interest in our study.

**PROGRAMMER DISPLAY COUNSELLING MESSAGE ON CLOSING SCREEN**

Relaying experience(s) of sexual assault and/or harassment can be distressing. If your engagement with this survey has caused you any distress, you may wish to access counselling support through:

- Armidale Sexual Assault Counselling Service (02) 6776 9655
- 1800RESPECT 1800 737 732
- NSW Rape Crisis Centre 1800 424 017
- UNE Student Support Counselling Service (02) 6773 2897

**IF DOES NOT GIVE AGE (CODE 99 AT Q2) SHOW TERMINATE MESSAGE 2**

**TERMINATE 2**

Thank you for your time and assistance but for this survey we need to know your approximate age.

**PROGRAMMER DISPLAY COUNSELLING MESSAGE ON CLOSING SCREEN**

Relaying experience(s) of sexual assault and/or harassment can be distressing. If your engagement with this survey has caused you any distress, you may wish to access counselling support through:

- Armidale Sexual Assault Counselling Service (02) 6776 9655
- 1800RESPECT 1800 737 732
- NSW Rape Crisis Centre 1800 424 017
- UNE Student Support Counselling Service (02) 6773 2897

**IF AGED 18 OR OLDER (CODE 2 TO 4 ON Q2) ASK Q3**

[single]

**Q3 At which UNE college are you currently a resident?**

1	Austin College
2	Duval College
3	Earle Page College
4	Mary White College
5	Robb College
6	St. Albert's College

7	Wright College and Village
98	Not currently a resident at any of these Colleges
99	Prefer not to say

**IF NOT CURRENTLY RESIDENT AT ANY OF THESE COLLEGES (CODE 98 ON Q3) SHOW TERMINATE MESSAGE 3**

**TERMINATE 3**

We are sorry but the survey can only be completed by students currently living at a college at UNE. Thank you for your interest in our study.

**PROGRAMMER DISPLAY COUNSELLING MESSAGE ON CLOSING SCREEN**

Relaying experience(s) of sexual assault and/or harassment can be distressing. If your engagement with this survey has caused you any distress, you may wish to access counselling support through:

- Armidale Sexual Assault Counselling Service (02) 6776 9655
- 1800RESPECT 1800 737 732
- NSW Rape Crisis Centre 1800 424 017
- UNE Student Support Counselling Service (02) 6773 2897

**IF PREFER NOT TO SAY (CODE 99 ON Q3) ASK Q3b**

**IF CURRENT COLLEGE RESIDENT (CODE 1 TO 7 ON Q3) SKIP TO Q4**

[single]

**Q3b** In order to complete the survey we need to know at which UNE College are you currently a resident. Please be assured that your answers are strictly confidential and no information collected in the survey will be used to identify you. If you would like to participate in the survey please indicate your current college. If you would still prefer to not answer the question, simply tick the “Prefer not to say” answer and we will close the interview.

1	Austin College
2	Duval College
3	Earle Page College
4	Mary White College
5	Robb College
6	St. Albert’s College
7	Wright College and Village
98	Not currently a resident at any of these Colleges
99	Prefer not to say

**IF NOT CURRENTLY RESIDENT AT ANY OF THESE COLLEGES (CODE 98 ON Q3B) SHOW TERMINATE MESSAGE 3**

**TERMINATE 3**

We are sorry but the survey can only be completed by students currently living at a college at UNE. Thank you for your interest in our study.

**PROGRAMMER DISPLAY COUNSELLING MESSAGE ON CLOSING SCREEN**

Relaying experience(s) of sexual assault and/or harassment can be distressing. If your engagement with this survey has caused you any distress, you may wish to access counselling support through:

- Armidale Sexual Assault Counselling Service (02) 6776 9655
- 1800RESPECT 1800 737 732
- NSW Rape Crisis Centre 1800 424 017
- UNE Student Support Counselling Service (02) 6773 2897

**IF PREFER NOT TO SAY (CODE 99 ON Q3b) SHOW TERMINATE MESSAGE 4**

**TERMINATE 4**

We are sorry but the survey can only be completed by students who are able to provide information about which UNE College they are currently a resident. Thank you for your interest in our study.

**PROGRAMMER DISPLAY COUNSELLING MESSAGE ON CLOSING SCREEN**

Relaying experience(s) of sexual assault and/or harassment can be distressing. If your engagement with this survey has caused you any distress, you may wish to access counselling support through:

- Armidale Sexual Assault Counselling Service (02) 6776 9655
- 1800RESPECT 1800 737 732
- NSW Rape Crisis Centre 1800 424 017
- UNE Student Support Counselling Service (02) 6773 2897

[single]

**Q4** In what year did you start living at [COLLEGE ON Q3 OR Q3b]?

1	2018
2	2017
3	2016
4	2015
5	2014
6	2013
7	2012
8	2011
9	2010
10	2009
11	Before 2009
99	Prefer not to say

[single]

**Q5** Have you previously lived at another UNE residential college?

1	Yes
2	No
3	Prefer not to say

IF PREVIOUSLY LIVED AT ANOTHER UNE COLLEGE (CODE1 ON Q5) CONTINUE

IF DID NOT PREVIOUSLY LIVE AT ANOTHER COLLEGE OR PREFERS NOT TO SAY (CODE 2 OR 99 ON Q5) SKIP TO Q8

[single]

**Q6 At which other UNE College did you most recently live at?**

**PROGRAMMER DO NOT DISPLAY CURRENT COLLEGE ON Q3 OR Q3b**

1	Austin College
2	Duval College
3	Earle Page College
4	Mary White College
5	Robb College
6	St. Albert's College
7	Wright College and Village
98	I have not lived at any of these colleges
99	Prefer not to say

**IF NOT LIVED AT ANY OTHER COLLEGES OR PREFERS NOT TO SAY (CODE 98 or 99 ON Q6) SKIP TO Q8**

[single]

**Q7 In what year did you start living at [COLLEGE ON Q6]?**

1	2018
2	2017
3	2016
4	2015
5	2014
6	2013
7	2012
8	2011
9	2010
10	2009
11	Before 2009
99	Prefer not to say



[multiple]

**Q8** The next questions are about sexual harassment. We would like to assure you that your answers to these questions are completely confidential. If you would prefer not to answer a particular question you can simply select “Prefer not to say” and move on to the next question.

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

At any time since you started living at [COLLEGE ON Q3 or Q3b] in [YEAR ON Q4] have you experienced any of the following behaviours in a way that was unwelcome? This can include experiences both at [COLLEGE ON Q3 OR Q3b] and outside.

**ALL STATEMENTS SHOULD BE ROTATED. HOWEVER, STATEMENT J SHOULD NEVER APPEAR FIRST.**

		Yes	No	Don't Know	Prefer not to say
A	Unwelcome touching, hugging, cornering or kissing	1	2	3	4
B	Inappropriate staring or leering that made you feel intimidated	1	2	3	4
C	Sexual gestures, indecent exposure or inappropriate display of the body	1	2	3	4
D	Sexually suggestive comments or jokes that made you feel offended	1	2	3	4
E	Sexually explicit pictures, posters or gifts that made you feel offended	1	2	3	4
F	Repeated or inappropriate invitations to go out on dates	1	2	3	4
G	Intrusive questions about your private life or physical appearance that made you feel offended	1	2	3	4
H	Inappropriate physical contact	1	2	3	4
I	Being followed, watched or someone loitering nearby	1	2	3	4
J	Requests or pressure for sex or other sexual acts	1	2	3	4

[multiple]

**Q9** At any time since you started living at [COLLEGE ON Q3 OR Q3b] in [YEAR ON Q4] have you experienced any of these behaviours in a way that was unwelcome?

**ROTATE – STATEMENT ‘Q’ SHOULD ALWAYS BE THE FINAL STATEMENT ASKED, AND ALL OTHERS SHOULD BE ROTATED.**

		Yes	No	Don't Know	Prefer not to say
M	Indecent phone calls, including someone leaving a sexually explicit message on voicemail or an answering machine	1	2	3	4
N	Sexually explicit comments made in emails, SMS messages or on social media	1	2	3	4
O	Repeated or inappropriate advances on email, social networking websites or internet chat rooms	1	2	3	4
P	Sharing or threatening to share intimate images or film of you without your consent	1	2	3	4
Q	Any other unwelcome conduct of a sexual nature (Please specify) _____	1	2	3	4

**IF NEVER EXPERIENCED SEXUAL HARASSMENT (NOT CODE 1 AT ANY OF ITEM A TO J ON Q8 OR ITEM M TO Q ON Q9) GO TO Q38**

**IF ONLY ONE TYPE OF SEXUAL HARASSMENT (ONLY ONE CODE 1 ON Q8 OR Q9) ASK Q10**

**IF MORE THAN ONE TYPE OF SEXUAL HARASSMENT (MORE THAN ONE CODE 1 AT Q8 AND/OR Q9) GO TO Q11**

[multiple]

**Q10** Did you experience [BEHAVIOUR WITH CODE 1 ON Q8 OR Q9] at any of the following places or events?  
(Mark all that apply)

1	At [COLLEGE ON Q3 or Q3b] residence or grounds
2	At one of the other UNE college residences or grounds
3	At an event or social occasion organised or endorsed by [COLLEGE ON Q3 or Q3b] which was NOT held at the college
4	At an event or social occasion organised or endorsed by one of the other UNE college which was NOT held at the college
5	Some other event or social occasion that was also attended by other college residents
6	Somewhere else at the UNE or at some other event organised or endorsed by UNE
7	Somewhere else
99	Prefer not to say

**IF EXPERIENCED BEHAVIOUR AT ONLY ONE LOCATION (ONLY ONE CODE ON Q10) AND STARTED LIVING IN COLLEGE IN 2018 (CODE 1 ON Q4) SKIP TO Q14**

**IF EXPERIENCED BEHAVIOUR AT ONLY ONE LOCATION (ONLY ONE CODE ON Q10) AND STARTED LIVING IN COLLEGE BEFORE 2018 (NOT CODE 1 ON Q4) SKIP TO Q13a**

**IF EXPERIENCED BEHAVIOUR AT MORE THAN ONE LOCATION (MORE THAN ONE CODE ON Q10) SKIP TO Q12**

[multiple]

**Q11** Please indicate where you experienced each of the behaviours listed below that you said you had experienced since you started living at [COLLEGE ON Q3 or Q3b] in [YEAR ON Q4]. Mark all that apply for each row.

**PROGRAMMER IN Q11, LIST ONLY ITEMS IDENTIFIED AS CODE 1 ON Q8 AND Q9**

**PROGRAMMER USE THE FOLLOWING TRUNCATED DESCRIPTIONS OF THE BEHAVIOURS**

- A touching, hugging, cornering or kissing
- B staring or leering
- C sexual gestures, indecent exposure or display of the body
- D sexually suggestive comments or jokes
- E sexually explicit pictures, posters or gifts
- F repeated or inappropriate invitations to go out on dates
- G intrusive questions about your private life or physical appearance
- H physical contact
- I someone following, watching or loitering nearby
- J requests or pressure for sex or other sexual acts
- M indecent phone calls or voice messages
- N sexually explicit comments in emails, SMS messages or on social media
- O repeated or inappropriate advances on email, social networking websites or internet chat rooms
- P sharing or threats to share intimate images or film of you
- Q insert text from other-specify box at Q9

	I EXPERIENCED THIS WHILE ...							
	at [COLLEGE ON Q3 or Q3b] residence or grounds	at one of the other UNE college residences or grounds	at an event or social occasion organised or endorsed by [COLLEGE ON Q3 or Q3b] which was NOT held at the college	at an event or social occasion organised or endorsed by one of the other UNE college which was NOT held at the college	at some other event or social occasion that was also attended by other college residents	at an event or social occasion organised or endorsed by one of the other UNE colleges which was NOT held at the college	somewhere else	Prefer not to say
S.H. experience	1	2	3	4	5	6	7	8
S.H. experience	1	2	3	4	5	6	7	8
S.H. experience	1	2	3	4	5	6	7	8
S.H. experience	1	2	3	4	5	6	7	8

[single]

**Q12** You reported that since you started living at [COLLEGE ON Q3 or Q3b] in [YEAR ON Q4] you had experienced the behaviours listed below. Which of these incidents occurred most recently?

**DROP DOWN LIST OF ALL HARASSMENT AND LOCATION (ANY CODE 1 TO 8 ON Q11 OR ANY TWO OR MORE CODES SELECTED AT Q10)**

**PROGRAMMER LIST BOTH TYPE OF HARASSMENT AND WHERE IT OCCURRED**

1	Event and location
2	Event and location
3	Event and location
4	Event and location

**IF STARTED LIVING IN COLLEGE IN 2018 (CODE 1 ON Q4) SKIP TO Q14**

**IF STARTED LIVING IN COLLEGE BEFORE 2018 (NOT CODE 1 ON Q4) ASK Q13**

[single]

**Q13** In what year did this most recent incident occur?

**Q13A** In what year did this happen?

**PROGRAMMER DO NOT DISPLAY YEARS BEFORE RESPONDENT STARTED LIVING IN THE COLLEGE (BASED ON CODES 2 TO 11 ON Q4)**

1	2018
2	2017
3	2016
4	2015
5	Before 2015
98	Don't know
99	Prefer not to say

[single]

**Q14 When did this happen?**

1	During O-Week (Orientation Week)
2	During the academic year (excluding O-Week)
3	During term, semester or trimester break
4	Some other time
98	Don't know
99	Prefer not to say

[single]

**Q15 Where did this happen?**

1	My room at [COLLEGE ON Q3 or Q3b]
2	Someone else's room at [COLLEGE ON Q3 or Q3b]
3	A social or recreational space at [COLLEGE ON Q3 or Q3b]
4	Elsewhere inside [COLLEGE ON Q3 or Q3b] or in the college grounds or carpark
5	At another college
6	A pub or bar used by [COLLEGE ON Q3 or Q3b] residents
7	Somewhere else (Please specify) _____
98	Don't know
99	Prefer not to say

[single]

**Q16 Was this most recent sexual harassment the only time it had happened to you or had it also occurred previously at that same place?**

1	The ONLY time it happened to me
2	Had also occurred previously at the same place

**IF ONLY TIME IT HAPPENED (CODE 1 ON Q16) ASK Q19**

**IF OCCURRED PREVIOUSLY (CODE 2 ON Q16) ASK Q18**

[single]

**Q18** Approximately how many months have you been subjected to this most recent experience of sexual harassment?

If you are not sure, please provide your best estimate

1	Less than 1 month
2	1 to 3 months
3	4 to 6 months
4	7 to 12 months
5	More than 12 months
98	Don't know
99	Prefer not to say

[single]

**Q19** Was there more than one person directly involved in subjecting you to this most recent incident?

1	Yes – more than one person involved
2	No – just one person involved
3	Don't know

**IF SINGLE HARASSER (Code 2 ON Q19) ASK Q20**

**IF MORE THAN ONE HARASSER OR DOES NOT KNOW HOW MANY (Codes 1 or 3 ON Q21) ASK Q23**

[single]

**Q20** Was the harasser male, female or another gender?

1	Male
2	Female
3	Another gender
97	Don't know
98	Prefer not to say

[single]

**Q21 Did you know this harasser?**

1	Yes
2	No
99	Prefer not to say

[single]

**Q22 Was the person who harassed you ...?**

1	A [COLLEGE ON Q3 or Q3b] appointed leader (such as a Resident Fellow or Resident Tutor)
2	A student elected leader (such as a Junior Common Room representative)
3	Some other student at [COLLEGE ON Q3 or Q3b]
4	A student from some other college at UNE
5	A UNE student who does not live at a college
6	One of my lecturers or tutors
7	Some other UNE staff member
8	Someone not associated with UNE
9	Don't know
98	Prefer not to say

**IF SINGLE HARASSER (CODE 2 ON Q19) ASKQ27**

[single]

**Q23 How many people were directly involved in subjecting you to this most recent incident?**

1	Number
99	Don't know

[multiple]

**Q24** What was the gender of these harassers? (Please mark all that apply)

1	Male
2	Female
3	Another gender
97	Don't know
98	Prefer not to say

[single]

**Q25** How many of these harassers were known to you?

1	All of them
2	Some of them
3	None of them
99	Prefer not to say

[multiple]

**Q26** Were any of the people who harassed you ...? (Mark all that apply)

1	A [COLLEGE ON Q3 or Q3b] appointed leader (such as a Resident Fellow or Resident Tutor)
2	A student elected leader (such as a Junior Common Room representative)
3	Some other student at [COLLEGE ON Q3 or Q3b]
4	A student from some other college at UNE
5	A UNE student who does not live at a college
6	One of my lecturers or tutors
7	Some other UNE staff member
8	Someone not associated with UNE
9	Don't know
98	Prefer not to say



[single]

**Q27** As far as you know, has any other resident of [COLLEGE ON Q3 OR Q3b] also experienced this type of sexual harassment in a way that was unwelcome?

1	Yes
2	No

**IF OTHER PEOPLE HAVE EXPERIENCED THIS HARASSMENT (CODE 1 ON Q27) ASK Q28**

**IF NO ONE ELSE HAS EXPERIENCED THIS HARASSMENT (CODE 2 ON Q29) ASK Q30**

[single]

**Q28** And was the harasser the same person who harassed you?

1	Yes
2	No
3	Don't know

[single]

**Q29** Would you say that this type of behaviour was very rare, rare, occurred sometimes or was common at the time it happened to you?

1	Very rare
2	Rare
3	Occurred sometimes
4	Common

[single]

**Q30** Did you make a report or complaint about the incident of sexual harassment you most recently experienced?

1	Yes
2	No

**IF MADE A REPORT (CODE 1 ON Q30) ASK Q31**

**IF DID NOT MAKE A REPORT (CODE 2 ON Q30) ASK Q34**

[multiple]

**Q31 Who did you report the incident to? (Select all that apply)**

1	The Head of [COLLEGE ON Q3 or Q3b]
2	Some other [COLLEGE ON Q3 or Q3b] employee
3	A [COLLEGE ON Q3 or Q3b] appointed leader (such as a Resident Fellow or Resident Tutor)
4	A student elected leader (such as a Junior Common Room representative)
5	Some other student at [COLLEGE ON Q3 or Q3b]
6	Some other student who does NOT live at [COLLEGE ON Q3 or Q3b]
7	To someone at the Student Grievance Unit
8	To someone at the UNE Student Support Counselling Service
9	Some other UNE employee
10	The Police
97	Someone else (Please specify) _____
98	Don't know
99	Prefer not to say

[single]

**Q32 Has your complaint been finalised yet?**

1	Yes
2	No

**IF REPORTED INCIDENT TO SOMEONE IN AN OFFICIAL COLLEGE ROLE (CODE 1, 2, 3, OR 4 ON Q31) ASK Q33a**

**IF DID NOT REPORT INCIDENT TO ANYONE IN AN OFFICIAL COLLEGE ROLE OR UNIVERSITY (NO CODE 1, 2, 3, 4) AND DID REPORT INCIDENT TO SOMEONE IN OFFICIAL UNIVERSITY ROLE (CODES, 7, 8 OR 9 ON Q31) SKIP TO Q33b**

**IF DID NOT REPORT INCIDENT TO ANYONE IN AN OFFICIAL COLLEGE ROLE OR UNIVERSITY (NO CODE 1, 2, 3, 4) AND DID NOT REPORT INCIDENT TO SOMEONE IN OFFICIAL UNIVERSITY ROLE (NO CODES, 7, 8 OR 9 ON Q31) SKIP TO Q34**

[single]

**Q33a** On a scale of 1 to 5, where 1 means not at all satisfied and 5 means extremely satisfied, how would you rate the overall process of dealing with your complaint by someone from [COLLEGE in Q3 or Q3b]?

Very dissatisfied	Dissatisfied	Neither satisfied nor dissatisfied	Satisfied	Very satisfied
1	2	3	4	5

IF REPORTED INCIDENT TO SOMEONE IN AN OFFICIAL UNIVERSITY ROLE (CODE 7, 8, OR 9 ON Q32) ASK Q33B

IF DID NOT REPORTED INCIDENT TO SOMEONE IN AN OFFICIAL UNIVERSITY ROLE (NO CODE 7, 8, OR 9 ON Q32) ASK Q34

[single]

**Q33B** On a scale of 1 to 5, where 1 means not at all satisfied and 5 means extremely satisfied, how would you rate the overall process of dealing with your complaint by someone from UNE?

Very dissatisfied	Dissatisfied	Neither satisfied nor dissatisfied	Satisfied	Very satisfied
1	2	3	4	5

ASK ALL WHO WERE SEXUALLY HARASSED SINCE STARTED LIVING AT [COLLEGE ON Q3 OR Q3b] in [YEAR ON Q4]

[single]

**Q34** Did you seek any [other form of] support or advice about the most recent incident of sexual harassment?

PROGRAMMER NOTE – DISPLAY VARIABLE TEXT IF MADE COMPLAINT/REPORT (CODE 1 AT Q30)

1	Yes
2	No

IF SOUGHT ADVICE OR HELP (CODE 1 ON Q34) ASK Q35

IF DID NOT SEEK ADVICE OR HELP (CODE 2 ON Q34) ASK Q36

[multiple]

**Q35 Who did you seek support or advice from? (Select all that apply)**

1	Friends or family
2	The Head of [COLLEGE ON Q3 or Q3b]
3	Some other [COLLEGE ON Q3 or Q3b] employee
4	A [COLLEGE ON Q3 or Q3b] appointed leader (such as a Resident Fellow or Resident Tutor)
5	A student elected leader (such as a Junior Common Room representative)
6	Some other student at [COLLEGE ON Q3 or Q3b]
7	Some other student who does NOT live at [COLLEGE ON Q3 or Q3b]
8	Someone at the Student Grievance Unit
9	Someone at the UNE Student Support Counselling Service
10	Some other UNE staff member
11	A counsellor or psychologist outside of UNE
98	Someone else (Please specify) _____
99	Prefer not to say

**IF SOUGHT ADVICE OR HELP FROM SOMEONE IN AN OFFICIAL COLLEGE ROLE (CODE 2, 3, 4, OR 5 ON Q35) ASK Q36**

**IF DID NOT SEEK ADVICE OR HELP FROM SOMEONE IN AN OFFICIAL COLLEGE ROLE (NO CODE 2, 3, 4, OR 5 ON Q35) BUT SOUGHT ADVICE OR HELP FROM SOMEONE IN OFFICIAL UNIVERSITY ROLE (CODE 8, 9 OR 10 ON Q35) ASK Q36b**

**IF DID NOT SEEK ADVICE OR HELP FROM SOMEONE IN AN OFFICIAL COLLEGE ROLE (NO CODE 2, 3, 4, OR 5 ON Q35) AND DID NOT SEEK ADVICE OR HELP FROM SOMEONE IN OFFICIAL UNIVERSITY ROLE (NO CODE 8, 9 OR 10 ON Q35) SKIP Q36 AND Q36b**

[single]

**Q36 On a scale of 1 to 5, where 1 means not at all satisfied and 5 means extremely satisfied, how would you rate the overall process of providing you with advice or support by someone from [COLLEGE ON Q3 OR Q3b]?**

Very dissatisfied	Dissatisfied	Neither satisfied nor dissatisfied	Satisfied	Very satisfied
1	2	3	4	5

**IF SOUGHT ADVICE OF HELP FROM SOMEONE IN AN OFFICIAL UNIVERSITY ROLE (CODE 8, 9 OR 10 ON Q35) ASK Q36b**

**IF DID NOT SEEK ADVICE OF HELP FROM SOMEONE IN AN OFFICIAL COLLEGE ROLE (NO CODE 2, 3, 4, OR 5 ON Q35) SKIP Q36b**

[single]

**Q36b** On a scale of 1 to 5, where 1 means not at all satisfied and 5 means extremely satisfied, how would you rate the overall process of providing you with advice or support by someone from the UNE?

Very dissatisfied	Dissatisfied	Neither satisfied nor dissatisfied	Satisfied	Very satisfied
1	2	3	4	5

**IF MADE A COMPLAINT AND SOUGHT SUPPORT OR ADVICE (CODE 1 AT Q30 AND CODE 1 AT Q34) ASK Q38**

**IF DID NOT MAKE COMPLAINT AND DID NOT SEEK SUPPORT OR ADVICE (CODE 2 AT Q30 AND CODE 2 AT Q34) ASK Q37a**

**IF MADE A COMPLAINT BUT DID NOT SEEK SUPPORT OR ADVICE (CODE 1 AT Q30 AND CODE 2 AT Q34) ASK Q37c**

**IF SOUGHT ADVICE BUT DID NOT MAKE COMPLAINT (CODE 2 AT Q30 AND CODE 1 AT Q34) ASK Q37b**

[multiple]

**Q37a** People decide not to seek support or make a complaint for many different reasons. Which, if any, of the following were reasons why you did not seek support or advice or make a report or complaint about the most recent incident of sexual harassment? (Select all that apply)

[multiple]

**Q37b** People decide not to make a complaint for many different reasons. Which, if any, of the following were reasons why you did not make a report or complaint about the most recent incident of sexual harassment? (Select all that apply)

[multiple]

**Q37c** People decide not to seek support or advice for many different reasons. Which, if any, of the following were reasons why you did not seek support or advice about the most recent incident of sexual harassment? (Select all that apply)

**ROTATE – STATEMENTS 1 to 12**

1	I wasn't aware of how the process worked or who to talk to
2	My family or friends advised me not to
3	My fellow residents advised me not to
4	It was easier to keep quiet
5	I thought I would not be believed
6	I thought the process would be embarrassing
7	I thought the process would be too difficult
8	I thought it would not change things or that nothing would be done

	9	Sexual harassment is accepted in [COLLEGE ON Q3 OR Q3b]
	10	I don't trust the people I could talk to
	11	Concerns about lack of confidentiality
	12	The person or people who harassed me was/were too senior
	97	None of these [SINGLE]
	98	Don't know [SINGLE]
	99	Prefer not to say [SINGLE]

[multiple]

**Q37d** And which, if any, of the following are reasons why you did not [make a report or complaint support or advice or make a report or complaint/ seek support or advice/ make a report or complaint] about the most recent incident of sexual harassment? (Select all that apply)

**PROGRAMMER NOTE – DISPLAY RELEVANT VARIABLE TEXT IF DID NOT MAKE COMPLAINT AND DID NOT SEEK SUPPORT OR ADVICE (CODE 2 AT Q30 AND CODE 2 AT Q34) OR IF MADE A COMPLAINT BUT DID NOT SEEK SUPPORT OR ADVICE (CODE 1 AT Q30 AND CODE 2 AT Q34) OR IF SOUGHT ADVICE BUT DID NOT MAKE COMPLAINT (CODE 2 AT Q30 AND CODE 1 AT Q34)**

**ROTATE – STATEMENTS 1 to 12**

1	I was too scared or frightened
2	I thought people would treat me like the wrongdoer
3	I thought people would think I was over-reacting
4	I thought I would get expelled from [COLLEGE ON Q3 OR Q3b]
5	I did not think the incident would be kept confidential
6	I thought my reputation would be damaged
7	I feared negative consequences for the person or people who harassed me
8	I did not need help
9	The person or people who harassed me were already being dealt with
10	I didn't think it was serious enough
11	I took care of the problem myself
12	Any another reason (Please specify) _____
97	None of these [SINGLE]
98	Don't know [SINGLE]
99	Prefer not to say [SINGLE]

**ASK ALL**

[multiple]

**Q38** The next question is about any sexual harassment of another person that may have occurred at [COLLEGE ON Q3 or Q3b] at any time since you started living there in [YEAR ON Q4]. At any time since you started living at [COLLEGE ON Q3 or Q3b] have you

1	Observed or witnessed another resident being sexually harassed by someone affiliated with, or living at your college?
2	Heard about it directly from a resident who was sexually harassed by someone affiliated with, or living at your college?
3	Heard about it from people other than the resident who was sexually harassed by someone affiliated with, or living at your college?
4	No – I haven't observed or heard about such sexual harassment (SINGLE)

**IF HAS NOT WITNESSED OR HEARD ABOUT HARASSMENT (CODE 4 AT Q38) ASK Q43**

**IF WITNESSED OR HEARD ABOUT HARASSMENT CODE 1-3 AT Q38) AND STARTED LIVING AT THE COLLEGE IN 2018 (CODE 1 AT Q4) ASK Q40**

**IF WITNESSED OR HEARD ABOUT HARASSMENT (CODE 1-3 AT Q38) AND STARTED LIVING AT THE COLLEGE BEFORE 2018 OR DID NOT GIVE A YEAR (CODE 2-11 or 99 AT Q4) ASK Q39**

[single]

**Q39** In what year did the most recent incident you witnessed or heard about occur?

**PROGRAMMER DO NOT DISPLAY YEARS BEFORE RESPONDENT STARTED LIVING IN THE COLLEGE (BASED ON CODES 2 TO 11 ON Q4)**

1	2018
2	2017
3	2016
4	2015
5	Before 2015
99	Prefer not to say

[single]

**Q40 Did you take any action in relation to the most recent incident of sexual harassment that you witnessed or heard about?**

1	Yes
2	No

**IF TOOK ACTION (CODE 1 AT Q40) ASK Q41**

**IF DID NOT TAKE ANY ACTION (CODE 2 AT Q40) ASK Q42**

[multiple]

**Q41 Which of the following actions did you take after witnessing or hearing about this most recent incident of sexual harassment? (Select all that apply)**

1	Talked with or listened to the victim
2	Spoke to the alleged perpetrator
3	Offered advice to the victim
4	Spoke to the Head of [COLLEGE ON Q3 or Q3b]
5	Spoke to some other [COLLEGE ON Q3 or Q3b] staff member
6	Spoke to a [COLLEGE ON Q3 or Q3b] appointed leader (such as a Resident Fellow or Resident Tutor)
7	Spoke to a student elected leader (such as a Junior Common Room representative)
8	Spoke to some other student at [COLLEGE ON Q3 or Q3b]
9	Spoke to someone at the Student Grievance Unit
10	Spoke to some other UNE staff member
11	Called the police
12	Called university campus security
98	Took some other action (Please specify) _____
99	Prefer not to say

**IF TOOK ACTION (CODE 1 AT Q40) ASK Q43**



[multiple]

**Q42** People may decide not to take action after witnessing or hearing about sexual harassment for many different reasons. Which of the following were reasons why you decided not to take any action about the most recent incident of sexual harassment you witnessed or heard about? (Select all that apply)

1	I didn't want to make things worse for the person who was being sexually harassed
2	I was worried about the negative impact that taking action might have on me
3	I didn't think it was serious enough to intervene
4	I didn't think it was my responsibility
5	I knew that other people were supporting and assisting the person
6	I didn't know what to do
7	I didn't want to get involved
8	The person being sexually harassed asked me not to take any action
9	I didn't know if the person being sexually harassed wanted my help
98	Any other reasons (Please specify) _____
99	Prefer not to say

#### ASK ALL

[single]

**Q43** Sexual assault or rape is when someone is physically forced or threatened, coerced or tricked against their will and without their consent into a sexual act or unwanted sexual contact. This can be an actual or attempted incident. It can also be when you were incapacitated, passed out, too drunk or asleep to give consent.

Since you started living at [COLLEGE ON Q3 OR Q3b] have you experienced attempted or actual sexual assault or rape which may have included:

- Forced touching of a sexual nature (forced kissing, touching of genitals, grabbing, fondling, rubbing against you in a sexual way, even if it is over your clothes)
- Oral sex (someone's mouth or tongue making contact with your genitals or your mouth or tongue making contact with someone else's genitals)
- Sexual intercourse (someone's penis or vagina making contact with your genitals)
- Anal sex (someone's penis being put in your anus)
- Sexual penetration with a finger or object (someone putting their finger or an object in your vagina or anus)

Please note that if you do not feel comfortable answering these questions you can tick "I do not wish to answer questions on sexual assault" and be moved to the next section.

1	Yes I have experienced attempted or actual incident of sexual assault or rape
2	I am not sure if I have experienced attempted or actual incident of sexual assault or rape
3	No I have NOT experienced attempted or actual incident of sexual assault or rape
4	Prefer not to say
5	I do not wish to answer questions on sexual assault

**PROGRAMMER DISPLAY THIS DISTRESS SUPPORT MESSAGE ON THE SAME SCREEN AS THE QUESTION AND RESPONSES**

If you experience any distress during or after participating in the survey, you can access support by calling 1800RESPECT on 1800 737 732 or the UNE Student Support Counselling Service on (02) 6773 2897 between 9am-5pm, Monday to Friday.

**IF DOES NOT WISH TO ANSWER QUESTIONS ON SEXUAL ASSAULT (CODE 5 ON Q43) GO TO Q74**

**IF NOT SURE OR HAS NOT EXPERIENCED SEXUAL ASSAULT OR PREFERS NOT TO SAY (CODES 2 OR 3 OR 4 ON Q43) GO TO Q69**

**IF HAS EXPERIENCED SEXUAL ASSAULT OR RAPE (CODE 1 ON Q43) ASK Q44**

[multiple]

**Q44 Did the sexual assault or rape you have experienced since you started living at [COLLEGE ON Q3 OR Q3b] in [YEAR ON Q4] occur at any of the following places or events? (Mark all that apply)**

1	At [COLLEGE ON Q3 or Q3b] residence or grounds
2	At one of the other UNE college residences or grounds
3	At an event or social occasion organised or endorsed by [COLLEGE ON Q3 or Q3b] which was NOT held at the college
4	At an event or social occasion organised or endorsed by one of the other UNE colleges which was NOT held at the college
5	Some other event or social occasion that was also attended by other college residents
6	Somewhere else at the UNE or at some other event organised or endorsed by UNE
7	Somewhere else (Please specify) _____
99	Prefer not to say

**IF STARTED LIVING IN COLLEGE IN 2018 (Code 1 at Q4) GO TO Q48a**

[single]

**Q47a** In what year did this incident of sexual assault or rape occur?

If you experienced more than one incident of sexual assault or rape since you started living at [COLLEGE ON Q3 OR 3b] please just give an answer about the most recent incident.

**PROGRAMMER DO NOT DISPLAY YEARS BEFORE RESPONDENT STARTED LIVING IN THE COLLEGE (BASED ON CODES 2 TO 11 ON Q4)**

1	2018
2	2017
3	2016
4	2015
5	Before 2015
98	Don't know
99	Prefer not to say

[single]

**Q48a** When did this incident of sexual assault or rape happen?

1	During O-Week (Orientation Week)
2	During the academic year (excluding O-Week)
3	During term, semester or trimester break
4	Some other time
98	Don't know
99	Prefer not to say

[single]

**Q49a** Where did this happen?

1	My room at [COLLEGE ON Q3 or Q3b]
2	Someone else's room at [COLLEGE ON Q3 or Q3b]
3	A social or recreational space at [COLLEGE ON Q3 or Q3b]
4	Elsewhere inside [COLLEGE ON Q3 or Q3b] or in the college grounds or carpark

5	At another college
6	A pub or bar used by [COLLEGE ON Q3 or Q3b] residents
7	Somewhere else (Please specify) _____
98	Don't know
99	Prefer not to say

[single]

**Q47** Was this the only time it had happened to you or had it only occurred previously at that same place?

1	The ONLY time it happened to me
2	Had also occurred previously at the same place

[single]

**Q48** Was there more than one person directly involved in subjecting you to this most recent incident?

1	No – just one person involved
2	Yes – more than one person involved
99	Don't know

**IF SINGLE PERPETRATOR (Code 1 AT Q48) ASK Q49**

**IF MORE THAN ONE PERPETRATOR OR DOES NOT KNOW HOW MANY (Codes 2 or 99 at Q48) ASK Q52**

[single]

**Q49** Was this person male, female or another gender?

1	Male
2	Female
3	Another gender
97	Don't know
99	Prefer not to say

[single]

**Q50 Did you know this person?**

1	Yes
2	No
99	Prefer not to say

[single]

**Q51 Was the person who sexually assaulted or raped you ...?**

1	A [COLLEGE ON Q3 or Q3b] appointed leader (such as a Resident Fellow or Resident Tutor)
2	A student elected leader (such as a Junior Common Room representative)
3	Some other student at [COLLEGE ON Q3 or Q3b]
4	A student from some other college at UNE
5	A UNE student who does not live at a college
6	One of my lecturers or tutors
7	Some other UNE staff member
8	Someone not associated with UNE
9	Don't know
98	Prefer not to say

**IF SINGLE PERPETRATOR (CODE 1 AT Q48) ASKQ56**

[single]

**Q52 How many people were directly involved in subjecting you to this most recent incident?**

1	Number
99	Don't know

[multiple]

**Q53** What was the gender of the people involved? (Please mark all that apply)

1	Male
2	Female
3	Another gender
97	Don't know
98	Prefer not to say

[single]

**Q54** How many of these people were known to you?

1	All of them
2	Some of them
3	None of them
99	Prefer not to say

[multiple]

**Q55** Were any of the people who sexually assaulted or raped you ...? (Mark all that apply)

1	A [COLLEGE ON Q3 or Q3b] appointed leader (such as a Resident Fellow or Resident Tutor)
2	A student elected leader (such as a Junior Common Room representative)
3	Some other student at [COLLEGE ON Q3 or Q3b]
4	A student from some other college at UNE
5	A UNE student who does not live at a college
6	One of my lecturers or tutors
7	Some other UNE staff member
8	Someone not associated with UNE
9	Don't know
98	Prefer not to say

**ASK ALL WHO WERE SEXUALLY ASSAULTED (CODE 1 AT Q43)**

[single]

**Q56** As far as you know, has anyone else in [COLLEGE ON Q3 OR Q3b] also experienced sexual assault or rape?

1	Yes
2	No
98	Don't know
98	Prefer not to say

**IF OTHER PEOPLE HAVE EXPERIENCED ASSAULT AT THE COLLEGE (CODE 1 ON Q56) ASK Q57**

**IF NO ONE ELSE HAS EXPERIENCED THIS HARASSMENT AT THE COLLEGE OR DOES NOT KNOW OR PREFERS NOT TO SAY (CODE 2 OR 98 OR 99ON Q27) ASK Q59**

[single]

**Q57** And was that sexual assault or rape by the same person who sexually assaulted or raped you?

1	Yes
2	No
3	Don't know

[single]

**Q58** Would you say that this type of behaviour was very rare, rare, occurred sometimes or was common at the time it happened to you?

1	Very rare
2	Rare
3	Occurred sometimes
4	Common

[single]

**Q59** Did you make a report or complaint about the sexual assault or rape you were subjected to?

1	Yes
2	No

**IF MADE A REPORT (CODE 1 ON Q59) ASK Q60**

**IF DID NOT MAKE A REPORT (CODE 2 ON Q59) ASK Q63**

[multiple]

**Q60 Who did you report the incident to? (Select all that apply)**

1	The Head of [COLLEGE ON Q3 or Q3b]
2	Some other [COLLEGE ON Q3 or Q3b] employee
3	A [COLLEGE ON Q3 or Q3b] appointed leader (such as a Resident Fellow or Resident Tutor)
4	A student elected leader (such as a Junior Common Room representative)
5	Some other student at [COLLEGE ON Q3 or Q3b]
6	Some other student who does NOT live at [COLLEGE ON Q3 or Q3b]
7	To someone at the Student Grievance Unit
8	To someone at the UNE Student Support Counselling Service
9	Some other UNE employee
10	The Police
97	Someone else (Please specify) _____
98	Don't know
99	Prefer not to say

[single]

**Q61 Has your complaint been finalised yet?**

1	Yes
2	No

**IF REPORTED INCIDENT TO SOMEONE IN AN OFFICIAL COLLEGE ROLE (CODE 1, 2, 3, OR 4 ON Q60) ASK Q62a**

**IF DID NOT REPORT INCIDENT TO SOMEONE IN AN OFFICIAL COLLEGE ROLE (NO CODE 1, 2, 3, OR 4 ON Q60) BUT REPORTED INCIDENT TO SOMEONE IN AN OFFICIAL UNIVERSITY ROLE (CODE 7, 8, OR 9 ON Q60) ASK Q62b**



IF DID NOT REPORT INCIDENT TO ANYONE IN AN OFFICIAL COLLEGE OR UNIVERSITY ROLE (NO CODE 1, 2, 3 4, 7, 8, OR 9 ON Q60) ASK Q63

[single]

Q62a On a scale of 1 to 5, where 1 means not at all satisfied and 5 means extremely satisfied, how would you rate the overall process of dealing with your complaint by someone from [COLLEGE in Q3 or Q3b]?

Very dissatisfied	Dissatisfied	Neither satisfied nor dissatisfied	Satisfied	Very satisfied
1	2	3	4	5

IF REPORTED INCIDENT TO SOMEONE IN AN OFFICIAL UNIVERSITY ROLE (CODE 7,8, OR 9 ON Q60) ASK Q62B

IF DID NOT REPORTED INCIDENT TO SOMEONE IN AN OFFICIAL UNIVERSITY ROLE (NO CODE 7, 8, OR 9 ON Q60) ASK Q63

[single]

Q62B On a scale of 1 to 5, where 1 means not at all satisfied and 5 means extremely satisfied, how would you rate the overall process of dealing with your complaint by someone from UNE?

Very dissatisfied	Dissatisfied	Neither satisfied nor dissatisfied	Satisfied	Very satisfied
1	2	3	4	5

ASK ALL WHO WERE SEXUALLY ASSAULTED (CODE 1 AT Q43)

[single]

Q63 Did you seek any [other form of] support or advice about this incident?

PROGRAMMER NOTE – DISPLAY VARIABLE TEXT IF MADE COMPLAINT/REPORT (CODE 1 AT Q57)

1	Yes
2	No

IF SOUGHT ADVICE OR HELP (CODE 1 ON Q63) ASK Q64

IF DID NOT SEEK ADVICE OR HELP (CODE 2 ON Q63) ASK Q66

[multiple]

**Q64 Who did you seek support or advice from? (Select all that apply)**

1	Friends or family
2	The Head of [COLLEGE ON Q3 or Q3b]
3	Some other [COLLEGE ON Q3 or Q3b] employee
4	A [COLLEGE ON Q3 or Q3b] appointed leader (such as a Resident Fellow or Resident Tutor)
5	A student elected leader (such as a Junior Common Room representative)
6	Some other student at [COLLEGE ON Q3 or Q3b]
7	Some other student who does NOT live at [COLLEGE ON Q3 or Q3b]
8	Someone at the Student Grievance Unit
9	Someone at the UNE Student Support Counselling Service
10	Some other UNE staff member
11	A counsellor or psychologist outside of UNE
98	Someone else (Please specify) _____
99	Prefer not to say

**IF SOUGHT ADVICE OF HELP FROM SOMEONE IN AN OFFICIAL COLLEGE ROLE (CODE 2, 3, 4, OR 5 ON Q64) ASK Q65a**

**IF DID NOT SEEK ADVICE OF HELP FROM SOMEONE IN AN OFFICIAL COLLEGE ROLE (NO CODE 2, 3, 4, OR 5 ON Q64) BUT SOUGHT ADVICE OF HELP FROM SOMEONE IN AN OFFICIAL UNIVERSITY ROLE (CODE 8, 9 OR 10 ON Q64) ASK Q65b**

**IF DID NOT SEEK ADVICE OF HELP FROM SOMEONE IN AN OFFICIAL COLLEGE OR UNIVERSITY ROLE (NO CODE 2, 3, 4, 5, 8, 9 OR 10 ON Q64) SKIP Q65a and Q65b**

[single]

**Q65a On a scale of 1 to 5, where 1 means not at all satisfied and 5 means extremely satisfied, how would you rate the overall process of providing you with advice or support by someone from [COLLEGE in Q3 or Q3b]?**

Very dissatisfied	Dissatisfied	Neither satisfied nor dissatisfied	Satisfied	Very satisfied
1	2	3	4	5

**IF REPORTED INCIDENT TO SOMEONE IN AN OFFICIAL UNIVERSITY ROLE (CODE 8, 9 OR 10 ON Q64) ASK Q65B**

**IF DID NOT REPORTED INCIDENT TO SOMEONE IN AN OFFICIAL UNIVERSITY ROLE (NO CODE 8, 9 OR 10 ON Q64) SKIP Q65b**

[single]

**Q65B** On a scale of 1 to 5, where 1 means not at all satisfied and 5 means extremely satisfied, how would you rate the overall process of providing you with advice or support by someone from UNE?

Very dissatisfied	Dissatisfied	Neither satisfied nor dissatisfied	Satisfied	Very satisfied
1	2	3	4	5

IF MADE A COMPLAINT AND SOUGHT SUPPORT OR ADVICE (CODE 1 AT Q59 AND CODE 1 AT Q63) ASK Q69

IF DID NOT MAKE COMPLAINT AND DID NOT SEEK SUPPORT OR ADVICE (CODE 2 AT Q59 AND CODE 2 AT Q63) ASK Q68a

IF DID NOT MAKE COMPLAINT BUT DID SEEK SUPPORT OR ADVICE (CODE 2 AT Q59 AND CODE 1 AT Q63) ASK Q68b

IF MADE A COMPLAINT BUT DID SEEK SUPPORT OR ADVICE ((CODE 1 AT Q59 AND CODE 2 AT Q63) ASK Q68c

[multiple]

**Q68a** People decide not to seek support or make a complaint for many different reasons.

Which of the following were reasons why you did not seek support or advice or make a report or complaint about this incident of sexual assault? (Select all that apply)

[multiple]

**Q68b** People decide not to make a complaint for many different reasons.

Which of the following were reasons why you did not make a report or complaint about this incident of sexual assault? (Select all that apply)

[multiple]

**Q68c** People decide not to seek support or advice for many different reasons.

Which of the following were reasons why you did not seek support or advice about this incident of sexual assault? (Select all that apply)

**ROTATE – STATEMENTS 1 to 12**

1	I wasn't aware of how the process worked or who to talk to
2	My family or friends advised me not to make a complaint
3	My fellow residents advised me not to make a complaint
4	It was easier to keep quiet
5	I thought I would not be believed

6	I thought the process would be embarrassing
7	I thought the process would be too difficult
8	I thought it would not change things or that nothing would be done
9	Sexual assault is accepted in [COLLEGE ON Q3 OR Q3b]
10	I don't trust the people I could talk to
11	Concerns about lack of confidentiality
12	The person or people who assaulted me was too senior
97	None of these [SINGLE]
98	Don't know [SINGLE]
99	Prefer not to say [SINGLE]

[multiple]

**Q68d** And which if any, of the following are reasons why you did not [make a report or complaint seek support or advice or make a report or complaint/ seek support or advice/ make a report or complaint] about this incident of sexual assault? (Select all that apply)

**PROGRAMMER NOTE – DISPLAY RELEVANT VARIABLE TEXT IF DID NOT MAKE COMPLAINT AND DID NOT SEEK SUPPORT OR ADVICE (CODE 2 AT Q59 AND CODE 2 AT Q63) OR IF MADE A COMPLAINT BUT DID NOT SEEK SUPPORT OR ADVICE (CODE 1 AT Q59 AND CODE 2 AT Q63) OR IF SOUGHT ADVICE BUT DID NOT MAKE COMPLAINT (CODE 2 AT Q59 AND CODE 1 AT Q63)**

**ROTATE – STATEMENTS1 to 12**

1	I was too scared or frightened
2	I thought people would treat me like the wrongdoer
3	I thought people would think I was over-reacting
4	I thought I would get expelled from [COLLEGE ON Q3 OR Q3b]
5	I did not think the incident would be kept confidential
6	I thought my reputation would be damaged
7	I feared negative consequences for the person or people who assaulted me
8	I did not need help
9	The person or people who assaulted me were already being dealt with
10	I didn't think it was serious enough
11	I took care of the problem myself
12	Any another reason (Please specify) _____

97	None of these [SINGLE]
98	Don't know [SINGLE]
99	Prefer not to say [SINGLE]

**ASK ALL WHO ARE PREPARED TO DISCUSS SEXUAL ASSAULT (NOT CODE 5 AT Q43)**

[multiple]

**Q69** The next question is about any sexual assault or rape of another person that may have occurred at [COLLEGE ON Q3 OR Q3b] at any time since you started living there in [YEAR ON Q4]. At any time since you started living at [COLLEGE ON Q3 OR Q3b] have you

1	Observed or witnessed another resident being sexually assaulted or raped by someone affiliated with, or living at your college?
2	Heard about it directly from a resident who was sexually assaulted or raped by someone affiliated with, or living at your college?
3	Heard about it from people other than the resident who was sexually assaulted or raped by someone affiliated with, or living at your college?
4	No – I haven't observed or heard about such sexual assault or rape [SINGLE]

**IF HAS NOT WITNESSED OR HEARD ABOUT ASSAULT (CODE 4 AT Q69) ASK Q74**

**IF WITNESSED OR HEARD ABOUT ASSAULT (CODE 1-3 AT Q69) AND STARTED LIVING AT THE COLLEGE IN 2018 (CODE 1 AT Q4) ASK Q71**

**IF WITNESSED OR HEARD ABOUT ASSAULT (CODE 1-3 AT Q69) AND STARTED LIVING AT THE COLLEGE BEFORE 2018 OR DID NOT GIVE A YEAR (NOT CODE 1 AT Q4) ASK Q70**

[single]

**Q70** In what year did the most recent incident you witnessed or heard about occur?

**PROGRAMMER DO NOT DISPLAY YEARS BEFORE RESPONDENT STARTED LIVING IN THE COLLEGE (BASED ON CODES 2 TO 11 ON Q4)**

1	2018
2	2017
3	2016
4	2015
5	Before 2015
99	Prefer not to say

[single]

**Q71** Did you take any action in relation to the most recent incident of sexual assault or rape that you witnessed or heard about?

1	Yes
2	No

**IF TOOK ACTION (CODE 1 AT Q71) ASK Q72**

**IF DID NOT TAKE ANY ACTION (CODE 2 AT Q71) ASK Q73**

[multiple]

**Q72** Which of the following actions did you take after witnessing or hearing about this most recent incident of sexual assault or rape? (Select all that apply)

1	Talked with or listened to the victim
2	Offered advice to the victim
3	Spoke to the alleged perpetrator
4	Spoke to the Head of [COLLEGE ON Q3 or Q3b]
5	Spoke to some other [COLLEGE ON Q3 or Q3b] staff member
6	Spoke to a [COLLEGE ON Q3 or Q3b] appointed leader (such as a Resident Fellow or Resident Tutor)
7	Spoke to a student elected leader (such as a JCR representative)
8	Spoke to some other student at [COLLEGE ON Q3 or Q3b]
9	Spoke to someone at the Student Grievance Unit
10	Spoke to some other UNE staff member
11	Called the police
12	Called university campus security
98	Took some other action (Please specify) _____
99	Prefer not to say

**IF TOOK ACTION (CODE 1 AT Q71) ASK Q74**

[multiple]

**Q73** People may decide not to take action after witnessing or hearing about assault for many different reasons. Which of the following were reasons why you decided not to take any action about the most recent incident of sexual assault or rape you witnessed or heard about? (Select all that apply)

1	I didn't want to make things worse for the person who was being sexually assaulted or raped
2	I felt it would endanger the victim
3	I felt worried about my own safety
4	I was worried about the negative impact that taking action might have on me
5	I didn't think it was serious enough to intervene
6	I didn't think it was my responsibility
7	I knew that other people were supporting and assisting the person
8	I didn't know what to do
9	I didn't want to get involved
10	The person being sexually assaulted asked me not to take any action
98	Any other reasons (Please specify) _____
99	Prefer not to say

**ASK ALL**

[multiple]

**Q74** The next questions are about bullying and intimidation you may have experienced or witnessed.

At any time since you started living at [COLLEGE ON Q3 or Q3b] in [YEAR ON Q4] have you experienced any of the following behaviours in a way that was unwelcome?

Please select one response in each row.

**STATEMENT 1 TO 13 SHOULD BE ROTATED, BUT CODE 2 NEVER APPEARS FIRST**

	TYPES OF BULLYING	Yes	No	Don't Know	Prefer not to say
	Pressure to drink alcohol when you did not want to	1	2	3	4
	Pressure to take other drugs when you did not want to	1	2	3	4
	Intimidation	1	2	3	4
	Pressure to participate in activities that were humiliating or intimidating to you or other students	1	2	3	4
	Hazing	1	2	3	4
	Being excluded or isolated	1	2	3	4
	Malicious or hurtful rumours about you	1	2	3	4
	Feeling like you should have sex in order to fit in or be accepted	1	2	3	4
	Pressure to hide or deny your sexual orientation and/or gender identity to fit in or be accepted	1	2	3	4
	Homophobic slurs directed at you	1	2	3	4
	Transphobic slurs directed at you	1	2	3	4
	Racist slurs directed at you	1	2	3	4
	Sexist remarks directed at you	1	2	3	4
	Other behaviours that made you feel uncomfortable (Please specify) _____	1	2	3	4
98	Prefer not to say	1	2	3	4

**IF NEVER EXPERIENCED BULLYING OR INTIMIDATION (NOT CODE 1 AT ANY OF ITEM 1 TO 14 ON Q74) GO TO Q102**

**IF ONLY ONE TYPE OF BULLYING OR INTIMIDATION (ONLY ONE CODE 1 ON Q74) ASK Q75**

**IF MORE THAN ONE TYPE OF BULLYING OR INTIMIDATION (MORE THAN ONE CODE 1 ON Q74) GO TO Q76**

[multiple]

**Q75 Did you experience [BEHAVIOUR WITH CODE 1 ON 74] at any of the following places or events? (Mark all that apply)**

1	At [COLLEGE ON Q3 or Q3b] residence or grounds
2	At one of the other UNE college residences or grounds
3	At an event or social occasion organised or endorsed by [COLLEGE ON Q3 or Q3b] which was NOT held at the college
4	At an event or social occasion organised or endorsed by one of the other UNE colleges which was NOT held at the college



5	Some other event or social occasion that was also attended by other college residents
6	Somewhere else at the UNE or at some other event organised or endorsed by UNE
7	Somewhere else
99	Prefer not to say

IF EXPERIENCED BEHAVIOUR AT ONLY ONE LOCATION (ONLY ONE CODE ON Q75) AND STARTED LIVING IN COLLEGE IN 2018 (CODE 1 ON Q4) SKIP TO Q79

IF EXPERIENCED BEHAVIOUR AT ONLY ONE LOCATION (ONLY ONE CODE ON Q74) AND STARTED LIVING IN COLLEGE BEFORE 2018 (NOT CODE 1 ON Q4) SKIP TO Q78a

IF EXPERIENCED BEHAVIOUR AT MORE THAN ONE LOCATION (MORE THAN ONE CODE ON Q74) SKIP TO Q77

[multiple]

**Q76** Please indicate where you experienced each of the behaviours listed below that you said you had experienced since you started living at [COLLEGE ON Q3 or Q3b] in [YEAR ON Q4]. (Mark all that apply in each row)

PROGRAMMER IN Q76, LIST ONLY ITEMS IDENTIFIED AS CODE 1 ON Q74

	I EXPERIENCED THIS WHILE ...							Prefer not to say
	at [COLLEGE ON Q3 or Q3b] residence or grounds	at one of the other UNE college residences or grounds	at an event or social occasion organised or endorsed by [COLLEGE ON Q3 or Q3b] which was NOT held at the college	at an event or social occasion organised or endorsed by one of the other UNE colleges which was NOT held at the college	at some other event or social occasion that was also attended by other college residents	at an event or social occasion organised or endorsed by one of the other UNE colleges which was NOT held at the college	somewhere else	
B&I. experience	1	2	3	4	5	6	7	8
B&I. experience	1	2	3	4	5	6	7	8
B&I. experience	1	2	3	4	5	6	7	8
B&I. experience	1	2	3	4	5	6	7	8

[single]

**Q77** You reported that since you started living at [COLLEGE ON Q3 or Q3b] in [YEAR ON Q4] you had experienced the behaviours listed below. Which of these incidents occurred most recently?

**DROP DOWN LIST OF ALL BULLYING OR INTIMIDATION (ANY CODE 1 TO 8 ON Q76 OR ANY TWO OR MORE CODES SELECTED AT Q75)**

**PROGRAMMER LIST BOTH TYPE OF BULLYING AND WHERE IT OCCURRED**

1	Event and location
2	Event and location
3	Event and location
4	Event and location

**IF STARTED LIVING IN COLLEGE IN 2018 (CODE 1 ON Q4) SKIP TO Q79**

**IF STARTED LIVING IN COLLEGE AFTER 2018 (NOT CODE 1 ON Q4) ASK Q78**

[single]

**Q78** In what year did this most recent incident occur?

**Q78a** In what year did this happen?

**PROGRAMMER DO NOT DISPLAY YEARS BEFORE RESPONDENT STARTED LIVING IN THE COLLEGE (BASED ON CODES 2 TO 11 ON Q4)**

1	2018
2	2017
3	2016
4	2015
5	Before 2015
98	Don't know
99	Prefer not to say

[single]

**Q79 When did this happen?**

1	During O-Week (Orientation Week)
2	During the academic year (excluding O-Week)
3	During term, semester or trimester break
4	Some other time
98	Don't know
99	Prefer not to say

[single]

**Q80 Where did this happen?**

1	My room at [COLLEGE ON Q3 or Q3b]
2	Someone else's room at [COLLEGE ON Q3 or Q3b]
3	A social or recreational space at [COLLEGE ON Q3 or Q3b]
4	Elsewhere inside [COLLEGE ON Q3 or Q3b] or in the college grounds or carpark
5	At another college
6	A pub or bar used by [COLLEGE ON Q3 or Q3b] residents
7	Somewhere else (Please specify) _____
98	Don't know
99	Prefer not to say

[single]

**Q81 Was this most recent bullying or intimidation the only time it had happened to you or had it only occurred previously at that same place?**

1	The ONLY time it happened to me
2	Had also occurred previously at the same place

**IF ONLY TIME THIS HAPPENED (Code 1 ON Q81) ASK Q83**

**IF OCCURRED PREVIOUSLY (CODE 2 ON Q81) ASK Q82**

[single]

**Q82** Approximately how many months have you been subjected to this most recent experience of bullying or intimidation?

If you are not sure, please provide your best estimate.

1	Less than 1 month
2	1 to 3 months
3	4 to 6 months
4	7 to 12 months
5	More than 12 months
98	Don't know
99	Prefer not to say

[single]

**Q83** Was there more than one person directly involved in subjecting you to this most recent incident?

1	Yes – more than one person involved
2	No – just one person involved
3	Don't know

**IF SINGLE HARASSER (Code 1 AT Q83) ASKQ84**

**IF MORE THAN ONE HARASSER OR DOES NOT KNOW HOW MANY (CODES 2 or 3 ON Q83) ASK Q87**

[single]

**Q84** Was the bully or intimidator male, female or another gender?

1	Male
2	Female
3	Another gender
97	Don't know
98	Prefer not to say

[single]

**Q85 Did you know this person?**

1	Yes
2	No
99	Prefer not to say

[single]

**Q86 Was the person who bullied or intimidated you ...**

1	A [COLLEGE ON Q3 or Q3b] appointed leader (such as a Resident Fellow or Resident Tutor) A student elected leader (such as a Junior Common Room representative)
2	A[COLLEGE ON Q3 or Q3b] student leader
3	A student from some other college at UNE
4	A UNE student who does not live at a college
5	One of my lecturers or tutors
6	Some other UNE staff member
7	Someone not associated with UNE
8	Don't know
98	Prefer not to say

**IF SINGLE BULLY OR INTIMIDATOR (CODE 1 AT Q83) ASK Q91**

[single]

**Q87 How many people were directly involved in subjecting you to this most recent incident?**

1	Number
99	Don't know

[single]

**Q88** What was the gender of these people? (Please mark all that apply)

1	Male
2	Female
3	Another gender
97	Don't know
98	Prefer not to say

[single]

**Q89** How many of these bullies or intimidators were known to you?

1	All of them
2	Some of them
3	None of them
99	Prefer not to say

[multiple]

**Q90** Were any the people who bullied or intimidated you ... (Mark all that apply)

1	A [COLLEGE ON Q3 or Q3b] appointed leader (such as a Resident Fellow or Resident Tutor)
	A student elected leader (such as a Junior Common Room representative)
2	Some other student at [COLLEGE ON Q3 or Q3b]
3	A student from some other college at UNE
4	A UNE student who does not live at a college
5	One of my lecturers or tutors
6	Some other UNE staff member
7	Someone not associated with UNE
8	Don't know
98	Prefer not to say

[single]

**Q91** As far as you know, has any other resident of [COLLEGE ON Q3 OR Q3b] also experienced this type of bullying or intimidation?

1	Yes
2	No

**IF OTHER PEOPLE HAVE EXPERIENCED THIS BULLYING OR INTIMIDATION (CODE 1 ON Q91) ASK 92**

**IF NO ONE ELSE HAS EXPERIENCED THIS BULLYING OR INTIMIDATION OR DOES NOT KNOW/PREFERS NOT TO SAY (CODE 2 ON Q91) ASK Q94**

[single]

**Q92** And was the bully or intimidator the same person who bullied or intimidated you?

1	Yes
2	No
3	Don't know

[single]

**Q93** Would you say that this type of behaviour was very rare, rare, occurred sometimes or was common at the time it happened to you?

1	Very rare
2	Rare
3	Occurred sometimes
4	Common

**ASK ALL**

[multiple]

**Q102** The next question is about any bullying or intimidation of another person that may have occurred at [COLLEGE ON Q3 or Q3b] at any time since you started living there in [YEAR ON Q4]. At any time since you started living at [COLLEGE ON Q3 or Q3b] have you

1	Observed or witnessed another resident being bullied or intimidated by someone affiliated with, or living at your college?
2	Heard about it directly from a resident who was bullied or intimidated by someone affiliated with, or living at your college?
3	Heard about it from people other than the resident who was bullied or intimidated by someone affiliated with, or living at your college?
4	No – I haven't observed or heard about such bullied or intimidated [SINGLE]

**IF HAS NOT WITNESSED OR HEARD ABOUT BULLYING OR INTIMIDATION (CODE 4 AT Q102) ASK Q118**

**IF WITNESSED OR HEARD ABOUT BULLYING OR INTIMIDATION (CODE 1-3 AT Q102) AND STARTED LIVING AT THE COLLEGE IN 2018 (CODE 1 AT Q4) ASK Q118**

**IF WITNESSED OR HEARD ABOUT BULLYING OR INTIMIDATION (CODE 1-3 AT Q102) AND STARTED LIVING AT THE COLLEGE BEFORE 2018 OR DID NOT GIVE A YEAR (CODE 2-11 or 99 AT Q4) ASK Q103**

[single]

**Q103** In what year did the most recent incident you witnessed or heard about occur?

**PROGRAMMER DO NOT DISPLAY YEARS BEFORE RESPONDENT STARTED LIVING IN THE COLLEGE (BASED ON CODES 2 TO 11 ON Q4)**

1	2018
2	2017
3	2016
4	2015
5	Before 2015
99	Prefer not to say

The next questions are about available support and reporting processes at UNE.

**ASK ALL**



**Q118** Which of the following services provided by UNE for those affected by sexual harassment or sexual assault and rape are you aware of? Please indicate all of the services you are aware of.

1	Student Grievance Unit (SGU)
2	UNE Student Support Counselling Service
3	UNE Safety and Security
4	UNE International
5	Other services I am aware of (Please specify) _____
97	None of these
98	Don't know
99	Prefer not to say

[single]

**Q119** On a scale of 1 to 5 where 1 is not at all and 5 is extremely, how knowledgeable are you about each of the following?

		How knowledgeable are you				
		Not at all	A little	Somewhat	Very	Extremely
a	How sexual harassment or sexual assault or rape are defined at UNE?	1	2	3	4	5
b	Where to get help at (COLLEGE ON Q3 OR Q3b) if you or a friend experienced sexual harassment or sexual assault or rape?	1	2	3	4	5
c	Where to make a report about sexual harassment or sexual assault or rape at (COLLEGE ON Q3 OR Q3b)?	1	2	3	4	5
d	What happens when a student reports an incident of sexual harassment or sexual assault or rape at (COLLEGE ON Q3 OR Q3b)?	1	2	3	4	5

[single]

**Q123** On a scale of 1 to 5 where 1 is not at all and 5 is extremely, how likely is it that if someone were to report an incident of sexual harassment or sexual assault or rape to a staff member or student leader at (COLLEGE ON Q3 OR Q3b) that ...

		How likely is it				
		Not at all	A little	Somewhat	Very	Extremely
a	Student residents would support the person making the report?	1	2	3	4	5
b	The alleged offender(s) or their associates would retaliate against the person making the report?	1	2	3	4	5
c	The staff member or student leader would take the report seriously?	1	2	3	4	5
d	The staff member or student leader would protect the safety of the person making the report?	1	2	3	4	5
e	A fair investigation would be conducted?	1	2	3	4	5
f	Action would be taken against the offender(s)?	1	2	3	4	5
g	the staff member or student leader would take action to address factors that may have led to the sexual assault or sexual misconduct?	1	2	3	4	5

**IF PREVIOUSLY LIVED IN ANOTHER COLLEGE (CODE 1 ON Q5) ASK Q108**

**IF DID NOT PREVIOUSLY LIVE IN ANOTHER COLLEGE (CODE 2 OR 3 ON Q5) SKIP TO Q110**

**IF DID NOT PROVIDE NAME OF PREVIOUS COLLEGE (CODE 98 OR 99 IN Q6) SKIP TO Q110**

[multiple]

**Q108** You mentioned previously that you had lived at (COLLEGE IN Q6). What were the main reasons you left?

1	Had left/finished my studies
2	Could not afford the fees
3	I did not fit in
4	I was bullied or intimidated while living there
5	I was sexually harassed while living there
6	I was sexually assaulted while living there
98	Some other reason (Please specify) _____
99	Prefer not to say

[single]

**Q109** How long were you living at (COLLEGE IN Q6)?

1	Less than a month
2	1 to 3 months
3	4 to 6 months
4	6 months to a year
5	1 to 2 years
6	More than 2 years
98	Don't know
99	Prefer not to say

**ASK ALL**

Now, just a few questions about your current situation ...

[single]

**Q110** In what year did you start your current degree?

1	2018
2	2017
3	2016
4	2015
5	Before 2015
99	Prefer not to say

[single]

**Q111** Are you currently enrolled as an undergraduate or post-graduate student? If you have a concurrent enrolment, please select the highest level

1	Undergraduate
2	Post-graduate
3	Other
99	Prefer not to say

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[single]

**Q112 Are you a domestic or international student?**

1	Domestic student
2	International student
99	Prefer not to say

[single]

**Q113 What is your gender?**

1	Male
2	Female
3	Non-Binary
4	Other
99	Prefer not to say

[single]

**Q114 Are you of Aboriginal and/or Torres Strait Islander descent?**

1	Yes – Aboriginal
2	Yes – Torres Strait Islander
3	Yes – Both Aboriginal and Torres Strait Islander
4	No
98	Don't know
99	Prefer not to say

[single]

**Q115 Do you have a disability?**

1	Yes
2	No
3	Prefer not to say

[single]

**Q116** What is the main language spoken at home (not at college)?

1	English
2	Italian
3	Greek
4	Cantonese
5	Mandarin
6	Arabic
7	Vietnamese
8	Hindi
9	Punjabi
10	Spanish
11	Urdu
97	Other (Please specify) _____

[single]

**Q117** Which of the following best describes your sexual orientation?

1	Straight or heterosexual
2	Gay
3	Lesbian
4	Bisexual
5	Pansexual
6	Queer
7	Asexual or Aromantic
8	Undecided, not sure or questioning
9	Other (Please specify) _____
10	Prefer not to say

[single]

**ALL**

That is the final question in the survey. Thank you for your time and for your support. You have made a valuable contribution to the success of this important study.

In appreciation of the time you have taken to complete this survey you are invited to go in a draw to win one of two iPhone 8s.

The Promotor of this prize draw is Roy Morgan. In order to participate in the prize draw you are required to provide your contact details to the Promotor so that we can contact the prize winners. Your contact details will NOT be disclosed to any party other than the Promotor and, if required, the State Lottery Department. Winners' names may be published as required under the relevant Lottery Legislation. Prize draw terms and conditions can be found at <LINK>

Please provide your contact details:

<b>Name</b>	
<b>Phone Number</b>	
<b>Email</b>	

This research is carried out in compliance with the Privacy Act and Telecommunications and Research Calls Industry Standard, and the information you provided will be used only for research purposes.

We are conducting this research on behalf of the Australian Human Rights Commission.

**IF EXPERIENCED SEXUAL HARASSMENT OR ASSAULT (ANY CODE 1 ON Q80RQ9 OR Q45) OR IF WITNESSED SOMEONE ELSE BEING SEXUALLY HARASSED OR BEING ASSAULTED (ANY CODE 1 ON Q40 OR Q69) DISPLAY:**

Please note that your survey responses about any sexual harassment or assault you may have experienced or witnessed do not constitute a formal report of that sexual harassment, assault. If you would like to make a formal report of any of them, you may do so by contacting the police, the Australian Human Rights Commission, a state or territory anti-discrimination agency or the University of New England Student Grievance Unit.

**ALL**

Relaying experience(s) of sexual assault and/or harassment can be distressing. If your engagement with this survey has caused you any distress, you may wish to access counselling support through:

- Armidale Sexual Assault Counselling Service (02) 6776 9655
- 1800RESPECT 1800 737 732
- NSW Rape Crisis Centre 1800 424 017
- UNE Student Support Counselling Service (02) 6773 2897

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We are sorry but the survey can only be completed by students who are able to provide information about which UNE College they are currently a resident. Thank you for your interest in our study.

**PROGRAMMER DISPLAY COUNSELLING MESSAGE ON CLOSING SCREEN**

Reliving experience(s) of sexual assault and/or harassment can be distressing. If your engagement with this survey has caused you any distress, you may wish to access counselling support through:

- Armidale Sexual Assault Counselling Service (02) 6776 9655
- 1800RESPECT 1800 737 732
- NSW Rape Crisis Centre 1800 424 017
- UNE Student Support Counselling Service (02) 6773 2897









## Further Information

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