

**ANUSA and PARSA Recommendations
Sexual Assault and Sexual Harassment Survey
Universities Australia/Australian Human Rights Commission**

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Introduction

These recommendations from the ANU Students' Association (ANUSA) and the Postgraduate and Research Students' Association (PARSA) are informed by the work of the ANUSA Women's Department, Restorative ANU, End Rape on Campus (EROC), the Council of Australian Postgraduate Associations (CAPA) and the National Union of Students (NUS). ANUSA and PARSA have adopted many of the demands made at a national level and synthesized them for an Australian National University (ANU) context. These recommendations respond to the release of the University Sexual Assault and Harassment Survey (the Survey) results on August 1, 2017. It is the responsibility of the ANU to ensure a safe and supportive learning environment for the pursuit of academic, professional and personal growth. The ANU has a duty of care to all members of the University community: undergraduate students, postgraduate students, professional staff, and academic staff.

ANUSA and PARSA acknowledge the unpaid work of student advocates, the disproportionate burden on survivors in advocacy, and how unacceptable the current status quo is. Survivors deserve better and we all have a responsibility to do more.

ANUSA and PARSA acknowledge the need to capture the response of survivors of sexual violence to the results of the survey. Over the next six months we will facilitate avenues for survivors to make further recommendations to the ANU.

Note: in this document we refer to 'sexual violence' and 'sexual assault and sexual harassment (SASH)' interchangeably. We believe that sexual violence is a spectrum of unacceptable behaviour which can take different forms.



Mr James Connolly,
ANUSA President



Ms Alyssa Shaw,
PARSA President

RECOMMENDATIONS: Short term (within 6 months)

1. Provide specialised support staff in anticipation of the release the Survey results

On August 1, 2017 the University Sexual Assault and Harassment Survey will trigger a number of survivors - including survivors at ANU. This will cause an increased demand for specialised trauma counsellors, support staff, and other resources. We believe the best means of supporting this extra demand requires engagement with Canberra Rape Crisis Centre (CRCC) and ANU Counselling.

ANU must engage with CRCC and ANU Counselling in the lead up to the Survey release to ensure that they are appropriately funded and resourced in anticipation of this increase in demand.

- KPI: Provide CRCC and ANU Counselling with adequate funding to secure a locum specialised trauma counsellors experienced in working with students.**
- KPI: Engage with CRCC and ANU Counselling in supporting further communication of their services and resources to students.**
- KPI: Ensuring all staff in student facing roles are appropriately prepared and supported to respond to student disclosures.**

2. Provide safe and accessible information for survivors and their supporters

The ANU must work with ANUSA and PARSA in providing clear information on how survivors and their supporters can seek help and support from the ANU and specialist services. This needs to be easily accessible online and in other formats. This information should also be trauma informed.

- KPI: Online portals should direct students and staff to the "Respectful Relationships" ANU website as soon as actionably possible; to be updated fortnightly to reflect changes in services, context and based on student feedback.**
- KPI: In-course syllabus and orientation guides should contain this information beginning Summer Session 2017-2018.**
- KPI: SCAPA to communicate and coordinate with ANUSA and PARSA to provide online graphics and posters to inform the student body of resources and support services on campus, such as CRCC.**

3. Creation of an ANU Sexual Assault & Sexual Harassment (SASH) Taskforce

The ANU must create an ANU Sexual Assault and Sexual Harassment (SASH) Taskforce. This will act as a steering group to oversee the design and implementation of a whole-of-university approach to combatting sexual assault and sexual harassment, and supporting survivors in the ANU community. The Taskforce must be adequately resourced by the Senior Management Group, chaired by an independent, outside expert. The Taskforce must report to the University Council under the Student Safety Report, which is a standing agenda item. This group should consist of staff with operational responsibility in this area and student representatives working in partnership with PARSA and ANUSA.

- KPI: We expect the membership and terms of reference of this Taskforce to be finalised within two months and a first meeting to be held before 1 October 2017. The membership and contact information for this Taskforce must be made publically available. The Taskforce will release progress reports after each meeting.**

KPI: We expect the terms of reference of this Taskforce to be focused on reducing sexual assault and sexual harassment at ANU and for their work to be framed by a Strategy similar to ANU's Mental Health Strategy.

KPI: We expect this Taskforce will meet regularly in order to make substantive progress.

4. Engage in a process of restorative justice

The ANU must seek to make amends for its past and present mishandling of incidents and acknowledge that this has silenced survivors and failed to hold perpetrators accountable. We believe the best way to move forward is to design and implement a restorative process between victims of sexual violence and ANU management. The end goal of this restorative process should be a genuine, meaningful, and public apology delivered by the Vice Chancellor to survivors in the ANU community who have been harmed by official responses to their victimisation.

It is expected that this process will engage the School of Regulation and Global Governance (RegNet)'s Centre for Restorative Justice, the ACT Restorative Justice Unit, the Canberra Restorative Communities Network, and student-led group Restorative ANU. A similar process is being undertaken at RMIT, led by their Centre for Innovative Justice.

KPI: We expect the scope and design of the process to be finalised within three months, and to have a public announcement by the start date by 1st November 2017.

KPI: We expect a public apology made by the Vice Chancellor after the restorative process takes place.

5. Review of policy, processes and protocols to create a centralised Sexual Assault and Sexual Harassment Policy for ANU

ANUSA and PARSA note the ANU's engagement of an external provider to commence a review of policies, processes and protocols for survivors and perpetrators of sexual assault and harassment. ANUSA and PARSA reiterate demands that such a review include meaningful and safe opportunities for survivors and student representatives to give feedback.

The review must be conducted in partnership – of co-creation and regular reporting – with student representatives. We would like to see the recommendations and work that has been done by student leaders and stakeholders in the past included. It must produce an accessible, centralised policy that facilitates a culture of belief for survivors and avenues for accountability for perpetrators.

We expect this to include:

- a) Definitions of relevant terms, such as sexual assault and sexual harassment. These terms should be developed with the input from specialist and be expansive to include a spectrum of experiences;
- b) A clear outline of the reporting processes within the University;
- c) Designating senior management responsibility for reporting;
- d) Providing information on internal and external support organisations;
- e) Highlighting the rights and responsibilities of students and staff;
- f) Articulating how data is captured, monitored, evaluated and reported on, including monitoring student satisfaction with reporting sexual violence;

- g) Making clear possible avenues for perpetrator accountability, in accordance with discipline and misconduct rules, clarifying the University's responsibility and powers relating to internal investigations;
- h) Developing university responses to online harassment;
- i) Articulating the differences between disclosing and reporting and what obligations University officials have regarding this; and
- j) Taking account of marginalised identities.
- k) The ANU must consider a way for accounting for micro-incidents of sexual assault and sexual harassment.

KPI: We expect this external review process to produce:

- a) a draft centralised sexual assault and sexual harassment policy for ANU, and
- b) a set of resource recommendations to accompany this draft policy.

KPI: We expect each of the concerns listed above to be addressed in the final report, which will be reviewed and approved by a working group including the PARSA and ANUSA presidents, PARSA and ANUSA Women's Officers, and Pro-Vice-Chancellor for student experience before it is presented to be passed at the next ANU Council meeting before 1 December 2017.

RECOMMENDATIONS: Medium term (6 months – 2 years)

6. Resourcing: engaging specialised staff to support students

Adequate and specialised support is needed within the ANU. Noting the engagement of an on-campus Counsellor from the Canberra Rape Crisis Centre, jointly funded between ANUSA and the ANU, the ANU must commit to fully funding this position after the duration of the three year arrangement. In the medium term, the ANU must look to ensure that support level staff as well as reporting and investigative staff (such as the Dean of Students) are adequately trained and resourced to respond responsibly to all disclosures, reports and to support students in a timely and trauma-informed manner.

The ANU must recognise the need for independence and specialised expertise in supporting students experiencing sexual assault and harassment, and that such roles would be well executed through the establishment of an independent office. There is precedent for a central co-ordinating office, such as the Sexual Violence and Prevention Response Officer at the University of British Columbia, and the Office of Sexual Violence Support and Education at Ryerson University.

Any specialised support staff should have an extensive knowledge of the spectrum of sexual assault and sexual harassment, and its relationship with sexist attitudes. The ANU staff responsible for sexual assault and sexual harassment policy, reporting and investigation should work closely with these specialised support staff.

We expect that any specialised staff understand the need to develop ANU's capacity to support marginalised groups, including indigenous students, queer* students, students with disabilities, international students, higher-degree by research students, online students, and students from regional, rural, remote areas.

- KPI: Ensure the on-campus Canberra Rape Crisis Centre staff are adequately supported structurally, are integrated into existing internal paths of reporting and referral, and that funding from the ANU is secured past the existing 3 year contract.**
- KPI: By Semester 1 2019 establish an independent office that provides and coordinates student support and investigation relating to sexual assault and sexual harassment on campus, and engage and fund staff in this capacity.**
- KPI: Commit to an ongoing review of the ANU's capacity to serve students of marginalised identities and collect student feedback to inform improvement in this area.**
- KPI: We expect the university to begin reporting on wait times for students requiring support, with the goal to ensure wait times for crisis and regular support is reasonable, and to make the results of this reporting available to internal stakeholders by mid-2019.**

7. Reform reporting and investigative structures to affirm the agency and confidentiality of survivors and hold perpetrators accountable.

Underreporting prevents us from understanding and addressing sexual assault and sexual harassment. Sexual assault and sexual harassment constitute a spectrum of behaviour and given this, a range of solutions and interventions to inappropriate behaviour are necessary:

- A central office and identified staff position/s for the coordination of reporting and investigation. As discussed above, a central and independent office is ideal. The centralised office should be responsible for investigating and acting upon reports of sexual assault and sexual harassment in order to guarantee the safety of students, and ensure appropriate intervention. Clear identification of places and positions in the University will enable easier access for reporting.
- The creation of confidential, anonymous and robust reporting systems. Reporting procedures should include options to report in person, or online. An easily accessible, trauma informed, online reporting form should be developed. Systems such as Project Callisto offer reporting solutions that are key to addressing inappropriate behaviours that violate community standards, and can contribute to addressing underreporting. This reporting should be accessible in respects to all aspects of the University where sexual assault could occur, including in academic settings and residential halls and colleges. These reports should be overseen by the central office.
- When it comes to internal university investigations, any centralised office or staff should understand that confidentiality, accountability, and keeping the survivor informed are all paramount to any internal investigative processes that are respectful and helpful to student survivors. Key position/s and officers identified for reporting purposes should be given specialist training to support their roles, including how to maintain confidential case files, communicating with survivors throughout the process, and upholding survivors' rights to who can access their information and decisions along the investigative process.
- Survivors and ANU community members have been dismayed at a lack of institutional willingness to hold known perpetrators accountable. It is unacceptable that survivors are told to pursue and expect a criminal justice outcome, when it is within the university's power to sanction perpetrators and ensure community safety. We believe that in addition to the powers already afforded the university under the *Discipline Rule*, restorative practices provide an important avenue for perpetrator accountability. We expect that any centralised office or staff members will prioritise interventions for perpetrator behaviour.

- KPI: Create a central office and separate staff position/s to coordinate the collection of reporting information and conduct internal investigations by Semester 1 2019. This office will:**
 - **Create confidential, anonymous and robust reporting options.**

- **Review mandatory reporting requirements and wherever possible ensure de-identification is an option to maintain confidentiality of survivors.**
- **Ensure internal university investigations are conducted confidentially, case files are retained for external accountability.**
- **Ensure all university staff are trained to keep the survivor informed of all processes and input at decision points, and are resourced to respond and proceed all cases in a timely and satisfactory manner.**
- **Are empowered to respond to perpetrators of sexual assault and harassment with appropriate sanctions, including engaging survivors and perpetrators in a restorative justice process.**

8. Community standards

The ANU should implement Community Standards for all university members. Similar to a code of conduct, the Community Standards will articulate the shared values and expected behaviour from members of the ANU community. These Standards will be binding on all students and staff, and must be read and agreed to as a condition for entering the University. This document must be created in collaboration with students and staff, and holds individuals accountable for their behaviour. The Community Standards should be readily accessible to all students and adaptive to ongoing feedback.

KPI: The ANU Community Standards document will be publicly announced and implemented by mid-2018, and be automatically attached to all staff and accommodation contracts, and student enrolments.

9. Pre-arrival information & training for all students on consent

The ANU should make it compulsory for all students to complete the consent training. Mandatory consent training should be reviewed to incorporate findings of AHRC survey.

KPI: Mandatory consent training will be tied to all students' ISIS enrolment by 2019. In-person delivery of mandatory consent training by specialist professional educators will form part of the ANU's official orientation program for all new, incoming domestic and international students by 2019.

KPI: The consent training must be best practice and suitable for a diversity of students.

10. Training for staff and students receiving disclosures

Professional and academic staff, as well as student representatives and residential hall leaders are often the first responders in supporting survivors of sexual violence. Due to the lack of community trust in ANU staff, students are currently overburdened with supporting survivors. It is essential that people in these positions have access to training so that they can respond effectively to the needs of students. It must also be acknowledged that receiving disclosures of sexual assault and sexual harassment can be traumatising or re-traumatising. The ANU must commit to funding "responding to a disclosure of sexual response" training, including vicarious trauma training.

KPI: A commitment to expanding disclosures of sexual response and vicarious trauma training to student representatives, academic and professional staff and residential student leaders.

11. Stronger systems to support students in residential environments

Residential halls and colleges are a specific site of concern in the ANU because of the potential for toxic cultures to develop, as well as power imbalances between staff and students, between student leaders and student residents, and between the residents themselves. If ANU is to have a large on-campus population then clear policies and procedures are needed to ensure that students living in residential communities are safeguarded from possible abuses of power, and should abuses of power occur, that residents of the halls have clear options to ensure their immediate safety. This should include:

- Clear policies and controls regarding the remit of student leader positions and staff in residential areas;
- Policies on room access must require reasonable notification before a resident's room is entered;
- Policies on reporting and responding to sexual assault must include options to report to ANU or external organisations;
- Policies that re-establish safety for affected students (e.g. reallocating rooms, setting physical boundaries, increased pastoral support, restricting access to certain events etc.). These policies should place the onus on the perpetrator and not the victim to relocate or restrict their physical boundaries;
- Consent, responding to disclosures of sexual assault and vicarious trauma training should be mandatory for all student leaders and staff who are likely to receive disclosures of sexual assault within residences;
- The ANU Community Standards document should be binding on all staff and residents in ANU-owned student accommodation. Affiliated colleges should develop community standards that mirror the ANU community standards document, is binding on all staff and residents at the college, and specifically targets sexual misconduct;
- Residential Halls and affiliated colleges must seek to make amends for its past and present mishandling of disclosures of sexual violence that has silenced survivors and fails to hold perpetrators accountable. They should offer opportunities to survivors to design and implement a restorative process between victims of sexual violence and Hall and College administrators. This can occur in conjunction with a university-wide process and should be developed in close consultation with relevant restorative practice stakeholders, including Restorative ANU.

KPI: We expect policies to be developed around each of the policy areas listed above by Semester 1 2019. Training for staff and students should be fully funded and implemented by Semester 1 2019. The ANU Community Standards document and Affiliated College equivalents should be publicly announced and implemented by Semester 1 2019, and be automatically attached to all staff and accommodation contracts.

12. Higher Degree by Research (HDR) and Honours student supervisor support

We know that Higher Degree by Research (HDR) students are at greater risk of experiencing sexual assault and sexual harassment, for a variety of reasons, including social isolation and the power imbalance between HDR students and their supervisors. HDR students are extremely reliant on supervisors for academic and professional support and success, and when supervisors are engaging in sexual violence, HDR students have few avenues for recourse. This is also applicable to Honours students.

There are a range of issues that ANU needs to address in order to mitigate this problem, including:

- The ANU must be aware of every staff member in a supervisory role, and be able to communicate with these supervisors;
- Empowering students by ensuring they know their rights and responsibilities; and,
- Enable regular and confidential reporting by HDR students on supervisor behaviour.

KPI: The ANU needs to ensure that HDR students are being engaged by the ANU outside of their supervisor. There needs to be adequate support for HDR students so that they are not reliant solely on supervisor relationships.

KPI: Information regarding sexual assault and sexual harassment policy and resources for HDR students needs to be developed in collaboration with PARSA and included in induction programmes.

KPI: The ANU must insist on mandatory training for supervisors. The ANU can ensure this training is completed by embedding this competency within performance standards. Mandatory training should include how to effectively supervise and ethical codes of behaviour.

RECOMMENDATIONS: Long term (2 years – 5 years)

13. Students are valued as equal members of the ANU community

The engagement of a full-time Counsellor from the Canberra Rape Crisis Centre is an example of how students and the ANU can work in partnership to address the issue of sexual assault and sexual harassment on campus. An ANU Student Partnership Agreement with ANUSA and PARSA must have the remit and resourcing capability to allow student representatives to inform problem identification and the development of responses. This is ideally a Partnership Agreement endorsed by ANU Council. This not only involves representation in steering groups and committees but affords opportunities to engage the wider student population for feedback and input. Students need to be treated as equal partners, and their perspectives valued and considered in regards to this issue and in the general business of the ANU. Student perspectives are crucial in making positive and meaningful changes to the ANU, including making the systemic and complex cultural and structural changes needed to significantly reduce sexual assault and sexual harassment.

KPI: Create a Student Partnership Agreement led by ANUSA and PARSA. This Agreement should be endorsed by ANU Council.

14. A commitment to ongoing reporting and periodic reviews

Ongoing reporting on sexual assault and sexual harassment incidents, and periodic reviews of policies, protocols and procedures will be essential for monitoring and evaluating the effectiveness of the ANU's work in addressing this issue. This involves ensuring feedback and consultation to evaluate the effectiveness of the ANU's work.

KPI: The Strategic Plan on Reducing Sexual Assault and Sexual Harassment on campus will set specific targets and be included in the Healthy Universities operational plan under Student

Experience, and be periodically reviewed, updated and reported on by the Sexual Assault and Sexual Harassment Taskforce.

15. Commitment to a future survey

A follow up survey is strongly recommended in order to track the experiences of students over time. Noting that the lifecycle of students can vary in duration, a future survey will still be essential in testing the success of the ANU's action in addressing this issue.

KPI: The Strategic Plan on Reducing Sexual Assault and Sexual Harassment on campus will include future surveys of student experience, and satisfaction with the University's policies, procedures and responses on this issue. The data will be publicly released and reviewed by the Sexual Assault and Sexual Harassment Taskforce to inform future co-ordinated action. Ideally this would take place alongside another nationwide survey.