

## AUSTRALIAN HUMAN RIGHTS COMMISSION

### National Report on Sexual Assault and Sexual Harassment at Australian Universities

#### Deakin Response to Recommendations for Universities

##### BACKGROUND

The Australian Human Rights Commission (AHRC) Report on sexual assault and sexual harassment at Australian Universities has been received. The Report contains nine recommendations. Set out below is each of the recommendations with Deakin's response of work that has been done as at 1 August 2017 and what is still required to be done.

##### AHRC RECOMMENDATIONS AND DEAKIN'S RESPONSES

###### Recommendation 1

Vice-Chancellors should take direct responsibility for the implementation of these recommendations, including decision-making and monitoring and evaluation of actions taken.

To assist and advise them in this respect, Vice-Chancellors should have an advisory body within their institution which has responsibility for guiding the implementation of the recommendations made in this report.

The advisory body should report directly to the Vice-Chancellor of each university and include representatives from:

- university's senior leadership
- student body
- academic staff
- residential colleges affiliated with the university
- Student services such as: counselling services, medical services and campus security, and
- frontline sexual assault services.

The advisory body should be responsible for developing an action plan for the implementation of these recommendations.

The development of an action plan should involve broad and extensive consultation with all relevant stakeholders from the university community and, where relevant, the wider community. The advisory body should also seek independent expertise where relevant and draw on existing research and best practice.

The advisory body should assess and publically report on the university's progress towards implementation of these recommendations within 18 months of the release of this report. From then on, public reporting on progress should occur on an annual basis.

###### University Response

The membership and terms of reference of Deakin's existing *Respect Now Always* (RNA) Strategy Group will be adjusted to reflect the Commission's recommendation. The Vice-Chancellor, who has led the response to date, will chair the new advisory body.

The University has an RNA Action plan in place. This plan will be reviewed and updated to incorporate all of the Commission's recommendations including public reporting of progress.

Deakin's broad based RNA Reference group will be maintained as part of the consultation and communication framework.

## **Recommendation 2**

Universities develop a plan for addressing the drivers of sexual assault and sexual harassment that:

- provides students and staff with education about: behaviours that constitute sexual assault and sexual harassment, consent and respectful relationships, 'violence supporting attitudes' and bystander intervention, and
- identifies existing resources and communications campaigns that reinforce key messages of education programs for dissemination to staff and students.

Education programs and communications should:

- target all levels of the organisation - current and future students, staff, residential colleges, public transport to/from university, sports clubs, student societies and student unions
- be based on best practice and research
- be developed and delivered by individuals and/or organisations with expertise in sexual violence prevention
- be developed in consultation with university students, and
- include measures for evaluating and refining the actions taken.

## **University Response**

Student and staff education has commenced with

- Implementation of an enhanced staff compliance-training program, including tracking and verification of completion of compulsory modules.
- Sexual Ethics and Consent Education module launched early July 2017. All students are automatically enrolled and staff are encouraged to complete the program. To 28 July, 98 staff and 2010 students had completed this module with an 87% pass rate.
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- Bystander Empowerment training has commenced, initially targeting students in leadership roles and front line staff.
- Training and education for residential students and residential leaders has been enhanced.
- The Deakin University Students Association has developed a comprehensive training and compliance program for student clubs and societies. This program is initially being targeted to student groups planning and conducting events, particularly off-campus.

Through the Vice-Chancellors advisory group a comprehensive education and training program that incorporates all aspects of the Commission's recommendation will be developed.

## **Recommendation 3**

In order to ensure students and staff know about support services and reporting processes for sexual assault or sexual harassment, universities should:

- widely disseminate information about university reporting avenues to staff and students
- widely disseminate information about internal and external services to staff and students, including: university counselling and medical services, campus security, local sexual assault services, police, medical centres, hospitals, counselling services and anti-discrimination agencies
- ensure that information about internal and external reporting procedures and support services is displayed clearly, in logical place(s) on the university website
- ensure that information about internal and external reporting procedures and support services is provided to students as part of their orientation into university and to new staff as part of their human resources induction/on-boarding

- ensure that information about internal and external reporting procedures and support services is accessible to all students and staff, including: people with disability, people from CALD backgrounds, and
- develop relationships with external services (local sexual assault service, local hospital) to enable referral of students to these services where necessary.

Universities should evaluate the activities undertaken to increase awareness of support services and reporting processes to ensure that these measures have been effective in increasing awareness among staff and students.

### **University Response**

The measures identified in this recommendation are largely in place. However, the Deakin and national survey data reveal that around 50% of students are not aware of where to access support and/or where to lodge a complaint.

The prominence and accessibility of relevant information has been improved in the lead up to the release of the AHRC reports but we have significant work to do to achieve sustained improvement. This will be a key priority for the Vice-Chancellors RNA Advisory Group.

### **Recommendation 4**

In order to ensure that actions taken by universities to prevent and respond to sexual assault and sexual harassment are appropriate, within a year of the release of this report, universities should commission an independent, expert-led review of existing university policies and response pathways in relation to sexual assault and sexual harassment. This review should assess the effectiveness of existing university policies and pathways and make specific recommendations to universities about best practice responses to sexual assault and sexual harassment.

In the interim, and at an institutional level, universities should draw on sexual violence counselling expertise to develop and review processes for responding to sexual assault and sexual harassment of students to ensure that they:

- secure the immediate safety and wellbeing of the individual who has experienced the sexual assault or sexual harassment
- are clear and accessible
- provide individuals with control over what happens to their report
- have the flexibility to suit individual circumstances
- provide students with support to continue with their studies
- provide specialist support, from someone who has specialist expertise and training in sexual assault, sexual harassment and trauma counselling of sexual assault survivors, and
- accommodate the needs of students from a diverse range of backgrounds.

### **University Response**

The Commission's recommendation for an independent, expert led review of our policies and related procedures is accepted.

We have recently enacted a new stand-alone Sexual Assault policy and procedure drawing on external and internal expert advice. Feedback is being collated as we operationalise these documents and the feedback will help to inform a broader review early in 2018.

### **Recommendation 5**

Universities should conduct an assessment to identify staff members and student representatives within their institution most likely to receive disclosures of sexual assault and sexual harassment.

Universities should ensure that these staff members and student representatives receive training in responding to disclosures of sexual assault and sexual harassment, delivered by an organisation with specialist expertise in this area.

### **University Response**

Implementation has commenced and is progressing.

350 staff determined to be more likely to receive disclosures of sexual harassment and assault have been identified and provided with specific advice and resources on how to receive and respond to a disclosure. Formal training of these staff has commenced (60 trained to date) and will be expanded over 12 months to include around 1,000 staff.

### **Recommendation 6**

Universities should ensure that information about individual disclosures and reports of sexual assault and sexual harassment is collected and stored confidentially and used for continuous improvement of processes including:

- details of the complaint/incident
- steps taken to respond to the complaint/incident, i.e.: whether the individual reported to police, whether the perpetrator was moved a different lecture/tutorial
- support or assistance received, i.e.: whether the person received counselling from university services, whether they received support from an external sexual assault service
- time taken to respond to the report and/or refer the person to support services, and
- any feedback provided by the complainant/respondent in relation to the process.

Access to this information should be limited to staff members with responsibility for responding to disclosures and reports and those responsible for improving university responses to disclosures and reports.

On a regular basis - at least every six months - Vice-Chancellors should be provided with de-identified reports of this data, including any trends or identifiable concerns which arise, along with recommendations for any necessary improvements to processes.

### **University Response**

Information about disclosures is currently recorded and stored confidentially in accordance with this recommendation. The Vice-Chancellor is kept advised on an annual basis or as required.

The Vice-Chancellor's advisory body will lead a review of data capture, storage and reporting to ensure robustness and confidence in the processes and to implement improvements as necessary to establish a formal recorded process.

### **Recommendation 7**

Within six months of this report, but at soon as possible, universities should conduct an audit of university counselling services to assess:

- the capacity of the university counselling services to respond to students' requests for counselling in an appropriately timely manner, and

- how many university counselling staff have received training in working with sexual assault survivors.

As part of this audit, universities should collect data on:

- the average length of time students are required to wait to see a university counsellor, and
- the number of urgent/crisis requests for counselling received.

This data should be assessed to determine whether additional counselling services are required to meet the urgent needs of students who have experienced sexual assault or harassment.

If additional counselling services are required, universities should ensure that these additional resources are in place as soon as practicable.

### **University Response**

University counselling resources were increased in 2017 in response to increasing demand and lengthening waiting times. This has resulted in maximum waiting times of approximately 7 days in peak periods and same day access to service for students in genuine crisis.

Counselling resources have been further increased in the short term in anticipation of an increase in demand for service resulting from the release of the AHRC reports.

An audit of capacity, training, waiting times and number of urgent request for counselling will be completed in 2017.

### **Recommendation 8**

Universities should engage an independent body to conduct the *National university student survey of sexual assault and sexual harassment* at three yearly intervals to track progress in reducing the prevalence of these incidents at a sector-wide level.

### **University Response**

Deakin University supports the implementation of this recommendation through Universities Australia and will participate in that discussion.

### **Recommendation 9**

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 their 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 twenty-four hour residential setting in which large numbers of young people are living away from home, and
- the level of adequacy of training required to equip residential advisors to serve as first responders or in response to matters of sexual assault and harassment.

## **University Response**

Deakin Residential Services (DRS) is wholly owned and operated by the University and staffed by University employees. Therefore all University policies and procedures apply and are being enacted within the residential environment.

DRS has implemented a RESPECT program that includes training of staff, student residential leaders and residents in respectful behaviours and attitudes, including but not limited to sexual ethics and consent. The resources and expertise of University counselling, Safer Community Service, security and other University services are available to and utilised extensively by DRS.

We recognise that student residences are potentially a higher risk environment and therefore the Commission's recommendation for an independent expert-led review is endorsed and will be implemented.

### **ADDITIONAL ACTIONS COMPLETED OR UNDERWAY**

- ✓ Domestic and Family Violence (staff and student support) Policy launched April 2016.
- ✓ Central point for reports – Established Safer Community Service as central point for disclosure, reporting and referral.
- ✓ Information on how to report and what to expect when reporting
  - Easier to find – including from public web home page.
  - Promoted heavily to students and staff – VC emails, staff and student newsletters, social media, on-line portals...
- ✓ Student and Staff Training/Education
  - Bystander Empowerment training commenced – ongoing
- ✓ Staff Compliance Training – Mandatory training completed
  - Discrimination and Harassment
  - Code of Conduct
  - Health and Safety for Managers
- ✓ Staff Compliance Training – Commenced development of new modules specifically on Sexual Violence and Consent.

Senior University Managers: over 80 have been briefed and provided with information to disseminate to their staff.

Student Involvement: Our independent Student Association, DUSA, has been part of discussions for the last 12 months. The Student Association Board has also been comprehensively briefed AND invited to critique what we are doing.

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