Review of ANU residences’ response to sexual assault and sexual harassment

Australian National University (ANU)

13 December 2018
Warning: This report contains detailed discussion of sexual assault and sexual harassment, including summaries of consultation with survivors. Some readers may find its content distressing.

If anything in this report has affected or distressed you, you can contact the following support services:

- 1800 RESPECT — 1800 737 732
- Ambulance and Emergency Departments — 000
- Canberra Rape Crisis Centre — 02 6247 2525
- Crisis Assessment and Treatment Team — 1800 629 354
- Domestic Violence Crisis Service — 02 6280 0900
- Lifeline — 13 11 14
- MensLine Australia — 1300 78 99 78
- Mental Health Line — 1800 011 511
- Suicide Call Back Service — 1300 659 467

If you are a student or staff member of the ANU, the following agencies may also be available to you:

- ANU Counselling — 02 6125 2442
- ANU Health Service — 02 6125 3598
- Adviser to Staff — 02 6125 8283 or 02 6125 3616
- Employee Assistance Program — 1800 808 374

If you have experienced sexual assault or sexual harassment and would like to speak to someone for support or information, 1800 RESPECT (1800 737 732) is available 24 hours a day, seven days a week.
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1 Executive summary

Like many others, the Australian National University (ANU) is a university in transition in relation to sexual assault and sexual harassment. The ANU is moving quickly to respond to the findings of the Australian Human Rights Commission’s landmark report, *Change the Course*, and is implementing a range of changes in response to each of the report’s recommendations. This report builds on that momentum. With ANU’s residences at its core, it provides recommendations to further strengthen the prevention of, and response to, sexual assault and sexual harassment across the University.1

In May 2018, the ANU commissioned Nous Group (Nous) to undertake a review of the factors which contribute to sexual assault and sexual harassment in its student residences (the Review). The Review is a direct response to the ninth recommendation in *Change the Course*, which identified student residences as a particularly high-risk environment.

Nous undertook a student-centred review of sexual assault and sexual harassment across the University’s thirteen student residences. The Review used a multi-pronged methodology, which included a survey of current residents, residential student leaders, and alumni; focus groups with representatives of each residence; and individual interviews with residential staff, relevant university staff, and student residents. Our consultations included survivors of sexual assault and sexual harassment. The Review was extensive in its reach and included all students who requested a confidential interview.

Our conceptual framework was the residential ‘lifecycle,’ an interpretation of residential life that maps students’ experiences across three stages: arrival at the residence, day-to-day residential culture, and responses to incidents of sexual assault and sexual harassment. Through analysis and consultation, we assessed residences for alignment with best practice at each of these stages.

The Review found a strong and positive culture in many residences, including high levels of satisfaction with residential life and community. At several residences, students observed significant positive change in recent years. Initiatives around event management, such as responsible service of alcohol and alcohol-free events, have received resident support and appear to be having a positive influence. There was little evidence of hazing incidents, in contrast to earlier media reports.

Overall, consultation indicated that both staff and students are committed to the effective prevention of sexual assault and sexual harassment. However, there was a degree of confusion about the best course of action when incidents do occur. The Review identified a significant level of dissatisfaction among residents and student leaders regarding recent responses to sexual assault and sexual harassment, both within residences and at the broader university.

We urge the ANU and its residences to address this as a priority. Alongside a sustained preventative focus, a transparent, consistent approach to responding to sexual assault and sexual harassment is critical. A streamlined process will deliver better outcomes to individual students, build safer communities, and strengthen trust across ANU’s residences and its leadership. In the near future, an increased rate of reporting should be interpreted as a sign of climbing confidence in the ANU response, and as a likely indication that more survivors are getting access to the support that they need.

In addition to steps already taken, there is more the ANU can do to signal its commitment to implementing a preventative, zero-tolerance approach to sexual assault and sexual harassment. At the cultural level, opportunities for improvement relate to setting shared expectations, offering more regular and more consistent training, and ensuring a sustainable, supportive pastoral care model. Within responses to sexual assault and sexual harassment, our recommendations focus on establishing and improving the consistency, transparency, and visibility of the pathways for reporting and the penalties delivered when sexual assault and sexual harassment do occur.

Our recommendations are outlined in Table 1 overleaf.

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### Table 1 | Review recommendations

<table>
<thead>
<tr>
<th>Recommendation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Recommendation 1</strong></td>
<td>The ANU develop, finalise, and communicate a clear, standalone policy that articulates their position on, response to, and administrative arrangements for sexual assault and sexual harassment that takes place anywhere on campus.</td>
</tr>
</tbody>
</table>
| **Recommendation 2** | The ANU set mandatory standards for all residences in relation to the level of experience required to perform a pastoral care role:  
- All Senior Residents/Residential Advisors must have appropriate skills and meet minimum requirements for training. Where possible, they should be in at least their third year of study or postgraduate.  
- Roles which oversee Senior Residents/Residential Advisors should be full-time professional roles (e.g. Residential Deans of Students) or, at minimum, postgraduate students employed at 0.5 FTE or above.  
- Remuneration and employment conditions should be sufficient to ensure that residences have a competitive pool of applicants for pastoral care roles, where all applicants meet the mandatory standards. |
| **Recommendation 3** | All residences introduce and implement a process through which student leaders who have received a disclosure (identified or non-identified) participate in a follow-up meeting, with a staff member who has the relevant skills to offer support and ensure access to professional services. |
| **Recommendation 4** | All residences put in place measures to improve the initial response to disclosures of sexual assault and sexual harassment. This should include the following actions:  
- Proactively provide professional support to all residents who disclose sexual assault or sexual harassment.  
- Communicate to survivors — and residents more broadly — that they have a range of choices after experiencing sexual assault or sexual harassment, and that these choices extend beyond pursuing criminal charges.  
- Monitor the extent to which student leaders understand and follow the protocols for responding to sexual assault and sexual harassment, and examine the factors driving non-compliance. |
| **Recommendation 5** | The ANU develop a single sexual assault and sexual harassment incident reporting form that is used throughout the University and tracked on a single platform overseen by the Respectful Relationships Unit. Its data should be used to produce annual, public, de-identified reporting on sexual assault and sexual harassment incidents at the University, and the actions taken in response to it. |
| **Recommendation 6** | The Respectful Relationships Unit becomes the coordination point for all reports of sexual assault and sexual harassment and refers to ANU pastoral care and investigation functions as appropriate. |
| **Recommendation 7** | The ANU establish and resource:  
- A sexual assault and sexual harassment pastoral care and support function, which has capacity to provide support to survivors and alleged perpetrators within 24 hours. This function should observe practices of separating support provided to survivors and alleged perpetrators, |
including scheduling appointments with separate counsellors and at different times of the day.

- A single sexual assault and sexual harassment investigation function, centralised within the Office of the Registrar of Student Administration. This function should align investigation and resolution practices — including appeals processes — with best practice and be staffed by individuals with the requisite skill sets.

<table>
<thead>
<tr>
<th>Recommendation 8</th>
<th>The Respectful Relationships Unit proactively builds and maintains a strong relationship with ACT Policing, through initiatives including the development of a role with a police liaison function and the provision of quarterly incident reporting.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recommendation 9</td>
<td>The ANU adopt and widely promulgate a clear set of consequences pertaining to sexual assault and sexual harassment.</td>
</tr>
<tr>
<td>Recommendation 10</td>
<td>The ANU review current, university-wide materials in relation to sexual assault and sexual harassment — including web-based publications — and align them with best practice.</td>
</tr>
<tr>
<td>Recommendation 11</td>
<td>The ANU develop and implement a communications strategy that ensures regular, proactive communication on the University’s response to sexual assault and sexual harassment.</td>
</tr>
<tr>
<td>Recommendation 12</td>
<td>The ANU implement Residential Cultural Change Plans, with annual monitoring and reporting from all residences, to assess the extent to which residences are maintaining positive, supportive, and inclusive cultures that minimise sexual assault and sexual harassment. Good practice identified through this process should be regularly and formally shared across the residential community.</td>
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2 Introduction

In August 2017, the Australian Human Rights Commission (AHRC) released Change the Course: National report on sexual assault and sexual harassment at Australian universities. The report documented significant levels of sexual assault and sexual harassment occurring on university campuses across Australia. University residences were identified as particularly high-risk sites. The report made nine recommendations for reform, the ninth of which proposed that “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.”

The ANU accepted and committed to implement each of the nine recommendations outlined in Change the Course. Consequently, the ANU commissioned Nous to conduct a Review of the factors which contribute to sexual assault and sexual harassment at all ANU-owned, ANU-affiliated residences and commercial residences on (or very close to) the ANU campus. These residences are as follows:

Table 2 | ANU residences (categorised by ownership)

<table>
<thead>
<tr>
<th>ANU-owned</th>
<th>ANU-affiliated</th>
<th>Commercially operated</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bruce Hall</td>
<td>Burgmann College</td>
<td>Davey Lodge</td>
</tr>
<tr>
<td>Burton and Garran Hall</td>
<td>John XXIII College</td>
<td>Kinloch Lodge</td>
</tr>
<tr>
<td>Fenner Hall</td>
<td>Lena Karmel Lodge</td>
<td></td>
</tr>
<tr>
<td>Graduate House</td>
<td>Warrumbul Lodge</td>
<td></td>
</tr>
<tr>
<td>Toad Hall</td>
<td></td>
<td></td>
</tr>
<tr>
<td>University House</td>
<td></td>
<td></td>
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<tr>
<td>Ursula Hall</td>
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</tr>
</tbody>
</table>

This document is a consolidated report of the findings across all residences at the ANU. It delivers twelve recommendations for the ANU to implement alongside their current initiatives, in order to create an effective, university-wide response to sexual assault and sexual harassment. This report complements a suite of twelve additional cultural change plans — also provided to the University — that outline changes to be implemented at each residence, at an individual level.

To build on the guidance provided in Change the Course, the ANU provided nine terms of reference for the Review. Accordingly, we considered the following:

1. The model of supervision and support in a 24-hour university residential setting
2. Residence culture and how the environment may contribute to or discourage those who perpetrate sexual assault and sexual harassment

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3 This does not include ANU students staying at non-ANU campuses.

4 University House and Graduate House are run as a single organisation by a single set of staff. Accordingly, they have been treated as a single entity and are covered by a single report. Therefore, there are twelve reports for the thirteen residences.

5 ANU 18-007 Request for Proposal, Students Residences Review and Attachment 1
3. The impact that residence ‘traditions,’ including hazing practices, have on promoting or discouraging sexual assault and sexual harassment

4. The methods perpetrators use to facilitate sexual violence in university residential and related settings, including alcohol and other drugs

5. The education and prevention strategies and interventions used in residences to promote a healthy and safe culture

6. That response policies and procedures used by residential staff and student leaders are fair, equitable, trauma-informed, and rights-based and ensure student safety

7. The quality and efficacy of training received by residential staff and student leaders to enable them to appropriately respond to a disclosure of sexual assault or harassment. This includes responses to victim/survivors, accused students, concerned individuals (e.g. student leaders and peers), as well as responder self-care

8. The processes in place for students to provide feedback and how that feedback is acted upon

9. The role of alcohol in facilitating a culture which may increase the likelihood of sexual violence

A tenth term of reference was added to reflect the role of the ANU administration in the response to sexual assault and sexual harassment.

2.1 Approach and method: an ethical, thorough, student-centred approach

In commissioning Nous for this Review, the ANU was committed to a methodology that both harnessed findings on best practice from other universities and was informed by student experiences and insights. ANU also required an approach that followed a consistent and transparent method to review of all the residences, to facilitate the identification of stronger and weaker performance among them.

To meet these requirements, Nous’ method:

- built a strong understanding of best practice, through a review of the literature regarding the prevention of and response to sexual assault and sexual harassment at universities around the world
- offered multiple channels of input for current residents, alumni, student leaders, and staff
- developed a set of performance indicators for use across all residences, that allowed for consistent assessment of current performance against best practice principles.

The method was implemented in three stages (Table 3).

Table 3 | Nous’ method

<table>
<thead>
<tr>
<th>Stage One</th>
<th>Stage Two</th>
</tr>
</thead>
<tbody>
<tr>
<td>Laying the groundwork</td>
<td>Gathering and analysing data</td>
</tr>
<tr>
<td>• Review of international and domestic best practice literature</td>
<td>• Distribution, collation, and analysis of surveys, including strong communications process to maximise participation(^6)</td>
</tr>
<tr>
<td>• Development of performance indicators, to reflect best practice and enable consistent and transparent assessments</td>
<td></td>
</tr>
<tr>
<td>• Development and testing of survey questions, to collect data from residents, recent alumni, and student leaders</td>
<td></td>
</tr>
<tr>
<td>• Application for ethics approval, to conduct consultation</td>
<td></td>
</tr>
</tbody>
</table>

\(^6\) Student confidentiality was protected through survey software that anonymised stored survey responses. The ANU could not see individual survey responses, and Nous could not access details identifying any respondent.
Stage Three
Designing the future

- Interviews with ANU and residential staff, to understand the dynamics driving current trends and the responses to sexual assault and sexual harassment
- One-on-one interviews with residents and student leaders, who self-nominated to provide more detailed feedback
- Focus groups with residents and student leaders from each residence, to discuss and deepen insights at the residence-specific and university-wide level
- Documentary review and analysis of residence’s existing policies, procedures, and informational materials, to assess against good practice

- Co-design workshops with student leaders, residential Heads and Deputy Heads of residences, and relevant ANU executives, to test findings
- Development of individual cultural change plans for each residence
- Drafting and finalisation of recommendations and consolidated report

Nous received ethics approval for our method

To implement this method, a submission was made for ethics approval from the ANU Human Research Ethics Committee for the proposed qualitative and quantitative data collection. The ethical aspects of the work have therefore been approved by the ANU Human Research Ethics Committee (Protocol 2018/439). Nous has conducted this Review in accordance with the ethics approval. All participants in the consultation process have given their informed consent, and the confidentiality of participants has been protected at all times. Nous have chosen to avoid reporting any case studies or quotes from consultations to further protect confidentiality in the small, close-knit residential communities.

2.1.1 The Review had high levels of engagement

The Review gathered a significant amount of qualitative and quantitative data through our multi-channel approach to resident, student leader, alumni, and staff input. All current students living in residence (~5,000), alumni who had left residences within the last five years (~7,000), and all residential student leaders (566) were given access to the Nous surveys. The response rate for the student survey was approximately 15.5 per cent, higher than earlier surveys of this kind. The response rate was approximately 35 per cent for the student leader survey and 10 per cent for the alumni survey. In addition, Nous held focus groups with each residence and interviewed all students who expressed an interest in talking to us. Nous engaged with survivors of sexual assault or sexual harassment through each channel.

Figure 1 summarises response numbers across these channels.

Figure 1 | Stakeholder input numbers

16 INTERVIEWS WITH CENTRAL ANU STAFF
27 RESIDENT AND STUDENT LEADER INTERVIEWS
~ 2,000 SURVEY RESPONSES

21 INTERVIEWS WITH RESIDENCE STAFF
19 INTERVIEWS WITH ADDITIONAL STAKEHOLDERS
~ 100 FOCUS GROUP PARTICIPANTS

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7 Survey respondents were offered participation in a face-to-face interview and/or focus group if they wished to have more detailed input. They were provided with an email address through which to contact the Review team.
8 Students approached to participate in this survey currently held Senior Resident, Residential Advisor, Community Coordinator, Residential Committee, and a range of student leadership roles.
2.2 The Review was framed around the residential lifecycle

The guiding analytical framework for this project was Nous’ three-stage ‘lifecycle,’ an interpretation of residential life that maps students’ experiences across three stages: arrival at the residence, day-to-day residential culture, and responses to incidents of sexual assault and sexual harassment. The concept was developed through conversations with students and Heads of Residences. It identifies the key parts of residential life that may impact on culture, which in turn can contribute to — or provide a lever to prevent — incidents of sexual assault and sexual harassment. The framework is represented in Figure 2.

**Figure 2 | Lifecycle framework**

There are three key phases within the lifecycle framework, which are described in more detail in the relevant chapters. Briefly, these are:

1. **Arrival** — the processes for students being selected and welcomed into residences. Three key elements influence the culture during this stage: admissions processes, pre-arrival material sent to incoming residents, and induction proceedings upon arrival.

2. **Residential culture** — the period when a student is living in residence. During this stage, there are seven key factors which influence the culture and, alongside individual behaviours and societal attitudes, impact the likelihood of sexual assault and sexual harassment. These are the community atmosphere, staff leadership and support, student leadership and support, events, hazing, alcohol and drug misuse, and facilities and security.

3. **Response** — the period after an incident of sexual assault or sexual harassment is disclosed. This period focuses on the actions a residence and the ANU undertake in response to an incident of sexual assault or sexual harassment disclosed by, or relating to, a member of the residential community.

This lifecycle framework is aligned with the Review’s terms of reference (Section 2) and informed the development of the Review's performance indicators (Section 5).

2.3 Literature on international best practice provides a comparison point for current practice at ANU

The international literature on best practice identifies key principles and actions that should be in place to minimise sexual assault and sexual harassment and to implement a supportive, sensitive, and transparent response. Identification of these principles led the creation of the performance indicators for this Review. This included research on best practice prevention and response to sexual assault and sexual harassment.
in university residences specifically, as well as university communities more broadly. To identify best practice, we examined approaches taken by universities who are recognised as world leaders in this space, as well as analysed existing comparative research papers, including guidelines and frameworks for change. We observe that much of this literature describes recent changes in practice and, as yet, there is little solid, evaluative evidence in the field.

This section draws on a range of sources (set out in Appendix A) to extract key themes and specific examples of best practice. Figure 3 provides a summary of some of the key initiatives from North America.

Figure 3 | Best practice case study: North America

<table>
<thead>
<tr>
<th>CANADA</th>
<th>UNITED STATES</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Student-led interventions at University of Victoria and University of British Columbia</td>
<td>• Mandated sexual violence prevention offices since April 2011</td>
</tr>
<tr>
<td>• Formal prevention/response units mandated in a number of provinces</td>
<td>• Leading institutions have a strong focus on bystander intervention</td>
</tr>
<tr>
<td>• Institutions taking a lead on restorative justice are strongly of the view that:</td>
<td>• Columbia University has invested in research into undergraduate student sexuality</td>
</tr>
<tr>
<td>a) it has value for sexual harassment but not necessarily for sexual assault</td>
<td>• Significant increases in reporting rates and the number of disciplinary actions</td>
</tr>
<tr>
<td>b) it is on the opposite end of the spectrum to anonymous reporting</td>
<td>• Now a focus on the return of perpetrators to campus after a suspension period</td>
</tr>
</tbody>
</table>

KEY TAKEAWAYS

1. Staff and students need to work together to address a deep systemic global issue by bringing together research, student interventions, community approaches and institutional action
2. It is crucial to achieve a positive sexual culture on campus to drive culture change and prevention
3. ANU residences need to implement nuanced, locally developed approaches
4. The ANU needs consistency and transparency across all residences in relation to policies, procedures and articulation of clear roles in preventing and responding to incidents
5. Peer-based approaches – particularly student-led interventions are highly effective

Three key principles underpin best practice

Beyond the specific examples above, the review of best practice identified three overarching principles that inform best practice in prevention and response at universities, with a focus on university residences. These principles are summarised in Table 4 overleaf.

Table 4 | Best practice principles

1. Effective prevention strategies deliver meaningful education programs, set clear behavioural expectations, and provide secure facilities.

In an effective prevention strategy, the following occurs:

- Education is high quality and thoughtfully addresses key issues, including interpretations of consent, definitions of sexual assault and sexual harassment, sexual ethics, myths surrounding sexual violence, bystander intervention,

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9 This content is based on a presentation provided to Nous by Professor Richard Baker, Pro Vice-Chancellor (University Experience) at the ANU. Professor Baker visited several campuses in Canada and the United States to gather this information. Professor Baker’s content aligns closely with the broader literature and provides practical examples of emerging best practice.
respectful relationships and the relationship between alcohol and sexual assault and sexual harassment in residences.\textsuperscript{10}

- Staff receive appropriate, evidence-based, trauma-informed training.
- Education programs are founded on the theory of social change and delivered in a way that is socio-culturally sensitive.
- Education is well-resourced and held regularly, over multiple sessions.\textsuperscript{11}
- Behavioural expectations are clearly communicated to residents, including on arrival.
- Security facilities are designed to maximise feelings of safety.

2. **Effective responses to sexual assault and sexual harassment consistently implement a standalone sexual assault and sexual harassment policy and procedure that are culturally appropriate for all residents.**

Effective sexual assault and sexual harassment policies and procedures include:

- a clear statement that sexual assault and sexual harassment constitute misconduct and — for sexual assault and some forms of sexual harassment — a criminal offence
- a clear statement that the University and the residence’s priority is the safety and wellbeing of the person disclosing or formally reporting sexual assault and sexual harassment
- appropriate definitions of sexual assault, sexual harassment, and consent, aligned with relevant ACT and/or Commonwealth legislation
- information and links to resourced, interconnected, sensitive, and responsive support services
- clear avenues for reporting sexual assault and sexual harassment
- identification of the standard of proof used in any investigations conducted by the University
- approximate timeframes associated with an investigation and available interim measures
- information on potential sanctions that might be imposed on a respondent to an allegation of sexual assault or sexual harassment
- established connection with a specialised position or unit in the University.\textsuperscript{12}

3. **Staff, student leaders, and residents support the sexual assault and sexual harassment policy and procedure and understand roles and responsibilities for themselves and others.**

This requires the policy and procedure to be:

- accessible, appropriate, and transparent
- well-communicated
- understood and applied consistently
- fair and enforceable
- regularly monitored and evaluated.

**Reporting is a central element of prevention and response**

Additionally, the Review found that a central element of prevention and response is reporting — both from the point of view of best practice as well as through students’ own identification of reporting as an issue. Yale University (Yale) has implemented a transparent reporting process which provides a useful exemplar of best practice.


\textsuperscript{11} There is significant evidence that brief, one-session education programs are ineffective at changing behaviours. Ibid.

\textsuperscript{12} Effective handing once sexual assault and sexual harassment has been reported is extremely important. However, best practice policies in relation to investigation, dispute resolution and adjudication are beyond the scope of this report. They could be the focus of an extension project.
At Yale, the Provost’s office publishes six-monthly reports with aggregated statistics and de-identified summaries of all sexual assault and sexual harassment cases managed by the University. These reports provide information on the nature of misconduct, whether the parties involved were students and/or faculty, and the action taken by the University. An example of these reports is provided in Appendix A.

Section 4.2.1 considers how the ANU can learn from this approach to deliver greater transparency, build student confidence, and signal that perpetrators of sexual assault and sexual harassment will be held accountable for their actions.

### 2.4 The ANU has the levers to deliver the necessary change

The review of best practice identified a range of levers that can be used to effect change at the university-wide and individual residence level. Beyond its overarching, institutional commitment to eliminate sexual assault and sexual harassment, the ANU has a range of specific levers within its control, which can help deliver a more consistent and transparent response to sexual assault and sexual harassment in all student residences. It also has important areas of influence, through which it can contribute to the prevention of sexual assault and sexual harassment and contribute to further cultural change across the residences and the ANU more broadly.

Table 5 presents a summary of the specific levers available to the ANU to effect and oversee change at its various types of student residences. These specific levers should be used in addition to ongoing collaboration with and between the ANU executive and the leadership of individual residences.

**Table 5 | Levers for change and areas of influence for each type of residence**

<table>
<thead>
<tr>
<th>TYPE OF RESIDENCE</th>
<th>LEVERS</th>
<th>KEY PERFORMANCE INDICATORS</th>
<th>INFLUENCE</th>
</tr>
</thead>
</table>
| ANU-owned         | • Governance and structure  
|                   | • Budget allocations        
|                   | • Policy and procedures     
|                   | • Reporting                 
|                   | • Expectations              
|                   | • Communication            
|                   | • Support services          |           | • Institutional commitment to prevention and cultural change |
|                   | • Contractual arrangements | | • Collaborative links with external services and agencies |
|                   | • Funding                  | | • External communications |
|                   | • Expectations              | | |
|                   | • Reporting                 | | |
|                   | • Communications            | | |
|                   | • Support services          | | |
| Commercial        | • Lease control             |           | |
|                   | • Financial support         | | |
|                   | • Security                  | | |
|                   | • Reporting                 | | |
|                   | • Expectations              | | |
|                   | • Communications            | | |
|                   | • Support services          | | |
| Affiliated        | • Admissions                |           | |
|                   | • Expulsion                 | | |
| ANU wide          | • Admissions                |           | |
|                   | • Expulsion                 | | |
3 Prevention of sexual assault and sexual harassment

The first two phases of the residential lifecycle encompass residents’ formative and day-to-day experiences in their residence. They are essential to the prevention of sexual assault and sexual harassment (Figure 4).

Figure 4 | Prevention phases of the lifecycle

In combination with the best practice literature, feedback from ANU staff, student leaders, and residents identified seven key elements of effective prevention in the residential context. These are as follows:

- Use of the admissions process to achieve diversity where possible, and to balance student demographics across different floors and wings of a residence.
- Distribution of pre-arrival documents which set clear residential behavioural expectations, explain consequences of misconduct, and provide information on how to access support networks.
- Development of a vibrant induction process which promotes a safe and inclusive culture, provides appropriate training and materials to both student leaders and residents, and includes substantial involvement from student leadership.
- Cultivation of a close and effective working relationship between staff, student leaders, and residents, to develop the right community atmosphere.
- Hosting of well-managed events, which contribute to a collegiate atmosphere and promote responsible behaviour.
- Use of proactive measures to address alcohol and drug misuse and embed a zero-tolerance approach to hazing.
- Maintenance of good facilities with appropriate after-hours security.

Many ANU residences perform well in prevention

Residential culture was largely positive across most residences, with some residences performing particularly well. In particular, student feedback was positive about the community atmosphere, events, student leadership, and the approaches residences have taken to stamp out hazing practices. However, for most residences there is further work to do to address the influence of alcohol and to improve residential facilities and security. In addition, some residences need to further develop staff leadership and support.
Residences that performed particularly well in prevention had a major focus on education, particularly on informing their residents what constitutes appropriate behaviour. A great deal of work and thought went into O-Week presentations and ongoing activities throughout the year. They also took a proactive stance to limit access to alcohol in the early stages of O-Week, to ensure students were able to absorb presentations and to build a culture of non-drinking events to continue throughout the year. They tended to have strong relationships between residents, student leaders, and residential staff. This was often through staff putting enormous energy and time into maintaining an ‘open door’ policy. Finally, they worked hard to create an inclusive culture among a student body that was as diverse as possible.

Residences that performed less well had a weaker sense of a residential culture and inclusion. This started with patchy induction processes where incoming students were not welcomed by student leaders, and where orientation activities overly focused on alcohol. There was also consistent feedback that some residences need to be more active in tailoring their O-Week presentations to residents with different cultural backgrounds. Another feature of residences that performed less well was reduced control over multiple entries and exits to their facilities, poor lighting, and poor maintenance. They also had less visible and accessible staff and lower levels of trust and respect between residents, student leaders, and residential staff, resulting in a less supportive culture.

3.1 Key findings across the arrival and residential culture phases

The following section summarises our findings — for the arrival and residential culture phases of the lifecycle — across the twelve, individual residence cultural change plans. We consider the extent to which performance varies across residences and, where appropriate, provide examples of residences that are making good progress towards best practice.

In the ‘arrival’ phase, residences admit students, provide pre-arrival communications, and oversee an induction process which includes training and welcome events. It is a time that typically represents a significant change for students (for example, the first time students move out of home, or the relocation to a new city or country), and brings together students from a range of backgrounds, upbringings, and understandings of communal living. It includes New Resident Week (N-Week) and Orientation Week (O-Week) in Semester One, as well as Bush Week in Semester Two, which involve a full schedule of social events, orientation activities, and training programs. The arrival phase sets student expectations and provides the foundation for residential culture.

We refer to student life after the commencement of semester as the ‘residential culture’ phase. Student residences have a duty of care to provide a safe and enabling environment for all students. Research indicates that the most significant predictor of sexual assault and sexual harassment is organisational culture. This culture reflects the degree to which residences foster a positive, inclusive, and supportive environment that functions to protect residents from sexual assault and sexual harassment, minimise harm where such incidents occur, and support victims in their recovery to become survivors.

3.1.1 Admissions

Student diversity creates rich learning opportunities

A diverse resident population is important in driving an inclusive and tolerant culture. Diversity provides rich opportunities for residents to develop greater cultural understanding from cohorts of different ages, genders and gender identities, socioeconomic, ethnic, and cultural backgrounds, personal interests, and academic pursuits. It also assists in limiting the prevalence of dominant cultures or behaviours which run counter to the culture which residences seek to create. For example, concentrations of residents from the...
same background can facilitate exclusive and unacceptable forms of behaviour. This has been an issue in some residences, where an overrepresentation of a particular demographic grouping (for example, large cohorts from the same school) have undermined the development of a positive and inclusive culture.

Across all individual residence reports, we recommend strategies to ensure diversity across domestic and international cohorts, different year groups and ages, and a wider reach of schools and regions. The diverse composition of the resident population should be reflected across all residences, as well as reflected in the allocation of students within each residence’s floors and wings.

The Accommodation Guarantee at the ANU means that most residences have a high number of first-year students, slanting the demographic towards younger students. (Last year approximately 38 per cent of all residents were first years, with residences focusing on undergraduates having significantly higher proportions.) However, this also creates the opportunity to change culture relatively quickly, given the relatively fast turnover of residents, as most residents remain in residences for two years. With new residences coming online, there may be an opportunity to rebuild a more balanced profile of year groups throughout the residences.

Diversity depends on the collection of a range of student information and policies to ensure admission considers this diversity

The ANU-owned residences mostly do well in establishing wide selection criteria to ensure diversity across a range of dimensions, and they appear to understand the benefits of doing so. Interviews with key staff and student leaders at the ANU-owned residences also suggest that measures are in place to ensure an appropriate distribution of students across different floors and, where applicable, different buildings.

However, while residences are making progress, there is a common need for more effective collection and use of admissions data to build residential culture. Building an individual and recognisable culture requires the capability to select or distribute applicants according to academic and other interests. This will be important for the new residences proposed for 2019 and beyond, as this presents a valuable opportunity to establish and maintain a positive, supportive, and inclusive culture from the outset.

The ANU-affiliated colleges, John XXIII College and Burgmann College, exercise a high degree of control over their own selection processes. They too have recently emphasised diversity as a consideration in their admissions process. Student feedback suggests both could go further in this field and include more students from a range of backgrounds. Students and staff provided positive feedback on these policies and indicated that they are having the desired effect of driving a more diverse intake of students. Staff have observed flow-on benefits in relation to a more inclusive culture with fewer behaviour-related issues.

3.1.2 Pre-arrival

Literature on sexual assault and sexual harassment indicates that — prior to arrival at university — new residents have pre-formed values regarding acceptable and unacceptable behaviour, gender roles and dynamics, and sexual assault and sexual harassment. These values are informed by broader societal values, as well as the resident’s specific lived experience and environment.

To build shared culture, best practice focuses on the need to distribute useful and accessible information to students prior to their arrival at the residence. This information should help students understand the behavioural and cultural expectations of the residence and set a precedent for how students interact with one another. Importantly, pre-arrival information should make explicit reference to sexual assault and sexual harassment and ensure students understand the support available for survivors and the potential consequences for perpetrators.

In this respect, some residences have made good progress over the last year. For example, John XXIII College (Johns) sends out pre-arrival information to students which includes:

- the Accommodation Agreement, which requires a student to complete the Consent Matters module and comply with the College’s Policies and Procedures
- Johns’ Community Standards, which explicitly refers to sexual assault and sexual harassment
- the College Handbook, which includes how to report a sexual assault or sexual harassment incident
• an agreement to support the College Ethos and Mission and to follow the College’s Sexual Assault and Sexual Harassment Policy/Procedure, as part of the Enrolment Policy and enrolment process.

Burgmann College (Burgmann) provides similar information to residents prior to arrival.

**Pre-arrival information could be strengthened by the inclusion of material on zero tolerance to sexual assault and sexual harassment and access to support**

The Review found that most residences do not provide adequate pre-arrival information in relation to sexual assault and sexual harassment, or on behavioural expectations more broadly. Indeed, some residences provide almost no information in relation to cultural or behavioural expectations of residents. This represents a missed opportunity to assist with the establishment of the right attitudes prior to arrival.

Data from the resident survey reinforces the need for residences to provide more pre-arrival information. Specifically, it indicates that students desire more information related to conduct and behaviour: the student code of conduct, acceptable behaviours to fellow students, and discipline rules (Figure 5). It also emphasises the importance of pre-arrival information on how to ask for support if residents feel vulnerable and/or unsafe. Many residences do not provide sufficient material in relation to support networks and systems available within residences or the ANU, or how residents can ask for support.

**Figure 5 | Student survey: What other things would you have liked information on prior to arriving?**

<table>
<thead>
<tr>
<th>How to ask for support if you are feeling vulnerable and/or unsafe</th>
<th>21%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Student code of conduct</td>
<td>16%</td>
</tr>
<tr>
<td>Acceptable behaviour to your fellow students</td>
<td>14%</td>
</tr>
<tr>
<td>Discipline rules</td>
<td>14%</td>
</tr>
<tr>
<td>An understanding of consent</td>
<td>13%</td>
</tr>
<tr>
<td>Sexual and reproductive health</td>
<td>11%</td>
</tr>
<tr>
<td>Safe alcohol consumption</td>
<td>10%</td>
</tr>
<tr>
<td>Other</td>
<td>3%</td>
</tr>
<tr>
<td>Total (n = 1639)</td>
<td></td>
</tr>
</tbody>
</table>

A standalone ANU policy on sexual assault and sexual harassment will be a foundation for building pre-arrival understanding

Feedback relating to the pre-arrival stage of the lifecycle also emphasised opportunities for the ANU to articulate and embed its zero-tolerance approach to sexual assault and sexual harassment prior to residents’ arrival on campus. Qualitative feedback emphasised that a clear policy on sexual assault and sexual harassment, accessible to all incoming residents at the pre-arrival stage onwards, would have a positive impact in preventing sexual assault and sexual harassment, improving reporting, and better supporting students at all stages of the lifecycle.

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15 Survey data has been visualised and analysed throughout this report. Some survey questions allowed respondents to select multiple options. Our survey analysis and data visualisations use percentages to represent the proportion of respondents who selected each response. These percentages are rounded to the nearest whole number. Due to this rounding, data labels on charts do not always add to exactly one hundred.

For this question respondents were able to select multiple options. The ‘n’ value represents the number of responses, not the number of respondents.
3.1.3 Induction

The induction and O-Week period is a key time of year, when most students form first impressions of their residential culture and may modify their behaviour to conform with established norms. It also represents a heightened risk period for sexual assault and sexual harassment, given the substantial number of social events and new residents’ eagerness to fit in.

We found variance across the residences in relation to whether student leaders are onsite and available when new residents arrive at the residence. This is important — the Review received consistent feedback from residents and student leaders that this is a critical opportunity to set the tone, reinforce positive culture, provide support, and confirm new residents have received or can access key information.

The extent to which student leaders deliver key O-Week content, with appropriate levels of support from residential staff, also varied across residences. Our examination of documentation showed that most induction programs contain appropriate presentations on sexual assault and sexual harassment, alcohol and other drugs, mental health, sources of support and behavioural expectations, although only a few provide information in relation to bystander intervention.

Emerging best practice suggests that this approach is one of the most effective in preventing sexual assault and sexual harassment incidents.16 The ANU has acknowledged the potential impact of this approach and has begun implementing bystander training for residents and student leaders in residences. Fenner Hall has a particularly strong record on this and has one of the more positive and supportive student cultures.

Resident feedback on bystander training was generally very positive, and in best practice examples, peer-delivered bystander intervention training received strong positive feedback. Of the types of training students were surveyed on, bystander intervention received the highest proportion of respondents who found the training “really thought-provoking” (Figure 6).

---


**Recommendation 1**

The ANU develop, finalise, and communicate a clear, standalone policy that articulates their position on, response to, and administrative arrangements for sexual assault and sexual harassment that takes place anywhere on campus.
Examining the demographics of residents rating this training indicated that more women than men found this training thought-provoking, while more men than women thought the presentations were ‘Alright, but nothing I didn’t know.’ There is value for residences in continuing the consistent delivery of bystander intervention training, particularly for student leaders, to encourage them to be active in calling-out (or calling-in) bad behaviour. In addition, residences should regularly evaluate the effectiveness of bystander training.

**Induction activities need to be tailored for residents with different backgrounds**

The Review found limited evidence to suggest that induction presentations or material are tailored to reflect the diversity in residential cohorts, including diversity of cultural or linguistic background, nationality, or academic life stage (i.e. postgraduate or undergraduate). However, tailoring is important to ensure that materials are nuanced to address different understandings of consent and reflect a diverse range of experiences. The Review received feedback from some international students that they believed there were lower levels of engagement with standard materials amongst students from culturally diverse backgrounds.

**Information should be provided throughout the year**

Student feedback identified that it is important that induction is the start of a conversation, and that there are opportunities to delve into issues in smaller, supported group discussions or information sessions — eliminating the expectation that the one training will do it all. Qualitative feedback highlighted that many students are overwhelmed with information during O-Week, and that it would be valuable to hold sessions throughout the year, so residents can engage more fully once they are established in residential life.

### 3.1.4 Community atmosphere

Community atmosphere reflects the extent to which students feel safe, included, and supported at their residence. It forms the foundation for proactive efforts to prevent sexual assault and sexual harassment. During the Review, residents, student leaders, and staff across all residences emphasised the impact that their community atmosphere has on residents’ willingness to seek help, call out unacceptable behaviour, and support one another.
Most students perceive ANU residences as safe and supportive

The qualitative and quantitative data collected by the Review presents a generally positive view of ANU residences' community atmospheres. Student across all residences feel very safe — among respondents to the resident survey, 90 per cent feel ‘quite safe’ or ‘totally safe’ in their residence at night and 97 per cent during the day (Figure 7). Responses on student safety were largely consistent across residences.

Figure 7 | Summary of student and alumni survey responses on community atmosphere

Additionally, residents generally feel that they belong to a positive, supportive, and inclusive culture. However, there was some variance between residences in the student survey on this question. Better performing residences had a response of below ten per cent when asked whether their culture could be characterised as ‘only welcoming to people who fit in’ or ‘full of groups who don’t like each other.’ In less well performing residences, up to one quarter of respondents characterised their culture in this way.

Results from the alumni survey suggest that residences have generally made significant improvements in relation to their community atmosphere. Qualitative feedback suggests that in the last few years, residences have become safer, more inclusive, and more aware regarding issues such as sexual assault and sexual harassment. Feedback from staff indicated that this shift has been the result of hard work and a thoughtful approach to student culture, as well as changing societal norms and student expectations.

Social exclusion and pressure to conform are a source of tension for some residents

There are still some areas for residences to improve. When asked what factors make students feel vulnerable or unsafe, the majority of students identified one or more factors which made them feel this way (Figure 8). The most prominent responses in the survey reflect the broader feedback received from students during the Review: social exclusion, security, and peer pressure were among them.
While not prominent in survey responses, commentary on the pressure to conform to binge drinking and on exclusionary or discriminatory behaviours featured very prominently in the qualitative data collected by the Review.

**Some student groups report feeling notably less safe**

It is noteworthy that statistics on community atmosphere were less positive across diverse student groups. Significantly fewer female residents feel ‘totally safe’ in their residence at night than their male counterparts (Figure 9). Similarly, fewer residents who identify as LGBTIQ feel totally safe in their residence at night, compared with residents who do not identify as LGBTIQ (Figure 10). Resident feedback suggests that these demographic differences are less acute when student leaders reflect the diversity within the residential population, and those students who feel unsafe have someone with whom they can talk.

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**Figure 8 | Student survey: What are the key factors that make you feel vulnerable/unsafe at your residence?**

<table>
<thead>
<tr>
<th>Factor</th>
<th>Female (%)</th>
<th>Male (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>None - I feel comfortable</td>
<td>32%</td>
<td></td>
</tr>
<tr>
<td>Social groups that intentionally or unintentionally exclude people</td>
<td>12%</td>
<td></td>
</tr>
<tr>
<td>Non-residents accessing the building</td>
<td>8%</td>
<td></td>
</tr>
<tr>
<td>Pressure to conform to group behaviour or practices rather than being able to be myself</td>
<td>7%</td>
<td></td>
</tr>
<tr>
<td>Discriminatory attitudes</td>
<td>7%</td>
<td></td>
</tr>
<tr>
<td>Pressure to binge on alcohol</td>
<td>7%</td>
<td></td>
</tr>
<tr>
<td>Social events where I don’t feel good</td>
<td>6%</td>
<td></td>
</tr>
<tr>
<td>Inappropriate posts on social media</td>
<td>5%</td>
<td></td>
</tr>
<tr>
<td>‘Traditions’ that I am supposed to participate in if I want to be accepted, but which I don’t like</td>
<td>3%</td>
<td></td>
</tr>
<tr>
<td>If something happens to me or my friends I don’t know where to go</td>
<td>3%</td>
<td></td>
</tr>
<tr>
<td>Bullying</td>
<td>3%</td>
<td></td>
</tr>
<tr>
<td>Facilities that make me feel unsafe</td>
<td>2%</td>
<td></td>
</tr>
<tr>
<td>Pressure to take drugs</td>
<td>1%</td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td>4%</td>
<td></td>
</tr>
</tbody>
</table>

*For this question respondents were able to select multiple options. The ‘n’ value represents the number of responses, not the number of respondents.*
Staff and student feedback highlight mental health as an issue of concern

While outside the direct scope of this Review, mental health and wellbeing issues were frequently raised in our consultations with residents, student leaders, and staff across the ANU.\(^{18}\) We understand that the ANU is taking steps to address this, particularly through greater access to clinical services.

In line with findings on mental health and wellbeing in both Change the Course and the Australian Human Rights Centre’s On Safe Ground report, we have drawn out two key themes that have emerged from qualitative analysis.\(^{19}\)

- **Mental ill-health** — Feedback indicates a prevalence of mental ill-health that is of concern to residents, student leaders, and staff.

- **Isolation** — Some residents reported feeling isolated in ANU residences. These feelings are generally more acute in self-catered residences with high populations of undergraduate and international residents. First year residents are particularly vulnerable if they face barriers to engagement with pastoral services.

The disproportionate number of UniLodge residents seeking support from ANU Counselling suggest that these problems may be particularly acute for students at those residences.

### 3.1.5 Staff leadership and support

Most residences are led by a Head and Deputy Head who together oversee residential culture including pastoral care, student and academic support, and disciplinary issues.\(^{20}\) Below these roles, staff vary between residences. Some employ Community Coordinators or residential Deans of Students alongside academic and administrative roles.

**Students would like their residential staff to be more accessible**

Feedback provided to the Review suggests that the majority of staff across residences are hard-working, passionate about their roles, and committed to understanding and doing their best to prevent sexual assault and sexual harassment. Nevertheless, student feedback indicated that at many residences, students do not feel comfortable approaching staff when they feel vulnerable or unsafe. The results from the student survey support this conclusion, with fewer than one in ten students indicating they would approach staff (Figure 11).

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\(^{18}\) Survey questions did not explicitly engage with mental health and wellbeing at residences and we acknowledge discussion in this section does not draw on a quantitative evidence base.


\(^{20}\) Toad Hall does not have a Deputy Head and University House / Graduate House has a Master and Student Operations Manager.
Feedback from student leaders about their relationship with staff varied widely across residences. Residences that were performing well in this respect had established close and productive relationships with student leaders across pastoral care and representative roles. By investing in the capabilities of (and relationship with) residents fulfilling staff and student leader roles, this also assisted staff to extend their own connection with and knowledge of the residential community. However, at some residences there was evidence indicating a lack of respect, trust, or engagement between staff and residents in representative roles.

Feedback from Heads and Deputies indicated that they feel increasing pressure from administrative and other responsibilities within their portfolio, and that this pressure adversely impacts their ability to provide close pastoral care to students through being visible, accessible, and across issues within residences. Some staff felt that these concerns were not sufficiently recognised by the ANU central administration.

**The extent of training and support provided to staff varies across type of residence**

Most residential staff receive regular and ongoing training across a comprehensive range of topics. The best performing residences ensure that all relevant staff training includes a specific focus on preventing and responding to sexual assault and sexual harassment.

However, there was insufficient evidence for many residences on whether staff themselves were receiving appropriate post-incident support to protect their wellbeing and ensure that they can sustain difficult and

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21 Students were provided with the option to select multiple answers. The number of unique responses was approximately 880.
demanding roles. Many residences had only a very small number of full-time professional staff and it was not clear where many of them could turn to for effective support when needed. Although staff have access to the ANU Employee Assistance Program or similar, many of them rely primarily on personal connections and peer support to debrief after serious incidents and receive ad-hoc support for their roles.

### 3.1.6  Student leadership and support

Student leaders are integral to residential culture. The best student leaders model expected behaviours, call out unacceptable conduct, take a lead in establishing good cultures, and — outside of residents’ informal personal networks — provide a natural first port of call for students who feel vulnerable or unsafe (Figure 11).

Student leaders’ duties vary across role, and feedback indicates that their activities vary somewhat according to their gender and individual personality. Qualitative and quantitative data provide a clear picture that some student leaders have a disproportionately high burden in relation to calling out unacceptable behaviours and receiving disclosures of sexual assault and sexual harassment. These duties are not necessarily commensurate with their remuneration or scholarship.

#### The extent to which student leaders call out unacceptable behaviour varies enormously

Qualitative survey feedback suggests that while most student leaders try to model acceptable behaviour, only some student leaders see their role as including actively preventing issues of sexual assault and sexual harassment. This could explain the inconsistency in how frequently student leaders talk with students about acceptable behaviour and call out unacceptable behaviour (Figure 13 and Figure 14).

**Figure 13** | Student leader survey: How often do you talk with students about acceptable student behaviours at residence?

<table>
<thead>
<tr>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>More than once a week</td>
<td>5%</td>
</tr>
<tr>
<td>About once a week</td>
<td>17%</td>
</tr>
<tr>
<td>Once a fortnight</td>
<td>14%</td>
</tr>
<tr>
<td>Once a month</td>
<td>24%</td>
</tr>
<tr>
<td>Less than once a month</td>
<td>40%</td>
</tr>
</tbody>
</table>

**Figure 14** | Student leader survey: How often do you see / call out unacceptable student behaviour?

<table>
<thead>
<tr>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>More than once a week</td>
<td>7%</td>
</tr>
<tr>
<td>About once a week</td>
<td>4%</td>
</tr>
<tr>
<td>Once a fortnight</td>
<td>4%</td>
</tr>
<tr>
<td>Once a month</td>
<td>23%</td>
</tr>
<tr>
<td>Less than once a month</td>
<td>49%</td>
</tr>
</tbody>
</table>

This evidence suggests that there is room for a greater emphasis on facilitating better understanding of the bystander role among student leaders, and that the effectiveness of current bystander training for residents in formal role model positions may need to be evaluated.
There is also significant variation in the roles played by student leaders dealing with disclosures of sexual assault and sexual harassment. Section 4.1.2 of this report addresses the role of student leaders as first responders to incidents of sexual assault and sexual harassment. It is important to recognise the impact this role has on the wellbeing of student leaders, and the extent to which they have a sustainable level of work and emotional burden in addition to their own academic and personal commitments.

Disclosures are more likely to be made to students who are vocal on the issue

Qualitative feedback from residents and student leaders indicates that students are more likely to disclose sexual assault or sexual harassment to a select few student leaders — particularly those who are women with prominent representative roles (such as a Residents Committee Presidents and Women’s or Queer* Officers) or those who have been particularly vocal about the issue. Student leaders’ self-reported survey data indicates that, while not all student leaders received regular (or any) disclosures of sexual assault and sexual harassment, a small group of students frequently received disclosures (Figure 15).

![Figure 15 | Student leader survey: Have you had students disclose sexual assault and/or sexual harassment to you?](image)

Some of these student leaders are in resident-elected roles, so have been recruited with reduced oversight from the residence. Some are not offered a chance to participate in the training available. This suggests that training on the handling of disclosures of sexual assault and sexual harassment should be made available to the full range of student leaders, should they wish to participate.

Student leaders who speak out publicly on sexual assault and sexual harassment issues and/or disclose their own experiences, or signal positive attitudes to disclosure appear to receive a higher number of disclosures. These individuals are motivated to help other students but are more likely to experience burnout and sustain personal harm as a result.

Diversity is another factor — where there is limited diversity in the student leader cohort relative to the diversity in the community, the burden of social and emotional support is often concentrated among the few who are seen to be representative. This appears to be the case for women (Figure 16) and for student leaders who speak the same language as the survivor (Figure 17). This burden on some student leaders can be further compounded if there is a lack of diversity among staff.
The level of training, supervision, and support offered to student leaders is key to ensuring they respond to issues of sexual assault and sexual harassment in a way that is informed, appropriate, and protects their own wellbeing.

Training of student leaders varies across residences

Training frequency varied significantly across residences. Although 45 per cent of student leaders participated in training every six months as part of their role, most student leaders participated in training with much less regularity (Figure 18).

Many student leaders indicated in the survey that they would benefit from more training, including ‘refresher’ sessions held throughout the year, so that they can update their learning based on lived experiences and ensure that training is delivered close to when the knowledge or skills are needed. Student leaders also suggested that the quality of the training could be improved by being more specific to sexual assault and sexual harassment issues in residences.
Frequency of training varied markedly across residences, with one poor performer having a senior student leader role held by a second-year student who received no training at all. This occurred where the student took on the role after training had been completed for the year.

### 3.1.7 Events

Most residents reported that events contribute to a positive, inclusive, and supportive culture in their residence. They present an opportunity to build social interactions and community spirit, highlight the unique culture or distinctive features of a residence, and create a collegiate environment. For example, Toad Hall runs a range of events that reflect the cultural and academic interests of its residents. In doing so it effectively engages its diverse resident population, including international and postgraduate students, and contributes to the highly positive view of the culture and collegiate environment of the Hall.

Most residences are making progress with the extent to which the residence’s program of events is designed to appeal to students with different interests and backgrounds. However, there is significant variance here — with the exception of Toad Hall, the residences with the most diversity tend to also be residences with a less active social calendar and lower levels of participation in social events.

Conversely, events can contribute to residents’ feelings of vulnerability or not feeling safe. Although some students feel unsafe at social events and internal O-Week events, the most commonly-cited time when students feel unsafe are on Thursday nights (Figure 19). This is likely because many ANU students, and particularly ANU residents, have a tradition of going out drinking in Civic on Thursday nights.

Figure 19 | Student survey: Are there particular times when you feel unsafe? When?

<table>
<thead>
<tr>
<th>Time</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monday night</td>
<td>2%</td>
</tr>
<tr>
<td>Tuesday night</td>
<td>2%</td>
</tr>
<tr>
<td>Wednesday night</td>
<td>2%</td>
</tr>
<tr>
<td>Thursday night</td>
<td>28%</td>
</tr>
<tr>
<td>Friday night</td>
<td>10%</td>
</tr>
<tr>
<td>Saturday night</td>
<td>14%</td>
</tr>
<tr>
<td>Sunday night</td>
<td>4%</td>
</tr>
<tr>
<td>Social events</td>
<td>10%</td>
</tr>
<tr>
<td>O-week (Internal to the residence)</td>
<td>10%</td>
</tr>
<tr>
<td>O-week (External to the residence)</td>
<td>11%</td>
</tr>
<tr>
<td>Other (e.g. Bush Week)</td>
<td>7%</td>
</tr>
</tbody>
</table>

Qualitative feedback indicates that for some students at residences with a less organised social calendar, the lack of alternatives means they are more likely to go out to nightclubs and then walk back across campus to their residences — exposing them to situations which make them generally feel less safe.

**There is significant variance in how well residences manage alcohol at events**

Most residences have a good working relationship between staff, the residents’ association, and student canteen roles, in order to ensure that the sale of alcohol at events and residential canteens is controlled and monitored and that substantial food is available at major events where alcohol is available. To and from events, organised walking groups between residences or between the ANU and Civic venues are frequently used to support student safety. In some residences this may include ‘on duty’ student leaders meeting residents at the entry of residences to oversee their safe arrival, their wellbeing, and to monitor tailgating. Fenner Hall has particularly strong practices in this regard.

Most residences have also taken active steps in increasing the proportion of events that do not focus on alcohol consumption. Qualitative feedback indicates that the key differentiator in the success of these initiatives is whether the non-alcohol events are meaningful parts of a social calendar or relegated to ‘alternative event’ status for those who do not want to attend the ‘main event,’ with alcohol. Student
leaders and residents have a responsibility to actively promote participation and support residential efforts to develop a more inclusive culture and event calendar that is not fuelled by binge-drinking, pre-drinking, or acceptance of anti-social behaviour. Uptake of this responsibility is mixed across different residences.

### 3.1.8 Hazing

All residences have a zero-tolerance policy against practices that are dehumanising, including hazing, and there is evidence to suggest a declining trend in the prevalence of hazing. For example, a comparison of qualitative data from the alumni survey and the data from current residents indicates that, a few years ago, students perceived hazing to be a much bigger issue than it is now.

However, an effective zero-tolerance approach to hazing requires a clear and consistent definition of what activities or impacts are considered to be ‘hazing.’ Many residences lack this definition, which may lead to confusion over what practices need to be identified and dealt with. The definition of hazing should recognise the full range of dehumanising behaviours. For example, the University of Michigan uses the following definition of hazing:

> Hazing is any action or situation, with or without the consent of the participants, which recklessly, intentionally, or unintentionally endangers the mental, physical, or academic health or safety of a student.\(^{22}\)

Qualitative data indicates that in several residences there is still a culture of excessive or binge drinking which occurs away from sanctioned events. In many of these instances, students are pressured to conform to drinking traditions which may fall within the above definition of hazing.

**Students and staff are working together to rethink some community traditions**

Zero-tolerance policies on hazing and acceptable community behaviours are generally communicated to residents in an effective way. This has been most influential when conducted in a collaborative manner between staff and residents. For example, Bruce Hall has facilitated an open and constructive reflection with student leaders on the Hall’s traditions, focusing on building the type of community and culture of which they are all proud and wish to be a part. This has led to strengthening positive traditions, student support to address issues that do not align with the Hall’s values, as well as greater understanding and agreement between staff and student leaders.

Student leaders and residents have been pivotal across all residences in supporting and reinforcing a zero-tolerance policy against practices that are dehumanising within the residential community. Many residents welcomed the positive improvements that student leaders and staff are making to address hazing, and the impact this has made to their residential experience.

However, some residences appear to still have a reputation for hazing problems despite recent progress. This drives perceptions amongst prospective students and in some cases may even encourage new residents to instigate forms of hazing or look for opportunities to ‘opt in’ to hazing-like activities or practices within particular residential social groups. Residences need to remain vigilant in addressing the potential for hazing by reinforcing acceptable community behaviours and emphasising the consequences of any form of dehumanising behaviour.

### 3.1.9 Alcohol and drug misuse

All residences experience some negative impacts from substance use. This varies widely depending on the demographics and culture of the residence. Some residences report low levels of harm caused by alcohol but are more likely to have trouble with drugs; others have much higher levels of alcohol-related harm and very few problems with drugs.

Qualitative feedback indicates that some students feel their residence places an undue emphasis on punitive approaches to substance misuse and that they do not seek to investigate the cause of the misuse.

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An extreme example of punitive approaches is to terminate room agreements for frequent inebriation. Given the vulnerability of young people to developing harmful substance use habits, residences should seek to support students with substance misuse issues to get help, rather than focus solely on a punitive approach. Students report that unnecessarily punitive approaches drive substance misuse underground and can potentially increase the link between substance misuse and antisocial behaviour, as it becomes more difficult for student leaders and peers to monitor.

The majority of residents think alcohol is well-managed in residences, but risks remain

The residences provide training on safe use of alcohol for residents as part of induction, as well as the responsible service of alcohol for student leaders who manage residential canteens and are involved in event management. Some residences have their own canteen that is open most nights during the academic semesters, and most limit the quantity of alcohol that can be purchased by an individual. Residents appear to take the potential loss of a liquor license seriously, and measures are in place within residences to ensure that underage drinkers are not served alcohol and that responsible consumption of alcohol occurs in canteen areas. The practice of mandating student ‘sober reps’ at events — student leaders who provide positive role-modelling and actively look out for issues or unsafe behaviour — is viewed as a successful strategy that has support from both residents and staff.

About half of all residents believe their residence does enough to promote sensible drinking and a further third believe ‘they do some things’ (Figure 20). However, 16 per cent believe they do not do enough.

Overall, only a small number of students feel a lot of pressure to use more alcohol than they feel comfortable with (Figure 21). However, this varies widely between residences and it appears to be more of an issue with particular groups of students, rather than the broader residential student population.

Similarly, a pre-drinking culture before events and the promotion of excessive alcohol consumption at events are issues within some residences. Both practices increase the risks for student safety and wellbeing, particularly if they occur unmonitored in residents’ rooms.

There also appears to be an issue with drink spiking across residences. Although most residents do not believe drink spiking to be an issue, 31 per cent of students believe there is at least a bit of a problem (Figure 22). This is a concern given how seriously the ANU and its residences take all forms of drink spiking. Drink spiking is not only a criminal offence but represents a major threat to student safety and a potential enabler for sexual assault. Analysis of survey data indicates that women are more likely than men to perceive drink spiking as a problem.
Drugs were not reported as a prominent issue in residences

All forms of feedback indicate that drug use is not an issue which causes extensive harm in the ANU residential community. In a small number of residences, drug use (including some small-scale incidents) have been an issue. In these residences, residential staff have worked closely with ACT Policing to understand the movement of drugs into residences. While information on safe use of drugs is included as a component within induction training, this could be strengthened to reach more residents. It could also be tailored to include particular drugs that are in use in specific residences.

Within the residential environment, a relatively small percentage of residents reported feeling pressured to take drugs, and of those respondents, women felt this more strongly than males. Continued effort should be dedicated to understanding and eliminating this pressure, and also to providing an appropriate balance of consequences and support to those who are using drugs in the residential community.

3.1.10 Facilities and security

Residences vary widely in security arrangements. Some residences have security patrols, functional CCTVs, measures to minimise tailgating, and well-placed, well-maintained lighting. Others have few of these things. Some residences delegate core security tasks — such as patrolling the perimeter of the premises — to student leaders. This latter practice was strongly criticised in qualitative feedback from residents and student leaders, who perceived it as a safety threat.

Some residences have minimal security arrangements in place and are criticised by residents in relation to maintenance of facilities. Feedback indicates that issues such as functional locks on doors and lighting around the perimeter of the residence are issues of concern in some residences. Residences that were considered less secure also faced criticism in qualitative feedback regarding their response to student security concerns. For example, at one residence, a number of students indicated that they had complained about lighting in a particular area but received no response confirming whether action would be taken.

In contrast, some residences received excellent feedback on their facilities and security. Particularly, this included residences who have invested in dedicated security personnel and taken on board resident feedback in relation to where investment can be best spent to maximise their safety.

The ANU has made some improvements in security arrangements, but more can be done

ANU has instituted measures to improve student safety. This includes the ANUOK application, which can be downloaded to mobile phones and provides security information and interactive services. However, feedback across residences strongly indicated that many residents feel vulnerable and insecure moving across campus at night. In particular, this was due to the need to cross substantially unlit areas to reach particular residences.

Residents also noted their confusion and lack of information about the availability of ANU Security and a campus night bus to assist residents to move safely across campus, particularly at night. Residents reported being advised to wait at least half an hour before a night bus was available and noted the lack of safe waiting zones across the ANU campus in the interim. This results in many residents walking across campus to return to their residence, despite feeling unsafe. Residents would find it useful to have clearer
induction information and general communication about the available night-time services, how to access them, and conditions of their use, with key service contact numbers regularly highlighted in event information.

3.2 Changes are warranted in the pastoral care model to support student leaders and improve residential culture

The Review’s findings on student leadership and support (Section 3.1.6) indicate that the best way to drive improvements in the overall residential culture is by supporting and enabling student leaders to be effective in their role. Student leaders set the culture during induction and have received positive feedback on the impact of student-led bystander intervention training. They have a key role in shaping an inclusive culture, calling out unacceptable behaviour, and supporting peer-learning through speaking with students about safety and inclusion issues. They feed critical information up to staff and provide insight about residents and the residential culture to support staff leadership roles. They run events, help to reinforce zero-tolerance approaches to hazing and can encourage students to moderate substance use or seek support for assistance with substance abuse issues. The ANU has instituted a requirement for residences to operate with a ratio of pastoral care positions to students of 1:25.

3.2.1 Student leaders exercise a high level of responsibility for students of their age and experience

Across all residences, the key student leadership roles are Senior Residents (SRs) and Residential Advisors (RAs), members of residents’ committees, and advocacy roles (such as Women’s, Men’s, and Queer* Officers). SRs/RAs are selected by the staff and have duties focused primarily around pastoral care. Members of residents’ committees are usually elected by students and focus on organising events and representing students to staff and the governing authority. Most members of residents’ committees are second-year residents between the ages of 19 and 20, while residents’ committee presidents and SRs tend to be a slightly older second- or third-year residents (most are between 19 and 21). Advocacy roles tend to vary across residences, in title and responsibilities, and are mostly held by second or third year students. Some residences also have students performing a supervisory pastoral care role (often called ‘Community Coordinators’). These students are generally older again, third- or fourth-year residents or mature age students, but there are some examples of Community Coordinators who are a similar age to SRs.

Student leader roles are demanding and require a high level of maturity, experience, and skills. SRs frequently manage distressed students and have significant levels of responsibility over the pastoral care of 25 or more students. These duties are in addition to their own academic studies and responsibilities. Some residences have a ratio of SRs to residents, effectively, of one to 30. This indicates that the specified 1:25 ratio of pastoral care staff to students may consider other roles such as the Head, Deputy Head, and academic tutors. It can also vary according to the physical layout of each residence. Where the number of rooms on a particular floor is just over 25 it may make sense to allocate the whole floor to one SR/RA. Despite these variables it is unclear how most residences calculate the pastoral care staff to resident ratio.

Although they receive significant levels of training, incentive packages for student leaders are limited, and student leaders often balance their responsibilities with demanding full-time study loads and part-time employment. Members of the residents’ committee and advocacy roles tend to have fewer formal pastoral care responsibilities, but nevertheless have significant responsibilities managing events. Due to their visibility in the community, they are often a natural go-to for residents in need of advice and support. Whilst it may not be part of the design of their role to be receiving disclosures, it needs to be recognised that residents will disclose where they feel comfortable — and thus may choose high-profile students regardless of their formal title. Accordingly, training needs to be available across all student leader roles.
Residences should review processes to attract and retain student leaders with high levels of experience and monitor appropriate workloads

Considering the significant responsibilities held by many student leaders, the Review found some notable issues with the existing pastoral care model. The following require change:

1. The age and level of experience across some student leader roles is too low given the level of responsibility they are exercising in practice. There are particular examples which represent a significant risk factor — for example, one residence has a second-year student with no training acting in a supervisory role overseeing other SRs. Less mature students with lower levels of experience are more likely to incur harm and less likely to sustain demanding roles over the student year.

2. Despite the mandated ratio of 1:25 for pastoral care staff to residents, in practice those with primary pastoral care responsibility (SRs) are often responsible for more than 25 students. Many SRs report having more than 25 residents within their care and a number of residences have overall SR to resident ratios in which the number of residents far exceeds 1:25.

3. The burden of handling disclosures of sexual assault and sexual harassment falls disproportionately on a small number of student leaders, particularly women and residents who represent diverse student groups (e.g. LGBTIQ students, international students).

4. Existing levels of remuneration and support often do not reflect the level of workload required for a student leadership role and are not sufficient to attract appropriately experienced candidates.

Recommendation 2

The ANU set mandatory standards for all residences in relation to the level of experience required to perform a pastoral care role:

- All Senior Residents/Residential Advisors must have appropriate skills and meet minimum requirements for training. Where possible, they should be in at least their third year of study or postgraduate.
- Roles which oversee Senior Residents/Residential Advisors should be full-time professional roles (e.g. Residential Deans of Students) or, at minimum, postgraduate students employed at 0.5 FTE or above.
- Remuneration and employment conditions should be sufficient to ensure that residences have a competitive pool of applicants for pastoral care roles, where all applicants meet the mandatory standards.

Some student leaders bear a disproportionate burden in relation to sexual assault and sexual harassment issues

Particular student leaders shoulder a disproportionate burden of receiving disclosures of sexual assault and sexual harassment, and, consequently, performing a first responder role. Issues in relation to the way this first responder role works are addressed below in Section 4.1.2. However, the burden of receiving disclosures has important implications for the pastoral care model and residential culture across all residences. Qualitative and quantitative survey data indicated that this burden can have a significant impact on student leaders (Figure 23).

Figure 23 | Student leader survey: How did a disclosure of sexual assault or harassment impact you afterwards?

<table>
<thead>
<tr>
<th>Perception</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fine, no problem</td>
<td>17%</td>
</tr>
<tr>
<td>Upset but okay</td>
<td>63%</td>
</tr>
<tr>
<td>Couldn’t stop thinking about it all week</td>
<td>11%</td>
</tr>
<tr>
<td>Deeply distressed unable to stop thinking about it for months</td>
<td>8%</td>
</tr>
<tr>
<td>Total (n = 63)</td>
<td></td>
</tr>
</tbody>
</table>
Many student leaders reported being offered additional support after they had received a disclosure, while some indicated that residential staff supported them to secure immediate access to counselling. The Review, however, found no arrangements for consistent, compulsory de-briefing process after receiving a disclosure. This is discussed in more detail at Section 4.1.2.

**Recommendation 3**

All residences introduce and implement a process through which student leaders who have received a disclosure (identified or non-identified) participate in a follow-up meeting, with a staff member who has the relevant skills to offer support and ensure access to professional services.
4 Response to sexual assault and sexual harassment

The response phase of the lifecycle recognises that while residences can implement high quality practices and maintain them with vigilance, it is unlikely that they will be able to completely eliminate sexual assault and sexual harassment from their community (Figure 24).

Best practice research, discussed in Section 2.3, shows that it is important for institutions to respond to incidents of sexual assault and sexual harassment in a way which:

- minimises harm to the survivor
- signals that the residence takes the matter seriously.

When there is no response to an allegation of sexual assault or sexual harassment — or indeed a response which is not visible to the wider community—it sends a signal that sexual assault and sexual harassment are implicitly tolerated. A rigorous and consistent response that observes natural justice, protects the safety of the survivor, and holds the alleged perpetrator to account is critical to signal zero tolerance.

The response to incidents is also key to generating student confidence in the system, and this in turn drives the rate of reporting. Where residents have little confidence in the responsiveness of the system they are less likely to report incidents. This leads to under-reporting, which has a dual effect: firstly, survivors are less likely to get the support they may need, and secondly, understanding of the extent of the issue is distorted. Resident feedback indicates that, currently, there is under-reporting of the issue.

The aim for the ANU and each of its residences should be to increase residents’ confidence in the responsiveness of the system. This may result in a measurable increase in the number of reports of sexual assault and sexual harassment, and a more accurate reflection of the number of incidents that take place.

Improvements to the response to sexual assault and sexual harassment are a priority

It is clear from our Review that residential staff work very hard and are trying to do the right thing. However, staff themselves recognise that — beyond immediate reporting mechanisms — there is often a lack of clarity regarding the correct course of action. Student feedback also indicates significant levels of dissatisfaction with residences’ responses to allegations of sexual assault and sexual harassment. In part, this is due to a perceived lack of response. However, it is also driven by perceptions of incorrect processes being used by Heads and Deputies, as well as the delivery of inappropriate or inadequate consequences for
perpetrators. Residents and student leaders at all residences consistently articulated the need for clearer and more transparent communication in relation to the procedure for dealing with incidents, and guidance regarding the actions which may be taken. This is explored in greater depth below.

### 4.1 Key findings

The sections below summarise our findings across individual residence reports for the response phase of the lifecycle. We consider the extent to which performance varies across residences and, where appropriate, provide examples of residences that are making good progress towards best practice.

The Review assessed the response phase in relation to two key elements:

1. The extent to which policies and procedures on responding to sexual assault and sexual harassment are aligned to best practice, set clear roles and responsibilities, and are understood by staff, student leaders, and residents.

2. The extent to which residents are satisfied with the way residences are responding to incidents of sexual assault and sexual harassment, including whether residences:
   - respond to incidents consistently, in line with policies and procedures
   - are transparent in the way they report information and explain choices to survivors
   - act in a way which builds student confidence in the process and increases the number of students comfortable to report sexual assault and sexual harassment to the residence in future.

#### 4.1.1 Policies and procedures for responding to sexual assault and sexual harassment

At present the ANU does not have a specific or standalone policy on sexual assault and sexual harassment. This makes it difficult for the residences to develop their own policies, as their response will need to align with the ANU-wide response. The Review understands that the ANU has their policy in development.

The existence of dedicated policies and procedures for responding to sexual assault and sexual harassment varies between residences. This variance depends on whether a residence is an ANU-owned residence, an affiliated residence, or a UniLodge residence.

Documentation and feedback from residents across these three categories indicates that:

- The affiliates generally have more extensive policies and procedures, which are closer to best practice. They provide a strong statement on sexual assault and sexual harassment, articulate roles and responsibilities within the residence for responding to one or both, and provide residents with appropriate avenues for both support and reporting through to the ANU or police.

- The ANU Combined Halls and UniLodge policies and procedures are insufficiently progressed to meet best practice for sexual assault and sexual harassment policies. Alongside the ANU, these residences need to develop a standalone sexual assault and sexual harassment policy and provide clearer information to residents on the zero-tolerance approach to sexual assault and sexual harassment, roles and responsibilities in responding, as well as the avenues for support and reporting through to the ANU or police.

In general, students report moderate levels of awareness about policies and procedures related to sexual assault and sexual harassment at their residence (Figure 25). The level of awareness varied between residences, with the two affiliate colleges reporting the best results.
Across all residences, this feedback was in stark contrast to student leaders’ perceptions of residents’ understanding of sexual assault and sexual harassment procedures (Figure 26). Qualitative feedback indicates that this disparity stems from the fact that some residents have approached student leaders because they are confused about relevant policies and procedures, or that student leaders become more aware of the inconsistencies or challenges in the application of policies and procedures when they are actively involved in using them.

Student leaders generally report a strong understanding of sexual assault and sexual harassment policies and procedures (Figure 27). This indicates that many residences have made significant progress in recent years to train student leaders in this area. Documentation provided to the Review supports this conclusion, as discussed in Section 3.1.6.

However, there are some issues in the consistency with which these policies and procedures are applied (Section 4.1.2) which suggests there may be a lack of clarity in the policies and procedures themselves. Some student leaders felt that policies and procedures leave too much up to the individual discretion of Heads and Deputy Heads. Others suggested issues of bias may undermine the fulfilment of roles and responsibilities, creating further confusion.

Specific incidents of not following policies and procedures have resulted in mistrust

Student feedback indicated that resident trust is hard to build and easy to lose, particularly in the handling of sensitive issues such as sexual assault and sexual harassment. Reviewers were informed of several incidents, across different residences, where residents perceived that policies had not been followed — one example included a staff member being present at interviews with both an alleged perpetrator and a survivor. These types of actions were taken to signify that staff do not treat the issues seriously.
4.1.2 Response to incidents of sexual assault and sexual harassment

Across all residences, residents reported relatively high levels of dissatisfaction with residences’ responses to reported incidents of sexual assault and sexual harassment (Figure 28).

Figure 28 | Resident survey responses regarding sexual assault and sexual harassment

Two major factors explain why there are such high levels of dissatisfaction with existing responses:

1. **Confusion and inconsistency in reporting** — Although sound principles underlie the University’s existing procedure, much of the response pathway appears invisible to survivors and first responders, as well as to the broader community. Residents report a degree of confusion and inconsistency in relation to reporting pathways, timeframes, consequences for inappropriate behaviours through to sexual assault, and the interaction between residence-led, ANU-led and police-led investigations into reports of sexual assault and sexual harassment.

2. **Confusion and inconsistency in responses** — particularly the inconsistency in the actions of first responders and confusion over the choices available to a survivor.

In this section, we note that it is important to distinguish between the disclosure of an incident of sexual assault or sexual harassment, reporting such an incident, as well as the overall response to the incident. These terms are described in the pages which follow. We found that these three, separate steps could be conflated and confused by survivors, the residential student community, student leaders, and staff.

There are opportunities to improve initial responses to disclosures of sexual assault and sexual harassment

Disclosure occurs when a survivor lets someone else know that they have experienced sexual harassment and/or sexual assault. We know that sexual assault and sexual harassment is often deeply destabilising, that it can be extremely challenging to determine the best path forward. Residents report that often survivors are unsure of whether what they have experienced is ‘really’ sexual assault or sexual harassment and whether it is worth ‘making a fuss.’ Others may be affected by feelings of shame, guilt, or denial. Added to this may be worries over the impact of such incidents on the survivor’s personal life, academic progress, health, or visa status and other legal questions. These could include concerns regarding their social circle and the potential impact on their relationships, their reputation at their residence, and in some cases, the impact on the alleged perpetrator. Little wonder that this is a very difficult issue to ‘get right.’

Generally, a survivor will tell a person with whom they feel safe. This person then has the difficult decision to make regarding whether the survivor is in immediate danger, if they are underage (which is relevant to mandatory reporting requirements), and how best to manage the situation. It can be difficult for both the
survivor and the person receiving the disclosure to determine whether an incident is sexual harassment or sexual assault, and the extent to which a crime has been committed.

At all the residences, there is a requirement that disclosures be reported to the residential staff: this is the point at which a disclosure likely becomes a report. However, staff and student leaders in residences struggle with these often-conflicting responsibilities. Reporting may be complicated for student leaders, who reflected on the difficulty of delineating between hearing a disclosure as a student leader and hearing it as a friend. Reporting may also be complex for staff, who typically hold multiple functions within the current response process, including being the support person for the survivor or alleged perpetrator, investigator into the incident, mediator for relationships, decision-maker regarding consequences, and implementor of administrative decisions.

Feedback to the Review suggests that existing policies and procedures on responding to disclosures of sexual assault and sexual harassment are not consistently and transparently applied across or within residences. Specifically, several student leaders reported confusion about their obligations or the appropriate response when disclosures were made by friends or survivors who wished to remain anonymous. More broadly, among respondents to the student leader survey, more than half who received a disclosure reported that they did not follow the prescribed response to the letter (Figure 29).

Figure 29 | Student leaders survey: ‘Did you follow the procedures in place in your residence?’

<table>
<thead>
<tr>
<th></th>
<th>Total (n = 60)</th>
</tr>
</thead>
<tbody>
<tr>
<td>To the letter</td>
<td>43%</td>
</tr>
<tr>
<td>Sort of</td>
<td>33%</td>
</tr>
<tr>
<td>Not really</td>
<td>13%</td>
</tr>
<tr>
<td>No</td>
<td>10%</td>
</tr>
</tbody>
</table>

Similarly, less than half of the respondents to the student leader survey who indicated that they had heard a disclosure felt that they were able to respond effectively (Figure 30). Both this statistic and the statistic prior are of notable concern.

Figure 30 | Student leader survey: Did you feel that you were able to respond effectively?

<table>
<thead>
<tr>
<th></th>
<th>Total (n = 64)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>45%</td>
</tr>
<tr>
<td>Sort of</td>
<td>34%</td>
</tr>
<tr>
<td>Not really</td>
<td>14%</td>
</tr>
<tr>
<td>No</td>
<td>6%</td>
</tr>
</tbody>
</table>

The ANU and each residence need to re-evaluate their student leader training to assess whether these issues are a product of:

- students disagreeing with or lacking trust in the protocol, and actively choosing not to follow it
- the policies and procedures not being clear, user-friendly, or effective
- the training being inadequate to ensure comprehensive understanding of policies and procedures.

There are opportunities to better support those involved in initial disclosures

Although survivors often have a fairly clear idea of the type of outcome they want, they may not always know the specific steps to achieve it within the bounds of the existing ANU protocols. This was reflected in the resident survey (Figure 31).
For this reason, residences need to support survivors to understand the courses of action available to them through both the ANU Discipline Rule and the police, as well as what the result of such actions may be. Caution should be taken not to unduly preempt potential outcomes, or to make evaluative conclusions about the likely success of particular actions based on individual perceptions or experiences. Several staff indicated that they would discourage survivors from particular actions based on previous, poor experiences of other survivors, or challenges they themselves have faced navigating existing systems. This could undermine attempts to empower the survivor with clear choices and may distract from the sense that they will receive support for any pathway they choose.

In many instances, survivors may be unwilling to consider initiating any action which they perceive to be adversarial. This is particularly the case if both survivor and alleged perpetrator are residents at the ANU, and particularly if they are within the same residence. Such a step is frequently seen as confrontational and possibly damaging to both the survivor and alleged perpetrator; both students and staff enumerated incidents where this had been given as a reason for not proceeding with further action.

The ANU violence and sexual assault support webpage provides guidance on how to support a survivor. It focuses on listening to what steps the survivor wishes to take, providing information about options, and doing only what the survivor requests or gives permission to do (unless immediate safety is at risk). Whilst it is extremely important to have a trauma-informed and survivor-centric approach which empowers the survivor, it relies on the survivor having quite a thorough understanding of how university policy and procedure works in order to know what specific requests, permissions, and other steps they must take to achieve the ultimate outcome they desire. As such, whilst this (rightly) puts the survivor in a position where they make their own choices, it is important to ensure that these choices are properly informed. If the survivor does not have a good understanding of their choices under the existing ANU protocols, they may inadvertently make requests which obstruct the achievement of their desired outcome. In instances like this, staff within residences could be more empowered to inform survivors of the specific steps and processes through which different outcomes can be achieved, whilst still leaving the survivor with the choice of which path to take.

It is important to note that first responders are often people who may not in the best position to help — fellow students or casual/contract staff who may be a familiar and safe presence to residents, but who may lack the skills or information to support the survivor appropriately. Staff within residences need to build trust in the official process. Residents need to have confidence that the staff who receive disclosures or reports of sexual assault and sexual harassment treat survivors with empathy and follow up on their welfare. Fear of the criminal process can also mean survivors will be reluctant to pursue criminal proceedings when they otherwise would have. Letting survivors know at the outset what support is available should they proceed on any course of action they choose is important. Best practice includes immediate access to wraparound support services, including professional services that meet the range of needs of a survivor (these may include therapeutic, academic, medical, and legal needs).

A further issue is whether residences are providing proactive support to first responders and student leaders who have received a disclosure of sexual assault or sexual harassment. Although there are many avenues for a resident to receive such support — including the Canberra Rape Crisis Centre and other counselling services — some student leaders report that they would have liked support, but didn’t want to ask (Figure 32).
Staff indicate that at times they do call ANU Counselling to request appointments on behalf of student leaders, and to request prioritisation for an appointment, however this is not a consistent practice within residences.

**Recommendation 4**

All residences put in place measures to improve the initial response to disclosures of sexual assault and sexual harassment. This should include the following actions:

- Proactively provide professional support to all residents who disclose sexual assault or sexual harassment.
- Communicate to survivors — and residents more broadly — that they have a range of choices after experiencing sexual assault or sexual harassment, and that these choices extend beyond pursuing criminal charges.
- Monitor the extent to which student leaders understand and follow the protocols for responding to sexual assault and sexual harassment, and examine the factors driving non-compliance.

More can be done to clarify the response to reports and to build confidence in the reporting system

There appear to be sound principles underlying the current response to sexual assault and sexual harassment at the ANU. The Review identified three key principles which guide the response in theory:

- The response uses a survivor-centric model where the survivor’s wishes determine the response. This principle is guided by best practice in promoting the survivor’s welfare. It is based on the understanding that sexual assault and sexual harassment are deeply disempowering, and therefore it is important to re-build empowerment and agency by ensuring that the survivor controls the response process. This means that the response is well-attuned to the survivor’s needs.
- The response is underpinned by the need to protect the confidentiality of those involved. This too, is oriented towards protecting both the survivor and the alleged perpetrator and is an important component of a response in a tight-knit residential environment.
- The response must exhibit natural justice. An alleged perpetrator cannot be required to move or be subject to other consequences unless there is sufficient evidence that their part in the alleged incident warrants action.

We believe these principles are a sound basis for developing policies and procedures, including reporting processes and response procedures. Nevertheless, more needs to be done.

In particular, the cumulative effect of these principles appears to limit the visibility of both the reporting and response process to the first responder, and often to survivor, leaving the residential community with the sense that ‘nothing happens’ and without a clear signal from the residence or university leadership on their zero-tolerance approach to sexual assault and sexual harassment.

First responders, Heads, and Deputies frequently find themselves in the difficult and confronting position of trying to achieve two goals: to protect the young people involved in an incident, and to arrive at a solution that exhibits natural justice. Due to the tight-knit nature of the residential environment, the
residential community may be watching their actions closely and any incident that is, in their view, mis-handled or not handled exactly according to natural justice, takes on enormous significance.

The unfortunate consequence of this current state is that, as is shown in the survey responses, some residents lose confidence in the ability of the residence to respond effectively to sexual assault and sexual harassment. This in turn reduces the likelihood that they will report an incident. Our Review found this belief to be widespread among residents, and survivors in particular. It is likely to drive significant under-reporting and high levels of reports which are deidentified. More importantly, it can leave all parties involved in the disclosure feeling unsupported and even unsafe.

Figure 33 presents how a cycle of eroding confidence evolves.

Figure 33 | Cycle of under-reporting

The current reporting system is difficult to navigate

The initial report of disclosure can come from a range of sources — there is no ‘wrong door’ for a resident to make a disclosure. The Review strongly supports this policy, as it is good practice: it means that residents can disclose wherever they are most comfortable and reduces the barriers for reporting.

The progress of a report of disclosure from that point becomes complex. If the matter is handled as a Critical Incident there are specific processes in place, and if not, other processes appear to apply. Decisions on consequences can be made from a range of places — Heads and Deputies, Registrars, and, in relation to affiliate colleges, the Deputy Vice-Chancellor. There are also multiple other ANU staff (including the Dean of Students) within the ANU that may be involved in the process or in providing support. However, the roles, level of authority and scope of their involvement, or ability to influence or deliver particular outcomes is poorly understood. This causes confusion and can cloud the expectations of those involved. Staff and residents consistently indicated that this system was difficult to navigate and contributed to issues with delays in responding to complaints and communication issues with the Registrar, Student Administration who ultimately deals with the University’s student misconduct procedure.

Additionally, we note that sometimes the decisions taken by the survivor immediately following an incident, or at the first point of disclosure, may change over time. It is not uncommon for survivors to decide they want to pursue a stronger course of action (for example, a complaint to the University or police) some months after the initial incident. To ensure that options for the survivor are not prematurely closed or limited, reporting of incidents needs to be in a form that can be activated at a future date. Currently there is substantial variation in the content, format, style, and details within reporting systems, which makes them challenging from an administrative and monitoring perspective. It also reduces their usability by the survivor, the ANU, or external agencies (for example, the criminal justice system) for future actions. At a minimum, there needs to be an accurate date, time, and location so that records can be identified at a later date should the survivor wish to initiate formal (or further) action.
4.2 A new framework for responding to, and reporting incidents of sexual assault and sexual harassment

The Review proposes a new framework to guide future responses to incidents of sexual assault and sexual harassment. This framework places the key responsibility for the response and reporting of sexual assault and sexual harassment within the ANU administration as opposed to each residence. The intention behind this is to deliver a more transparent and consistent response, as well as to relieve student leaders and residential staff of the responsibility of both providing pastoral care and trying to adjudicate an appropriate resolution to the incident. We believe the leadership and staff roles within residences would be better focused on pastoral care and student wellbeing, including academic guidance.

It is important any new framework apply to all the ANU residences, regardless of ownership. This would deliver a powerful message that the whole residential community shares a zero-tolerance approach and are following best practice to deliver it.

The aim of the proposed response and reporting system is to increase trust in the process of disclosure, reporting and response. Rising reports should be interpreted as a sign that the new framework is working successfully to build confidence within the resident body. It aims to achieve this through regular communication to address the ‘silence’ described above, by embedding a consistent process to determine consequences, as well as creating consistent reporting channels.

The framework is built around current administrative structures at the ANU and is developed based on input from all of those who participated in the Review, as well as the literature on best practice. It is designed to deliver a transparent and (as far as possible) consistent response across each residence and the broader university campus. Figure 34 presents these principles.

Figure 34 | Principles underlying the Framework

4.2.1 A single, common incident report form and regular public reporting will facilitate an effective and efficient response

Survivors can disclose to anyone they feel comfortable with at a range of places across the ANU. This ‘no wrong door’ approach is good practice which the Review strongly supports. Nevertheless, in addition to in-person options, there is a need to consider providing a range of mechanisms available for residents to report, including online reporting tools. Streamlining reporting, beyond the point of disclosure, against agreed processes and information requirements regardless of how and to whom the report is made is also critical. We encourage the ANU to move quickly to design and implement a common incident reporting form. Information collected needs to include:

**PROCEDURAL FAIRNESS REQUIREMENTS**

1. The fair hearing rule:
   a) Notifying the alleged perpetrator of the allegations
   b) Affording the alleged perpetrator with a reasonable opportunity to present a case

2. The rule against bias

**STUDENT EXPECTATIONS TO REINFORCE**

- The university cannot take punitive action against a student without affording procedural fairness
- Interim measures (e.g. separating students) are for student safety only
- Decision makers should not be the same as first responders and need to be at arms length to avoid bias
• Date and approximate time of incident
• Date of disclosure
• Residence (if student lives in a residence)
• Identity of survivor (this is optional for the survivor, but the form should at least state ‘non-identified’)
• Identity of alleged perpetrator (this is optional for the survivor, but the form should at least state ‘non-identified’)
• Description of incident

This information should be collected, aggregated, and analysed, with de-identified information reported annually, in order to signal to the wider community that the ANU has a zero-tolerance approach toward sexual assault and sexual harassment.

As discussed in Section 2.3, Yale provides a useful example for this report (Appendix A).

**Recommendation 5**

The ANU develop a single sexual assault and sexual harassment incident reporting form that is used throughout the University and tracked on a single platform overseen by the Respectful Relationships Unit. Its data should be used to produce annual, public, de-identified reporting on sexual assault and sexual harassment incidents at the University, and the actions taken in response to it.

### 4.2.2 Two separate processes will protect survivors and set consequences

The proposed framework has two streams, each of which fulfil one function. The first is to protect and support the survivor from the point of disclosure and relates to the support provided to them and the alleged perpetrator. The second is the process through which the report is recorded and investigated to determine consequences. This signals to the broader ANU community that there is a zero-tolerance approach which drives a transparent and consistent response from across the ANU. The proposal is that all reports of sexual assault and sexual harassment go through this process. This includes those that are de-identified.

Figure 35 presents the two channels of the proposed response.
The advantages of having these two, simultaneous channels of response are:

- The support provided to the survivor and the alleged perpetrator is through an entirely separate channel to that which determines consequences. This means that those involved receive support regardless of later decisions on consequences.

- Having a widely known and utterly consistent response process will function to increase residents’ confidence that ‘something happens’ when a report is made.

- Should a survivor decide to make a formal complaint at some future date there will be a formal report on record that can be activated.

- It facilitates the collection of higher quality data on where and when sexual assault and sexual harassment is occurring for the University as a whole, as well as for each residence. It also allows identification of which residences have high rates of de-identified reporting. This can assist with identification of where administration-student relationships need to be strengthened so that residents are confident to make identified reports and receive the support they need.

This response respects the agency of the survivor to make the decisions over what response they want. They can choose whether to identify themselves in the report or not. They can also choose whether to receive emotional support from a professional source and whether to make a formal complaint and activate an investigation from the University. If they do not choose to do so then in most circumstances the report remains with the proposed Investigation Unit, but that is not acted upon. The exceptions to this are those which currently apply under the law (e.g. requirements for mandatory reporting or where there is an immediate threat to student safety which invokes the University’s legal duty of care).

4.2.3 A more streamlined process will facilitate rapid and reliable response

The aim of the reporting model, illustrated below in Figure 36, is to deliver a transparent, consistent, and reliable response that builds confidence within the student body. To achieve this there must be a
recognised pathway through the administration that is tasked with delivering the services and making consistent decisions on consequences.

The hallmarks of this pathway are that the new Respectful Relationships Unit manage all responses. This Unit will require staff with professional skills in the response to sexual assault and sexual harassment and will be well placed to deliver both a sensitive and a rigorous response. The Respectful Relationships Unit will have responsibility to send each incident report to the two channels described above. They will also have responsibility to liaise with the Police if the survivor wishes it. The survivor/alleged perpetrator support will then be delivered by the Division of Student Life, through ANU Counselling or a warm referral to the Canberra Rape Crisis Centre. The consequences will be determined through the Division of Student Administration — which is in line with how consequences to other student misconduct issues within the ANU are determined pursuant to the ANU Discipline Rule, 2018. The process followed here will be to create a case file for each report, including those that are de-identified.

**Recommendation 6**

The Respectful Relationships Unit becomes the coordination point for all reports of sexual assault and sexual harassment and refers to ANU pastoral care and investigation functions as appropriate.
Figure 36 | Proposed administrative pathway for the management of sexual assault and sexual harassment at the ANU residences

First response | Ongoing / sustained services | Institutional response

Internal ANU actors

First responders
- Informal supports
- SRs / CCs
- Head or Deputy of Hall
- ANU Counselling
- ANU Security
- Communication of actions and associated outcomes
- First responder network

Monitoring, evaluation and coordination
- Respectful Relationships Unit
  - Audits ANU policies and responses to SASH;
  - collects data to inform pastoral care and prevention
  - Regularly reports statistics to ACT Policing and builds the
    relationship to improve reporting and signal to the
    broader university that sexual assault is a crime and the ANU
    takes a zero tolerance approach

Pastoral care and support
- Division of Student Life
  - Oversees pastoral and prevention activities across
    the university, including coordination of
    wraparound support
- Office of the Dean of Students
  - Academic support

Internal investigation and evidence
- Division of Student Administration
  - Conducts investigation, collects evidence and
    makes recommendations following misconduct
  - Whether the report is identified is the survivor/
    complainant's choice

Community policing and criminal investigation
- ACT Policing
  - Where appropriate conducts police investigation,
    collects evidence to inform a prosecution
  - Collects data to understand crime in the ACT

External actors
- CRCC
- External agencies

Key
- A formal report
- A formal report
  depending on wishes of
  complainant/incident
4.2.4 Implementation will require additional capabilities and resourcing

The two streams of the proposed response require dedicated capacity and capability. The first is the capacity to deliver professional emotional support to both the survivor and alleged perpetrator within a short time of the incident being reported. The second is the capacity to conduct a skilled investigation and recommend an appropriate, proportionate responses. Figure 37 presents these two capabilities and suggested location of these functions reflecting the ANU’s structures.

Figure 37 | Capabilities and capacities needed to deliver appropriate support and responses

A skilled and effective response will be delivered by teams with expertise in the response to sexual assault and sexual harassment

Staff of the Respectful Relationships Unit, ANU Counselling and the Office of the Registrar, Student Administration and the Office of the Registrar, Student Life have key roles to play in the proposed response. If consistency, transparency, and natural justice are to be achieved it is important that people with the right skill sets hold these roles. The ANU needs to consider how to attract people with the right skills and capabilities in these roles.

Requisite skill sets across these functions include professional experience and expertise in, and understanding of:

- Providing emotional and social support to survivors of sexual assault and sexual harassment, and to alleged perpetrators
- Investigating complex and sensitive issues
- Justice and the delivery of natural justice
- Restorative practice approaches to sexual assault and sexual harassment.

**Recommendation 7**

The ANU establish and resource:

- A sexual assault and sexual harassment pastoral care and support function, which has capacity to provide support to survivors and alleged perpetrators within 24 hours. This function should observe
The police have a key role to play in the response

The ANU and ACT Policing should work together to maintain a strong partnership that signals that the ANU recognises that sexual assault as a crime and has a zero-tolerance approach. This relationship should involve strong police visibility on campus, including:

- ACT Policing involvement in O-Week activities in residences
- co-facilitating sessions at student leadership training
- building police visibility around campus
- where appropriate, police letting students know of their involvement in investigation.

The police have had a presence during O-Week and been involved in the presentation of training for residences. Some residents indicated through the survey and consultations that they would seek assistance from police at times when they felt vulnerable or unsafe and were supportive of increasing awareness of the potential role of police in the response.

This relationship between the ANU and ACT policing could be fostered by tasking one of the staff of the Respectful Relationships Unit to be a police liaison officer and maintain a strong relationship. Another strategy for maintaining and building the relationship is for de-identified data of sexual incidents that are of a criminal nature to be shared with the police each quarter (as indicated in Figure 35).

**Recommendation 8**

The Respectful Relationships Unit proactively builds and maintains a strong relationship with ACT Policing, through initiatives including the development of a role with a police liaison function and the provision of quarterly incident reporting.

4.2.5 Consequences for sexual assault and sexual harassment

In addition to streamlined and consistent reporting, we believe there is a need for a highly visible, consistent, and agreed series of consequences which are appropriate to the seriousness of any incident. Universities, including the ANU, have well-developed rules, governance, and policies and procedures in relation to academic misconduct. We propose that there is a need for a similar and specific process to apply to behavioural misconduct, including sexual assault and sexual harassment. These consequences should be decided and invigilated by the proposed, centralised investigations function within the Office of the Registrar, Student Administration, and as noted above, need to be proportionate to the severity of the incident.

During the Review, we found little guidance available to delegates, decision-makers, and the wider student community on the potential consequences of perpetrating sexual assault and/or sexual harassment. This stood in contrast to areas of academic misconduct, where students clearly understand consequences of activities such as plagiarism, and there is a longstanding practice of holding those in breach of the rules to account.

The creation of an acknowledged list of consequences for perpetrating sexual assault and sexual harassment will facilitate resident understanding of the formal response to these incidents. It will also

- practices of separating support provided to survivors and alleged perpetrators, including scheduling appointments with separate counsellors and at different times of the day.
- A single sexual assault and sexual harassment investigation function, centralised within the Office of the Registrar of Student Administration. This function should align investigation and resolution practices — including appeals processes — with best practice and be staffed by individuals with the requisite skill sets.
maximise the consistency of the response by articulating clear guidance for decision-makers. These consequences need to be clearly communicated with all residents, and included in all appropriate university policies and procedures, including the ANU Discipline Rule.

The following consequences (Table 6) have been developed through discussion with stakeholders. These consequences are not intended to be a progression through which an alleged perpetrator progresses. Rather, we suggest they can be used as a ‘toolkit’ to maximise the extent to which a proportionate response can be selected, although an appropriate response will vary significantly on a case-by-case basis.

<table>
<thead>
<tr>
<th>Table 6</th>
<th>Potential consequences for respondents to allegations of sexual assault or sexual harassment</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Educative conversation</strong></td>
<td>A conversation between the Head or Deputy and respondent to discuss the inappropriate behaviour and determine preventative measures.</td>
</tr>
<tr>
<td><strong>Conversation requiring apology</strong></td>
<td>A conversation between the Head or Deputy and respondent to discuss the inappropriate behaviour and determine preventative measures, with an acknowledgement of the behaviour and apology to the complainant.</td>
</tr>
<tr>
<td><strong>Restorative conversation</strong></td>
<td>A facilitated conversation between respondent and complainant to address behaviour and determine path forward, subject to agreement by both parties.</td>
</tr>
<tr>
<td><strong>Negotiated relocation</strong></td>
<td>Temporary or permanent relocation to another residence to resolve a personal conflict, where the behaviour is not deemed a safety threat to others.</td>
</tr>
<tr>
<td><strong>Personal plan (‘on notice’)</strong></td>
<td>Respondent informally put ‘on notice’ and required to develop a personal plan with monitored commitments to improve behaviour.</td>
</tr>
<tr>
<td><strong>Remedial training</strong></td>
<td>Respondent informally put ‘on notice’ and required to develop a personal plan with monitored commitments to improve behaviour and complete formal training.</td>
</tr>
<tr>
<td><strong>Counselling</strong></td>
<td>Respondent informally put ‘on notice’ and required to develop a personal plan with monitored commitments to improve behaviour and attend counselling.</td>
</tr>
<tr>
<td><strong>Community service</strong></td>
<td>Respondent informally put ‘on notice’ and required to develop a personal plan with monitored commitments to improve behaviour and complete community service.</td>
</tr>
<tr>
<td><strong>Behavioural probation</strong></td>
<td>‘On notice’ status formalised into a formal behavioural probation. Failure to reform behaviour in line with above commitments could result in expulsion.</td>
</tr>
<tr>
<td><strong>Formal restrictions</strong></td>
<td>Geographical restrictions for using the residence and university facilities at certain times, based on complainant’s schedule, with reporting obligations.</td>
</tr>
<tr>
<td><strong>Losing standing</strong></td>
<td>Respondent loses ‘good standing’ with the ANU, as a form of behavioural probation comparable to the academic probation system. Restrictions are enforced, such as loss of ability to apply for scholarships or ANU Global Programs exchanges. This status may not be permanent and is subject to good behaviour and adherence to commitments outlined at an earlier stage.</td>
</tr>
<tr>
<td><strong>Formal warning</strong></td>
<td>The respondent is given a formal warning for their behaviour. The warning is entered into their permanent ANU record.</td>
</tr>
<tr>
<td><strong>Suspension</strong></td>
<td>The respondent is given a suspension from their university courses and position at the residence (if they are still residing there).</td>
</tr>
<tr>
<td><strong>Expulsion (Residence)</strong></td>
<td>The respondent is permanently expelled from their residence.</td>
</tr>
<tr>
<td><strong>Exclusion (ANU)</strong></td>
<td>The respondent is permanently excluded from the ANU.</td>
</tr>
</tbody>
</table>

Throughout the above list of consequences, we use the term ‘respondent’ to refer to either the alleged or confirmed perpetrator, noting that several of these consequences would only be appropriate following a
formal finding through the ANU’s investigations procedure. Some consequences can be applied prior to any finding of an investigation. For example, a negotiated relocation, or an educative conversation could both be used as an immediate response. The following table sorts these consequences into pre and post any finding from the University.

**Table 7 | Classification of potential consequences**

<table>
<thead>
<tr>
<th>Interim measure (Alleged perpetrator)</th>
<th>Post-finding consequences (Confirmed perpetrator)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Educatively conversation</td>
<td>Conversation requiring an apology</td>
</tr>
<tr>
<td>Restorative conversation</td>
<td>Personal plan (‘on notice’)</td>
</tr>
<tr>
<td>Negotiated relocation</td>
<td>Remedial training</td>
</tr>
<tr>
<td>Counselling</td>
<td>Counselling</td>
</tr>
<tr>
<td>Personal plan on notice</td>
<td>Community Services</td>
</tr>
<tr>
<td>Behavioural probation</td>
<td></td>
</tr>
<tr>
<td>Formal restrictions</td>
<td>Losing ‘good standing’</td>
</tr>
<tr>
<td>Formal warning</td>
<td></td>
</tr>
<tr>
<td>Suspension</td>
<td></td>
</tr>
<tr>
<td>Expulsion (Residence)</td>
<td></td>
</tr>
<tr>
<td>Exclusion (ANU)</td>
<td></td>
</tr>
</tbody>
</table>

Throughout our Review, residents and staff expressed interest in exploring the potential for restorative practices within a response framework. The ANU should continue to work with residents, staff and the broader ANU community to understand how and where restorative practices fit into institutional responses to sexual assault and/or sexual harassment incidents.

**There are a range of roles in implementing the consequences**

We suggest decisions about appropriate consequences should be made by staff in the centralised ANU investigations function. This function should also determine how the consequence is implemented. This decision should be informed by a consideration of the skills needed to deliver the consequence so that it is most effective for all involved. For example, where a good knowledge of the student(s) will facilitate the most effective conversation, the Heads and Deputies would be consulted. On the other hand, where a sound knowledge of behavioural change, and perpetrator education are required, staff from the Respectful Relationships Unit should be consulted. Where the consequence is part of ‘business as usual’ processes, such as those that apply following other forms of misconduct (e.g. plagiarism), then the Registrar (Student Administration) would take on an implementation role.

**The appeals process will align with current practices**

The ANU currently manages appeals through a hearing in front of a panel convened for the appeal. This process would remain unchanged for appeals on decisions regarding sexual assault and sexual harassment.
4.2.6 Communication strategy on responding to incidents of sexual assault and sexual harassment

One of the aims of the response proposed above is to build student confidence in the system for responding to sexual assault and sexual harassment. To achieve this, the details of the Framework need to be well known and frequently reinforced. The Communication Strategy is therefore an essential part of its implementation.

Key messages are:

- Sexual assault is a crime. Sexual assault and sexual harassment will not be tolerated.
- Perpetrating sexual assault or sexual harassment at the ANU will have severe consequences (including details of consequences).
- The ANU’s response to disclosures of sexual assault and sexual harassment is survivor-centric, and all disclosures will result in a report (identified or de-identified) that can be pursued based on the survivor’s wishes.
- All students will be offered access to immediate emotional support from a skilled professional if they make a report.
- All reports of sexual assault and sexual harassment will be referred (via the Respectful Relationships Unit) to the ANU investigations function, but any report can be made on a de-identified basis and will not be pursued unless the survivor chooses to do so.
- The ANU regularly works with the police in preventing and tackling sexual assault and sexual misconduct that is criminal in nature.
- The standard of proof for investigations conducted by the ANU for administrative decisions on misconduct is different than that for a criminal prosecution.

To achieve this, the ANU needs to implement a comprehensive Communications Strategy that highlights the details described above. This should include widespread communication of the potential consequences for those who perpetrate sexual assault and sexual harassment.

Below is an example of a relevant communication from another Australian university. Such communication helps to build message of zero tolerance.

**Figure 38 | Message of zero tolerance**

*Dear University community,*

*I am saddened to report that on Saturday morning there was a sexual assault in a toilet block on our campus.*

*We are working closely with the police to help catch the perpetrator.*

*Sexual assault is a crime and will not be tolerated at our University. Everyone should be able to feel safe while on our campus and we are committed to providing such an environment.*
We also suggest the ANU review its current advice and web-based communication in relation to disclosing, reporting, and responding to sexual assault and sexual harassment to ensure they reflect best practice, and to align with these recommendations, in the event that our current proposals are adopted.

**Recommendation 10**
The ANU review current, university-wide materials in relation to sexual assault and sexual harassment — including web-based publications — and align them with best practice.

**Heads and Deputies play a key role in communications**
As described above, one of the factors driving the lack of confidence in the current response to sexual assault and sexual harassment is the perceived silence from residential staff after a report is made. It is not appropriate to make public statements immediately after an incident is reported. However, Heads and Deputies need to make regular public reference to the way the residence responds to sexual assault and sexual harassment and the potential consequences for perpetrators.

**Recommendation 11**
The ANU develop and implement a communications strategy that ensures regular, proactive communication on the University’s response to sexual assault and sexual harassment.
5 A plan for cultural change: monitoring and evaluation

It is important that the ANU closely monitor the implementation of recommendations set out in this report, and in the individual residence cultural change plans. In doing so, the ANU will both proactively address the cultural factors which underpin sexual assault and sexual harassment incidents, while simultaneously creating a response framework that builds and maintains trust within the student community.

This monitoring and evaluation framework is a mechanism to assist the ANU in its efforts to drive cultural change. It highlights areas of progress and areas that still need attention over time. Annual checks will work to embed a self-reflective, learning culture. Residences should report on their performance against these indicators to the ANU each year. This will allow the ANU to actively monitor cultural change and responses to sexual assault and sexual harassment across the residences.

We drew on best practice literature to develop a set of performance indicators. These were used to assess residence efforts to prevent and respond to sexual assault and sexual harassment incidents. We propose that the ANU work with the residences to embed the use of these indicators to track performance over time, and that the ANU draw on the following data sources to populate the performance indicators:

- an annual student resident survey (15 indicators)
- residential records (16 indicators)
- student records (4 indicators).

To implement the monitoring and evaluation framework, data needs to be collected and analysed from these sources annually. Residences should be mindful of how and when they collect data to minimise the reporting burden. The use of this consistent set of performance indicators will allow performance to be continually compared across residences.

Nous has developed cultural change plans for each residence, assessed against performance and progress.

The tables below (Table 8, Table 9, Table 10) outline which data sources can be drawn on to assess residence performance.
<table>
<thead>
<tr>
<th>Phase of the lifecycle</th>
<th>#</th>
<th>Performance Indicator</th>
</tr>
</thead>
<tbody>
<tr>
<td>Induction</td>
<td>1</td>
<td>Extent to which presentation actively engages students and stimulates discussion</td>
</tr>
<tr>
<td>Community atmosphere</td>
<td>2</td>
<td>Extent to which students feel safe at the residence</td>
</tr>
<tr>
<td></td>
<td>3</td>
<td>Extent to which students rate the culture as positive, supportive, and inclusive</td>
</tr>
<tr>
<td>Staff leadership and support</td>
<td>4</td>
<td>Extent to which residents will indicate they would approach Heads and Deputies to seek support and/or make complaints</td>
</tr>
<tr>
<td>Student leadership and support</td>
<td>5</td>
<td>Extent to which student leaders call out poor behaviour</td>
</tr>
<tr>
<td>Events</td>
<td>6</td>
<td>Extent to which the program of events is designed to appeal to students with different interests and backgrounds, and contributes to a collegiate environment</td>
</tr>
<tr>
<td></td>
<td>7</td>
<td>Extent to which events contribute to a positive, inclusive, and supportive culture in the residence</td>
</tr>
<tr>
<td>Hazing</td>
<td>8</td>
<td>Extent to which the residence’s policies on hazing and acceptable community behaviours are effectively communicated to the student body</td>
</tr>
<tr>
<td></td>
<td>9</td>
<td>Extent to which student leaders and residents support and reinforce a zero-tolerance policy against practices that are dehumanising within the residential community</td>
</tr>
<tr>
<td>Alcohol and drug misuse</td>
<td>10</td>
<td>Extent to which substances negatively affect culture and student safety</td>
</tr>
<tr>
<td></td>
<td>11</td>
<td>Extent to which the residence offers appropriate support to residents experiencing substance misuse issues</td>
</tr>
<tr>
<td>Policies and procedures for responding to sexual assault and sexual harassment</td>
<td>12</td>
<td>The extent to which residents understand sexual assault and sexual harassment policies and procedures, the roles of relevant staff and student leaders, and consequences of committing sexual assault and sexual harassment</td>
</tr>
<tr>
<td>Response</td>
<td>13</td>
<td>The level of confidence that residents have in the sexual assault and sexual harassment response systems and reporting procedures of the residence</td>
</tr>
<tr>
<td></td>
<td>14</td>
<td>The level of satisfaction of survivors and alleged perpetrators that a fair and just process was implemented by residence staff</td>
</tr>
<tr>
<td></td>
<td>15</td>
<td>The level of satisfaction of (student leader) first responders with the post-incident support facilitated by the residence</td>
</tr>
</tbody>
</table>
Table 9 | Performance indicators to be reported against annually through a review of residential records

<table>
<thead>
<tr>
<th>Phase of the lifecycle</th>
<th>#</th>
<th>Performance Indicator</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Induction</strong></td>
<td>1.</td>
<td>Extent to which student leaders are on site and available when new students arrive at the residence</td>
</tr>
<tr>
<td></td>
<td>2.</td>
<td>Contains presentations on sexual assault and sexual harassment, Alcohol and other Drugs, Mental Health, Sources of Support, behavioural expectations, bystander intervention</td>
</tr>
<tr>
<td></td>
<td>3.</td>
<td>Extent to which presentations/material are tailored to reflect the diversity in residential cohort, including residents from culturally and linguistically diverse backgrounds, international students, and academic life stage (PG/UG)</td>
</tr>
<tr>
<td></td>
<td>4.</td>
<td>Extent to which student leaders deliver key O-Week content and are supported by staff in this role</td>
</tr>
<tr>
<td><strong>Staff leadership and support</strong></td>
<td>5.</td>
<td>Extent to which staff are trained in responses to sexual assault and sexual harassment incidents, acute mental health incidents, and mediation</td>
</tr>
<tr>
<td><strong>Student leadership and support</strong></td>
<td>6.</td>
<td>The extent to which the ratio of SR/RA's to residents exceeds 1:25</td>
</tr>
<tr>
<td></td>
<td>7.</td>
<td>Extent to which student leaders reflect the diversity of the student body at the residence</td>
</tr>
<tr>
<td></td>
<td>8.</td>
<td>Extent to which student leaders are appropriately trained in sexual assault and sexual harassment, mental health, alcohol and drugs, bystander training, consent matters, and confidentiality</td>
</tr>
<tr>
<td><strong>Events</strong></td>
<td>9.</td>
<td>Extent to which sale of alcohol is controlled and monitored and substantial food is available at major events where alcohol is available</td>
</tr>
<tr>
<td></td>
<td>10.</td>
<td>Proportion of major events that do not involve alcohol</td>
</tr>
<tr>
<td><strong>Hazing</strong></td>
<td>11.</td>
<td>Extent to which there is a declining trend in the number of reports of hazing</td>
</tr>
<tr>
<td><strong>Facilities &amp; security</strong></td>
<td>12.</td>
<td>Extent to which the residence has strong security with professional patrols, functional CCTVs, measures to minimise tail-gating, and quality lighting particularly around the residences perimeter</td>
</tr>
<tr>
<td></td>
<td>13.</td>
<td>Extent to which students report issues with non-residents being able to access the building</td>
</tr>
<tr>
<td><strong>Response</strong></td>
<td>14.</td>
<td>Extent to which there is an increasing rate of identified reporting of sexual assault and sexual harassment to the residence</td>
</tr>
<tr>
<td></td>
<td>15.</td>
<td>Extent to which there is an increasing rate of identified reporting of sexual assault and sexual harassment to police (in tandem with internal university procedures)</td>
</tr>
<tr>
<td></td>
<td>16.</td>
<td>Extent to which sexual assault and sexual harassment policies and procedures are consistently and transparently applied by the Heads and Deputies, and student leaders of residences</td>
</tr>
</tbody>
</table>
Table 10 | Performance indicators to be reported against through a review of student records

<table>
<thead>
<tr>
<th>Phase of the Lifecycle</th>
<th>#</th>
<th>Performance Indicator</th>
</tr>
</thead>
<tbody>
<tr>
<td>Admissions</td>
<td>1.</td>
<td>Extent to which student cohort is demographically diverse</td>
</tr>
<tr>
<td></td>
<td>2.</td>
<td>Collection of student accommodation admissions information facilitates diversity of students across demographic, academic, and personal interests</td>
</tr>
<tr>
<td></td>
<td>3.</td>
<td>Student cohorts from individual schools are actively limited</td>
</tr>
<tr>
<td></td>
<td>4.</td>
<td>Extent to which student cohorts are actively disbursed across the residence</td>
</tr>
</tbody>
</table>

Recommendation 12

The ANU implement Residential Cultural Change Plans, with annual monitoring and reporting from all residences, to assess the extent to which residences are maintaining positive, supportive, and inclusive cultures that minimise sexual assault and sexual harassment. Good practice identified through this process should be regularly and formally shared across the residential community.
Appendix A  Selected bibliography


# Appendix B  Yale University reporting on sexual assault and sexual harassment

*Report of Complaints of Sexual Misconduct, January 1, 2018 – June 30, 2018*

<table>
<thead>
<tr>
<th>Complainant</th>
<th>Respondent</th>
<th>Category of Misconduct Reported</th>
<th>Description/Actions Taken</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yale College Student</td>
<td>Faculty</td>
<td>Sexual harassment</td>
<td>A YC student reported that a faculty member paid unwanted attention to the complainant on multiple occasions. After consulting with the complainant, the Title IX coordinator counseled the respondent on appropriate conduct and restricted the respondent’s campus activities and access to residential and non-academic settings.</td>
</tr>
<tr>
<td>Yale College Student</td>
<td>Faculty</td>
<td>Sexual assault</td>
<td>An anonymous individual reported that a former faculty member sexually assaulted an unidentified former YC student at a time when both were at Yale. The Title coordinator investigated and could not substantiate the allegation.</td>
</tr>
<tr>
<td>Yale College Student</td>
<td>Non-Yale</td>
<td>Stalking</td>
<td>A YC student reported that a non-Yale individual with whom the complainant had been in a relationship sent unwanted and distressing messages to the complainant on a number of occasions. The case is pending.</td>
</tr>
<tr>
<td>Yale College Student</td>
<td>Non-Yale</td>
<td>Sexual harassment</td>
<td>A YC student reported that a visiting scholar made unwanted advances toward the complainant. After consulting with the complainant and the Title IX coordinator, an administrator counseled the respondent on appropriate conduct.</td>
</tr>
<tr>
<td>Yale College Student</td>
<td>Non-Yale</td>
<td>Sexual assault</td>
<td>A YC student reported that more than one unknown non-Yale individual sexually assaulted the complainant during a study abroad program. The Title IX coordinator and the staff of the off-campus program connected the complainant with in-country resources and offered additional support and accommodations.</td>
</tr>
<tr>
<td>Yale College Student</td>
<td>Unknown</td>
<td>Sexual assault</td>
<td>A YC student reported that an unknown individual sexually assaulted the complainant at an off-campus event hosted by a student organization. After consulting with the complainant, a Title IX coordinator counseled the leadership of the organization on appropriate safety and security protocols.</td>
</tr>
<tr>
<td>Yale College Student</td>
<td>Unknown</td>
<td>Stalking</td>
<td>A YC student reported that an unknown individual sent unwanted and distressing messages to the complainant on a number of occasions. The Title IX coordinator implemented academic accommodations for the complainant. The Title IX coordinator referred the complainant to the YPD to discuss safety planning.</td>
</tr>
<tr>
<td>Graduate &amp; Professional Student</td>
<td>Graduate &amp; Professional Student</td>
<td>Sexual harassment</td>
<td>A G&amp;P student reported that another G&amp;P student made unwanted advances toward the complainant. The case is pending.</td>
</tr>
<tr>
<td>Graduate &amp; Professional Student</td>
<td>Graduate &amp; Professional Student</td>
<td>Sexual assault</td>
<td>A former G&amp;P student reported that a former G&amp;P student, who is still a member of the Yale community, engaged in sexual penetration without consent at a time when the respondent was a student. The Title IX coordinator investigated and could not substantiate the allegation. After consulting with the complainant, the Title IX coordinator counseled the respondent on University sexual misconduct policies.</td>
</tr>
<tr>
<td>Graduate &amp; Professional Student</td>
<td>Graduate &amp; Professional Student</td>
<td>Sexual harassment</td>
<td>A G&amp;P student reported that another G&amp;P student made inappropriate comments to the complainant and other students. After consulting with the complainant, the Title IX coordinator, counseled the respondent on appropriate conduct.</td>
</tr>
<tr>
<td>Graduate &amp; Professional Student</td>
<td>Graduate &amp; Professional Student</td>
<td>Intimate partner violence</td>
<td>A third party reported that two G&amp;P students who were in a relationship had engaged in acts of physical violence toward each other. The Title IX coordinator investigated and could not substantiate the allegations. The Title IX coordinator referred both parties to SHARE and for alcohol counseling.</td>
</tr>
</tbody>
</table>

Questions? See the [Title IX FAQs](#) and [Sexual Misconduct Scenarios](#) for more information.