SEXUAL HARASSMENT

Sexual harassment means all unwanted or unwelcomed conduct of a sexual nature that would cause the other person to feel intimidated, insulted or humiliated.

It can be physical, verbal, written or online and can include:
- intrusive comments about a person’s private life or the way they look
- sexually suggestive behaviour such as staring or leering
- deliberately brushing up against someone, touching, fondling or hugging
- sexually suggestive jokes or comments
- unwanted requests to go out, or for sex
- sexual emails, text messages, screen savers or posts on social media sites

Sexual harassment is not flirtation or friendship. A single incident is enough to constitute sexual harassment – it doesn’t have to be repeated.

Sexual harassment is unacceptable and breaches equal opportunity laws. Some types of sexual harassment may also be criminal offences. Where sexual harassment is perpetrated by a student in a University precinct or at a University activity (including online) it may amount to student general misconduct and result in formal disciplinary proceedings.

What can I do?
Ensure safety
If you believe there is an immediate risk to yourself or another person, call:
- 9905 3333 for Security on campus
- 000 for an emergency off campus

Seek advice
You can seek confidential advice from Safer Community Unit. We’ll help to:
- keep you safe
- connect you with the most appropriate support services for your situation
- give you information on your formal reporting options so that you can make decisions that are right for you
- assist you with the reporting process, if you decide to make a formal report

How do I help someone else?
If someone you know has experienced sexual harassment, you should encourage them to discuss the matter with Safer Community Unit, who can provide them with information, advice and support specific to their circumstances. Safer Community Unit can also provide advice for you to pass on, and they can also help you with any support you may need.
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### SUPPORT CONTACTS

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<td>South Eastern Centre Against Sexual Assault &amp; Family Violence (SECSA)</td>
<td>03 9594 2289</td>
</tr>
<tr>
<td>Police</td>
<td>000</td>
</tr>
<tr>
<td>Police Assistance Line and Online Reporting</td>
<td>131 444</td>
</tr>
<tr>
<td>Crime Stoppers</td>
<td>1800 333 000</td>
</tr>
<tr>
<td>Lifeline</td>
<td>13 11 14</td>
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<tr>
<td>1800 RESPECT</td>
<td>1800 737 732</td>
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### ON CAMPUS

- **Respond**
  - Security Services
    - For emergency assistance on campus, or to request a security escort.
    - 03 9905 3333 (emergency)
    - 03 9902 7777 (non-urgent)

- **Report**
  - Safer Community Unit
    - Your key point of enquiry, support and response to concerning, threatening or inappropriate behaviour.
    - 03 9905 1599
    - safercommunity@monash.edu
    - monash.edu/safety

- **Support**
  - Monash Counselling
    - Health and counselling services, programs and resources to keep you healthy in mind and body.
    - 03 9905 3020
    - 1300 788 336 (student 24/7 counselling)
    - 1300 360 364 (staff 24/7 counselling)
    - monash.edu/health/counselling

### OFF CAMPUS

- **Respond**
  - Police
    - 000

- **Report**
  - Police Assistance Line and Online Reporting
    - 131 444
  - Crime Stoppers
    - 1800 333 000

- **Support**
  - Victorian Equal Opportunity & Human Rights Commission
    - 1300 292 153
  - South Eastern Centre Against Sexual Assault & Family Violence (SECSA)
    - 03 9594 2289
  - Lifeline
    - 13 11 14
  - 1800 RESPECT
    - 1800 737 732

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IMPORTANT INFORMATION

WHAT IS SEXUAL HARASSMENT?

Sexual harassment means all unwanted or unwelcome conduct of a sexual-nature that would cause the other person to feel intimidated, insulted or humiliated.

Sexual harassment:
- can occur in a single incident or a series of incidents;
- can be experienced by witnessing behaviour not directed to that person e.g. overhearing a lewd joke;
- can affect all genders;
- can be physical, spoken, visual, written or online.

Sexual Harassment can be a traumatic experience and everyone will react differently. It is common to experience feelings such as fear, loneliness, depression, guilt, uncertainty, low self-esteem and flashbacks.

EXAMPLES OF SEXUAL HARASSMENT

Sexual harassment can include conduct such as:
- sending explicit or sexually suggestive emails, text messages, messages or posts on social networking sites
- obscene or threatening communications such as phone calls, letters, emails, text messages or posts on social networking sites
- displaying or sending images or footage which are sexually explicit or pornographic
- making comments or asking intrusive questions about someone’s personal life, sex life or the way they look
- sexually suggestive comments or ‘jokes’
- sexually suggestive behaviour such as leering or staring
- deliberately brushing up against someone, touching, fondling or hugging
- displaying offensive screen savers, photos, calendars or objects
- repeated requests to go out
- requests for sex
- indecent exposure
- unwanted sexual attention

WHEN SEXUAL HARASSMENT IS AGAINST THE LAW

Sexual harassment can be unlawful depending on the circumstances in which it happens. Sexual harassment is unlawful if it happens at a workplace (e.g. between two staff members). Sexual harassment is also unlawful where it occurs at a university and is perpetrated against a student by a staff member or by another student.

Even though sexual harassment is unlawful under the Sex Discrimination Act, it is not prosecutable as a criminal offence. This means that in most cases Victoria Police will not be able to charge the offender. Some exceptions include where the sexual harassment consists of conduct that amounts to another criminal offence, such as:
- physical touching or assault
- indecent exposure
- sexual assault
- stalking
- obscene communications (telephone calls, letters etc.)

In other cases, if you would like to take legal action, you will need to contact the Victorian Equal Opportunity and Human Rights Commission (VEOHRC) or the Australian Human Rights Commission (AHRC).
IF YOU HAVE EXPERIENCED THIS

If you have been sexually harassed, remember that:
▶ it was not your fault and that the perpetrator is solely responsible for their offending
▶ there is no right or wrong way to manage sexual harassment, you need to do what feels right for you
▶ there is no timeframe for reporting or seeking help
▶ you do not have to report it but you can consider seeking other support

Sexual harassment matters are complex. Your first point of contact should be Safer Community Unit for advice, to report, or to seek support. They are a specialist team who can talk you through your options, explain where you can get further support and provide you with information to help you make decisions. They can also refer you to the other support services available - listed on page 10.

If the behaviour cannot be resolved directly with the person involved, you can make a complaint to the VEOHRC or the AHRC. Both AHRC and VEOHRC attempt to resolve complaints through conciliation.

WHAT CAN I DO?

If someone you know has experienced this

If a friend tells you they have been sexually harassed, they have taken a difficult step. They have chosen you because they trust you and need someone to confide in.

Your role is to:
▶ Listen to them without judgement and allow them to talk at their own pace.
▶ Believe their story as it is not your job to investigate. Only ask enough questions to establish if they are safe.
▶ Validate their feelings and reassure them that it was not their fault.

Please remember that there is no right or wrong way to manage sexual harassment, and they should do what feels right for them.

Safer Community Unit can also provide advice for you to pass on, and they can also help you with any support you may need. It’s okay to step back and let experienced services continue the support, you only need to be a friend not an expert.

KEEPING YOU SAFE

IMMEDIATE ASSISTANCE

Your safety and wellbeing is Monash University’s first priority. We will consider your needs and take steps to make sure you are safe.

For an emergency response on or off campus, call 000 for police or ambulance.

If you feel in danger on any campus, contact Security Services on 03 9905 3333 for an immediate response. They know the campus layout and, if necessary, will be able to contact Victoria Police and guide them to your location.

ON CAMPUS

If you are concerned about travelling around campus, you can arrange a security escort at any time of day by calling 03 9902 7777.

It may be possible to put in place measures to ensure your safety on campus, including to reduce the risk of you encountering the perpetrator on campus. Safety measures may include, directions that restrict the alleged perpetrator’s access to buildings or which prohibit them from speaking to or approaching you. To discuss safety measures further, speak with Safer Community Unit.

OFF CAMPUS

If you feel unsafe, you can seek an Intervention Order. This is a court order, made by a Magistrate, to help protect you (and/or your family) from the alleged perpetrator. An Intervention Order sets rules or conditions about how the alleged perpetrator must behave towards you. The conditions may stop them from harassing, threatening or intimidating you, or contacting you, or being near you.

You can apply for an Intervention Order yourself by attending a Magistrates Court and asking for an application. You can talk to the Registrar if you are unsure about how to fill out the application. In some cases, you can also ask the police to apply for an Intervention Order on your behalf.

For more information:

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For more information:
HELP AND SUPPORT

ON CAMPUS

Safer Community Unit
If you have experienced sexual harassment, you are encouraged to talk to Monash University’s Safer Community Unit. They are a specialist team who can give you information and advice in a safe place to assist you with your decisions. They can explain where you can get further support, mitigate any potential ongoing risks and assist you to make a report if that is what you decide to do.

Safer Community Unit can help you by providing:
- advice and referrals for your ongoing safety and wellbeing needs
- access to medical care, with your agreement
- preservation of evidence, with your agreement
- referrals to a Centre Against Sexual Assault, with your agreement
- information about your formal reporting options

For more information:
- visit monash.edu/safety
- call 03 9905 1599

Monash Counselling Service
The Monash University Counselling Service has counsellors who are available at all campuses Monday to Friday. All Counselling Service counsellors have received specialised trauma training.

There are also counsellors from the South Eastern Centre Against Sexual Assault (SECASA) that are available within the University Health Services at Clayton (Monday, Tuesday) and Caulfield (Monday). You can make an appointment to see a SECASA counsellor on or off campus through SECASA or the Monash University Counselling Service.

For more information:
- visit www.monash.edu/health/counselling
- call 03 9905 3020 to organise an appointment

OFF CAMPUS

Centres Against Sexual Assault
Centres Against Sexual Assault (CASAs) offer a range of services including counselling for for victims/survivors of sexual and family violence, including sexual harassment. They also work with non-offending family members, partners, caregivers and support workers.

There are 14 CASAS in Victoria. Their services are free and include:
- Follow-up short, medium and longer term counselling and support
- Information and support during the police investigation process
- Information and counselling for friends and family members
- Medical assistance and follow-up medical treatment
- Referrals for assistance with emergency housing and Victims of Crime Assistance Tribunal applications.

SECASA is the local CASA for the area to the south-east of Melbourne, which includes Monash University’s Clayton, Caulfield and Peninsula campuses. Students and staff based at Parkville campus, which is outside SECASA’s area, can go to CASA House at 210 Lonsdale Street, Melbourne. SECASA counsellors are also available within the University Health Services at Clayton.

For more information:
- visit www.secasa.org.au
- call 03 9928 8741 (crisis)
- call 03 9594 2289 (admin)

Victorian Equal Opportunity and Human Rights Commission
If you can’t resolve a sexual harassment issue directly with the person involved, you can make a complaint to the Victorian Equal Opportunity and Human Rights Commission or the Australian Human Rights Commission.

It is also unlawful for you to be victimised because you have made a complaint about sexual harassment.

For more information:
- call 03 9928 8741
REPORTING TO MONASH UNIVERSITY

If you report sexual harassment, know that you are not alone. Monash University wants to help you. Please remember:
▶ Monash University can provide expert help, advice and support to assist you to consider your decisions.
▶ You are always able to discuss your options and decisions with the Safer Community Unit. There is no timeframe for reporting or seeking help.
▶ The final decision about whether to report is an important personal choice, and is yours alone to make. You need to do what feels right for you.

There are some circumstances where Monash University may be obliged to take certain action, even if you don’t want to make a formal report. This might occur if, for example, a child is at risk, or where there is a serious or imminent risk to the safety of another person.

In managing disclosures and reports of sexual harassment, Monash University follows the principles and procedures in its Sexual Misconduct Response Procedure. You can read this Procedure on the Safer Community Unit web page, and you can also ask the Safer Community Unit to provide you with a copy.

Monash University’s internal disciplinary systems may not apply, and the University may not be able to investigate the harassment, if:
▶ The perpetrator was not a Monash University student or staff member at the time of the harassment;
▶ The perpetrator is no longer a current student or staff member; or
▶ The harassment happened off-campus and at a location or activity that is not connected to the University.

In these cases, the Safer Community Unit will still be able to help you by:
▶ Providing you with information about external reporting options that may be available;
▶ Referring you to appropriate support services; and
▶ Discussing measures that may be available to keep you safe on campus.
WHERE THE PERPETRATOR IS STAFF MEMBER

If the perpetrator is a current Monash University staff member, you can ask Safer Community Unit to refer the matter to the student general misconduct process. This will involve the allegation being formally investigated, usually by the Safer Community Unit. Evidence, where available, will be collected to show whether the perpetrator has engaged in an act of general misconduct.

The evidence gathered by the investigation will be provided to the Responsible Officer for General Misconduct (ROGM) in the Student Conduct. The ROGM may deal with the allegations themselves or may refer the matter to a general misconduct panel to decide whether the allegations are proven.

As part of the general misconduct process:

- The perpetrator is required to be given an opportunity to respond to the allegations against them; and
- The ROGM or the general misconduct panel may invite you to answer questions about what happened; and
- Arrangements can be made to ensure you do not have contact with the perpetrator during general misconduct proceedings.

WHERE THE PERPETRATOR IS A STUDENT

If the perpetrator is a current Monash University student, you can ask Safer Community Unit to refer the matter to the student general misconduct process. This will involve the allegation being formally investigated, usually by the Safer Community Unit. Evidence, where available, will be collected to show whether the perpetrator has engaged in an act of general misconduct.

Where the allegations of general misconduct are found proven on the balance of probabilities, the ROGM or the general misconduct panel may impose a range of penalties on the perpetrator, including suspension or exclusion from the University.

WHERE THE PERPETRATOR IS STAFF MEMBER

If the perpetrator is a current Monash University staff member, you can ask Safer Community Unit to refer the incident to the Workplace Relations area of the University to consider staff disciplinary action. This involves the incident being investigated and any available evidence being gathered.

The evidence is provided to Workplace Relations, who is required to give the perpetrator an opportunity to respond to the allegations.

After this, if Workplace Relations considers there is enough evidence to take action, they will then determine how to proceed.