M I N U T E S

No | Item | Presenter
---|---|---

**Apologies:**
- Professor Sue Elliott AM
- Ms. Jo Mithen
- Mr. Vladimir Prpich
- Professor David Copolov AO
- Professor Andrew Walker
- Mr. David Ibraheem
- Mr. Bryn Dodson
- Ms. Carolyn Worth
- Ms. Emily Spencer
- Ms. Hannah Littler
- Nominee of the Monash Park Student Union

**Guests:**
- Ms. Rose Bryant-Smith – Director, Worklogic
- Ms. Catena George – incoming Executive Officer, Respect, Now, Always Advisory Committee
- Mr. Henry Fox – incoming President, Monash Student Association

1. **Welcome and acceptance of notes of previous meeting**
   Professor Gardner acknowledged this was the final meeting of the year and noted the inclusion of Monash College to this Committee. Professor Gardner also commented on the recent, factually incorrect media articles that purport to describe the role of Universities as engaging in finding criminal guilt or innocence. She clarified that is not the case, as universities work to support police and others to conduct these investigations. However, as per the University’s own code of conduct policies, the institution is able to determine misconduct on the balance of probabilities. There is a clear distinction between these responsibilities.

   Members accepted the minutes of previous meeting.

2. **Noting of AHRC’s Change the Course Review Status Update**
   Ms. Marshall presented a summary of the Change the Course Review – Action Plan. It was noted, that though much of the work is ongoing, the Committee had successfully overseen the implementation of all nine recommendations set out by the AHRC.

   Mr. Felix added that the Committee’s attention will now turn to considering the recommendations as proposed by the Independent review, which will, in turn form the scope of works for the Committee into 2019.

   Members noted the Status Update.

   Rose Bryant-Smith, Director, Worklogic detailed the comprehensive process undertaken for this review, which involved interviews with over 50 individual stakeholders, a 2000 respondent student survey, and 13 focus groups with students (including those living on campus). At the outset, Rose noted that all stakeholders approached the exercise with a, ‘full and frank,’ spirit, indicative of the University’s deep commitment to these issues. Rose observed that Monash had already conducted an incredible amount of work in this area, and the approach with students was one that was overall, values-based, empowering and rights-based.

   Rose noted the following key improvements for the Committee’s endorsement:
   - Increasing student knowledge and awareness of support services and reporting avenues (particularly for 2nd and later year students, female students, and higher degree by research students);
   - Clarifying the role and inter-relationships of relevant complaint and support units (the need to consolidate webpages and simplify communications was noted);
   - Clarifying the Student General Misconduct Procedures and associated Guidelines (to focus also on sexual harassment in the definitions used);
• Clarifying the responsibility for the triage, investigation and management of complaints by students (including the role of Workplace Relations in staff – student matters);
• Improving relevance, effectiveness and focus of training and support for student groups at higher-risk (with a particular focus on international, LGBTI and indigenous students, as well previously identified categories of female students and higher degree by research students);
• Providing continuous improvement for student learning at residences.

Importantly, the report noted the excellent practice at Monash Residential Services with respect to 24/7 supervision, the training of student leaders, the absence of a hazing and drinking culture.

Members endorsed this report and the Vice-Chancellor thanked all involved for their contributions.

Rose mentioned that Worklogic have also prepared a specific report for Mannix College which has been passed on to the College administration for further consideration. Mr. Babapulle noted that he had read the report and was most grateful for the University’s assistance with this exercise. It was also acknowledged that Mannix College leadership were working very hard, and will be drawing on the experience of Monash Residential Services in eliminating any aspects of a hazing culture. Mannix will report back on their responses in due course.

Members considered and endorsed the accompanying action plan. Members identified two further areas of work, including the need to ensure Monash University’s expectations in relation to safety and support of students are communicated to, and agreed by international partners; and that support and response pathways as related to respondents are communicated as clearly (i.e. through repositioning webpage) as they are to complainants. These items were included as additional tasks to the Action Plan in response to the Independent review.

It was noted that following this meeting, the Worklogic review and the Action Plan would be made public and communicated to staff and the broader public. It was also noted that these matters would both be considered by the Vice-Chancellor’s Executive Committee and the University Council by the end of the year.

4. **Noting of Compulsory student participation in the Respect @ Monash online unit**

Ms. Marshall presented the attached Status Update paper in relation to this initiative, and noted that as at 22 October, the Web Enrolment System (WES) displayed the Respect @ Monash module on the Enrolment summary page. Ms. Marshall queried the Committee as to whether exemptions ought to be granted for students, and if so, under what scenarios.

The Committee unanimously agreed, that given this training was about code of conduct and the shared expectations of what it means to be a member of the University community, there was no need for such exemptions and that if students declined to participate, that they ought to explain the rationale to the Respectful Communities Unit and provide appropriate evidence. The Vice-Chancellors endorsed this approach and commended Fiona and team for their work in introducing this initiative.

Ms. Fiona Marshall

5. **Noting of Respectful supervisory relationships and other staff matters**

Ms. Connors highlighted that since Meeting 3/2018, further actions had been progressed in relation to staff matters as tabled, as well as in reviewing the University’s fulfilment of *Universities Australia’s Principles for Respectful Supervisory Relationships*. Ms. Connors noted that improving training for staff in Graduate Research and those involved in international student recruitment was a key priority of future work.

Members discussed how to best ensure that staff with joint appointments in international settings and those that are visiting are made aware of Monash University’s expectations. It was agreed that this should be built into a tailored version of a *Statement of Expectations* (as identified earlier) and included as part of the on-boarding process for these members of staff.

**ACTION:** A Working Group comprising Mr. Minto Felix, Ms. Catena George, Ms. Bridgid Connors, Ms. Susan Anderson with the support of the Office of the Deputy Vice-Chancellor (Global Engagement) to progress this work.

Professor Gillespie queried whether Monash University policies govern staff in joint appointments. It was clarified that indeed this is the case, and where circumstances require it, Monash University will notify the other employer the staff hold their appointment with, of misconduct.

Ms. Bridgid Connors

6. **Discussion of Comparative analysis between the Change the Course survey and Everyone’s Business – Workplace Sexual Harassment survey**

Ms. Marshall summarised the key findings arising from this analysis and highlighted the following themes for the consideration of the Committee, including:

- As with the Everyone’s Business survey, a future prevalence survey on issues of sexual assault and harassment at Australian universities may see an increase in the reported incidents (due in part, to increased awareness).
- It will be important to sustain efforts to encourage students to report (including bystanders), as barriers to reporting remain pervasive.
- A comprehensive social norms marketing campaign, which supports calling our sexism and sexual harassment will form future priorities of work for the Respectful Communities Unit in 2019, to support those efforts.

Members noted this useful analysis from Fiona.

Ms. Fiona Marshall
Discussion of frequency of meetings in 2019 and future arrangements for this Committee

Mr. Felix reiterated the Vice-Chancellor’s earlier comments that since inception, the Committee had achieved much good work and as noted by Ms. Marshall, the Committee had successfully overseen the implementation of the AHRC Recommendations. However, as highlighted by the Independent review, there are a new raft of issues and opportunities that warrant the Committee’s consideration. Mr. Felix also noted that Universities Australia are due to commission a national survey in 2019.

Given this, it was proposed that the Vice-Chancellor’s Respect, Now, Always Advisory Committee continue to meet in 2019 for a reduced cycle of three meetings per year. It was also noted that Monash College would form the composition of this Committee, and that Mannix College would continue to participate, as both parties are working to ensure that their environments are safe and respectful. Members endorsed this approach.

The Vice-Chancellor acknowledged the work of all involved, including those that were not able to attend the meeting. The Vice-Chancellor also offered her deep thanks of the Committee to Minto Felix for his work in advancing the University’s deliberations and implementation of actions to address sexual harassment and sexual assault.

Meeting closure
<table>
<thead>
<tr>
<th>Recommendation</th>
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<tr>
<td>(1) Establish an advisory committee</td>
<td>Completed. In 2018, the RNA Advisory Committee met quarterly to develop, and review the progress of a University wide action plan to prevent and respond to issues of sexual assault and harassment at Monash University. The RNA Advisory Committee will continue to meet three times over the course of 2019 to progress further actions.</td>
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<td>(2) Address drivers of sexual assault and harassment</td>
<td>Completed. The RCU (Respectful Communities Unit) was established January 2018, recognising that addressing drivers of sexual assault and harassment will require ongoing work. In 2018 there has been significant policy review to improve processes, and increased training and events to educate students at the University.</td>
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<td>(3) Awareness of support services and reporting processes</td>
<td>Completed. Significant effort has been made by key support services and response pathways, and the RCU, to raise awareness of these processes through an extensive orientation campaign and digital and print promotion. Monash will continue to invest considerable resources to raise awareness of sexual assault and sexual harassment and lift the visibility of support services and reporting options for students.</td>
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<td>(4) Independent review of policies and response pathways</td>
<td>Completed. In October 2018, Worklogic completed the independent, expert-led review of existing university policies and response pathways in relation to sexual assault and sexual harassment. This review will form the basis of future actions and initiatives.</td>
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<td>(5) Training for people most likely to receive disclosures</td>
<td>Completed. Currently more than 1000 staff and student leaders across all four campuses have completed the SECASA-facilitated responding to disclosures training. The training will continue to run on a regular basis.</td>
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<td>(6) Reporting and continuous improvement of processes</td>
<td>Completed. The handling of student general misconduct has been centralised, and Monash University has committed to providing the Vice-Chancellor with de-identified data on an annual basis.</td>
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<td>(7) Audit of university counselling services</td>
<td>Completed. KPMG completed review in December 2017, with all recommendations implemented by June 2018.</td>
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<tr>
<td>(8) Regular reporting of sexual assault and sexual harassment</td>
<td>Completed. This recommendation will be actioned by Universities Australia on behalf of all universities. Monash University is committed to be an active participant in all future surveys.</td>
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<tr>
<td>(9) Review of contributing factors in university residences</td>
<td>Completed. In October 2018 Worklogic completed the independent, expert-led review of the factors which contribute to sexual harassment and sexual assault in their settings. This review will form the basis of future actions and initiatives.</td>
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Independent Review of Monash University’s Sexual Harassment and Sexual Assault Policies and Response Pathways

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Summary of Findings and Recommendations

Monash University has taken a proactive response to the AHRC *Change the Course* report. We commend the significant work and commitment demonstrated by Monash University’s senior leadership and those engaged in the delivery of services in relation to the issues of sexual harassment and sexual assault.

Significant data was gathered in this project, including over 2,000 responses to the student survey, interviews with 55 individual stakeholders, and 13 focus groups with students and Residential Advisors in residential colleges. The stakeholders were detailed and constructive in their contributions. Worklogic has considered all data critically, and assessed Monash University’s efforts against best practice in the prevention and handling of sexual assault and sexual harassment.

With respect to future improvements in the three key areas of exploration in the Terms of Reference (Appendix 1), we have identified the following themes for our recommendations:

1. Increasing student knowledge and awareness of support services and reporting avenues (recommendations 1 – 4);
2. Clarifying the roles and inter-relationships of relevant complaint and support units (recommendations 5-9, 12);
3. Clarifying the Student General Misconduct Procedures and the Guidelines (recommendations 10 and 11);
4. Clarifying responsibility for the triage, investigation and management of complaints by students (recommendations 13-18);
5. Improving relevance, effectiveness and focus of training and supports for student groups at higher risk (recommendations 19-25); and
6. Providing continuous opportunities for student learning at university residences (recommendations 26-30).

By way of context, a specific report for Mannix College has been prepared and passed on to the College, which contains those recommendations above which are relevant for the College.
A. Awareness of support services and reporting avenues amongst students

Student Survey

The student survey that was conducted to inform this project is described in Appendix 2. Noting the low survey response rate of 3% of students, of this motivated group of students who responded, the majority were aware that they could make a report about sexual harassment that they experienced (70.5%) or witnessed (63.2%), and that support services would be available at Monash University (51.4%).

Students’ reported knowledge of the avenues of reporting and support was far lower. 41.0% claimed to be ‘a little or somewhat knowledgeable’ about Monash University support services for anyone reporting sexual harassment and assault, and 4.5% knew ‘a lot’ or ‘everything’ about these services. (50.3% did not answer the question.) Even fewer students reported that they knew that the Safer Community Unit (21.3%) or the Office of Student Conduct (14.1%) are reporting avenues for sexual harassment and assault.

Among the students who did know about one or more reporting avenues for sexual harassment and assault, the most popular sources of information were Monash University Orientation and emails from the university.

Noting the low response rate to the survey, and the likely higher motivation of those students who did respond, it is possible to make the following observations on the responses of certain demographic groups (without drawing statistically reliably extrapolations or conclusions).

- **Gender** – Men were more likely than women to indicate that they knew about university services for reporting sexual harassment and assault, the SCU and the OSC, and men were also more likely to indicate that they knew that they could report sexual harassment and assault if they witnessed or experienced it at Monash University.

- **Students living on campus** were more likely than those students not living on campus to indicate that they knew about university services for reporting sexual harassment and assault, the SCU and other support services, and that they could report sexual harassment and assault if they experienced it at Monash University.

- **International students** were more likely than domestic students to indicate that they knew about the SCU and the OSC.

- **First-year undergraduate** students were more likely to know about reporting avenues for sexual harassment and assault than any other students.

- **Campus location** (Clayton, Parkville, Caulfield, Peninsula) did not seem to distinguish student responses.

- **Postgraduate and Higher Degree by Research (HDR) students** were more likely than undergraduate students to know that they could report sexual harassment and assault if
they witnessed it on campus, and they were also more likely than undergraduate students to know that the OSC was a reporting avenue for sexual harassment and assault.

**Stakeholder interviews**

The students interviewed in this project were all in representative positions, yet the majority of them did not demonstrate a clear understanding about pathways for reporting, response and support when incidents of sexual assault/harassment arise, and in particular the role of the SCU (consistent with survey results, summarised above).

Interview data gathered in this project indicates that the incidence of sexual harassment and sexual assault is greater than is formally reported, both within university residences and in the broader university. In 2017, there were officially 4 sexual assaults and 12 sexual harassment matters reported. The reported incidents in 2016 were of similar number.

**Reported Incidence of Sexual Harassment and Sexual Assault**

The responses of Monash students to the AHRC survey (https://www.monash.edu/about/respect-now-always/survey-results) indicate that 22% of responding students experienced sexual harassment (excluding on public transport) in 2016, and 1.5% were sexually assaulted at university in 2015 and/or 2016. This data indicates that a far higher number of students experienced sexual harassment or sexual assault than they formally reported to Monash University.

While the extent of underreporting of incidents at Monash was not within scope of this project, it is possible that students’ low knowledge of pathways for reporting could be a contributing factor. The AHRC survey indicates that the majority of students who had experienced sexual harassment (as distinct from sexual assault) and did not report it (72%) regarded the incident to be not serious enough to warrant a report. Only 11% of students who had experienced sexual harassment and did not report it ‘did not know where I had to go/what I had to do to make a formal report or complaint’. Other factors potentially contributing to underreporting include the victim’s:

- Fear of the consequences for their job, study arrangements, social standing
- Wish to avoid any further contact with the harasser
- Denial or downplay of the gravity of the situation
- Wish to forget the behaviour or ‘put it behind me’
- Feeling shame or humiliation
- Fear of not being believed

Improving students’ knowledge of pathways for reporting and support should increase the proportion of incidents which are reported, both directly (students know how to report and so are more likely to do so) and indirectly (communications campaigns that support victims to come forward should help to address the other factors listed above).

**Recommendations**

1. That additional work be undertaken to promote the support services and supporting pathways, and specifically the existence and roles of the SCU, the OSC and the Respectful Communities Unit;
B. Existing university policies, processes, practices and response pathways

Commendations

It is clear that Monash University has taken a clear stance and undertaken significant work in response to the AHRC ‘Change the Course’ report. We commend Monash University’s senior leadership and operational staff for the commitment they have demonstrated in relation to the issues of sexual harassment and assault. Refinements and improvements are being considered on an ongoing basis, which is excellent.

- **Centralising student general misconduct** – With respect to structure and accountabilities for support and complaint, the centralisation of misconduct under the Student Misconduct Policy has clarified and simplified the process for all. Critical incident management protocols are also reportedly working well.

- **Respectful Communities Unit** – The introduction of Respect Now Always Day, and the creation of the Respectful Communities Unit within SCU (‘RCU’), are also very positive initiatives which are gaining traction, recognition and impact.

- **Cooperation between units and support providers** – Internal and external partnership arrangements, and formal and informal networks for regular, informal information exchange between Monash staff who work with students who report sexual assault or harassment, are effective and productive. Good linkages between the relevant units have been forged, for example the Risk Management Group (which includes SCU, Security, Counselling, MRS, Office of the General Counsel, the International Student Office and others). The South East Centre Against Sexual Assault and Family Violence (‘SECASA’) has strong mutual referral relationships with other support services, such as RCU, SCU, Counselling and the Disability Student Unit (DSU). Campus security is excellent, as are critical incident management protocols.

1. **Immediate response when allegations are made: Access to safety and wellbeing assistance, clear and accessible information, specialist support**

Observations

Once Monash University receives an allegation of sexual assault or sexual harassment, it responds appropriately and quickly, and provides a range of support services. The support services that are available to complainants are very good, including security, counselling and other health services. Their responses are sophisticated, with triage, clear response timeframes, risk level classifications, graduated responses and liaison with other agencies and services (e.g., within 72 hours, forensic, transport to counselling, hospital).
The Respectful Communities Unit and Safer Community Unit both have a solid reputation amongst staff and students. The RCU works closely with SECASA, and has also forged valuable links with security and student associations, which is excellent. RCU demonstrated a sincere awareness of diversity issues and making their advice accessible. Both the SCU and RCU should be commended for their harm-minimisation approach, and focus on providing information and support to empower victims to make their own choices.

**a) Safety and wellbeing assistance**

The Office of Student Conduct operates on the basis of a trauma-informed, “do no further harm” approach to dealing with complainants, which is best practice. The OSC is still building its recognition across Monash, having only commenced its operation in late February 2018. The OSC’s presence on the Monash website is minimal ([https://www.monash.edu/students/general-misconduct/the-office-of-student-misconduct](https://www.monash.edu/students/general-misconduct/the-office-of-student-misconduct)) and sits under the ‘General Misconduct’ material. As a decision-maker and complaints-handler, it is less important that this Office is ‘promoted’ to students, however there should be more information available about its role, functions and processes (confirmed by the low recognition of this Office demonstrated in the student survey).

Best practice requires that every student who is involved in any way in a misconduct matter (complainant, respondent, witness, support person) can:

- easily and quickly identify the mandate and terms of reference of the OSC;
- anticipate how the OSC will deal with the matter, including its decision-making powers; and
- understand their rights and how to assert or defend themselves, or otherwise participate in the process.

There is widespread misunderstanding amongst students about the role of Safer Community Unit. Some students who were interviewed believe that this unit is the same as security; other students said that the SCU is “more about bullying and assault” and would not consult SCU for assistance with matters of a sexual nature. Further, SCU is perceived by students to be more supportive of complainants than respondents. Many staff and students are unclear whether SCU undertakes investigations, which is believed by some to be exclusive responsibility of newly-established Office of Student Conduct.

SCU’s presence at Caulfield one day per week is not widely known. Focus groups reported that students at Caulfield often report sexual harassment or sexual assault to ‘Student Rights Service’ run by MONSU Caulfield ([https://www.monsu.org/srs/](https://www.monsu.org/srs/)) or the Monash University Health Service (Caulfield).

SCU’s view is that a victim has a right to determine whether or not to make a formal report (complaint) to Monash University, and consistent with this, SCU does not notify the ROGM of every disclosure of alleged sexual assault or harassment. This approach is well-intentioned and appropriate, however technically it is inconsistent with the Student General Misconduct Procedures which require staff to report contact that is a breach of policy. We recommend that a ‘disclosure’ is formally recognised as different to a ‘complaint’ or ‘report’, to allow this practice to continue consistent with the Procedures.
b) **Clear and accessible information**

We commend Monash University for:

- The ability of students to make a report online;
- The clear prominence of Respect Now Always issues on campus this year, including the Respectful Communities Unit’s participation and initiatives in O Week;
- The bystander training and the Responding to Disclosures of Sexual Harassment training are very highly regarded, including the general entry level program and the more sophisticated program for those providing specific front-line services (such as counselling and SCU staff);
- Developing a new version of Responding to Disclosures of Sexual Harassment training (underway) that is student-centric;
- The introduction of RNA Day, held every semester to raise awareness of the RNA campaign and activities;
- The Respect Now Always App and the significant attempts to promote it (big screen, ads in student papers, posters);
- RCU’s active involvement of students to develop and deliver training, and to develop resources, including student focus groups to test the proposed revised version of the Respectful and Responsible Behaviours training online module;
- The consent video, which is excellent: It is a well designed, high quality production which is simple in its messaging and easily accessible (publicly available on YouTube); and
- The requirement that all MRS residents, staff, residential advisers and those attending any overnight events watch the consent video.

The opportunities for improvement in the provision of information are as follows.

- The ‘General Misconduct’ website ([https://www.monash.edu/students/general-misconduct/home](https://www.monash.edu/students/general-misconduct/home)) is quite clear, although in our view this and other online information should be consolidated in one clear place on the internet. There is lots of information online, but there are still ‘gaps’, for example in relation to sexual harassment (discussed below). Our data indicates that students often do not know where to find information, as they must navigate separate and related webpages which interlink.
- The SCU website ([https://www.monash.edu/safer-community/problem-behaviour/sexual-harassment](https://www.monash.edu/safer-community/problem-behaviour/sexual-harassment)) defines sexual harassment and provides examples, then refers to the Guidelines. The website clearly states that SCU can offer support and advice, but there is no information about pathways.
- SCU has just published a detailed information booklet for students who have reported a sexual assault, which sets out help and support, medical care, information about campus safety, and reporting options including to police or university. SCU should publish equivalent information for respondents, to help address the perception of SCU being biased towards complainants.
The message in the consent video is simple and strong, however it does not address the complex, longer term, power-based situations that postgraduates face. Given that postgraduate students are known to experience sexual harassment and assault in a very different context to undergraduates, and their average age is 32, communications must be tailored for them. We also note that the consent video may not resonate sufficiently with a culturally diverse student population, given that all students shown in the video are domestic students, and only one of them (an Asian male, who speaks with an Australian accent) is not from an Anglo-Saxon background.

c) Specialist support

Counselling services are reported to be very responsive to the needs of complainants, well used, and known by international students also. All counselling staff are trained as Allies to the lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ) community, and have had SECASA training in ‘Responding to Disclosures of Sexual Harassment’.

The longstanding relationship that Monash University has built with SECASA is strong, practical and based on firm shared values. SECASA counsellors, who are highly trained and experienced, offer specialised sexual assault counselling onsite at Clayton and Caulfield campus.

As a matter of course SCU refers all matters to SECASA, but SECASA does not liaise with SCU about what happens following this referral, or inform SCU of the outcome. Appropriately, all details of client visits to SECASA are strictly confidential.

We note that SCU provides significant support to complainants, which damages its perceived impartiality and may conflict with its role in providing support to respondents. Respondents are sometimes highly distressed, are isolated and have complex needs. Respondents have more difficulty than complainants in obtaining urgent support from the counselling service. It is concerning that the OSC reported that the only immediate support option available during a misconduct process was calling the CAT team to support a very distressed student, although eventually the Monash Postgraduate Association assisted. A lack of clear support options for staff to offer distressed respondent students creates a risk for both staff and students, and should be addressed. Urgent support must be available to respondents to disciplinary matters, as well as to complainants who are making a report of sexual harassment or sexual assault.

Recommendations

Safety and wellbeing assistance

3. That SCU increases its efforts to promote its services and supports, increases its visible presence at campuses other than Clayton, and ensures that its services, publications and promotional material equally support students who make complaints and students who are the subject of complaints, to build its perceived independence and neutrality;

4. That the OSC publishes more information about its role, functions and processes on the Monash website;
Clear and accessible information

5. That Monash University creates a dedicated webpage for sexual assault and sexual harassment, with clear links to all resources and supporting units on the one page and a diagram representing different reporting options;

6. That all students receive key messages on enrolment, by the required completion of the online module on respectful behaviour and watch the consent video;

7. That all faculty representatives and student leaders leading overnight study trips (for example, Science faculty field trips or similar) be required to complete the Responding to Disclosures of Sexual Assault training and Critical Incident Management training, consistent with the approach of TeamMonash;

8. That versions of the consent video specific to postgraduate students and to international students are developed, which confront openly and bravely the issues that they face (see further below), and that a culturally diverse student population is represented in all future videos and online training;

Specialist support

9. That connections between the OSC, counselling and external crisis response are strengthened to ensure access to urgent support is available to respondents to disciplinary matters;

2. Ready access to a confidential method of making an allegation

Observations

There is unanimous support for the centralisation of misconduct under the Student Misconduct Policy and the creation of the RCU. Critical incident management protocols are also working well. Partnership arrangements, formal and informal networks and referrals between relevant Monash units work well, supporting students through reporting channels for sexual assault or harassment, and making support available. Critical incident management protocols are excellent.

a) Policy Framework

The regulations, policies and procedures provide that the basis of a complaint is:

- the Student General Misconduct Policy and Procedures – for sexual harassment or sexual assault by a student; or
- the Behaviours in the Workplace Procedure, the Resolution of Unacceptable Behaviour Procedure and/or the relevant Enterprise Agreement – for sexual harassment or sexual assault by staff.

Both have application if the alleged perpetrator is both a staff member and a student.

In our view, the **Student General Misconduct Policy and Procedures** and the related provisions of the **Monash University (Council) Regulations** (amended 26 February 2018; [https://www.monash.edu/__data/assets/pdf_file/0011/1292825/Monash-University-Council-Regulations-26-Feb-2018.pdf](https://www.monash.edu/__data/assets/pdf_file/0011/1292825/Monash-University-Council-Regulations-26-Feb-2018.pdf)) are in places unclear. The definition of General Misconduct in clause 30(3) of the **Monash University (Council) Regulations** provides that a student must not “harass”
another person or engage in “non-consensual sexual contact with another person”, but does not refer to or define harassment of a sexual nature. Some conduct that would amount to sexual harassment (such as repeated requests for dates, or being shown sexual content in digital form) would not technically be covered by “non-consensual sexual contact” as stated in the Regulations, and might not be understood by students to be “harassment”. Misconduct panels are apparently advised to include such sexual harassment, but the Regulations could still use clarification.

We understand that a review of all University policies and procedures is scheduled for April 2019. That review should ensure that standards of behaviour in the above Policy and Procedures are set out more clearly, and include and define “sexual harassment”.

A similar opportunity for improvement exists in the definitions of the Guidelines for the University’s Response to Allegations of a Sexual Offence (‘Guidelines’). The Guidelines include the SECASA definition of sexual assault, which encompass sexual harassment, although the Guidelines otherwise state that they cover “sexual assault”. The Guideline’s coverage of “sexual harassment” would be clearer if it were referred to in their Purpose (1.2) together with “sexual offence”, and be better defined and explained elsewhere in the Guidelines.

When the Guidelines are next amended, best practice requires that key stakeholders with relevant expertise (HR, SCU, Governance, SECASA, OSC) are consulted further on the content. Multi-faceted issues such as confidentiality vs transparency, and victim-centred choice of whether to proceed with a complaint vs the University’s legal obligation to take action (OHS) should be further explored, to ensure such issues are well covered in the Guidelines.

b) Case Management and Complaints Process

We acknowledge that the types of complaint of sexual harassment or sexual assault reported at Monash University can vary hugely, and incorporate: varying levels of seriousness and harm; individuals who are staff, students or both; allegations of other types of misconduct being included (including academic misconduct, bullying, etc); and other complexities. What is important for complainants and respondents is that the standards of behaviour, the avenues of complaint, the case management process and the decision-makers are clearly identifiable and able to be easily understood.

While some discretion in complaints-handling is always necessary – to protect people’s rights and wellbeing, to allow complex cases to be handled well, and when overlapping areas of the University are involved – the number of discretion points in the process should be limited, and the ‘decision-tree’ that dictates how cases are handled must be clear.

One ‘triage’ point for complaints

Data collected from stakeholders indicates that the reporting pathways are, in general, unclear to students. Students can report matters either to SCU or to OSC, and might also raise a complaint with someone in a faculty, Counselling, RCU or elsewhere. There has very recently been a change in process to ensure that complaints of sexual harassment and assault that are lodged on-line are automatically forwarded to both SCU and OSC.

Best practice dictates that one person or entity receives all complaints of sexual harassment and sexual assault (forwarded, as necessary, by the Office or person who initially received it from a
student, whether that be OSC, ROGM or otherwise) and is responsible for the decision about what body will handle the complaint. This responsibility should be stated in a policy or procedure.

Investigation of complaints against a student

There is a lack of clarity in the current policy framework about where responsibility sits in relation to the investigation of matters involving sexual harassment and sexual assault by a student. Under the Student General Misconduct Procedures, the Responsible Officer, General Misconduct (ROGM) has responsibility to investigate all alleged student misconduct. We are aware of a current proposal to delegate the ROGM’s statutory investigatory function to SCU in relation to matters including sexual offences, sexual harassment, assaults, blackmail, stalking and related matters. Stakeholders we interviewed described different understandings of whether this is a standing delegation of all such matters, or whether the delegation would be at the ROGM’s election on a case-by-case basis.

Clause 2.8 of the Student General Misconduct Procedures states that where a report involves both general and research misconduct, the procedures do not apply. Instead of the ROGM (or SCU delegated by the ROGM), the Responsible Office of Research Conduct within a faculty manages these matters, including any investigation. Similarly, clause 2.9 of the procedure gives the ROGM a discretion to refer matters where general and academic misconduct is reported to the responsible office of the faculty. While we do not have data on frequency of this occurring, it would be unfortunate for such cases to miss the recognised expertise of the SCU and ROGM. The referral back to a faculty also runs contrary to the goal of consistency of handling in a centralised function, which was a significant reason for the reform of the process and responsibilities decided in November 2017. We recommend that this is corrected in the Procedure by way of consolidation into the one office (ROGM directly or by delegation to SCU), which we are informed is the current practice in any case, when the complaint comprises ‘mainly’ sexual misconduct.

Investigation of complaints against a staff member

The responsibility for investigation of complaints is less certain if a staff member is accused. Since a recent operational change, every complaint by a student against a staff member of sexual assault or sexual harassment is reviewed by the Executive Director, Campus Community Division, then referred to SCU for investigation. Previously, the Manager of Ethical Conduct, a role that sits in Human Resources, conducted such investigations.

SCU is highly respected in managing sexual harassment and stalking. However they are not experts in workplace relations, trained as investigators of workplace misconduct or knowledgeable about employment law, the Monash University Enterprise Agreement etc. We understand that because SCU does not interview staff members and cannot assess their credibility, SCU does not make a finding that can be relied upon from a workplace relations perspective and on which disciplinary action could be taken.

The new practice is believed to be that, if a student needs to be interviewed, SCU should conduct that interview, but that Workplace Relations will continue to conduct interviews with staff, for the purposes of determining any disciplinary outcome. This means that there is not one decision-maker about a staff member’s alleged wrongdoing – the investigation is effectively undertaken by two parts of the university. This creates unnecessary risks.
It is important that the evidence about a staff misconduct matter needs only be collected once, and that the evidence collected (and the means by which it was obtained, including procedural fairness to the respondent) can be utilised for all necessary purposes, including meeting employment law standards. Best practice in the investigation of workplace misconduct requires that, wherever possible, one investigator collects and assesses all the evidence, applying a procedurally fair process, in order to make a finding of fact on the balance of probabilities (Workplace Investigations, CCH).

In our view, there is no particular reason why the complainant (student) should not be interviewed by Workplace Relations staff who conduct misconduct investigations, with SCU or another person present to support the student. Workplace Relations, as specialists in employee misconduct, industrial relations, the EBA, procedural fairness and behavioural expectations of the staff respondents, undertake investigations involving staff conduct as one of their core functions. Complexities in sexual assault and sexual harassment cases are common – mental health and disability issues, other forms of misconduct existing at the same time, and relationships at the time of the incident being unclear (for example, a supervisor is accused of sexually harassing an HDR student, who is also employed on staff as a tutor) – and Workplace Relations deals with these issues regularly. Workplace Relations is best skilled to investigate alleged sexual misconduct by staff, including conducting the student interviews.

**Handling of complaints by associations, clubs and societies**

Processes for how the 106 affiliated associations, clubs and societies manage and escalate reports of misconduct to the University are not clear or widely understood by staff and students. It is believed that clubs and societies must report sexual offences (assaults, but not sexual harassment) to SCU, but compliance in practice is mixed; Critical Incident Protocols require sexual assaults to be reported to Campus Community Division (‘CCD’). In our view, Monash University should formally require clubs and societies to report all incidents of student general misconduct (which should include sexual harassment) to SCU, and then SCU would triage with the alleged victim whether they wish to proceed with a formal complaint. This approach increases the transparency of clubs and societies’ complaints-handling, enables the University to better manage risk, and respects victim autonomy.

**Restorative justice conferences**

One possible pathway mentioned in the RNA App is restorative justice conferences as a means of resolving sexual assault matters, conducted by SECASA. Effectively, in order to participate a respondent must admit to having engaged in possibly unlawful behaviour for which they could later be prosecuted and for which the respondent is offered no immunity. It is usually the case that restorative justice processes are used after a finding has been made, rather than as an alternative. We recommend that the reference to restorative justice conferences in the RNA App be deleted.

c) **Panel processes**

There is no express provision to allow for hearings in absentia (namely, when the complainant or respondent are not in attendance), which should be amended.

Where students have been accused of misconduct of a sexual nature that is also potentially a crime, their options for low-cost legal advice are limited. Springvale Legal Service does not provide assistance to students in matters where Monash University is also a party, Legal Aid is not available, and Monash Student Associations does not provide advocacy or advice to respondents in criminal
matters. It is concerning that respondents in sexual assault matters have little support or advice (except private solicitors at their own cost) to respond to allegations.

d) Reforms being considered or underway

Monash University has already given significant consideration to many of the issues identified above. We understand that proposed changes in policy, procedural, regulations and operations are currently under consideration, including by University Council and the Office of the General Counsel, none of which form part of the scope of this review. In interviews in this project, stakeholders reported that these changes are being considered:

- Establishment of specialist panels to deal with sexual offence/harassment matters;
- Allowing for the outcome of misconduct investigations to be advised by the Panel to “any other affected person”, rather than just the complainant and respondent;
- The delegation of the ROGM’s powers (as a standing delegation or at the ROGM’s election) to investigate sexual harassment, assault, stalking, blackmail and other serious matters to the SCU (the ROGM would retain investigations of alleged theft, property damage, taking a mobile phone to an exam, etc);
- Allowing the SCU to interview respondents and not just take statements from complainants;
- Further specialised training for panel members;
- Granting Monash University the right to appeal panel findings when it considers the panel’s determination to be manifestly wrong; and
- Empowering alleged victims to elect not to be questioned in hearings face-to-face by the alleged perpetrator of the assault (for example, questioning via CCTV or the use of shields so that the complainant cannot see the accused person, similar to the criminal justice system), and other protocols in highly sensitive matters.

Recommendations

In addition to the above reforms that Monash University is already considering, we recommend that:

Policy content and awareness

10. That when the Student General Misconduct Procedures are next reviewed, they are amended to refer to, define and explain “sexual harassment” (together with “harass” and “sexual offence”), to more clearly articulate that a student can make a complaint about sexual harassment that they experience from another student in a University context;

11. That the Guidelines refer to “sexual harassment” in their Purpose (1.2) together with “sexual offence”, that “sexual harassment” is explained elsewhere in the Guidelines, and that the Guidelines are reviewed for clarity, application/enforceability, audience and other issues of importance, involving further consultation from staff with expertise;

12. That the reference to restorative justice conferences in the RNA App be deleted;
Reporting pathways; Responsibility for complaints-handling and investigation

13. That clause 2.8 and 2.9 of the Student General Misconduct Procedures are amended, to remove faculties having any role in investigating or determining student misconduct matters which involve alleged sexual assault or harassment;

14. That a formal distinction is made between a ‘disclosure’ of sexual assault or harassment and a formal ‘report’, and disclosure to SCU be quarantined from the general requirement under Student Misconduct Procedure for staff to report contact that is a breach of policy;

15. That Workplace Relations (only) is responsible for the factual investigation of students’ allegations of sexual misconduct by staff members, either by internal or external investigation, due to its expertise and experience in staff misconduct investigations, and that the investigator takes the student’s detailed statement in the presence of a representative of SCU or a support person of the student’s choice;

16. That clubs and societies are required to report to SCU any allegation of sexual harassment or sexual assault;

Panels and decision-makers

17. That students who are responding to allegations of conduct that also fall under the Crimes Act are informed of avenues for accessible legal advice;

18. That proceedings in absentia are specifically allowed, so that the respondent cannot prevent the hearing occurring by not appearing, and the hearing will proceed even if the complainant or respondent is too unwell, traumatised or fearful to attend;

3. Accommodating the needs of students from a diverse range of backgrounds

Observations

The specialised units and groups within Monash University which supporting particular student groups – including the Disability Support Unit (for students with disabilities), the Diversity Inclusion Unit (focusing on LGBTIQ students, indigenous students, those from financially and socially disadvantaged backgrounds and from CALD communities), which are all part of Campus Community Division, and the Ally Network and MSA Queer Office (LGBTIQ support) – were previously informal triage points for students who raise harassment or discrimination issues. They now direct students to the OSC or SCU, which is appropriate given that the OSC and SCU staff are appropriately trained in cultural and other sensitivities.

Higher Degree by Research students

This group has a particular vulnerability, especially those embedded in laboratory environments or other small, remote workplaces. There is a real reluctance to report sexually inappropriate behaviour or other inappropriate behaviour, for a range of reasons including the difficulty in finding a replacement supervisor. These working relationships can last more than 4 years, include overseas and interstate travel together, and can involve blurred boundaries. Focus group and interview data
indicates that poor behaviour (including of a sexual nature) is tolerated by senior staff, on the basis of the valuable funding, profile and status that some academics attract.

We note that a large number of post-graduate students were among those who responded to the AHRC Change the Course survey, and only 18% of those post-graduate respondents knew where to report.

**LGBTIQ students**

Stakeholders did not report a large amount of LGBTIQ-specific information and training available.

SCU staff advise that they treat all students ‘the same’ irrespective of sexual orientation, transgender, disability, overseas students etc. This focus on strict equality should be balanced by specific offers of support for LGBTIQ students, indigenous students and international students, to ensure that they have access to appropriate support persons.

**Indigenous students**

About a third of the 219 indigenous students across all Monash campuses engage with the Yulendj Indigenous Engagement Unit. “Cultural safety” is identified generally as a key barrier for aboriginal people making reports of inappropriate behaviour or making complaints. Work undertaken by the Victorian Government found that people are more comfortable coming forward to someone of the same cultural background, and aboriginal people are disproportionately affected by mental health issues. Yulendj Indigenous Engagement Unit staff do provide support to students who disclose sexual assault or sexual harassment. We suggest that these staff also complete the disclosure training and contribute to the development of it, to ensure it incorporates the needs of indigenous students.

**Study abroad, overseas trips and placements**

Study abroad programs (inbound and outbound semester exchanges) and overseas trips bring specific risks. Approximately 4,500 of Monash students annually undertake some form of outbound international study experience. International research shows that students are at a significantly increased risk of sexual assault whilst undertaking study abroad programs. Whilst we recognise that Monash students who are transferring (even temporarily) to another university are hosted by those institutions and subject to their rules and procedures, other Monash students on overseas trips (e.g. a faculty-run study tour) are subject to Monash policies and deserve the same supports that they would have in Australia.

Monash Abroad gives a good briefing to students pre-departure, although it does not include the Respect Now Always module or the consent video. Students on faculty-run trips do not get the same pre-departure briefing. We recommend that faculties provide the same pre-departure preparation of students as Monash Abroad provides. Monash should also consider providing all students undertaking industry placements and other placements with pre-placement training, covering harassment by a staff member or client of the host organisation.

**International students**

Representing almost a third of all Monash enrolments, and 58% of the student population at the Caulfield campus, international students were a particular focus in student Focus Groups and stakeholder interviews. It is important to recognise that this group of students is diverse, from a range of cultural backgrounds, and cannot be grouped as a homogenous entity.
International students have been widely and consistently identified as vulnerable, including by SECASA. International students are less likely to report sexual assault or sexual harassment for reasons including: shame; fear that they will have to return home overseas; impact on their visas or university studies; culture-specific barriers prevent female students from reporting; a lack of sex education.

There are some special measures in place for overseas students, although the approach is not consistent. The tab for international students on the Respect Now Always app is recognised to be a very good initiative. Some faculties have an international student worker. The RCU provides resources to be included in the orientation program run for international students at the commencement of each semester, however sexual assault and harassment issues are not discussed in detail. These sessions are not compulsory, and an estimated 60% of new students participated in previous years.

**Recommendations**

19. That SCU ensures that specific support is available to LGBTIQ students, indigenous students and international students, including access to appropriate support persons;

Higher Degree by Research students

20. That the training session on ‘managing the supervisor relationship’ is made compulsory for HDR students and supervisors, and fully explores the breadth of difficult issues and scenarios that can arise, together with information and strategies on how to respond, duty of care, victimisation, and professional obligations;

LGBTIQ students

21. That Monash consider developing LGBTIQ-specific resources about respectful behaviour, like the consent video;

Indigenous students

22. That the SCU and indigenous unit continue to build referral pathways, connections, referrals and support opportunities;

Study abroad students and students on placements

23. That there be mandatory, uniform training, including specific information about consent, the particular risks of sexual harassment and assault, reporting and support options overseas or off-campus, LGBTI issues (noting that students arrive from some countries in which homosexuality is discouraged or even criminal, such as Malaysia) and other Respect Now Always content, for:

* all students going overseas,
* inbound students on orientation, and
* all students undertaking placements;
International students

24. That ongoing information is provided to international students during the course of the academic year (after Orientation), including sexual health and consent webinars tailored for overseas students, which state that if students make a disclosure of sexual assault or harassment, this information will not be shared with their parents or faculty without their consent;

25. That international students are actively encouraged to deliver training and resources, to increase student involvement (such as RNA Day);

C. University residential colleges and university residences

1. Appropriate responses by a college or university residence to reports of sexual assault and sexual harassment; Level and adequacy of training to equip RAs to serve as first responders

Observations and Commendations

MRS is engaged and proactive with respect to preventing and addressing sexual assault and sexual harassment. All data collected indicates that MRS complies with Monash University’s policies and procedures.

In our observation, the community cultures found in the MRS halls are strong and supportive of their residents. We note that MRS has done and is doing significant work in clarity of expectations, information-sharing and training, to prevent hazing, excessive drinking and sexual harassment and assault.

In our view, university residences referring complainants of sexual harassment or sexual assault to the Monash University procedures, and the central Monash pathways for reporting and support, is appropriate. There is no indication from the data we collected that the Monash University reporting, response and support pathways are inconsistent with the approach taken by residences, or that special procedures or pathways for residents are needed. The alternative would be for university residences to set up their own, internal complaints-handling and support mechanisms, which would potentially be:

- inefficient – given that SCU and SECASA are already well-equipped, skilled and experienced;
- of lower quality – given the high level of skill and sensitivity required to handle such matters;
- inconsistent with the Monash University approach of centralised and consistent complaints-handling;
- vulnerable to changes in staff at university residences; and
- by their nature (internal to the college) more susceptible to peer pressure, rumour and gossip influencing the complaints-handling, which puts both complainants and respondents at a disadvantage.

RAs, and sometimes the College Head or Deputy, act as first responders to any reports or complaints of sexual harassment or sexual assault. They provide information and support but never handle the
complaints, which are always referred to SCU. The Head and Deputy Head check the Critical Incidents steps that are being followed by RAs, and have regular meetings with Residential Support Team Officers (College Heads, Deputies and Assistants) to share information about all incidents. SCU and MRS communication about investigations and complaints-handling is reasonable.

Our observation is that while the training adequately equips RAs to serve as first responders, they face challenges in managing complex issues of privacy and confidentiality, while building a healthy culture, providing support for the complainant, and modelling a strong response to incidents. This can be complicated in small, closed communities where gossip and rumour can thrive. RAs would also benefit from a better understanding of the trajectory of complaints-handling once SCU takes over the case.

Education on alcohol, safe drinking, consent, respectful relationships, fostering an inclusive culture and support networks/services is compulsory for all incoming residents. Residents must also sign a Conditions of Residency when accepting a place at a Hall, which spells out conditions, plus disciplinary consequences if breached.

We note that the Change the Course report found that international students (and other groups) experienced a higher level of sexual harassment and sexual assault. MRS is comprised of 58% international students, many of whom reportedly have never attended sex education before arriving in Australia.

When a matter is raised with senior MRS leaders, it is referred to SCU. MRS can also resolve complaints if wrongdoing is in breach of their conditions of residency.

**Recommendations**

26. That MRS create regular, informal channels (such as Sunday shared lunch) for refresher training and/or to initiate peer-led discussions about local sexual culture and reinforce all students’ right to have their personal choices respected (including discussion opportunities for international students);

27. That MRS Heads and RAs are offered training in managing privacy and confidentiality, leadership of a healthy culture and complaints-handling;

28. That feedback from stakeholders about responding to reports of sexual assault and sexual harassment and training for RAs is passed on to Mannix College;

**2. A trauma-informed and rights-based approach in a situation in which an allegation of sexual assault has been made**

**Observations and Commendations**

The Director stated that MRS takes a victim-centred approach, with an emphasis on care, support, empowerment (options), and harm minimisation.

Some students still feel reticent to speak up about sexual harassment and sexual assault. While they are given a lot of information about avenues of reporting, there is still a culture of victim-blaming
and rumour. Again, we note that the Change the Course report found that around 90% of sexual harassment/assault incidents are not reported.

**Recommendations**

29. That MRS affirms an environment that encourages people to speak up about inappropriate behaviours and protects them when they do, including for example:
   - communicating clearly their policies and procedures,
   - reinforcing the University’s Respect Now Always campaign,
   - sharing de-identified case studies of complaints-handling, given that under-reporting is likely an ongoing issue, and
   - offering ‘active bystander’ training to residents and RAs;

30. That feedback from stakeholders about RA training is passed on to Mannix College;

### 3. Hazing practices and other college ‘traditions’ which may increase the likelihood of sexual assault/harassment

**Observations and Commendations**

All staff, RAs and residents who were interviewed credibly stated none of these behaviours occur at MRS.

**Recommendations**

31. That feedback from stakeholders about preventing hazing is passed on to Mannix College;

32. That Mannix and MRS work together to develop and communicate to students a stand-alone policy on hazing, which prohibits all practices and activities that are objectively degrading, demeaning, humiliating or put a student at physical, psychological or emotional risk;

### 4. The role of alcohol and other substances

**Observations and Commendations**

MRS has a stand-alone policy on alcohol, and provides significant training on responsible drinking and harm minimisation. MRS restricts the provision of alcohol when parties are officially held in hall – such as RAs limiting residents to one drink per hour – which discourages people who wish to drink from attending.

MRS bans drinking games and spells out consequences of any breach, and it offers many ‘dry’ events which are well attended. It makes effort to monitor students on the two weekly pub nights, such as ensuring they have dinner, go in groups to pubs and look after one another.
Recommendations

33. That feedback from stakeholders about drinking culture is passed on to Mannix College.

5. Level and nature of supervision in a twenty-four hours residential setting

At Mannix and MRS residences, all students reported feeling safe, supported and cared for. We make no recommendations for improvement with regards to supervision in residences.

6. Level and adequacy of training required to equip residential advisors to serve as first responders

This matter is addressed above at C(1).

Worklogic

9 October 2018
Appendix 1  Terms of Reference

“The review will consider the following:

• Examining the awareness of support services and reporting avenues amongst students.
• Existing university policies, processes, practices and response pathways in relation to sexual assault and sexual harassment, including university policy, processes and practices for:
  • Responding to allegations of sexual assault and sexual harassment (including student – student interactions, student – staff interactions, HDR students – academic supervisor interactions) including access to immediate safety and wellbeing, clear and accessible information, specialist support;
  • Ready access to a confidential method of making an allegation of the relevant conduct and appropriate support for persons affected throughout that process, support for studies, flexibility and control;
  • Accommodating the needs of students from a diverse range of backgrounds (including culture, gender, sexual orientation and other protected attributes) and study modes (including exchange and abroad students)
• The factors, which contribute to sexual assault and sexual harassment in University residential colleges and university residences. Specific to residential colleges and university residences, the review will additionally consider:
  • Appropriate responses by a college or university residence to reports of sexual assault and sexual harassment;
  • A trauma-informed and rights-based approach in a situation in which an allegation of sexual assault has been made;
  • Identify whether hazing practices are evident in university residences and residential colleges and their impact;
  • The ways that college ‘traditions’ facilitate a culture which may increase the likelihood of sexual assault/harassment;
  • The role of alcohol and other substances in facilitating a culture which may increase the likelihood of sexual assault/harassment;
  • The level and nature of supervision in a twenty-four hours residential setting in which large numbers of young people are living away from home, and
  • The level and adequacy of training required to equip residential advisors to serve as first responders or in response to matters of sexual assault and sexual harassment.
• The review will make recommendations about each of these elements for the consideration of the University’s senior management group.”
Appendix 2   Student survey

Of the 70,000 (approx.) students enrolled at Monash University’s Australian campuses in 2018, a total of 2,127 responded to the survey as part of this independent Review.

The response rate of 3% is low, and means that the responses are not reliably representative of the overall student cohort. Further evidence for this is the higher rate of response of:

- women compared to men;
- students at the Clayton campus compared to students from Peninsula, Parkville and Gippsland;
- international students compared to domestic students; and
- first-year students compared to third-year students.

Postgraduate and higher degree by research (HDR) students were fairly represented in the survey respondent cohort. 6.82% of the responding cohort, and 6.24% of the overall 2018 student population, were postgraduate students. 32.96% of the responding cohort, and 31.27% of the overall 2018 student population, were HDR students.

The response rate of 3% might be typical of student surveys. We are not aware of recent survey fatigue, frequency of use of Monash email by students or other factors which might have impacted on the response rate. It is possible that the sensitive and potentially upsetting nature of the subject-matter has been off-putting to some students, or alternatively that students do not regard this topic to be of relevance to them, despite its clear importance.

A useful way to frame the survey results is to regard the responding population as being like a motivated group among the student population with respect to this topic, hence their completion of the survey.

Not all students who commenced the survey completed it. 30% of the cohort of responding students stopped answering the survey questions once questions were posed about specific units at the Monash University that provide avenues for reporting and support services. The response rate continued to drop off, with only 14% of students answered the final question about how knowledgeable they were about Monash university avenues for reporting sexual harassment and assault.

It is difficult to account for this attrition rate, especially given the brevity of the survey. It is possible that students were unfamiliar with specific Monash centres (the SCU and the OSC), or that they expected the survey to be focused on different themes, such as sexual harassment in the wider community or the #metoo movement.
Appendix 3  

Stakeholders consulted

Vladimir Prpich – Executive Director, Campus Community Division  
Fiona Marshall – Team Manager, Respectful Communities Unit  
Joanne Calmer – Deputy Director, Student and Education Business Services  
Thomas Perry – Manager, Disability Support Services  
Michelle Woods – Disability Adviser, Disability Support Services  
Russell Gammie – University Security Manager and Crisis Team Coordinator, Monash Security  
Christopher Henderson – Deputy Security Manager  
Carolyn Worth – Manager, South Eastern Centre Against Sexual Assault (non-Monash employee)  
Peter Muling – Deputy Principal, Mannix College  
Samantha Young – Director, Quality (TEQSA compliance)  
Mitchell Bown – Acting Director, Workplace Relations  
Kevin Reddy – Manager, Ethical Conduct  
Sue Elliott – Deputy Vice-Chancellor and Vice-President (Education)  
Jane Prior – Faculty General Manager, Faculty of Law  
Minto Felix – Project Co-ordinator, Office of COO  
Bridgid Connors – Chief Human Resources Officer  
Bryn Dodson – President of the Monash Caulfield Students Association  
Jennifer Reeder – Executive Officer, Monash Postgraduate Association  
Lowan Sist – Executive Officer, Monash Students Association  
Hannah Littler - President Peninsula (MONSU)  
Susan Anderson – Deputy General Counsel, Office of the General Counsel  
Jonathon Rhall – Senior Lawyer, Office of the General Counsel  
Simon Kupec – Manager, Safer Community Unit  
Jane Field – Team Leader, Safer Community Unit  
Laura McDonough – Senior Manager, Office of Student Contact, Responsible Officer Student Misconduct  
Belinda Campain – Director, University Health Services  
Andrew Marks – Director, Counselling Services  
Martin Doulton – Manager, TeamMonash  
Michael Jones – TeamMonash  
Trisha Prpich – Director, Monash Residential Services  
Emma Fletcher – Deputy Director (Residential Support, Development and Engagement), Monash Residential Services  
Sean Brito-Babapulle – Principal, Mannix College  
Timothy Stephens – Faculty General Manager, Faculty of Medicine
Matthew Gillespie – Vice-Provost, Graduate Research Office
Michael Fisher – President, Monash Student Association (MSA)
Eniola Damilola Ibraheem – President, Monash Postgraduate Association (MPA)
Whitney Etheve – Coordinator, Diversity and Inclusion
Wendy Blastock – Manager, International Student Support
Jamil Tye – Manager, Yulendj Indigenous Engagement Unit
Nick Stewart – College Head, South East Flats
Tom Holdsworth – College Head, Holman Hall
Laura Swift – College Head, Jackomos Hall
Andres Villamizar Maldonado – College Head, Normanby House
Toby Maxwell-Wright – Manager, Residential, Support, Development
Khalia Barker – College Head, Roberts Hall
Rachel Wellam – Senior Manager, Monash Abroad
Craig Wallace – Development Manager, Learning Abroad
Millie Dalton – MSA Women’s Officer
Aishwarya Raju Solaki – MPA Women’s Officer
Ahmed Mohammed Mahil – MPA Vice President, HDR student representative on the Monash
Academic Board
Akash Varma – Monash International Intercampus Student
Phillip Zheng – MPA International Student Officer
Kirsty Walsh – MSA Student Advocacy and Support
Eugene Moore – MSA Student Advocacy and Support
Lauren Scott – MSA Student Advocacy and Support
Monash University’s response to the Independent Review into policies, procedures and practices in relation to issues of sexual assault and sexual harassment

As at October 2018, Monash University had fulfilled all nine recommendations from the Australian Human Rights Commission Change the Course survey, including undertaking an independent review of policies, procedures and practices in relation to issues of sexual assault and sexual harassment, and factors contributing to these issues in residential settings. An Independent Review conducted by Worklogic revealed many examples of best practice responses by the University, in addition to identifying important opportunities for development and improvement.

Here is how the University plans to implement the 33 recommendations made across five key themes in the independent review. The University commits to implement all recommendations by mid-2019, with the majority completed by December 2018.

**Increasing student knowledge and awareness of support services and reporting avenues (recommendations 1 - 4)**

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<th>Recommendation</th>
<th>Responsibility</th>
<th>Delivery</th>
<th>Action / Milestones</th>
<th>Impacts</th>
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<td>(1) That additional work be undertaken to promote the support services and supporting pathways, and specifically the existence and roles of the SCU, OSC and RCU.</td>
<td>CCD</td>
<td>Jun 2019</td>
<td>In addition to ongoing work to make students aware of support services and reporting avenues, we will: • expand existing promotional campaigns across all four campuses; • build staff awareness of services through digital platforms such as Workplace; • ensure a gendered lens is applied to promotion to ensure persons at greater risk of sexual violence are aware of services on- and off-campus; • work with faculties to aid promotion to students in their second and subsequent undergraduate years, and students not living on-campus; • review SCU and OSC website and other resources to ensure clear messaging on role, functions and processes, including the neutrality of both services.</td>
<td>Increased reports to university of sexual assault and sexual harassment. Improved student awareness of support services and reporting pathways in future surveys. Increase in students seeking support and services from the SCU, including both complainants and respondents. Better understanding by students of the role and functions of SCU, OSC and other avenues of complaint and support.</td>
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<td>(2) That the promotion targets in particular women, students in their second and subsequent undergraduate years, and students who are not living on campus.</td>
<td>CCD</td>
<td>Jun 2019</td>
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<td>(3) That SCU increases its efforts to promote its services and supports, increases its visible presence at campuses other than Clayton, and ensures that its services, publications and promotional material equally support students who make complaints and students who are the subject of complaints, to build its perceived independence and neutrality.</td>
<td>CCD</td>
<td>Jun 2019</td>
<td>To track student awareness over time, Monash will also conduct an annual student survey examining their awareness of support services and pathways. Based on the student survey conducted by Worklogic for the Independent Review, the annual survey will enable Monash to track student knowledge and awareness of support services and reporting avenues over the years.</td>
<td></td>
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<td>(4) That the OSC publishes more information about its role, functions and processes on the Monash website.</td>
<td>OSC</td>
<td>Mar 2019</td>
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### Clarifying the roles and inter-relationships of relevant complaint and support units (recommendations 5 - 9, 12)

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<td>(5) That Monash University creates a dedicated webpage for sexual assault and sexual harassment, with clear links to all resources and supporting units on the one page and a diagram representing different reporting options.</td>
<td>CCD</td>
<td>Mar 2019</td>
<td>CCD will coordinate key reporting and support services to create a single entry point for users to centralise web content.</td>
<td>All new students at Monash are aware of the relevant complaint and support services.</td>
</tr>
<tr>
<td>(6) That all students receive key messages on enrolment, by the required completion of the online module on respectful behaviour and watch the consent video.</td>
<td>SEBS, CCD</td>
<td>Oct 2018</td>
<td>All newly enrolling students will be required to complete the Respect at Monash online course which sets behaviour standards for students, and includes the consent video.</td>
<td>Staff and student leaders university-wide are equipped with the necessary skills to manage a critical incident off-campus. Diversity in resources will ensure all students connect with and understand consent.</td>
</tr>
<tr>
<td>(7) That all faculty representatives and student leaders leading overnight study trips be required to complete the Responding to Disclosures of Sexual Assault training and Critical Incident Management training, consistent with the approach of TeamMONASH.</td>
<td>DVC &amp; VP (Education) and HR</td>
<td>Feb 2019</td>
<td>Deputy Vice-Chancellor and Vice-President (Education) will work to ensure consistency in protocol concerning overnight trips university-wide, aligning practices with TeamMONASH, including the training recommended for leaders of overnight study trips.</td>
<td>Specific resources for student groups at higher risk will deepen the relevance and impact of the communications. Improved mental health support for respondents and complainants in general misconduct cases. Improved coordination between the relevant units and supports that are already available at Monash.</td>
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| (8) That versions of the consent video specific to postgraduate students and to international students are developed, which confront openly and bravely the issues that they face, and that a culturally diverse student population is represented in all future videos and online training. | CCD | Jun 2019 | CCD / RCU will:  
- develop new consent resources specific to postgraduate students and to international students, with diverse representation;  
- collaborate with MGRO to enhance training opportunities for HDR students and supervisors;  
- co-design with international students a series of new resources to educate all students on sex, consent and wellbeing. | Diversity in resources will ensure all students connect with and understand consent. Improved mental health support for respondents and complainants in general misconduct cases. |
| (9) That connections between the OSC, counselling and external crisis response are strengthened to ensure access to urgent support is available to respondents to disciplinary matters. | OSC | Feb 2019 | OSC, counselling and other relevant units will work to improve the coordination and cross-referrals of their services and external crisis response, including:  
- having counsellors attend hearings; | Improved coordination between the relevant units and supports that are already available at Monash. |
• holding hearings on campus; and
• conducting a trauma informed audit with the Blue Knot Foundation.

(12) That the reference to restorative justice conferences in the RNA App be deleted.

CCD Oct 2018

OSC, counselling and other relevant units will work to improve the coordination and cross-referrals of their services and external crisis response, including:
• having counsellors attend hearings;
• holding hearings on campus; and
• conducting a trauma informed audit with the Blue Knot Foundation.

Clarifying the Student General Misconduct Procedures and the Guidelines (recommendations 10 and 11)

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<td>(10) That when the Student General Misconduct Procedures are next reviewed, they are amended to refer to, define and explain “sexual harassment” (together with “harass” and “sexual offence”), to more clearly articulate that a student can make a complaint about sexual harassment that they experience from another student in a University context.</td>
<td>OGC</td>
<td>Dec 2018</td>
<td>OGC and OSC will establish a working group made up of key stakeholders to review the Student General Misconduct Procedures and the Guidelines. The Procedures and Guidelines will be amended in line with the Independent Review’s recommendations, and other input from internal stakeholders including students.</td>
<td>Student General Misconduct Procedures and Guidelines clearly cover sexual harassment, and explain key concepts, for easier student understanding.</td>
</tr>
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<td>(11) That the Guidelines refer to “sexual harassment” in their Purpose together with “sexual offence”, that “sexual harassment” is explained elsewhere in the Guidelines, and that the Guidelines are reviewed for clarity, application / enforceability, audience and other issues of importance, involving further consultation from staff with expertise.</td>
<td>OGC</td>
<td>Dec 2018</td>
<td>As above.</td>
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Clarifying responsibility for the triage, investigation and management of complaints by students (recommendations 13 - 18)
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<td>(13) That clause 2.8 and 2.9 of the Student General Misconduct Procedures are amended, to remove faculties having any role in investigating or determining student misconduct matters which involve alleged sexual assault or harassment.</td>
<td>OGC</td>
<td>Dec 2018</td>
<td>As above, OGC and OSC will lead the implementation of these recommendations including establishing a working group of key stakeholders.</td>
<td>Consistent, quality handling of student misconduct cases involving sexual assault and sexual harassment.</td>
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<td>(14) That a formal distinction is made between a ‘disclosure’ of sexual assault or harassment and a formal ‘report’, and disclosure to SCU be quarantined from the general requirement under Student Misconduct Procedure for staff to report contact that is a breach of policy.</td>
<td>OGC</td>
<td>Dec 2018</td>
<td>OGC and OSC will establish a working group made up of key stakeholders to review the Guidelines and published information about SCU’s handling of ‘disclosures’ and ‘reports’. The Guidelines and published information will be amended in line with the Independent Review’s recommendations, and other input from internal stakeholders including students. OGC will provide formal confirmation to SCU that disclosures made by students seeking support does not require SCU to make a formal report.</td>
<td>Clarification of the staff responsibility to refer on reports of sexual assault and sexual harassment, as distinct from disclosures. Additional protections of student rights and additional supports for complainants and respondents participating in formal procedures. Improved reporting of allegations that clubs and societies become aware of.</td>
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<tr>
<td>(15) That Workplace Relations (only) is responsible for the factual investigation of students’ allegations of sexual misconduct by staff members, either by internal or external investigation, due to its expertise and experience in staff misconduct investigations, and that the investigator takes the student’s detailed statement in the presence of a representative of SCU or a support person of the student’s choice.</td>
<td>OGC</td>
<td>Dec 2018</td>
<td>Workplace Relations, SCU, RCU and other relevant units are informed of the new practice whereby all factual investigation of students’ allegations of sexual misconduct by staff members will be undertaken by Workplace Relations, with SCU or another support person (if the student wishes) being present in all student interviews.</td>
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<tr>
<td>(16) Clubs and societies are required to report to SCU any allegation of sexual harassment or sexual assault.</td>
<td>OGC</td>
<td>Mar 2019</td>
<td>OGC to give formal direction to clubs and societies.</td>
<td></td>
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<td>(17) That students who are responding to allegations of conduct that also fall under the Crimes Act are informed of avenues for accessible legal advice.</td>
<td>OGC</td>
<td>Dec 2018</td>
<td>OGC and OSC to implement practice of informing respondent students of avenues for legal advice.</td>
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<td>(18) That proceedings in absentia are specifically allowed, so that the respondent cannot prevent the hearing occurring by not appearing, and the hearing will</td>
<td>OGC</td>
<td>Dec 2018</td>
<td>OGC to amend relevant procedures regarding proceedings in absentia.</td>
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Improving relevance, effectiveness and focus of training and supports for student groups at higher risk (recommendations 19 - 25)

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<td>(19) That SCU ensures that specific support is available to LGBTIQ students, Indigenous students and international students, including access to appropriate support persons.</td>
<td>CCD</td>
<td>Dec 2018</td>
<td>SCU will ensure that the recommended specific supports are available.</td>
<td>Increased reports to university of sexual assault and sexual harassment, particularly from LGBTIQ, Indigenous and international students.</td>
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<td>(20) That the training session on ‘managing the supervisor relationship’ is made compulsory for HDR students and supervisors, and fully explores the breadth of difficult issues and scenarios that can arise, together with information and strategies on how to respond, duty of care, victimisation, and professional obligations.</td>
<td>Vice-Provost (Faculty &amp; Graduate Affairs)</td>
<td>Feb 2019</td>
<td>CCD and Vice-Provost (Faculty &amp; Graduate Affairs) will review mandatory training for HDR supervisors and students, and implement the recommended improvements.</td>
<td>Specialised support available for LGBTIQ, Indigenous and international students who experience sexual harassment or sexual assault. Excellent, diverse and inclusive events and training are provided, which all students connect and engage with.</td>
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<td>(21) That Monash consider developing LGBTIQ-specific resources about respectful behaviour, like the consent video.</td>
<td>CCD</td>
<td>Jun 2019</td>
<td>CCD will engage the Pride in Diversity and the MSO Queer Officers to explore the best ways to develop LGBTIQ-specific resources about respectful behaviour.</td>
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<tr>
<td>(22) That the SCU and Yulendj Indigenous Engagement Unit continue to build referral pathways, connections, referrals and support opportunities.</td>
<td>Pro Vice-Chancellor (Indigenous)</td>
<td>Feb 2019</td>
<td>Yulendj Indigenous Engagement Unit will be informed of this recommendation and encouraged to build referral pathways, connections, referrals and support opportunities with CCD and SCU. They will be asked to report back to CCD on their learnings.</td>
<td>Excellent, diverse and inclusive events and training are provided, which all students connect and engage with.</td>
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<tr>
<td>(23) That there be mandatory, uniform training, including specific information about consent, the particular risks of sexual harassment and assault, reporting and support options overseas or off-campus, LGBTIQ issues (noting that students arrive from some</td>
<td>CCD</td>
<td>Jun 2019</td>
<td>The recommended training will be developed by the responsible offices and made mandatory for:</td>
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<td></td>
<td>Study Abroad DVC &amp; VP</td>
<td></td>
<td>● all students going overseas, ● inbound students on orientation, and ● all students undertaking placements.</td>
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proceed even if the complainant or respondent is too unwell, traumatised or fearful to attend.
countries in which homosexuality is discouraged or even criminal, such as Malaysia) and other Respect Now Always content, for:
- all students going overseas,
- inbound students on orientation, and all students undertaking placements.

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<td>(24) That ongoing information is provided to international students during the course of the academic year (after Orientation), including sexual health and consent webinars tailored for overseas students, which state that if students make a disclosure of sexual assault or harassment, this information will not be shared with their parents or faculty without their consent.</td>
<td>CCD</td>
<td>Jun 2019</td>
<td>CCD will develop sexual health and consent resources for overseas students, and provide this and other information to international students throughout the academic year.</td>
<td>Units within Monash work seamlessly together to deliver best practice in connecting with, training and supporting students in at-risk groups. Students are actively included in the development and delivery of resources.</td>
</tr>
<tr>
<td>(25) That international students are actively encouraged to deliver training and resources, to increase student involvement (such as RNA Day).</td>
<td>RCU</td>
<td>Dec 2018</td>
<td>CCD and RCU will continue to involve a diverse range of students at all stages of program and event development, and provide more opportunities for students to co-design and deliver resources.</td>
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Provisioning continuous opportunities for student learning at university residences (recommendations 26 - 33)

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<td>(26) That Monash Residential Services (MRS) create regular, informal channels for refresher training and/or to initiate peer-led discussions about local sexual culture and reinforce all students’ right to have their personal choices respected (including discussion opportunities for international students).</td>
<td>MRS</td>
<td>Mar 2019</td>
<td>Refresher training and regular peer discussions, as recommended, will commence in 2019. MRS will schedule in March each year the training and peer discussions to take place over the duration of the academic year.</td>
<td>Increased disclosures and reports of inappropriate behaviours to MRS staff. A greater willingness to speak up within the community when residents witness inappropriate behaviours.</td>
</tr>
<tr>
<td>(27) That MRS Heads and residential advisers (RAs) are offered training in managing privacy and confidentiality,</td>
<td>MRS</td>
<td>Mar 2019</td>
<td>MRS will ensure that Heads and RAs are offered the recommended training. In addition, MRS will continue to build</td>
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leadership of a healthy culture and complaints-handling.

(29) That MRS affirms an environment that encourages people to speak up about inappropriate behaviours and protects them when they do.

(32) That Mannix and MRS work together to develop and communicate to students a stand-alone policy on hazing, which prohibits all practices and activities that are objectively degrading, demeaning, humiliating or put a student at physical, psychological, emotional risk.

(28), (30), (31) and (33) That feedback from stakeholders is passed on to Mannix College.

Additional actions identified by the Vice-Chancellor’s *Respect, Now, Always Advisory Committee*

In considering the above recommendations, the Vice-Chancellor’s Respect, Now, Always Advisory Committee, identified a further set of actions in support of the University’s overall efforts to eliminate and prevent sexual assault and sexual harassment. These are detailed below:

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<td>(34) That Monash University’s expectations in relation to safety and support are communicated to, and agreed by international partners.</td>
<td>VC, with support of DVC (Global)</td>
<td>Dec 2018</td>
<td>Vice-Chancellor will issue communications, outlining the University’s expectations with international partners by the end of 2018.</td>
<td>All international partners are aware of Monash University’s expectations.</td>
</tr>
<tr>
<td>(35) That support and response pathways are communicated widely, as related specifically to complainants and respondents</td>
<td>CCD</td>
<td></td>
<td>CCD will coordinate key reporting and support services to create a single entry point for users to centralise web content, and as tailored to complainants and respondents.</td>
<td>All students are aware of the relevant support and response services.</td>
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