



1

MONASH  
SAFER  
COMMUNITY  
UNIT

# SEXUAL ASSAULT INFORMATION BOOKLET

## YOUR SAFER COMMUNITY UNIT CONTACT:

Contact Name:

Contact Email:

## THIS BOOKLET:

- ▶ Is designed for Monash University students and staff who have experienced a sexual assault and are considering disclosing, or have disclosed, to Safer Community Unit.
- ▶ Gives information to help you make decisions, both now and later.
- ▶ Explains your options for reporting the assault, and the steps involved.
- ▶ Explains where you can get further support and help.

## REMEMBER:

- ▶ Monash University can provide expert help, advice and support to assist you to consider your decisions.
- ▶ You are always able to discuss your options and decisions with the Safer Community Unit.
- ▶ The decision to disclose or report is an important personal choice, and it is yours alone to make.

# SEXUAL ASSAULT

**Sexual assault** means any contact of a sexual nature committed without consent against, toward or with regard to a person. This includes a range of conduct from sexual touching and non-penetrative sexual activity through to rape.

If you have experienced sexual assault, it was not your fault. Your healing and recovery may take time but you do not have to manage this alone. Monash University can provide expert help, advice and support to assist you with your decisions.

If someone you know has experienced sexual assault, you should listen without judgement and refer them to the support services listed. Safer Community Unit can also provide advice for you to pass on, and they can also help you with any support you may need.

Sexual assault is unacceptable and is a criminal offence. Where a sexual assault is perpetrated by a student in a University precinct or at a University activity it may amount to student general misconduct and result in formal disciplinary proceedings.

## What can I do?

### Ensure safety

If you believe there is an immediate risk to yourself or another person, call:

- ▶ **9905 3333** for Security on campus
- ▶ **000** for an emergency off campus

### If the incident happened recently

- ▶ It is important that you seek medical attention as soon as you can after a sexual assault.
- ▶ Try not to wash or change clothes immediately after a sexual assault.
- ▶ Seek confidential advice from Centres Against Sexual Assault or Safer Community Unit for more reporting options.

### If the incident happened a long time ago

You can seek support no matter when a sexual assault occurred, and it is never too late to report a sexual assault to police. Managing sexual assault can be difficult and you should do what feels right for you.

## ON CAMPUS

### Respond

#### Security Services

For emergency assistance on campus, or to request a security escort.

 03 9905 3333 (emergency)

03 9902 7777 (non-urgent)

### Report

#### Safer Community Unit

Your key point of enquiry, support and response to concerning, threatening or inappropriate behaviour.

 03 9905 1599

 safercommunity@monash.edu

 monash.edu/safety

### Support

#### Monash Counselling

Health and counselling services, programs and resources to keep you healthy in mind and body.

 03 9905 3020

1300 788 336 (student 24/7 counselling)

1300 360 364 (staff 24/7 counselling)

 monash.edu/health/counselling

## OFF CAMPUS

### Respond

#### Police

 000

### Report

#### Police Assistance Line and Online Reporting

 131 444

 <https://www.police.vic.gov.au/palolr>

#### Crime Stoppers

 1800 333 000

### Support

#### South Eastern Centre against Sexual Assault and Family Violence (SECASA)

 03 9594 2289

#### Sexual Assault Crisis Line (SACL)

 1800 806 292

#### Lifeline

 13 11 14

#### 1800 RESPECT

 1800 737 732

# CONTENTS

## IMPORTANT INFORMATION

- ▶ What is sexual assault? 6

## WHAT CAN I DO?

- ▶ If the incident happened recently 7
- ▶ If the incident happened a long time ago 7
- ▶ If someone you know has experienced this 8
- ▶ Recovery and healing 8

## KEEPING YOU SAFE

- ▶ Immediate assistance 9
- ▶ On campus 9
- ▶ Off campus 9

## HELP AND SUPPORT

- ▶ Safer Community Unit 10
- ▶ Monash Counselling Services 10
- ▶ Centres Against Sexual Assault 11
- ▶ Sexual Assault Crisis Line 12
- ▶ 1800 Respect 12

## YOUR REPORTING OPTIONS

13

### REPORTING TO POLICE

- ▶ Deciding to report 14
- ▶ Key considerations 14
- ▶ What if I change my mind? 15
- ▶ How is sexual assault investigated? 15
- ▶ Forensic medical examination 16
- ▶ What happens after the investigation? 17

### REPORTING TO MONASH UNIVERSITY

- ▶ Where the perpetrator is a staff member 19
- ▶ Where the perpetrator is a student 19

# IMPORTANT INFORMATION

## WHAT IS SEXUAL ASSAULT?

Sexual Assault means any contact of a sexual nature committed without consent against, toward or with regard to a person, including but not limited to:

- ▶ rape
- ▶ sexual penetration
- ▶ non-penetrative sexual activity
- ▶ sexual touching
- ▶ assault with intent to commit a sexual offence
- ▶ threat to commit a sexual offence
- ▶ the administration of a drug or intoxicating substance with the intention of rendering a person incapable of resistance to participation in acts of a sexual nature.

There is no right or wrong way to manage sexual assault, you need to do what feels right for you. You are not alone, talk to your friends, family or anyone you think can help - there are many support options available to you.



# WHAT CAN I DO?

## IF THE INCIDENT HAPPENED RECENTLY

Following a 'recent' sexual assault, the preservation of evidence is time critical. By recently, we mean an incident that has happened in the past few hours or days.

- ▶ **Seek medical attention:** It is important that you seek medical attention as soon as you can to take care of any injuries you may have. A doctor can help you if you are worried about sexually transmitted infections or getting pregnant.
- ▶ **Advice and support:** You can seek confidential advice from Centres Against Sexual Assault or Safer Community Unit. It's your choice if you would like to report sexual assault to Victoria Police. For more information on your reporting options, see page 13.
- ▶ **Evidence:** Try not to disturb the area where the offence happened. Try not to wash or change clothes immediately after a sexual assault. This may destroy forensic evidence that could be important if you decide to report the assault to the police.
- ▶ **Medical examination:** In a forensic medical examination, a doctor or nurse looks for things on your body that can help the police catch the person who sexually assaulted you. There are time limits for collecting evidence, ranging from 24 hours to 7 days following the assault. The sooner a forensic medical examination can occur the more likely it will be that evidence can be successfully collected.

- ▶ **Just in case medical examination:** If you are unsure about reporting to police, you can have a "Just in Case" medical examination. This is the same as a forensic examination but it happens without police involvement. The forensic samples are kept for six months while you decide if you would like to involve police. CASA can organise such a medical examination for you.
- ▶ **Reporting options:** Generally, the sooner a report can be made to Victoria Police the better chances they have of collecting forensic evidence. You can request a CASA counsellor advocate to support you through the process free of charge.

## IF THE INCIDENT HAPPENED A LONG TIME AGO

Managing sexual assault can be difficult and you should do what feels right for you.

You can seek advice and support no matter when a sexual assault occurred, and it is never too late to report a sexual assault to police.

## IF SOMEONE YOU KNOW HAS EXPERIENCED THIS

If a friend tells you they have been sexually assaulted, they have taken the hardest and first step towards recovery. They have chosen you because they trust you and need someone to confide in.

If you are supporting someone who has experienced a sexual assault, it is important to:

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

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

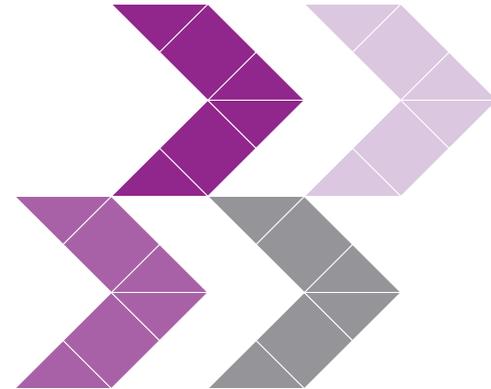
You may be concerned that you cannot cope with the information that your friend is sharing and that you will not be able to support yourself. Safer Community Unit can also provide advice for you to pass on, and they can also help you with any support you may need. It's okay to step back and let experienced services continue the support - you only need to be a friend, not an expert.

## RECOVERY AND HEALING

**In the days following the sexual assault, take care of your physical and emotional wellbeing. The assault was not your fault and you are not alone.**

Some common reactions to trauma are difficulty in thinking and making decisions, seeing the event over and over, sleep disturbance, anxiety, fear, guilt, or feeling isolated. You may also experience a physical response like an upset stomach, sweating, rapid heartbeat or shortness of breath.

Let others help you through this. There is support available. Your healing and recovery will take time but you do not have to manage this alone.



# KEEPING YOU SAFE

## IMMEDIATE ASSISTANCE

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

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

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

## ON CAMPUS

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

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

## OFF CAMPUS

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

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

### For more information:

- ▶ visit <https://www.mcv.vic.gov.au/intervention-orders>

# HELP AND SUPPORT

## ON CAMPUS

### **Safer Community Unit**

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

Safer Community Unit can help you by providing:

- ▶ advice and referrals for your ongoing safety and wellbeing needs
- ▶ access to medical care, with your agreement
- ▶ preservation of evidence, with your agreement
- ▶ facilitation of access and transport to a Centre Against Sexual Assault, with your agreement
- ▶ information about your formal reporting options, including connecting you with and transporting you to police with your agreement

### **For more information:**

- ▶ visit [monash.edu/safety](https://www.monash.edu/safety)
- ▶ call **03 9905 1599**

### **Monash Counselling Service**

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

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

### **For more information:**

- ▶ visit [www.monash.edu/health/counselling](https://www.monash.edu/health/counselling)
- ▶ call **03 9905 3020** to organise an appointment

## OFF CAMPUS

### Centres Against Sexual Assault

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

There are 14 CASAs in Victoria. Their services are free and include:

- ▶ Follow-up short, medium and longer term counselling and support
- ▶ Information and support during the police investigation process
- ▶ Information and counselling for friends and family members
- ▶ Medical assistance and follow-up medical treatment
- ▶ Referrals for assistance with emergency housing and Victims of Crime Assistance Tribunal applications.

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

You can access online resources for further information that might help you in your decisions and in your understanding of the processes, available here:

- ▶ <https://www.secasa.org.au/secasa-resources/>

### For more information:

- ▶ visit <https://www.secasa.org.au>
- ▶ call **03 9928 8741** (crisis)
- ▶ call **03 9594 2289** (admin)

### **Sexual Assault Crisis Line**

The Sexual Assault Crisis Line (SACL) provides after-hours counselling and support service to all survivors of sexual assault at any time in their lives. They also coordinate after-hours crisis care responses with CASA for recent survivors of sexual assault.

SACL operates from 5pm weeknights through to 9am the next day, and on weekends and public holidays.

#### **For more information:**

- ▶ call **1800 806 292**

### **1800 RESPECT**

1800 RESPECT, also called the National Sexual Assault, Domestic and Family Violence Counselling Service, is a 24-hour nation-wide telephone and online counselling service for survivors of both past and recent sexual assault. They also offer an interpreting and sign language service

#### **For more information:**

- ▶ call **1800 737 732**
- ▶ visit **[www.1800respect.org.au/violence-and-abuse/sexual-assault-and-violence/](http://www.1800respect.org.au/violence-and-abuse/sexual-assault-and-violence/)** for information, including a video explaining your rights and options after a sexual assault.

### **Victims of Crime**

Victims of Crime is a Victorian Government service offering free information and support for people who have been affected by crime, such as sexual assault. They can help you to:

- ▶ Get advice about reporting a crime
- ▶ Find other services that can help you
- ▶ Get information about the justice system and court process in Victoria
- ▶ Get help applying for compensation and financial assistance

#### **For more information:**

- ▶ Call **1800 819 817** (8am-11pm every day)
- ▶ Text **0427 767 891** (8am-11pm every day)
- ▶ Visit **<https://www.victimsofcrime.vic.gov.au/the-crime/types-of-crime/sexual-assault>**

### **Financial assistance and compensation**

If you have been affected by a crime, you may be able to apply for financial assistance or seek compensation from the offender.

#### **For more information:**

- ▶ Call **1800 819 817** (8am-11pm every day) for advice about seeking financial assistance
- ▶ Visit **<https://www.victimsofcrime.vic.gov.au/going-to-court/financial-assistance-and-compensation-for-victims-of-crime>**
- ▶ Visit **<https://www.vocat.vic.gov.au/>**

# YOUR REPORTING OPTIONS

**You may already have told an Investigation and Risk Assessment Specialist from the Safer Community Unit something about your experience.**

Safer Community Unit can explain your reporting options, assist you to get all the support and advice you need, and can help you connect with the police. They can also talk you through what Monash University can do.

We understand it can be difficult to report your experience to police. You may have already made some decisions about those options, or you may still be considering what to do. Deciding to report a sexual assault is an important personal choice.

For more information on your reporting and disclosure pathways:

- ▶ Make a report or disclose (including anonymously) to SCU:
  - ▶ <https://www.monash.edu/safer-community/reporting>
  - ▶ through the Monash bSafe app
  - ▶ call **03 9905 1599**
  - ▶ email [safercommunity@monash.edu](mailto:safercommunity@monash.edu)
- ▶ Contact Safer Community Unit for information, advice or support referrals, call **03 9905 1599**
- ▶ Contact your local Victoria Police Sexual Offences and Child Abuse Investigation Team (SOCIT) or report anonymously to CrimeStoppers by calling **1800 333 000** or visiting <https://www.crimestoppersvic.com.au/report-a-crime/>
- ▶ Contact SECASA to talk about your reporting options or if you have any questions



# REPORTING TO POLICE

## DECIDING TO REPORT

**It is never too late to report a sexual assault to police. Ultimately, you need to do what feels right for you. That may or may not involve formally reporting to the police. The decision is yours.**

There is no time limit, and the police often investigate sexual assaults reported a long time after they occurred. You are encouraged to report a sexual assault regardless of when it happened.

You can tell the police about your experience and discuss your options with them, even if you have not yet decided to make a police report. The police have protocols in place to assist you through the reporting process. Before making a report to police, you can request a CASA counsellor advocate to support you through the process free of charge.

## KEY CONSIDERATIONS

**When deciding to report, you may want to consider the following:**

- ▶ the sooner you report, the easier it will be for police to investigate

- ▶ the police may be able to investigate and the perpetrator may be charged especially if there is other evidence or witnesses
- ▶ if you don't know who sexually assaulted you, forensic evidence may help to identify the perpetrator
- ▶ making a report may help you with your recovery

Your report may help the police see a pattern in the perpetrator's behaviour and the police may be able to charge them for other assaults.

If you decide you want to report the sexual assault to police, Safer Community Unit can help you, including arranging your transport to a police station. However, Safer Community Unit cannot make a report on your behalf. If you choose to attend a police station to make a report, the police will refer you to a SOCIT.

### For more information:

- ▶ visit <https://www.police.vic.gov.au/resources-and-fact-sheets-0> to access any of the Victoria Police resources on sexual offences.
- ▶ visit <https://www.police.vic.gov.au/sexual-offences-and-child-abuse-investigation-teams> for information about SOCITs

## WHAT IF I CHANGE MY MIND?

Making a report does not mean the police will automatically begin an investigation. The police will discuss the possibility of a formal criminal investigation with you. Even if an investigation does not progress, telling the police about your experience helps them to evaluate and assist you with your safety, and to link you to support services.

You can make a “Statement of No Further Police Action” at any time during the process of reporting sexual assault to police, or during an investigation. This usually means the police will take the case no further. However, if the police believe it is in the public interest to continue with the case, they may do so despite your statement.

If you are unsure about whether you want to make a report to police, you can have a Just In Case (JIC) medical examination. This is the same as a forensic medical examination, but it happens without any police involvement. The forensic samples taken during the JIC examination are kept for six months while you decide if you want to involve the police. SECASA can organise a JIC examination for you.

## HOW IS A SEXUAL ASSAULT INVESTIGATED?

Victoria Police has dedicated response teams, called Sexual Offences and Child Abuse Investigation Teams (SOCITs), who handle sexual assault reports for a particular local area. Cases are handled by specialised detectives trained in the investigation of sexual assault. They can also help you connect with a CASA and arrange for a forensic medical examination if you would like one.

If you make a police report, a SOCIT detective will become your main point of contact throughout the investigation. They can also help you connect with SECASA or another CASA.

For your local SOCIT within Victoria Police, contact:

- ▶ Box Hill **(03 8892 3292)**
- ▶ Dandenong **(03 8769 2200)**
- ▶ Frankston **(03 8770 1000)**
- ▶ Knox **(03 9881 7939)**
- ▶ Melbourne **(03 8690 4056)**
- ▶ Bayside **(03 8530 5203)**

### For more information:

- ▶ visit <https://www.secasa.org.au/programs-and-services/i-need-help/> and their ‘Making a report to the Police’ section for information on what will happen when you report a sexual assault to Victoria Police.

The stages of the police investigation are:

- ▶ **Stage 1:** Collecting and examining the available evidence – anything that may help the investigation and which could be produced in court. The police will preserve evidence from the scene, or place where the sexual assault happened. It is important that you do not destroy anything that might be evidence. Forensic evidence can be lost, and it deteriorates quickly if not stored correctly. For CCTV footage to be available to be viewed at a later date it needs to be copied and stored.
- ▶ **Stage 2:** The police will take a statement from you early in the investigation. This will happen in private, usually in a police station. A statement is a written document that records in detail what you can remember about the incident. This process of collecting a statement can take several hours.
- ▶ **Stage 3:** Police will also take statements from people who may have information about the incident, including any witnesses and the person you first spoke to about the assault. If you have concerns or worries about anyone the police might speak to, you can discuss this with the CASA counsellor or the SOCIT detective.

## FORENSIC MEDICAL EXAMINATION

Depending on the circumstances of your experience, and if the sexual assault occurred within the last 7 days, the police will arrange for a forensic medical examination if you would like one.

The forensic medical examination can address any immediate medical needs you may have, including looking for and treating any injuries.

The forensic examiner will collect forensic evidence for use in any police investigation. There are time limits for collecting useful evidence. The forensic examiner will decide what evidence can be collected.

If you are wearing the same clothes you were wearing when you were sexually assaulted, the police may take them. You will be given a gown to wear, and new clothes after the examination.

Forensic medical examinations are conducted by a trained medical professional – either a doctor or a nurse. They will explain everything that happens.

During the process, the forensic examiner will:

- ▶ ask you to tell them what happened
- ▶ check your body for marks and bruises, and take care of any injuries you may have
- ▶ look for evidence on your body, like blood, spit or semen
- ▶ look for DNA which can help to confirm who the perpetrator is
- ▶ write a report and give DNA evidence to the police

If tests are needed, you will be told what they are and you will be asked if you agree to each test.

You can have a support person of your choice with you during a forensic medical examination, unless the police consider them to be a witness to the assault. This support person could be a friend, relative, a counsellor or someone from the Safer Community Unit.

You will be invited to make an appointment with SECASA or another CASA for counselling following the examination, if you would like this.

## WHAT HAPPENS AFTER THE INVESTIGATION?

While the investigation is going on, the police will look at the evidence with lawyers from the **Office of Public Prosecutions (OPP)**. Before charging the perpetrator with a crime, the police and OPP lawyers must decide if they have a reasonable chance of a conviction. A decision will be made after carefully considering the available evidence and the rules of law. The SOCIT detective should keep you updated on this decision.

If there is enough evidence and therefore a reasonable chance of a conviction, then the matter goes to court.

If there is not considered to be enough evidence for a court case, the police may stop the investigation. This does not mean they do not believe you, it just means the evidence is not strong enough that a jury will find the defendant guilty beyond reasonable doubt.

You can ask the police to write down their reasons and send this to you. If the OPP decides not to take the case to court, you can request reasons for the decision and ask to meet the OPP to discuss it. However, you have no formal right of appeal.

# REPORTING TO MONASH UNIVERSITY

**If you report a sexual assault, know that you are not alone. Monash University wants to help you. Please remember:**

- ▶ Monash University can provide expert help, advice and support to assist you to consider your decisions.
- ▶ You are always able to discuss your options and decisions with the Safer Community Unit. There is no timeframe for reporting or seeking help.
- ▶ The final decision about whether to report is an important personal choice, and is yours alone to make. You need to do what feels right for you.

Even though you may have already told an Investigation and Risk Assessment Specialist from the Safer Community Unit, or another Monash University staff member, about what happened, Monash University will generally only take action against the perpetrator if you decide to make a formal report. If you do not want any action to be taken, Monash University will respect and support your decision.

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

In managing disclosures and reports of sexual violence, Monash University follows the principles and procedures in its **Sexual Misconduct Response Procedure**. You can access this procedure through the **Safer Community Unit web page**, or they can provide you with a copy.

**Monash University's internal disciplinary systems may not apply, and the University may not be able to investigate the assault, if:**

- ▶ The perpetrator was not a Monash University student or staff member at the time of the assault;
- ▶ The perpetrator is no longer a current student or staff member; or
- ▶ The assault happened off-campus and at a location or activity that is not connected to the University.

**In these cases, the Safer Community Unit will still be able to help you by:**

- ▶ Providing you with information about external reporting options that may be available
- ▶ Referring you to appropriate support services
- ▶ Discussing measures that may be available to keep you safe on campus.

Where the assault has also been reported to the police, Monash University will generally postpone any disciplinary action until after the police investigation and criminal justice process has finished. This is to avoid any risk of interference with the police investigation or court proceedings. Please note that, if the investigation is postponed, the University can still impose measures to keep you safe on campus.

## WHERE THE PERPETRATOR IS A STAFF MEMBER

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

The evidence is provided to Workplace Relations, who is required to give the perpetrator an opportunity to respond to the allegations. After this, if Workplace Relations considers there is enough evidence to take action, they will then determine how to proceed.

## WHERE THE PERPETRATOR IS A STUDENT

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

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

As part of the general misconduct process:

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

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



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