BULLYING & HARASSMENT

Bullying is intentional, repeated and unreasonable behaviour directed towards a person or a group of people, that is intended to cause harm, fear, intimidation or distress. It can include threats, harassment, stalking, coercion, aggressive behaviour and physical assault.

Bullying can be verbal, physical or emotional. It also includes messages, statements and behaviour online, known as ‘cyber bullying’.

Harassment is uninvited or unwanted behaviour that causes you to feel offended, intimidated, insulted or humiliated on the basis of personal characteristics such as race, sexual orientation, gender, age or disability.

Harassment can include behaviours like telling insulting jokes, sending explicit or sexually suggestive emails or texts, displaying racially offensive posters, making derogatory comments or taunts or asking intrusive questions about someone’s personal life or sex life. Sexual harassment is any form of harassment that is sexual in nature.

Bullying and harassment is unacceptable. Where bullying and harassment is perpetrated by a student in a University precinct or at a University activity (including online) it may amount to student general misconduct and result in formal disciplinary proceedings.

What can I do?

Ensure safety
If you believe there is an immediate risk to yourself or another person, call:
▶ 9905 3333 for Security on campus
▶ 000 for an emergency off campus

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

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

WHAT IS BULLYING & HARASSMENT

Bullying is intentional, repeated and unreasonable behaviour directed towards a person or a group of people, that is intended to cause harm, fear, intimidation or distress. It can include threats, harassment, stalking, coercion, aggressive behaviour and physical assault.

Harassment is uninvited or unwanted behaviour that causes you to feel offended, intimidated, insulted or humiliated on the basis of personal characteristics such as race, sexual orientation, gender, age or disability.

Everyone has the right to feel safe, and to be treated fairly and respectfully.

DIFFERENCES BETWEEN BULLYING & HARASSMENT

Bullying:
- can be psychological, organisational or physical
- can be an accumulation of small incidents, each of which can seem trivial when taken in isolation
- can be subtle and is not always recognised, the person being bullied may not realise it for some time
- acts may be done for the sake of making the bully look more competent than the target

Harassment:
- is easily recognisable and often immediately obvious to the person who is being harassed
- may involve racist, sexist or other discriminatory words and actions directed at the target
- can be for peer approval, bravado or ‘macho’ image and the harasser may be content for their target to know they are being harassed
- can be a single incident, or a small number of incidents
EXAMPLES OF BULLYING
Bullying can happen to anyone, anywhere and can cause severe distress. It can include behaviour such as:
▶ physical abuse
▶ verbal abuse
▶ psychological abuse
▶ rumour spreading
▶ withholding information
▶ publishing offensive material on social media

Bullying can appear as:
▶ Repeated behaviour: referring to the persistent nature of the behaviour and can involve a range of behaviours over time.
▶ Unreasonable behaviour: meaning behaviour that a reasonable person, considering the circumstances, would see as victimising, humiliating, intimidating or threatening.
▶ Cyberbullying: using technology, such as the internet, a mobile phone or a camera to hurt or embarrass someone. It may also include spreading unpleasant comments, videos or pictures of someone.

HOW DOES BULLYING OCCUR?
Bullying can occur through any form of contact or communication such as:
▶ in person
▶ by telephone
▶ by email
▶ through another person

Bullying can be directed to a single person or group of people and can be carried out by one or more people. It can occur in the workplace:
▶ from supervisors/managers to workers
▶ from workers to supervisors/managers
▶ between workers
▶ from supervisors to students
▶ from students to supervisors
▶ from students to general staff
▶ from general staff to students
▶ between peers
▶ between clients, contractors, patients, customers and members of the public

WHAT IS NOT BULLYING?
A single incident of unreasonable behaviour does not constitute bullying. There are three main areas that are not considered bullying outlined below:
▶ Reasonable management action taken in a reasonable way: In a work environment, it is reasonable for managers and supervisors to allocate work and provide feedback on an employee’s performance, such as:
  ▶ instructions to carry out duties
  ▶ direction to comply with the policies and procedures
  ▶ setting reasonable goals and deadlines
  ▶ providing comments and advice including relevant negative comment and feedback, in relation to work or academic performance

These actions are not bullying if they are carried out in a lawful and reasonable way.

WHAT IS NOT BULLYING?
▶ Unlawful discrimination and sexual harassment: Unlawful discrimination or sexual harassment are separate categories of behaviour.
▶ Low Level Conflict: Interpersonal conflict or disagreement sometimes is not sufficient to constitute bullying. Differences and disagreements can occur without engaging in repeated, unreasonable behaviour.

WHEN BULLYING IS AGAINST THE LAW
Victoria has anti-bullying legislation, that was introduced in 2011. This law makes serious bullying a criminal offence. It covers all forms of bullying including physical, psychological, verbal bullying as well as cyberbullying.
Harassment can be unlawful depending on the circumstances in which it happens. The law also has specific provisions relating to certain types of harassment, such as:

▶ Sexual harassment: where there is unwanted or unwelcome behaviour of a sexual nature that would cause the other person to feel intimidated, insulted or humiliated.

▶ Harassment linked to a disability: where a person is harassed because of a disability.

▶ Harassment based on racial hatred: where something is done in public that offends, insults, humiliates or intimidates a person or group of people because of their race, colour or national or ethnic origin.

A single incident is enough to constitute harassment – it doesn’t have to be repeated.

Harassment is behaviour that can demean, humiliate or embarrass a person. It may also make a person feel threatened or intimidated and can include behaviour such as:

▶ sending explicit or sexually suggestive emails and text messages
▶ displaying racially offensive or pornographic material
▶ making derogatory or insulting comments, jokes or taunts about someone’s race or disability
▶ asking intrusive questions about someone’s personal life, including their sex life

WHEN HARASSMENT IS AGAINST THE LAW

Assault is an intentional attempt, using violence or physical force, to injure, harm, abuse or traumatise another person. Assault can include:

▶ applied force such as fighting, kicking and hitting
▶ trying to strangle or choke someone
▶ physically restraining someone
▶ the use or threat to use a weapon, such as knives or guns

Threats are statements or behaviours where the intention or effect is to intimidate or cause fear of injury or harm; such as:

▶ yelling intentionally to intimidate
▶ smashing objects or slamming doors
▶ cornering or confronting a person
▶ sending threatening voicemails, emails or other written threats

It is a criminal offence to threaten or assault another person.

EXAMPLES OF HARASSMENT

Assault and threats

Bullying and harassment can also occur in conjunction with other forms of problem behaviour, such as:

▶ assault and threats
▶ hazing
▶ discrimination
▶ racism

OTHER FORMS OF BULLYING AND HARASSMENT

ASSAULT AND THREATS
HAZING

Hazing includes any action or situation (e.g. initiation ceremony, ritual, challenge or other activity) with or without the consent of participants, for the purpose of admission into, affiliation with, or as a condition for, continued membership or acceptance into a group (e.g. a club, team, hall, society).

Hazing activities may be intentional or unintentional and may cause or be likely to cause humiliation, discomfort, embarrassment, abuse or physical and/or emotional harm to any individual or group.

Hazing can look like:

▶ being made to participate in drinking
▶ games to consume large amounts of alcohol
▶ being made to sit on the floor, while others in the group sit on chairs
▶ being made to wear clothes that are embarrassing

DISCRIMINATION

Discrimination is when someone gets treated unfavourably, or is asked an unreasonable requirement, directly or indirectly, usually because of a personal characteristic that is protected by law. Even the assumption that people have this characteristic or may have in the future can count as discrimination.

Protected personal characteristics include:

▶ race, colour, national extraction or social origin
▶ sex, gender identity or sexual orientation
▶ age
▶ physical, intellectual, mental or psychiatric disability
▶ pregnancy or potential pregnancy
▶ marital status, relationship status and family or carer’s responsibilities
▶ religion
▶ political opinion
▶ trade union activity

Discrimination contravenes Federal and State legislation.

RACISM

Racism refers to the dislike, unfair treatment, harassment or vilification of another person or group of people on the basis of perceived difference and a belief that one group is inferior to another. Racism appears in social structures and practices that exclude, oppress and discriminate against individuals and groups based on their perceived race. Racism often intersects with other forms of discrimination based on perceived difference, such as culture or religion. Racism can be overt or covert, intentional or unintentional, conscious or unconscious.

Individual or interpersonal racism:

Involves the beliefs, attitudes, and behaviours of individuals. Although this type of racism is sometimes overt, it also includes ‘casual’ or ‘every day’ racism - incidents that aren’t necessarily violent or consciously malicious but perpetuate negative stereotypes about different groups through jokes and offhand remarks.

Examples include:

▶ avoiding contact with members of a target group
▶ ignoring, silencing, and belittling individuals who are experiencing prejudice and racism
▶ offensive jokes, graffiti, emails, and posters
▶ insults, name-calling, verbal abuse and threats
▶ hate crimes or violence directed at a person based on skin colour, cultural group, or national or ethnic origin
▶ comments which perpetuate negative stereotypes about particular groups
Institutional or systemic racism: Refers to the laws, policies, practices, rules and procedures that operate within organisations, societal structures, and the broader community to the advantage of the dominant group/s and to the detriment and disadvantage of other groups. Institutional racism may be intentional or unintentional.

Examples include:
- stereotyping all members of a particular group as being a particular way
- failing or refusing to provide services to a particular group or providing culturally inappropiate services
- assuming that members of particular groups would not be interested in particular positions based on stereotypes and therefore failing to offer them, promotion, mentoring and professional development opportunities
- ignoring important cultural differences that may affect students’ learning

Cultural racism: Cultural racism includes viewing conformity to the dominant culture as normal and desirable. This bias results in people from non-dominant cultures, and their customs and practices, being viewed as unimportant, inferior, or simply invisible.

Examples include:
- advertising and media which represents only white people
- the omission of different cultural perspectives and contributions, such as those of Indigenous Australians, from academic fields of study
- an expectation that the dominant culture’s language will be used
- an expectation that people will dress similarly to the dominant culture

Internalised racism: Occurs when people targeted by racism come to believe that the stereotypes and prejudices of racism are valid. They may act out this belief by oppressing others of their own group, or by devaluing themselves through feelings of shame, self-hatred, isolation, powerlessness, self-doubt and despair.

Examples include:
- expressing rage, hatred, indignation, and powerlessness at one’s own group
- criticising and invalidating one’s own group, leading to divisiveness and disunity
- attacking, criticising or maligning a member of one’s own group who takes on a leadership role
- feeling ashamed of anything about one’s own group that differs too much from white middle-class standards of skin colour, dress, music, language etc
WHAT CAN I DO?

IF YOU HAVE EXPERIENCED THIS

If you have experienced bullying and/or harassment, you should:

▸ Record the behaviour:
  ▶ what happened, when and what you did to try to stop the behaviour
  ▶ keep evidence including photos of physical injuries, emails and messages, screenshots of posts or comments

▸ Take action to stop the behaviour:
  ▶ tell the person their behaviour is inappropriate and you don’t like it
  ▶ ask the person to stop the behaviour
  ▶ walk away from the bully and ignore the behaviour
  ▶ ask the person to remove harmful or offensive content online
  ▶ block the person online
  ▶ don’t respond to messages

▸ Report the behaviour:
  ▶ report the behaviour to the relevant social media site for example, Facebook or Instagram
  ▶ contact Safer Community Unit for advice, to report, or to seek support
  ▶ if you feel unsafe or threatened, report the behaviour to the police

▸ Seek Advice and Support
  ▶ get support from someone you trust, such as a friend, family member
  ▶ talk about how the behaviour has affected you
  ▶ ask for the advice and support about how to respond or deal with the behaviour
  ▶ seek help from a professional support service such as a counsellor, Monash University Safer Community Unit or local police
  ▶ focus on the positives in your life and spend time doing things you enjoy

IF SOMEONE YOU KNOW HAS EXPERIENCED THIS

If a friend tells you they have experienced bullying and/or harassment, they have taken a difficult step. They have chosen you because they trust you and need someone to confide in.

Your role is to:

▸ Listen to them without judgement and allow them to talk at their own pace.
▸ Believe their story 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.

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.

IF YOU WITNESS THIS BEHAVIOUR

If you see someone who looks like they are being bullied or harassed, and you feel safe doing so, you should act as an active bystander. This can be as simple as asking the person if they are ok or calling for help.

If you know bullying or harassment is occurring or someone discloses that they are being bullied, you should:

▸ ask the person who is being bullied if they are ok
▸ draw attention to the situation for example alert other people’s attention to the behaviour
▸ seek assistance from others especially someone in authority
▸ call for help, for example Security Services or Emergency Services
▸ do not engage in violence
▸ listen and support the person being bullying
▸ empower the person speak up and seek help
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:

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

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

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

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.

If you have experienced bullying and/or harassment, you are encouraged to talk to Monash University’s Safer Community Unit. They are a specialist team who can give you information and advice in a safe place. 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
▶ advise you on how to bring an end to the behaviour
▶ advice for how to protect your personal information and safety
▶ information about your formal reporting options

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

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

For more information:
▶ visit www.monash.edu/health/counselling
▶ call 03 9905 2020 to organise an appointment
**OFF CAMPUS**

**Lifeline**
Lifeline is a national charity providing Australians experiencing a personal crisis with access to 24 hour crisis support and suicide prevention services. If you are thinking about suicide or experiencing a personal crisis help is available. Lifeline also provides extensive resources on crisis support available through their website.

For more information:
- visit lifeline.org.au and use the crisis chat support chat online available 7:00pm - midnight
- call the Lifeline Crisis Hotline 13 11 14, available 24/7
- text 0477 13 11 14, for Lifeline Crisis Support available 6:00pm - midnight

**Kids Helpline**
Kids Helpline is a free private and confidential 24/7 phone and online counselling service for young people aged 5 to 25.

For more information:
- visit kidshelpline.com.au and use their webchat function for online support
- call 1800 55 1800 for phone counselling and support
- email counsellor@kidshelpline.com.au, for email counselling (please note, this inbox is checked from 8am-10pm daily, for an immediate response, call or use the webchat feature)

**Victims of Crime**
Victims of Crime is a government organisation that provide information, advice and support to help you manage the effects of crime and guide you through the legal process.

They can help you:
- get advice about reporting a crime
- find other services that can help you
- get information about the court process
- get help applying for compensation and financial assistance.

For more information:
- call 1800 819 817

**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.

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
- Contact Safer Community Unit for information, advice or support referrals - call 03 9905 1599

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Victims of Crime is a government organisation that provide information, advice and support to help you manage the effects of crime and guide you through the legal process.

They can help you:
- get advice about reporting a crime
- find other services that can help you
- get information about the court process
- get help applying for compensation and financial assistance.

For more information:
- call 1800 819 817
If you report bullying and/or harassment, know that you are not alone. Monash University wants to help you. Please remember:

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

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

Monash University’s internal disciplinary systems may not apply, and the University may not be able to investigate the bullying and/or harassment, if:

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

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

▶ Giving you information about external reporting options that may be available; and
▶ Referring you to appropriate support services; and
▶ Discussing measures that may be available to keep you safe on campus.

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

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.

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

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