



THE UNIVERSITY OF
MELBOURNE

Sexual Misconduct Annual Report 2023

Content Warning

This report contains information about sexual assault and sexual harassment which may be distressing. If you would like to speak to someone for support, please contact the following internal or external supports.

Support service	Contact details
Safer Community Program	safercommunity.unimelb.edu.au Phone: +61 3 9035 8675 Email: safer-community@unimelb.edu.au
Sexual Assault Crisis Line Victoria	Phone: 1800 806 292
1800 RESPECT	Phone: 1800 737 732
University of Melbourne Counselling and Psychological Services	services.unimelb.edu.au/counsel Phone +61 3 8344 6927 Email: caps-reception@unimelb.edu.au

Acknowledgement of Country

The University of Melbourne acknowledges the Traditional Owners of the unceded land on which we work, learn and live: the Wurundjeri Woi-wurrung and Bunurong peoples (Burnley, Fishermans Bend, Parkville, Southbank and Werribee campuses), the Yorta Yorta Nation (Dookie and Shepparton campuses), and the Dja Dja Wurrung people (Creswick campus).

The University also acknowledges and is grateful to the Traditional Owners, Elders and Knowledge Holders of all Indigenous nations and clans who have been instrumental in our reconciliation journey.

We recognise the unique place held by Aboriginal and Torres Strait Islander peoples as the original owners and custodians of the lands and waterways across the Australian continent, with histories of continuous connection dating back more than 60,000 years. We also acknowledge their enduring cultural practices of caring for Country.

We pay respect to Elders past, present and future, and acknowledge the importance of Indigenous knowledge in the Academy. As a community of researchers, teachers, professional staff and students we are privileged to work and learn every day with Indigenous colleagues and partners.

Acknowledgement of Victim-Survivors

We acknowledge victim-survivors who have experienced sexual assault or sexual harassment, the courage of those who have come forward to speak to staff at the University and seek support, and we stand in solidarity with those who have not.

We acknowledge that evidence in Australia tells us that although anyone can experience sexual assault or sexual harassment, it is disproportionately experienced by women, people who identify as part of the LGBTIQ+ community, people from culturally and linguistically diverse backgrounds, and those with lived experience of disability. Aboriginal and/or Torres Strait Islander peoples carry a disproportionate burden of sexual assault and harassment.

We recognise that the data contained in this report does not describe the suffering that sits behind it. Sexual violence has physical, psychological and emotional impacts on the members of our community. We hope that by openly reporting this data, the University and its community can see and better understand the incidence of sexual misconduct, the consequences when reported, and our efforts focussing on prevention.

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Introduction

The University of Melbourne is determined to provide a safe environment for our community members, free from sexual misconduct. The publication of the third Sexual Misconduct Annual Report is critical to achieving the transparency and accountability necessary to eliminate sexual misconduct in the University.

The University's approach to cases of sexual misconduct is underpinned by a firm commitment to due process, and a focus on the safety and wellbeing of victim-survivors through a trauma-informed and supportive response. This report details sexual misconduct complaints in 2023 and how they were handled, including the consequences faced by offenders. While there has been real progress in the University's response and prevention efforts in recent years, the report reflects on areas where improvement is needed, which we are working to address.

Both government-led and sector-wide agendas echo the commitment at the University of Melbourne to a concerted, effective and holistic response to the issue of sexual assault and sexual harassment on campus. This has been our focus across recent years. The Australian Human Rights Commission's Change the Course report in 2017 ('Change the Course') was a clarion call to action for the sector, demonstrating the scale of the problem of sexual assault and sexual harassment in universities. The insights provided by the 2021 National Student Safety Survey, conducted by the Social Research Centre with support from Universities Australia, further exposed the gap between incidences of sexual misconduct and formal complaints. Staff and student safety was highlighted as an area for immediate action in the Australian Government's Australian Universities Accord Interim Report, published July 2023, resulting in the Draft Action Plan Addressing Gender-based Violence in Higher Education which was released for consultation in November 2023.

Since Change the Course, the University has implemented policy, governance and process changes, and significantly expanded Respect education across our community. Importantly, all the University's Respect initiatives are informed by lived experience, subject matter expertise, leading practice frameworks and accountability processes. Mere compliance is not our ambition. Ensuring the safety of our community is.

We are continually looking for ways to improve. In 2023, changes were made to the Sexual Misconduct Prevention and Response policy and Student Conduct policy to enable better application to clubs, societies and affiliates. We responded to student recommendations to improve processes through the Respect Reference Group. The Consent Matters online course was made mandatory for all coursework students, while a new student-centred Preventing Sexual Misconduct module was developed. We made important staff appointments to better resource work across these programs.

In 2024, we will amplify our efforts by delivering new student *Preventing Sexual Misconduct* training, reinforcing Respect Education for staff, working with government to ensure the finalised action plan is able to be smoothly and practically applied, developing primary prevention approaches for students, following up with complainants for feedback, and working more closely with our affiliates to ensure consistency of prevention and response approaches. Recognising the whole-of-sector effort, we will share information and continue to find ways to collaborate on these issues with other universities, sharing our approaches and growing body of experience, and learning from those of other institutions.

We are determined that, as we continue to report on Sexual Misconduct at the University, more members of this community will feel confident that support is available to them and trust the processes through which we work to eliminate sexual misconduct from our community.



Professor Duncan Maskell



Professor Nicola Phillips



Professor Pip Nicholson

Definitions

Affiliated means

- (a) For a college, affiliated by the University Council in accordance with the University of Melbourne Act 2009, statute and regulations;
- (b) for a student club or society: (i) affiliated by UMSU Incorporated or The University of Melbourne Graduate Student Association; or (ii) affiliated, recognised, or supported (however described) by a faculty, school, or department of the University.

Bystander means someone who witnesses an incident of sexual misconduct or is told about an incident after it occurred.

Complaint means a complaint of sexual misconduct relating to University matters by an individual who wants the University to take specific action in response to the incident.

Complainant means any person who makes a complaint of sexual misconduct to the University.

Disclose/ disclosure means an individual telling anyone who is part of the University about their experience or witnessing of sexual misconduct. Unlike complaint, disclosure does not trigger an investigation or action unless the University has a duty of care to do so. It may also be the first step prior to a complaint being made.

Non-Disclosure Agreement means means any agreement, or any clause in any agreement, that prohibits a victim-survivor from being able to speak freely about their lived experience of the matters disclosed or complained of.

Procedural Fairness means that, at a minimum:

- The parties are given notice of the complaint or allegations against them, and the process by which it is proposed the matter will be resolved.
- The parties are given the opportunity to be heard and respond to the complaint or allegations.
- The decision-maker acts impartially, honestly and without bias.

Respondent means a person about whom a complaint is made.

Trauma-informed means an approach that maximises the safety, wellbeing and support provided to individuals who make disclosures or complaints by upholding their agency, safety, dignity and wellbeing, recognising that an unsafe response can escalate and compound trauma.

University means the University of Melbourne, and in this report references to 'the University' also includes its controlled entities, and in respect of student sexual misconduct, affiliated residential colleges, clubs and societies.

Sexual misconduct is the term the University of Melbourne uses to cover the full range of inappropriate sexual behaviour that is within the University's remit to investigate and penalise, as outlined in the [Sexual Misconduct Prevention and Response Policy](#). Sexual misconduct includes sexual harassment and sexual assault, whether it happens face-to-face or online (e.g. via email or social media).

Penalties

The University of Melbourne is committed to eliminating and preventing sexual misconduct from its community. Sexual misconduct constitutes serious misconduct under the University's Enterprise Agreement and the Fair Work Act 2009. If serious misconduct is found to have occurred, employment can be terminated without notice. For students, sexual misconduct constitutes general misconduct under the Vice-Chancellor Regulation and the Student Conduct Policy (MPF1324) and can result in suspension or termination of enrolment.

Section One: National and State Context

Addressing sexual misconduct faced by staff and students continued as a focus for governments and the higher education sector in 2023, and for the University of Melbourne also. In July 2023, the Australian Government's Australian Universities Accord Interim Report highlighted that staff and student safety continue to require concerted action, including in relation to sexual assault and sexual harassment. The final Accord report recommends *"That...the Australian Government work with national student bodies and the higher education sector to: develop a national student charter that sets out a shared, national commitment to the welfare, safety and wellbeing of all students on campus and online, establish a National Student Ombudsman to respond to student complaints"*²¹. A Working Group was established that comprised Commonwealth, State and Territory officials to develop reform options.

Australian Education Ministers and state and territory governments released a Draft Action Plan Addressing Gender-based Violence in Higher Education on 22 November 2023 as the basis of consultation with the sector. The plan outlined seven actions to address and reduce the prevalence of gender-based violence in universities, higher education and student accommodation providers. The first action proposed was a National Student Ombudsman, which would be a single point of contact for higher education students to escalate complaints when not satisfied with their university's response. In February 2024, the government confirmed it will introduce a National Ombudsman with the remit to hear appeals from students regarding gender-based violence, among other matters. While the details of this change will be outlined in our next report, we note this development here for the sake of completeness. Another major proposal is a new National Higher Education Code to Prevent and Respond to Gender-based Violence.

The University of Melbourne supports the actions outlined in the draft to address gender-based violence in higher education, and welcomes the setting of standards across higher education. The University advocated throughout 2023 for the Government to consult directly with universities and students during the development of the Code and the Ombudsman's powers, to ensure that these are practicable and that their remit and accountabilities are clear, particularly given the range of existing regulators with which victim-survivors and universities deal.

The University adjusted the definition of consent contained within our [Sexual Misconduct Prevention and Response Policy \(MPF1359\)](#) (SMPR Policy) in late 2022, in anticipation of changes to the consent laws in Victoria which came into effect in July 2023. One of the most significant reforms was the inclusion of a statutory rule in the Crimes Act 1958 s 36A (Cth), also introduced in Victoria, which stipulated that a belief in consent is not reasonable unless the accused said or did something to find out whether the other person consented. Our new Preventing Sexual Misconduct modules explicitly deals with these changes regarding consent.

A new offence was also created in the Crimes Act (Vic) 1958 regarding the production, distribution and threat to distribute intimate images. The University's SMPR Policy includes "making, displaying, sending, distributing, threatening to distribute or requesting sexually explicit pictures or posters, audio recordings or photo-shopped images of another person" as sexual misconduct. The University of Melbourne's positive duty as an employer to prevent sexual misconduct is set out in the SMPR Policy and this report outlines how we acquit this duty. Nationally, in November 2022, Australia introduced a positive duty on employers to create a safe and respectful workplace, noting that employers would also be monitored for their compliance with this new duty.

The Higher Education Standards Framework (Threshold Standards) 2021² similarly commits Australian universities to ensure a safe environment is promoted and fostered for students. The University's [Vice-Chancellor Regulation](#) together with the SMPR Policy, together with its [Student Conduct Policy](#) sets out how these commitments are put into practice at the University of Melbourne.

Section Two: Sexual misconduct complaints at the University of Melbourne in 2023

Under-reporting of sexual assault and harassment is a serious problem in Australia. According to national statistics on sexual assault³, an estimated 92% of people who experienced sexual assault in 2022 did not report the incident to the police.

As we strive to eradicate sexual misconduct, the University of Melbourne has worked for several years to make sure that incidents are disclosed to the university. Disclosures about sexual misconduct enable the University to connect victim-survivors with support and enable the University to take decisive action where serious misconduct is identified. In addition to the disclosures received by the University, in some circumstances there are possibilities for sexual misconduct to be managed through direct resolution by the people involved, or through bystander intervention. Wherever possible, we encourage those who have experienced sexual misconduct to tell the University, anonymously if preferred.

How we ensure our complaints processes are fair and use trauma-informed practices

Staff and students of the University are encouraged to raise their concerns with either the Safer Community Program (students and staff) or Human Resources (staff). Wherever disclosed, staff and students are assisted to understand their options and connected to internal or external support, whether or not they decide to proceed with a complaint.

Complaints about and from staff are then reviewed by the Workplace Relations & Investigations team, while student complaints go to the Academic Registrar.

A trauma-informed approach is taken to the management of all complaints. This approach focuses on maximising the safety, wellbeing and support provided to individuals who make disclosures or complaints by protecting their agency, safety, dignity and wellbeing. All complainants can expect to:

- Have their complaints acknowledged and responded to in a timely manner,
- Be provided with a clear explanation of the next steps and potential outcomes of the complaints process,
- Be given opportunities to communicate their own expectations of the complaints process and outcomes and have these considered as a component of decision-making,
- Be promptly connected with internal and external support services,
- Have choices about the frequency and type of communication with them from staff stewarding those complaints.

Complaints against students

The number of complaints of alleged sexual misconduct against students increased to 25 in 2023, compared to 20 the previous year, representing a 25% increase.

Of the 25 complaints made, 17 were within the University's remit to investigate (Figure 1). This means that they had taken place: on University premises (including in residential colleges and halls that are owned by the University and affiliated colleges and sporting clubs); while using University facilities and services; and/or while engaging in University activities. For those that were outside of the University's remit to investigate, complainants were connected to support services and/or external reporting options as needed.

Our student disciplinary process explained

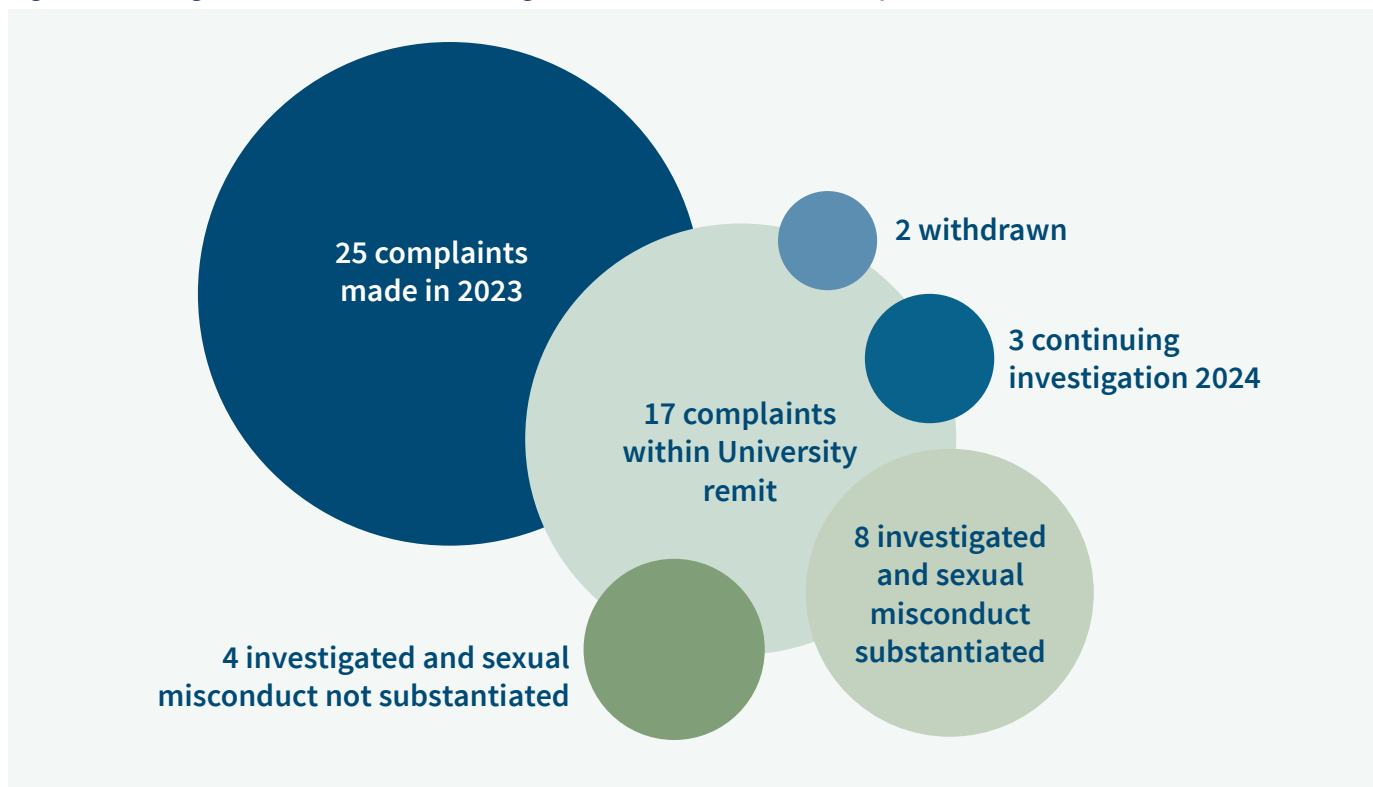
Allegations of student sexual misconduct are considered in accordance with the Sexual Misconduct Prevention and Response Policy, the Vice-Chancellor Regulation, and the Student Conduct Policy. Complaints about students are received by the Academic Registrar. Upon receipt of the complaint, the complainant will promptly be contacted to ensure appropriate supports are in place, and to clarify the complaint details. The Academic Registrar will conduct a preliminary assessment. If they determine that the particulars or nature of the allegation require further examination, an investigator may be engaged (section 5.5 of the [Student Conduct Policy](#) which details factors considered in this decision). The investigator will make findings of fact and produce a summary report for the student disciplinary committee. Both the person making the complaint and the respondent can provide written or verbal submissions to the process and nominate witnesses.

The Student Disciplinary Committee considers the nature and circumstances of the allegations, the findings of any investigation, other information provided to the Academic Registrar by the parties, and the wishes of the complainant. For students, findings of sexual misconduct may result in penalties ranging from a reprimand or caution, educative directives, enrolment restrictions or conditions, suspension, or expulsion from the University.

Student disciplinary decisions in 2023

Of the eight students found to have engaged in sexual misconduct in 2023, a range of behaviours was involved, including sexual remarks, excessive inappropriate email communication, filming without consent and sexual assault. One student was expelled and three were suspended with conditions placed upon their re-enrolment. Combined penalties were applied to the remaining four students including exclusion from specified locations, mandatory regular meetings, counselling and contact bans.

Figure 1: Investigation status of complaints against students at the University of Melbourne



Complaints against staff

Numbers of complaints against staff and honorary appointees

In 2023, a total of six sexual misconduct complaints were made about staff in 2023 compared with 11 in 2022.

- All of the complaints made were in relation to allegations of sexual harassment (not assault).
- All respondents were male, with 4 female complainants, 1 male complainant, and 1 non-binary complainant.
- 4 investigations are in progress
- 2 were substantiated

Our staff disciplinary process explained

Complaints related to members of staff are handled in line with the [Appropriate Workplace Behaviour Policy \(MPF1328\)](#), and the SMPR Policy (MPF1359). Following a complaint, Workplace Investigations, with support from Workplace Relations, conduct a preliminary assessment, with a range of possible consequences, including no action, mediation, informal management, workplace inquiry or investigation.

Where a case is referred to an independent investigator and sexual misconduct is substantiated, employees face dismissal or other disciplinary action as determined by law and the relevant policies. Honorary staff members can have their honorary appointment rescinded. The Provost (for academic employees) and the Chief Operating Officer (for professional employees) are the decision-makers in these cases.

Where allegations of sexual misconduct are investigated and not substantiated and the respondent continues their employment with the University, ongoing support is offered to the complainant which may include counselling and regular check-ins with senior HR staff. As set out in the Sexual Misconduct Prevention and Response Policy, the University does not ask or require victim-survivors to sign Non-Disclosure Agreements.

Staff disciplinary decisions in 2023

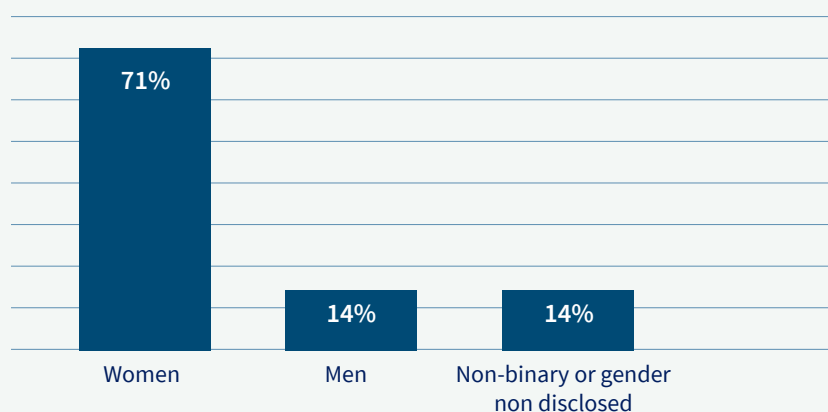
Five people left the University upon a finding of sexual misconduct in 2023. Two of these related to misconduct that was investigated and substantiated in 2023, and the employment of both respondents was terminated. Three sexual misconduct complaints received in 2022 were substantiated in 2023 and employment was terminated on all occasions.

Legal proceedings relating to dismissals

The University is resolute that a lawful decision to remove an employee from the workplace who has engaged in sexual misconduct will not be overturned or lead to the payment of compensation. Whenever respondents contest the University's decision for dismissal via the Fair Work Commission or courts, the University legally defends the claims and does not seek or agree to settlement.

In early 2023, the University defended an unfair dismissal matter in the Fair Work Commission. This matter related to the dismissal of an academic who was found to have sexually harassed a student-employee. As outlined in publicly available documentation, the former employee argued that the decision to terminate their employment was harsh and did not consider the

Figure 2: All substantiated sexual misconduct complaints by staff and students in 2023 at the University of Melbourne, by gender of complainant



impact of their condition, both in relation to their behaviour and during the investigation process. The former employee sought reinstatement of employment and back pay for the period since the dismissal, or compensation in the alternative.

The University took measures to avoid re-traumatising the complainant while the proceedings ran and was successful in defending the matter.

How social factors intersect with sexual misconduct at the University

Sexual assault and harassment affect people from all cultures, ages and socio-economic groups, although the extent, nature and dynamics are not evenly distributed across the community. Sexual misconduct often reflects power imbalances, and prevailing social and cultural norms.

Gender

Of the 14 substantiated sexual misconduct matters at the University in 2023, relating to both staff and students, all 14 (100%) respondents were men. The complainants in these substantiated sexual misconduct matters (Figure 2) were mostly women (10) with a small number of men (2) and non-binary (2) complainants.

The National Student Safety Survey (NSSS) findings from 2021 suggest particular issues for non-binary and transgender respondents: of the respondents to the national survey, two in five non-binary respondents, and one in four transgender respondents, reported that they had been sexually harassed since starting university. The reports of instances of sexual assault in the NSSS show a similar over-representation.

Further societal contributors

Currently the University of Melbourne does not collect data regarding the cultural identity, race, disability status or sexuality of complainants or respondents. The University is working to enable complainants on an optional basis to disclose these from 2024. However, the Australian National Student Safety Survey sector data from 2021 shows that LGBTQIA+ respondents and respondents with disability reported high rates of experiencing sexual misconduct while at university. Aboriginal and Torres Strait Islander respondents also report a higher level of sexual misconduct than other groups according to the NSSS report. More specifically, the NSSS report notes:

- 29% of respondents with disability reported experiencing sexual harassment since starting University, compared with 14% of other students.
- 23% of gay or lesbian respondents, and 33% of bisexual students reported experiencing sexual harassment since starting University, compared with 13% of heterosexual students.
- 21% of Aboriginal and/or Torres Strait Islander respondents reporting experiencing sexual harassment since starting University, compared with 16% of non-Indigenous students.

Murmuk Djerring, the University's Indigenous strategy, commits to an Indigenous Student Campus Barometer Survey, which will measure how all students access education in environments that are safe and which enable them to achieve their full potential.

The University's *Diversity and Inclusion Strategy 2030* outlines a comprehensive program of work to support inclusion for the diversity of its students and staff including their psychological, physical and cultural safety. Along with its *Gender Equality Action Plan*, these include a standalone *Gender Affirmation Policy* and provision of specialist support for transgender and gender diverse students and staff in the Safer Community Program, its first LGBTQIA+ Inclusion Action Plan (2023), a new Disability inclusion Action Plan (2023), and the development the first Anti-racism Action Plan scheduled for 2024, following the publication of our anti-racism commitment in 2023.

Section three: work completed in 2023

Preventing sexual misconduct – awareness raising for students

In 2023, the University directed significant effort towards creating two new mandatory *Preventing Sexual Misconduct* online modules for coursework and graduate research students. This direction was taken in response to feedback from student representatives, also reflected in current research, indicating that prevention education needs to be directly relatable and applicable to the students' own contexts. The modules have been produced specifically for University of Melbourne students, with student and expert input. The University established a focus group of 10 students to advise on the creation of the new modules, together with UMSU staff members and representatives, University staff and academics. The two modules will be launched in *Respect @ Uni Week* on 18 March 2024. They will be made available to the sector, and can be adapted for use in other higher education settings.

They address sexual misconduct and its impacts, keeping our community safe, how to get help, and how to make a complaint.

Across 2023, the existing *Consent Matters* online course was made mandatory for all coursework students from February - December 2023, and those who did not complete unable to view their academic results. 97% of all eligible students completed the module - 51,746 students in total. Given the sensitive subject matter contained in the module, support and exemptions from the mandatory requirement were provided to students who required them.

In 2023, UMSU staff and peer-educators successfully delivered 23 workshops with student clubs & societies leaders on *Bystander Intervention and Responding to Disclosures of Sexual Assault and Harassment*. These workshops were attended by 396 participants and received partial funding through a Student Services and Amenities Fee grant from the University.

Experts in the prevention of sexual misconduct agree that, to prevent sexual harms, efforts must extend beyond awareness-raising. The University sees online education modules as a starting point, which on their own are not enough to change attitudes and behaviours. Activities in 2024 will further build on the UMSU and peer-educated training and extend to more targeted in-person workshops, events, social marketing and peer-to-peer education.

Preventing sexual misconduct – Respect Education for University staff

The University's Respect Education training is mandatory for all University of Melbourne staff. The program has been delivered from 2021 with increasing reach across the organisation. The training is designed to equip staff with the knowledge and skills needed to prevent, call out and respond to issues of sexual misconduct. Content is tailored for different cohorts reflecting their role within the organisation.

In Phase 1 (2021), the University's most senior leaders and professors completed a one- or two-day in-person leadership workshop on identifying, responding to, and preventing sexual misconduct.

In 2022, Phase 2 saw the program delivered to nearly 3,000 people, including Senior Leaders, Supervisors and Staff as well as HR and other supporting specialists.

In 2023, Phase 3 saw the launch of the Casual Employees program. During 2023, the Respect Education program was delivered to nearly 8,101 employees across different cohorts including casual employees.

Respect Education training is mandatory for all staff and enrolment reminders are routinely sent to staff and their supervisors who have not completed the training. In October 2023, University Executive endorsed the addition of Respect Education to the University's compliance program, which means that non-completion of these courses can lead to employee disciplinary proceedings.

Table 1: Respect Education Programs and number of completions– 2021- 2023

Name of program	Cohort	Delivery Method	No. of employees trained*			
			2021	2022	2023	Total
Staff Program	Staff	Online/ in-person workshop plus eLearn module	0	359	4,517	4,876
Leaders / Supervisors Program	Supervisor/ Leader	Half-day plus eLearn module	0	1,750	721	2,471
Senior Leaders Program	Senior Leader	1 day in-person	476	734	113	1323
Human Resources Business Partners and Specialist Workshops	HRBPs and Specialists	1 day plus 2x half days, online and in-person	0	54	24	78
Casual Employee Program	Active Casual**	eLearn module	0	0	2,726	2,726
			476	2,897	8,101	11,474

Notes:

1. Where number is zero, program was not scheduled to run during that year.
2. Completion rates may vary from time to time and are impacted by:
 - a) Terminations/Expired contracts and new staff employments;
 - b) Promotions (change in cohort); and or
 - c) Waiver of completion due to personal circumstances.

*Completion data only includes currently employed staff. Staff who completed the training and are no longer employed with the University are excluded from this list.

** For the purposes of this report, *active casual* is defined as an employee who has been paid on the Casual fortnightly payroll for work completed during the month preceding the date of reporting.

Impact of Respect Education for Staff

Pre- and post- training surveys conducted during the Respect Education sessions for staff indicated an improvement in their understanding of sexual misconduct and its impacts, risk factors and the changes in our obligations at work.

In addition to the surveys the University commissioned the training provider, En Masse, to run four focus group sessions to gauge participants’ views on the impact of training. The focus group participants indicated that they perceived an increase in their own and others’ awareness of sexual misconduct. One participant commented “Some people were blind to what constitutes inappropriate behaviour, but people can no longer say they are unaware”. Another participant mentioned the helpfulness of the tiered approach to the training and that training for senior leaders had increased discussions within teams. “Having everyone being trained, including senior leaders, made more people feel safe and comfortable to talk about this (inappropriate behaviour)”.

Other participants noted that although the Respect Education Program was a positive step, that further work was required.

“The training was impactful, but not enough on its own.” This observation is entirely correct.

Beyond building awareness and knowledge, the Respect Education program has a focus on increasing staff confidence to safely intervene and offer support. The pre- and post-training surveys and focus group discussions suggest a modest improvement in staff confidence in these areas.

Optional intensive workshops on Courageous and Respectful Conversations and Trauma-Informed Care were offered to all staff at the University. These workshops were all fully subscribed in 2023, and as they reach more participants over time, the University anticipates further improvements in the confidence of staff to safely intervene and offer support. In addition, the University is working to make information about the supports available for victim-survivors, and consequences for perpetrators, more widely available, with the aim that will also boost confidence for staff. This annual report is also an established practice, now in its third year, which stands as a statement of our intentions and actions to date. It is publicly available and shared directly with all staff and students.

Figure 3: Speak Safely Poster



Case study of anonymous complaint via Speak Safely

In 2023, an issue was raised anonymously through the Speak Safely portal in relation to the inappropriate behaviour of one individual. The anonymous complainant identified ten staff for the University to speak with about the individual's behaviour.

When a Workplace Relations staff member spoke with these employees, several of them raised allegations of sexual harassment and bullying by this individual, and others had witnessed the conduct.

Following formal investigation, allegations of sexual harassment and of bullying by the individual were substantiated.

The individual's employment was terminated on the grounds of serious misconduct. Two employees directly impacted by the conduct have been provided ongoing support from the University.

Participants in the focus group discussions also noted the structural nature of sexual misconduct. They noted that while the training empowered some to act, the University must note the impact of short term or insecure work on staff and redress that also. A consistent view in the focus groups is encapsulated by the following observation: "Personally, I am likely to be confident to speak up, but we need to consider staff on contracts or other aspects that may influence power balance".

It is acknowledged that some people do not have a high level of concern about sexual misconduct or feel motivated to act on it. While we attempt to increase people's understanding and empathy, some have more regard for the potential penalties for misconduct and are better reached through a deterrence approach.

Supporting staff and students through the Safer Community Program and University Security

The Safer Community Program has continued to provide support for people who have experienced inappropriate or threatening behaviour, including sexual harm. In 2023, the University expanded resourcing in the Safer Community Program to include new dedicated Senior Sexual Misconduct Advisor roles and a Child Safety Advisor.

- Students and staff can contact University Security at any time to escort them to locations on or near the campus. As part of The University's commitment to personal safety, the 'SafeZone' app allows for quick sharing of location and details with the University security team.
- The Safer Community Program collaborates with University Security to ensure a timely and sensitive response to students who advise of sexual misconduct.

- A new case management system, Resolve, was implemented. This system centrally and confidentially records sexual misconduct disclosures, enabling consistent support and referrals for people experiencing sexual misconduct.

'Speak Safely' Portal

The University's 'Speak Safely' portal provides an online option for victim-survivors to access support, make notes, or seek action from the University via an online chat with trained staff. Importantly, Speak Safely provides a 'diary note' option, for those who are not ready to make a complaint but may like to record the details of an experience that they may wish to report later. Users can also turn on a scanning function, that matches their 'Diary Note' with other similar entries stored in the portal. This enables submission of 'Group Reports' to the relevant University complaints-management team. To protect victim-survivors' privacy, no identifying information is shared between individuals using the 'Diary Note' and 'Group Report' functions.

Within the Speak Safely portal, users can choose to remain anonymous. This may be important to those concerned about potential negative repercussions arising from their report. In turning on this function, users are advised that anonymous reporting may limit the actions that the University can take to respond to the report.

To promote the new portal posters with a QR code link to the Speak Safely portal (Figure 3) were installed across all University campuses in common areas, such as near lifts, and more private spaces, such as the back of toilet doors.

In 2023, 20 people used the Speak Safely online portal to tell the University about sexual assault or sexual harassment. These reports were triaged to the appropriate support for follow-up service:

- Seven people received a first response from the Safer Community Program.
- Six received an initial contact from the Academic Registrar.
- Seven received their first contact from the Workplace Relations & Investigations.
- All people who elected to be identified were contacted (as above) within 48 hours - 50% were responded to within an hour, 65% within 12 hours and 75% within 24 hours.
- Five out of the 20 matters raised occurred in a location or activity not related to the University.

Respect website and downloadable resources

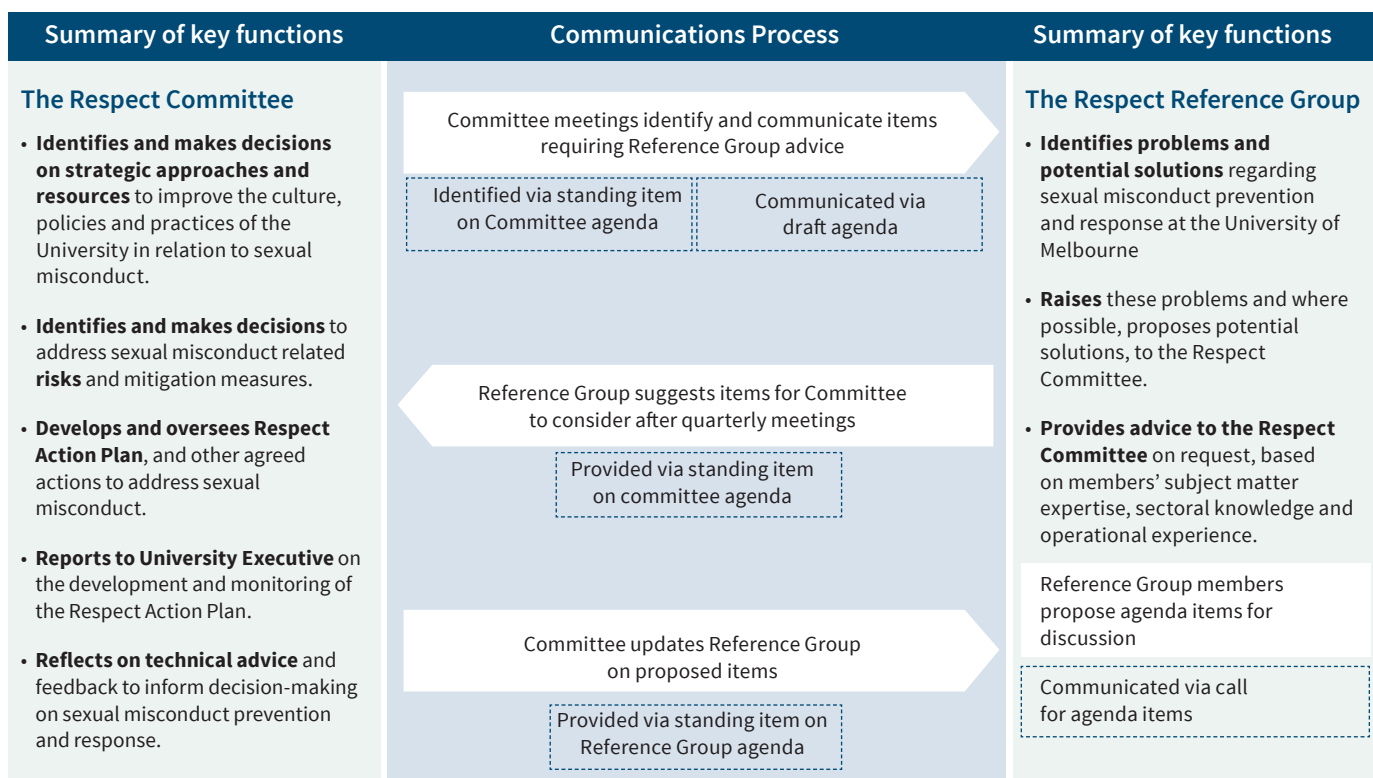
A new [Respect website](#) including resources for students was launched in June 2023 on the University’s public web domain. The website provides a ‘one-stop’ location for information about sexual misconduct, University policy, the support services available at the University (including the Safer Community Program, Counselling and Psychological Services, Student Equity and Disability Support and Trans and Gender Diverse Support), the Speak Safely reporting platform and additional safety, consent and relationship resources.

Two brochures can be accessed from the website: [Sexual Misconduct: Information for Students](#) and [Student Complaints: Sexual Misconduct](#) (Figure 4). These were developed, with the assistance of students, to provide clear and concise information about sexual misconduct and the University’s complaints process for sexual misconduct matters. The Student Complaints brochure includes information about how to make a complaint, what to

Figure 4: Covers of Information Guide and Complaints Resource for Students



Figure 5: Diagram of Respect Committee and Respect Reference Group



expect after a complaint has been made, potential outcomes of a complaint, and guidance on what to do if a complaint falls outside the jurisdiction of the University. Together, these resources address key priorities of the Respect Action Plan, that is, to ensure that information about sexual misconduct and reporting pathways are clear, easily accessible, support the University community, and deter potential perpetrators.

Respect Committee and Respect Reference Group

Sponsored by the Provost, the Respect at Melbourne Committee, established in 2021, provides strategic oversight of the Respect Action Plan and the implementation of the Sexual Misconduct Prevention and Response Policy. The Committee's work is informed by the Respect at Melbourne Reference Group, a consultative forum for staff in faculties, student service providers, student organisations, experts and affiliated colleges.

Respect Committee

The Respect Committee met nine times in 2023 with the active participation of the following University leaders:

- Chair, Deputy Vice-Chancellor, People and Community
- President, University of Melbourne Student Union (UMSU)
- President, Graduate Student Association (GSA)
- Executive Director, Students and Scholarly Services and Academic Registrar
- Acting Chief of Human Resources
- Associate Director, Gender Equity and Respect Initiatives

The Committee is supported by a Communications Manager and the Project Manager, Respect Initiatives.

Table 2: What did committee meetings achieve? Decisions enacted in Respect Committee meetings in 2023

Quarter 1 2023	Appoint additional student representatives to the Respect Reference Group
	Extend security escorts to include students placed at Victorian Cancer Centre
	Discuss GSA audit findings directly with representative Heads of Colleges
	Establish regular meetings between student representatives and colleges
	Apply a student sanction for Consent Matters module
	Consult with UMSU and GSA in relation to SMPR policy and definitions of consent changes
Quarter 2 2023	Benchmark consent and respect education online modules against best practice
	Publish downloadable resources on sexual misconduct & complaints processes
	Endorse a review of students complaints processes
	Integrate staff feedback on Respect Education program
Quarter 3 2023	Proceed with an internal design process for student-centred Preventing Sexual Misconduct online modules
	Conduct quarterly monitoring of progress on the Respect Action Plan
Quarter 4 2023	Develop clear communication protocols and roles for Reference Group and Committee
	Update Student Conduct Policy and Sexual Misconduct Prevention and Response Policy to extend the scope of the SMPR policy to include affiliated student clubs and societies and residential colleges in readiness for the start of semester 2024.
	Benchmark annual reporting against sector and expand sexual misconduct annual report
	Put forward a “Theory of change” articulating Respect actions, objectives and long-term goal
	University provided feedback on National Draft Action Plan Addressing Gender-based Violence in Higher Education
	Adjustments the Speak Safely executive dashboard, to enable review of anonymised data by decision-makers
Council approved changes to Vice Chancellor Regulation in relation to expanded scope for student Sexual Misconduct	

Respect Reference Group

The Respect Reference Group met quarterly in 2023. Office-bearers and sexual harm response staff from GSA, the Law Students Society, UMSU International and UMSU (across Parkville and Southbank) offer a student perspective to the group. Academic and professional staff from across the University are appointed to the Reference Group who represent the Faculties, Graduate and International Research, Diversity and Inclusion, Campus Community, Student Conduct, Student Services, Workplace Relations, Respect Education and the colleges. Subject matter experts are also represented in this group. The meetings were chaired by the DVC, People and Community, with an average of 20 members in attendance.

In 2023, the Reference Group reviewed the new Respect website and online resources, recommending and contributing to the development of accessible and editable versions of the downloadable Respect student information guides. Recommendations from student representatives prompted a review of Respect Education modules for leaders, supervisors and staff to better advise on responding to student disclosures. Concurrently there was a sustained focus on simplifying the student sexual misconduct complaints policy and processes.

Case study: Policy change through staff and student dialogue at the Respect Reference Group

Over the course of four meetings in 2023, dialogue at the Respect Reference Group was the catalyst for some important changes to how student sexual misconduct matters are identified and handled.

In March, UMSU representatives presented a position paper on Student Grievances and Complaints Processes for Sexual Misconduct to the group. One resulting recommendation from the Reference Group was to review the accountabilities of clubs and affiliates of student unions and the University, particularly in relation to the Sexual Misconduct Prevention and Response Policy. As a result, a small working group facilitated by the Director, Student Success, then researched the complex University Policy framework as it relates to student clubs & affiliates and presented several case studies reflecting this complexity.

After discussing this working group's analysis, Reference Group members recommended that changes should be made to enable the Sexual Misconduct Prevention and Response Policy to be consistently applied, not only to University of Melbourne activities, but to those of clubs, societies and affiliates. The current Deputy Academic Registrar was concurrently reviewing the broader student discipline policy framework, which included broad consultation, and consolidated the work in relation to Student Clubs and Societies. The first step in the program of work resulted in changes to both the SMPR Policy and Student Conduct Policy and brought student clubs and societies within their operation. The adjusted policies were published in early 2024, in readiness for semester 1 2024.

Additional changes already underway within Students and Scholarly Services were galvanised through these discussions, such the appointment of an Associate Director, Student Complaint and Misconduct Investigations, and reviews of student disciplinary committee processes.

New appointments contributing to the progress of Respect at Melbourne

In October 2023 the Provost announced the appointment of the new Chief People Officer. The appointee brings a depth of comparative experience of Human Resources nationally and internationally. They are a member of the Respect Committee and hold accountability for Human Resources related initiatives within the Respect Action Plan.

In December 2023, the Provost created a new role of Pro Vice-Chancellor (People and Equity). The new role is responsible for stewarding changes to policy, practice and culture across the University in diversity and belonging, disability inclusion, gender equity, anti-racism, and LGBTIQ+ inclusion. They will also provide additional leadership for our continuing work on Respect.

2023 also saw two Workplace Investigations Specialist roles created. The Workplace Investigations Specialist roles report to the Director of Workplace Investigations. One member of the Workplace Investigations team is assigned as a key victim-survivor contact throughout the sexual misconduct complaints process, reflecting established trauma-centric practice. Complainants have input into who will be appointed as the external investigator, taking into account their preferences for gender, race, or other relevant factors.

In August 2023, the University created the new role of Associate Director, Student Complaint and Misconduct Investigations in the Office of the Academic Registrar. The appointee brings a depth of experience in investigations particularly those related to youth and young adult protection. This new role undertakes investigations into allegations of general misconduct made against students, including sexual misconduct, bullying, discrimination and other inappropriate behaviour.

At the end of 2023, the position of a Deputy Academic Registrar (Student Conduct, Complaints and Grievances) was established to continue the work to review and update the Student Disciplinary Process including the management of serious student misconduct cases, working closely with colleagues across the University and student organisations. This role is responsible for leading the student complaints, grievances and misconduct function and a community of practice on student conduct and wellbeing matters. It will also ensure complaints and disciplinary processes are clear and are easily accessible for students, and that the University is meeting its compliance obligations and reporting as they relate to student safety. They will be a member of the Respect Committee from 2024.

In the Office of the Provost, a Project Manager, Respect Initiatives, was appointed who reports to the Associate Director of Gender Equity and Respect. The role has oversight of the development of the new Preventing Sexual Misconduct student modules, for broader primary prevention in the student community and is the secretariat for the Respect Committee and Reference Group.

Sector collaboration in 2023

The University has collaborated with Our Watch, particularly regarding its whole-of-university model for primary prevention of gender-based violence. Our Respect Initiatives team has met quarterly with the Our Watch Universities Lead and sought feedback on our primary prevention work, particularly the new online modules for students.

The Safer Community Program and the Counselling and Psychological Support Service (CAPS) both worked closely with CASA House, the Centre Against Sexual Assault, which provides counselling and advocacy support to adults of all genders who are victim-survivors of recent and past sexual assault. CASA House has also advised the University of Melbourne in the development of training materials. The Safer Community Program also has a working relationship with Victoria Police, and routinely consults with its local Sexual Offences and Child-abuse Investigation Teams.

The University consults with other higher education institutions in Victoria through the Victorian Tertiary Primary Prevention Network (TPPN) regarding prevention of sexual harm.

Nationally, the University is a member of the Group of 8, and participates in regular meetings and conferences, including the Group of 8 Roundtable on Sexual Assault and Sexual Harassment at the University of Sydney in November 2023. The University was a participant in some Universities Australia consultations in 2023, including the development of the “Primary Prevention of Sexual Harm in the University Sector Good Practice Guide” and associated conference.

Section 4: Respect Action Plan 2023-24

In March 2023, the Respect Action Plan for 2023-24 was published, setting out the University of Melbourne's work for 2023-24 across four approaches to addressing sexual misconduct:

- Focus Area 1 – Primary prevention: to prevent sexual misconduct from occurring at the University of Melbourne by changing attitudes and behaviours;
- Focus Area 2 – Early intervention: to minimise harm caused by sexual harassment by intervening early and appropriately;
- Focus Area 3 – Response and recovery: to reduce ongoing harm to victim-survivors of sexual misconduct by providing timely and appropriate support; and
- Focus Area 4 – Best practice: to ensure that University of Melbourne's prevention, early intervention, response and recovery approaches are evidence-based and meet best practice standards.

Together the actions identified under the plan's focus areas contribute to the achievement of the University's long-term goal that: *The University of Melbourne is a safe environment for staff and students, free from sexual misconduct.*

Across 2023, much work was done to deliver Action Plan commitments, and the University is on track to complete the planned program of work by the end of 2024. In the next section we set out the plans for 2024, relating to primary prevention for students and staff, working with colleges, clubs and societies, and sectoral collaboration. It is also anticipated that emerging priorities, particularly reflecting government interest, will inform the ongoing iteration of new actions and priorities, which will, in turn, be agreed by the Respect Committee and Reference Group.

Key priorities 2024

Primary prevention of sexual misconduct: student focus

The University of Melbourne's Respect Action Plan 2023-24 has as its Focus 1 – Primary prevention: to prevent sexual misconduct from occurring at the University of Melbourne by changing attitudes and behaviours. Respect Education for staff and associated activities have previously constituted much of the work within this focus area.

In 2024, the University's primary prevention approach will amplify its focus on the student community, with the new compulsory Preventing Sexual Misconduct modules for both coursework and graduate research students set to be launched in March. The modules have been produced specifically for University of Melbourne students and cover sexual misconduct and its impacts, keeping our community safe and how to get help and make a complaint.

As noted above, the University is also open to sharing these resources within the sector and welcomes their adaptation by different organisations. The modules were designed for the Canvas Learning Management System for coursework students, and TrainMe for graduate researchers, using files that can be converted for other platforms.

The University of Melbourne's National Student Safety Survey⁴ results indicated that 43% of sexual harassment experienced by the respondents happened in general university spaces (carparks, outdoor spaces, walkways, bathrooms, gardens, social spaces). The Respect Action Plan 2023-24, while including education activities for students, did not include plans to disseminate prevention messages in common or public spaces or online (although response-focused messages were included on public posters).

To address this in 2024, the University will develop a broader primary prevention education campaign in collaboration with UMSU. It will be delivered via events, video content, social media, and other assets. Campaign materials will be displayed across campus in high-traffic, high-visibility areas. The campaign will also publish social marketing materials that deliver the key prevention messages in an accessible student-friendly way.

The key messages will communicate that the University of Melbourne is a community where:

- people look out for each other and speak up where they safely can.
- students and staff challenge gender assumptions and stereotypes
- everyone respects each other's boundaries and autonomy.

Another key primary prevention activity in 2024, is the University's active participation in Respect @ Uni Week, held simultaneously in multiple Victorian universities in March. A range of activities have been planned to support this week, in partnership with UMSU, including a panel discussion. The aim of Respect @ Uni Week is to raise awareness of gender-based violence and help create safe and respectful communities where sexual misconduct is not tolerated.

Primary prevention: staff focus

Based on the results of focus group discussions with Respect Education participants, and analysis of feedback from the pre- and post-surveys, the University has an improved understanding of how the course contributes to behaviour change. The evaluation indicates that more attention is needed to ensure that Respect Education for University staff moves beyond awareness-raising to a shift in staff confidence and inclination to support colleagues and safely intervene.

In 2024, the University will develop refresher activities for staff to consolidate their knowledge and awareness through refresher activities, as well as deepen their understanding and confidence

to support prevention and response to sexual misconduct. In addition, delivery of the workshops on Courageous and Respectful Conversations and Trauma-Informed Care will be extended to more participants in 2024.

Work with affiliated residential colleges, student clubs and societies

The University's prevention and response work extends across the whole University community, including in affiliated organisations such as residential colleges, clubs & societies. National Student Safety Survey responses⁵ indicate that, nationally, the majority of assaults happen in clubs and societies events and spaces (25.8%), university student accommodation or residences (25.3%); as well as private homes or residences (18.4%).

Further to recent SMPR Policy changes, in 2024, the Deputy Vice-Chancellor (People and Community) will engage with University-affiliated colleges, exploring ways of working together to ensure a trauma-informed approach to sexual misconduct and greater fluency between the University's SMPR Policy and relevant college policies. The Deputy Academic Registrar (Student Conduct, Complaints and Grievances) will undertake similar work with UMSU and GSA to ensure that their policies and procedures integrate with those of the University.

All University-owned and affiliated colleges deliver education on consent or respectful relationships. In 2024, the University will work even more closely together with colleges to promote more consistent provision of education to prevent sexual misconduct. Our Watch, a sector leader on gender-based violence, is currently piloting some educational approaches within one of the University-affiliated colleges which will inform further approaches in 2024. The University of Melbourne Student Union (UMSU) also conducts training for clubs and societies leaders.

Sectoral collaboration in 2024

In 2024, it is anticipated that the Government's Action Plan Addressing Gender-based Violence in Higher Education will progress. The University of Melbourne will continue to actively engage on its application with government departments, other universities, the Group of 8, Universities Australia and other national stakeholders. The Respect Initiatives team will continue to meet regularly with the Our Watch Universities Lead to align the University's prevention and response work with leading practice.

The Safer Community Program, together with the University's Counselling and Psychological Support Service will maintain close contact with CASA House, the Centre Against Sexual Assault, to ensure up-to-date practice regarding trauma-informed response.

The University will continue to actively engage in the Tertiary Primary Prevention Network and other activities agreed by the Victorian Vice Chancellors Committee in relation to student safety.

Endnotes

- 1 Australian Universities Accord Final Report (2024)
- 2 Higher Education Standards Framework (Threshold Standards) 2021, made under section 58(1) of the Tertiary Education Quality and Standards Agency Act 2011, Compilation No. 11.
- 3 Australian Bureau of Statistics 2022, *Recorded Crime - Victims*, ABS, viewed 23 February 2024, <<https://www.abs.gov.au/statistics/people/crime-and-justice/recorded-crime-victims/latest-release>>.
- 4 University of Melbourne *Findings of the 2021 National Student Safety Survey released* <<https://www.unimelb.edu.au/newsroom/news/2022/march/findings-of-the-2021-national-student-safety-survey-released>>
- 5 Heywood, W., Myers, P., Powell, A., Meikle, G., & Nguyen, D. (2022). *National Student Safety Survey: Report on the prevalence of sexual harassment and sexual assault among university students in 2021*. Melbourne: The Social Research Centre.



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