



UNIVERSITY of
TASMANIA

FIRST RESPONDERS PROTOCOL

For disclosures of sexual assault
and sexual harassment.

utas.edu.au/safe

Our University has a zero tolerance approach to sexual assault and sexual harassment; we aim to educate, prevent and protect in an environment of respect wherever possible.

If a member of our community experiences sexual assault or sexual harassment, our priority is their safety and wellbeing.

Support and guidance on reporting options, counselling services, academic, study or workplace support is available.

Anyone may be a 'first responder' to a disclosure or report of sexual assault or sexual harassment. 'First responder' means – the first person with whom someone chooses to share their experience of sexual assault or sexual harassment.

As a potential first responder you need to be aware of the following steps:

1. ESTABLISH WITH THE PERSON ANY IMMEDIATE ISSUES OF SAFETY

This may involve phoning police on 000, or campus security:

- **Hobart, Launceston, Burnie and Rozelle:** (03) 6226 7600

2. LISTEN AND BE SUPPORTIVE

Your role is not to investigate or counsel or judge the accuracy of statements

made. Your role is to listen with empathy and compassion. Believe them. Do not display any signs of judgement or disbelief as this may further traumatise a person seeking help. Be aware, the incident could be very recent or from a long time ago.

- Focus on the person's physical and emotional wellbeing
- Ask the person what they need at this moment.
- Only seek information necessary to facilitate access to support services.

3. DISCUSS SUPPORT OPTIONS AND FACILITATE ACCESS TO SERVICES:

Advise of available specialised support services and if the person requests your assistance, help them to contact a support service for immediate and confidential support and advice:

- **Hobart:** Sexual Assault Support Service (SASS) 1800 697 877
- **Launceston and Burnie:** Laurel House 1800 697 877
- **Sydney:** NSW Rape Crisis Service 1800 424 017

Advise of available University counselling services, including the 24 hour crisis support line: 1300 511 709.

Medical attention may be required and in the case of a recent sexual assault, a forensic medical examination is possible to assist with evidence collection.

4. REPORTING OPTIONS

It is the person's choice what steps they choose to follow and when.

In cases of recent sexual assault, it is advisable for the person to report to police if they may wish to bring criminal charges now or in the future. Evidence needs to be collected at the earliest possible stage to optimise potential outcomes, whether proceeding now or later.

Sexual assault and sexual harassment can also be reported to the University via the Safe and Fair Community Unit:

- online at utas.edu.au/safe, by phone 6226 2560, or email SaFCU@utas.edu.au

If a person is unsure whether to report, the Safe and Fair Community Unit can provide confidential advice. Anonymous reports can be made, although this will limit the ability for the University to take action or ensure safety.

5. YOUR OWN WELLBEING

Hearing disclosures of sexual assault or sexual harassment can be difficult. Your wellbeing is important too. Practice self-care, and access available counselling services. For students, call 1800 817 675 or 1300 511 709 after hours and for staff, call 1800 650 204.

INTRODUCTION

The University is committed to creating a respectful environment free of sexual assault and sexual harassment.

This is a resource primarily for staff responding to a student or staff member who discloses they have been sexually assaulted. It may also be useful for students (e.g. student leaders) in the event they are faced with a disclosure of sexual assault by another student. It is important to be clear on the distinction between sexual assault and sexual harassment as defined in the **University Behaviour Policy**:

Sexual assault covers a range of sexual acts (or attempted acts) directed towards or committed upon another person, without their consent. It includes both penetrative and non-penetrative acts performed with any part of the body or with an object. It includes rape and unwanted sexual behaviour such as kissing or touching.

Sexual harassment is any unwanted or unwelcome sexual behaviour or conduct, which makes a person feel offended, humiliated, insulted, ridiculed or intimidated - in circumstances in which a reasonable person would have anticipated that the person would be offended, humiliated, insulted, ridiculed or intimidated.

Both sexual assault and sexual harassment are prohibited under the **University Behaviour Policy**. Sexual assault is a criminal offence, whereas sexual harassment is illegal under Anti-Discrimination legislation.

It is expected that all members of the University behave in a manner that demonstrates respect for others.

As members of this community we continually strive to provide a safe, supportive and caring environment free from all forms of unwanted sexual attention. All staff and student leaders have access to a free online training module, **Responding to Disclosures of Sexual Violence** through **MyLO**.

We also make provision for face to face training to support staff and student leaders in key roles in responding to disclosures of sexual assault.

The University has established the **Safe and Fair Community Unit** for the provision of advice to staff and students who are dealing with a disclosure.

The University will actively support a student or staff member disclosing a sexual assault with support and information and can facilitate access to services such as counselling, medical, police or legal services.

Disclosures may involve incidents that are current, recent or historic. The University's primary concern is to ensure the wellbeing of the student or staff member and in doing this, respect their right to be in control of the decisions affecting them and the approach they wish to adopt. It is therefore important that the person receiving the disclosure is compassionate, respectful and supportive and understands their role is not to investigate, but to support the student or staff member disclosing a sexual assault.

Below we elaborate on the 5 steps involved in responding to a disclosure of sexual assault.

STEP 1: ESTABLISH IMMEDIATE SAFETY

Establish with the person any immediate issues of safety.

Immediate assistance from police and/or ambulance may be sought by calling 000.

If you call 000, please contact University Security as soon as possible on 6226 7600 so they can arrange to meet and direct emergency services to the location.

STEP 2: LISTEN AND BE SUPPORTIVE

Ensure you are in an appropriately private space where the person can feel secure in providing their disclosure. It is important to remain calm and be patient and empathetic in your response.

Be aware that a person disclosing a sexual assault may display a range of emotions and behaviours including shock, fear, confusion, feeling numb, feelings of guilt, responsibility, withdrawal, denial or disbelief, agitation, distress and anger. Typically, a person who has experienced sexual assault is feeling disempowered, so a priority in responding to a disclosure is to help to give them power back by establishing trust, providing information about their options, and respecting their choices.

Be careful not to promise anything you don't have control over.

Take care not to question the person in detail; the way in which questions are asked can affect the person making the disclosure and can undermine any future criminal investigation.

Your role is to listen and offer immediate support options, not to investigate the incident, or provide counselling, or to take control of the situation. By helping the person understand their options, you are empowering them to regain a sense of control over the situation.

Be careful not to promise anything you don't have control over. Focus on the person's physical and emotional wellbeing and only collect information necessary to facilitate access to services (counselling, medical, police or legal support) as set out in Step 3.

Listening attentively and responding clearly and compassionately can assist the person to feel safe which will help them to begin the process of working out how they want to proceed.

Supporting a person who discloses a sexual assault can have a major influence on their recovery and their willingness to seek medical and counselling services and to proceed with legal action.

When someone experiences a traumatic event, their recollection can be disjointed or fragmented. This is because the brain processes overwhelming experiences differently. The person may seem confused or anywhere on the spectrum from highly emotional and distressed through to detached and unemotional. Above all, it is important you do not display any signs of judgement or disbelief, no matter how confused or disjointed their account may be.

It is helpful to write notes during or immediately after the conversation including the options discussed and recording the decision(s) the person made. Be sure to keep this written record securely; this is relevant in connection with reporting options discussed in Step 4 below.

STEP 3: DISCUSS OPTIONS AND FACILITATE ACCESS TO SERVICES

On the basis of the information obtained from the person about the incident and their expressed needs, take them through the various options available to them and the range of support services available.

The role of the person receiving the disclosure is to listen, provide information and facilitate access to services if requested.

It is not your role to decide what the disclosing person does next, but it is important you provide information (including printed copies) for the various contacts and support services so they can self-refer; the person needs to make their own choice about how to proceed.

Please note that specialised sexual assault services are available to accompany the victim to attend medical services or police.

Accessing counselling

It is recommended that victims/survivors of sexual assault access specialist counselling services:

Hobart - Sexual Assault Support Service (SASS),
phone: 1800 697 877

Launceston - Laurel House Launceston,
phone: (03) 6334 2740 or after hours 1800 697 877

North West - Laurel House North West,
phone: (03) 6431 9711 or after hours 1800 697 877

Sydney - NSW Rape Crisis Service,
phone: 1800 424 017

For other Australian services:

humanrights.gov.au/list-sexual-assault-services

Personal counselling is free and available to those students enrolled at the University for those seeking support on campus. Face to face appointments can be arranged for students seeking support on campus and phone and video counselling is also available: phone 1800 817 675 or online bookings: utas.edu.au/students/shw/counselling

There is also a 24-hour University of Tasmania After Hours Crisis Line. The service links students to qualified crisis support counsellors for immediate support, triage and appropriate referral. The service is available after-hours and on public holidays and weekends: students can call on 1300 511 709 or text on 0488 884 168.

For staff, a free and confidential counselling service is available through the University Employee Assistance Program on 1800 650 204.

Seeking medical assistance

The importance of seeking medical attention should be discussed, including for the purposes of collection of forensic evidence to support a report to the police in the case of a recent occurrence.

The opportunity to collect forensic evidence after a sexual assault is time-limited. Evidence is collected through a Forensic Medical Examination conducted in a purpose-designed suite in the local hospital by a specialist doctor. Sexual assault counsellors provide free and confidential advice regarding medical assistance and options. They can assist in coordinating the process and/or attending an appointment with the individual.

In circumstances where the victim is unsure as to whether they wish to make a formal police report (to be investigated), it is important that forensic evidence is collected and stored by police at an early stage, as the person can make a decision to make a formal report about the incident to police later.

Further information is available through this SASS resource: **What are my Options?** Medical personnel can provide treatment for injury, shock, screening for sexually transmitted infections or potential pregnancy and provide emergency contraception which is extremely effective if given within 48 hours of unprotected sexual intercourse.

Contact details: 1800MYSUPPORT (1800 697 877)

STEP 4: REPORTING OPTIONS

When discussing reporting options, the privacy and choices of the person making the disclosure must always be respected. The University encourages victims to report instances of sexual assault, including to police and to the University Safe and Fair Community Unit.

Reporting to Police

It should not be assumed that a person disclosing a sexual assault will necessarily wish to report the matter to the police – the decision to do so must remain theirs alone.

However, recent sexual assaults should be reported to police in the early stages to optimise the outcome of an investigation, should a person later choose to make a formal report to police. This means that police will collect and store evidence when they are notified of the incident and, if the person is undecided about a police investigation (and possible criminal charges), they can make that choice later.

A student or staff member disclosing a non-recent sexual assault should be supported in reporting the incident to police if that is their wish.

There are two types of reports people can make to police: the first is a report to be investigated which may lead to criminal charges; the second is a report to inform police what happened without any further investigation.

Specialised sexual assault services can provide free and confidential advice regarding reporting options and can provide support in attending police stations and/or making a statement.

If a person under the age of 18 discloses they have been sexually assaulted the University has an obligation to report the incident to Child Safety Services in accordance with s14 of the Children, Young Persons and their Families Act 1997 (Tas). Child Safety Services may refer the matter to police.

Police can be contacted on 000 (emergency) or 13 14 44 (non-emergency) or in person at any police station. If the situation is not time-critical, arrangements can be made to report the matter directly to detectives trained in sexual assault investigation.

Making a complaint to the University

You should encourage and if requested, assist the student to report the incident to the **Safe and Fair Community Unit**. If the person disclosing does not want to be identifiable, this can be made as an anonymous report. (In this event, they should be informed that they always have the option to change their mind and report more formally).

In circumstances where the alleged perpetrator is a member of the University community and the sexual assault occurred on campus, in a University organised setting or in connection with a University organised activity, the person has the option of making a complaint under the University Behaviour Policy and the University Behaviour Procedure.

Such complaints should be made to the Safe and Fair Community Unit within 12 months (with discretion to extend in certain circumstances).

Where, as a result of the complaint process, the University forms the view that a disciplinary process is warranted, an allegation will be made against the alleged perpetrator by the University. It should be explained to the complainant that the University is only able to look at whether our policies have been breached and not whether a criminal offence has occurred.

Accordingly, sexual assault would be pursued under University disciplinary proceedings for sexual misconduct, rather than an investigation as to whether sexual assault has occurred. This also has a bearing on the scope of potential outcomes that can be imposed.

In the event the person chooses to report the matter to police and to the University, the University would usually suspend the internal complaint or misconduct processes until the external proceedings are finalised to avoid the risk of either of the investigation processes being compromised.

This is likely to result in delays in resolving internal complaints or misconduct matters; this should be made clear to the complainant so that they can take this into account as part of weighing up options that are open to them. They should also be made aware of the different outcomes available via these distinct processes.

Anonymous reporting

Where the person does not want the University to investigate or to take any specific action in response to the incident, they should be advised they have the option of making a report to the Safe and Fair Community Unit and that this can be done anonymously.

If needed, you should assist them in doing so. The person may decide at a later stage to make a complaint to the University about the same incident.

STEP 5: DEBRIEFING

Receiving a disclosure of sexual assault can be a stressful experience so it is important afterwards to take time out to reflect on how you are feeling and to practice self-care, including sense checking that all requirements have been addressed in handling the disclosure. Debriefing is valuable in these circumstances and can be addressed in a confidential way:

Specialised sexual support services also offer support to people who have received disclosures.

Staff and students can access confidential counselling support through the University.

For staff, a free and confidential counselling service is available through the

University Employee Assistance Program on 1800 650 204.

Students can seek support from counsellors in Student Wellbeing on 1800 817 675 (free call) or **Counselling.Consultancy@utas.edu.au**

Students needing to speak with a counsellor outside business hours can call the 24/7 University Crisis Line on 1300 511 709 or text on 0488 884 168.

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