



Progress towards implementation of the recommendations from the *Change the course* – the Australian Human Rights Commission’s national report into sexual assault and sexual harassment at Australian universities

Independent Oversight Committee on Sexual Assault and Sexual Harassment

14 March 2019

Introduction

On 1 August 2017, the Australian Human Rights Commission's *Change the course: National report on sexual assault and sexual harassment at Australian universities* was released. This report made nine recommendations to prevent and respond to the issue of sexual assault and sexual harassment (**Change the course report**).

In response to the *Change the course* report findings, the University of Tasmania implemented a number of initiatives to support the implementation of all the recommendations.

This included the appointment of Professor Margaret Otlowski as Pro Vice-Chancellor (Culture & Wellbeing) to lead the work under the direction of the Vice-Chancellor.

In June 2018, the University released a statement of commitment in response to the *Change the course* report and also a University commissioned report: *An Initial Review of Sexual Assault and Sexual Harassment Prevention and Response at the University of Tasmania*, which was completed by Robin Banks, a former Anti-Discrimination Commissioner and Indira Rosenthal, a human rights and gender consultant (**Rosenthal and Banks report**).

This statement outlined the University's commitment to implementing all the recommendations from the *Change the course* report and the *Rosenthal and Banks* report, as well as the establishment of a governance structure to advise, action and oversee the implementation.

The Independent Oversight Committee on Sexual Assault and Sexual Harassment (**Committee**) was established by Vice-Chancellor, Professor Rufus Black, to oversee the implementation work including the development and progress against the Action Plan.

The composition of this Committee includes members of the University community and external representatives with expertise in the areas of sexual assault and sexual harassment:

Chair:	Leanne Topfer (University Council member)
Senior Academic:	Associate Professor Terese Henning (Director, Tasmanian Law Reform Institute)
Anti-Discrimination Commissioner:	Sarah Bolt
Assistant Commissioner, Police:	Richard Cowling (formerly Glenn Frame)
Former Supreme Court Judge:	Shan Tennent
Psychiatrist:	Dr Julian Davis
Student Representative:	Tania Price (student member on University Council, January 2018 to December 2018)

The Committee met twice in 2018 to review progress against the Action Plan and will continue to meet twice yearly to oversee the initiatives that have been implemented, and to review incident reporting.

The University has a zero tolerance approach to incidents of sexual assault and sexual harassment. This approach is further supported by the Committee.

The University of Tasmania is a place where people are the heart of the community and we want them to be safe, feel valued and actively contribute to the mission.

Leanne Topfer

Chair, Independent Oversight Committee on Sexual Assault and Sexual Harassment

Executive summary

The University has implemented all the recommendations from the *Change the course* report, except for participation in a follow-up national university student survey (Recommendation 8), which has not yet been initiated.

The implementation was guided by an [Action Plan](#), which was endorsed by the Committee in August 2018. The Action Plan also includes recommendations from the *Rosenthal and Banks* report, and this implementation work is largely completed.

Key initiatives that have been implemented include:

- a robust leadership and governance structure to advise, action and oversee the [Action Plan](#)
- the development and approval by the University Council of a revised University Behaviour Policy and University Behaviour Procedure that clearly define and prohibit sexual assault and sexual harassment, and set out the process for making a disclosure and/or a report
- the development and approval of a new student ordinance, [Ordinance 21 \(Student Behaviour and Conduct\)](#), which sets out a discipline process for students who engage in inappropriate behaviour (including sexual assault and sexual harassment)
- the establishment of the Safe and Fair Community Unit, providing a “one-stop-shop” for University community members to raise concerns and make reports of inappropriate behaviour (including sexual assault and sexual harassment)
- the implementation of new online reporting software to report and manage concerns and incidents of inappropriate behaviour (including sexual assault and sexual harassment)
- the review and update of educational materials for students and staff on matters of sexual assault and sexual harassment, as well as reporting and support options
- new safety and security measures, including the Safe Zone app
- roll-out of online training modules (*Consent Matters* and *Responding to Disclosures of Sexual Violence*) and a schedule of face-to-face training, delivered in collaboration with the Sexual Assault Support Service
- the completion of external reviews of the University’s counselling services and residential accommodation

The University has taken a holistic approach in implementing initiatives and actioning change to address the recommendations. Matters specific to sexual assault and sexual harassment have been a focus, however, we took the opportunity to clearly set out the type of community that we want the University to be characterised by, emphasising a values-based culture and identifying unacceptable behaviour.

Transparency has been a key focus in working through the Action Plan. Available [online](#), the Action Plan has been updated regularly to reflect current progress. Regular reporting has also been provided to the Vice-Chancellor, University Executive Team and University Council.

In the spirit of transparency, the University is committed to the public reporting of (de-identified) sexual assault and sexual harassment incidents.

Continuous improvement will also be a focus for the University. New reporting and case management processes will help target training and education initiatives and will allow for better early prevention measures to be put in place.

University's progress

The University's progress against each of the recommendations in the *Change the course* report is outlined in Appendix A. The key measures and initiatives have been highlighted.

A full copy of the *Change the course* report, which sets out the recommendations in more detail can be found [here](#) .

A copy of the Action Plan to address the recommendations (from both the *Change the course* report and *Rosenthal and Banks* report) can be found [here](#). This plan provides further detail on each recommendation and the steps taken to address it.

A solid framework is now in place, with best practice policy and procedures to guide the University's response and management of incidents, and to educate and support the University community.

Appendix A

Areas of action	University's progress
<p>Leadership & Governance:</p> <p>A strong and visible commitment to action from university leaders, accompanied by clear and transparent implementation of these recommendations.</p> <p>(Recommendation 1)</p>	<p>Vice-Chancellor Professor Rufus Black has made a commitment to implementing all the recommendations from the <i>Change the course</i> report, including those from the <i>Rosenthal and Banks</i> report. This commitment has been documented here</p> <p>This commitment includes the receipt of regular and direct engagement with those tasked with managing implementation of the Action Plan. Professor Margaret Otlowski (Pro Vice-Chancellor, Culture & Wellbeing) reports to the Vice-Chancellor and together with the Project Lead and other SASH Taskforce members, met with Professor Black fortnightly during the implementation phase. Professor Black was instrumental in the design of a new framework to prevent and deal with incidents of sexual assault and sexual harassment.</p> <p>A governance structure to guide the implementation and oversight over the Action Plan was put in place in June 2018. This included:</p> <ul style="list-style-type: none"> • The establishment of a taskforce (SASH Taskforce) to develop the Action Plan and implement the various initiatives. Chaired by Professor Otlowski, the SASH Taskforce met weekly from June 2018 to December 2018, Membership included representation from Student Experience, Safe and Fair Community Unit, Facilities Management, Human Resources, Legal and Risk and Post-Graduate Research. A Project Lead was appointed to support the work of the Taskforce. Going forward, senior personnel at the University will report SASH incidents (and initiatives) to University Executive and University Council, as well as the Independent Oversight Committee (and will seek advice from the Expert Advisory Group as required). • An Expert Advisory Group comprised predominately of external experts including representatives from the Sexual Assault Support Service (SASS), Department of Public Prosecutions, Tasmania Police, social worker, psychologist, mediator and academic. This Group, who met with the SASH Taskforce in 2018, continues to be sought out for advice on policy and procedure development. • An Independent Oversight Committee (Committee) to oversee the implementation of the Action Plan. This Committee, with its external makeup, ensures the University is publicly accountable for addressing the issues raised by the <i>Change the course</i> report. This Committee met twice in 2018 and will meet at least twice in 2019. <p>The University has been committed to transparency during the implementation of the Action Plan, with the full Action Plan publicly available online.</p> <p>The Committee has assessed the progress against this Action Plan and delivers this report in accordance with the recommendation.</p>

<p>Changing attitudes and behaviour:</p> <p>Development of measures aimed at preventing sexual assault and sexual harassment.</p> <p>(Recommendation 2)</p>	<p>This recommendation has been addressed by the University by implementing education and training initiatives for its University community, including staff and students.</p> <p>Since 2017, University staff and students have had access to two online training modules, delivered by Epigeum, <i>Consent Matters</i> and <i>Responding to Disclosures of Sexual Violence</i>. These units have been customised to provide information on local support services and reporting information.</p> <p>Students have been encouraged to complete <i>Consent Matters</i> in student communications, including during orientation. It is compulsory for students living in University residential accommodation and for those students attending study camps and field trips.</p> <p>Staff have been encouraged to complete <i>Responding to Disclosures of Sexual Violence</i>, as part of new staff induction and through internal communications. It is compulsory for staff working in Student Living and other student facing roles, including Student Leaders to complete this online module.</p> <p>Feedback on the modules has been positive. The University will continue to monitor and review uptake and effectiveness of the online modules, and welcomes the recently announced initiative by Universities Australia to partner with Our Watch to deliver a Respect and Equality Program.</p> <p>To support the online training, the University has worked in collaboration with the Sexual Assault Support Service (SASS) to deliver face-to-face training on sexual assault and sexual harassment. The content explains the nature of consent, gender inequality and sexualisation, definitions of sexual assault and sexual harassment, reporting options and trauma informed principles of support.</p> <p>Over 400 staff and students attended SASS training sessions in 2018. This form of training is compulsory for those likely to be “first responders”, including Student Leaders, Student Living staff and safety and security staff. The program of training will continue in 2019, as will the collaboration with SASS under the terms of a Memorandum of Understanding.</p> <p>The University has also improved its website content on sexual assault and sexual harassment, aligning it with new policy and procedure, as well as providing information on the Safe and Fair Community Unit and online incident reporting options.</p> <p>The University continues to work closely with the Tasmanian University Union and Student Living communities in promoting messages around sexual assault and sexual harassment campaigns (#NeverOK and Respect.Now.Always), safe alcohol consumption and security.</p> <p>A risk assessment on sexual assault and sexual harassment has also been completed by the University, highlighting those areas where incidents are likely to take place and identifying control and mitigation measures. This risk assessment, utilising the existing Risk Management Framework, will be operationalised during 2019, working with Colleges and Schools.</p>
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University responses to sexual assault and sexual harassment:

An independent, systematic review of university responses to sexual assault and sexual harassment and their effectiveness and the implementation of effective processes for responding to sexual assault and sexual harassment

(Recommendations 3, 4 and 5)

In August 2017, the University commissioned an independent, expert-led review of existing policies and response pathways in relation to sexual assault and sexual harassment. The [Rosenthal and Banks](#) report was delivered in March 2018, and the University publicly released this report and its [response](#) in June 2018.

The University accepted all the recommendations and, as at February 2019, most recommendations have been completed while others are ongoing in nature, particularly those that have a cultural change element. Further information can be found in the [Action Plan](#).

Information on reporting avenues and support services for sexual assault and sexual harassment have been made widely available to staff and students since 2016, including those external agencies who are also able to provide information and support (including SASS, Tasmania Police and Equal Opportunity Tasmania).

This information has recently been enhanced on a new [website](#) page, linked to the Safe and Fair Community Unit.

A revised University Behaviour Policy and University Behaviour Procedure was approved by the University Council in December 2018, to apply from 1 January 2019. These documents set out clear disclosure and reporting options for University community members.

This information is made available to students at the commencement of each Semester (as part of orientation) and also to staff via induction and internal communications. There will be an ongoing focus on further disseminating this information and providing appropriate training and support opportunities.

The ability for people to make anonymous complaints, and the challenge and risks this presents for the University in balancing the safety and wellbeing needs of its community and the rights and position of an alleged perpetrator was a matter of debate by the Independent Oversight Committee.

In particular, a few members of the Committee were concerned that the *University Behaviour Policy* and *University Behaviour Procedure*, in the form in which they were to be presented to the University Council for approval, may have given persons seeking to complain anonymously a misleading view of what the University could do with such a complaint. Accordingly, it was felt that in materials published to staff and students it should be specified what can and can't be done in cases where an anonymous complaint is made.

Concern was also expressed about the lack of clarity in relation to the rights of alleged perpetrators in the context of an anonymous complaint. Therefore, it was similarly felt that the rights implications of accepting anonymous complaints should be made clear and again it should be specified what will be done in relation to anonymous complaints.

The University has committed to developing guidance material to help alleviate these concerns. This work has commenced and will be presented to the Committee later in the year.

	<p>The University has continued to work with the Sexual Assault Support Service (SASS) in the delivery of specialised training, the development of policy and procedure, and as a point of referral for staff and students who experience sexual assault or sexual harassment. Work is also progressing to established formal relationships with Tasmania Police and medical agencies.</p> <p>Those most likely to be “first responders” to a disclosure or report of sexual assault and sexual harassment have been identified by the University. Generally, they include staff working in residential accommodation, student leaders, counselling staff and student advisors, the Safe and Fair Community Unit, as well as safety and security staff.</p> <p>Persons in those roles must complete the online training module, <i>Responding to Disclosures of Sexual Violence</i>, and also attend a face-to-face training session delivered by SASS.</p> <p>A First Responders Protocol has also been developed by use by the University community to support their handling of disclosures.</p>
<p>Monitoring and evaluation</p> <p>Ensuring that steps taken to prevent and respond to sexual assault and sexual harassment are evidence-based and that improvements are made over time</p> <p>(Recommendation 6, 7 and 8)</p>	<p>The University has recently implemented a new online software product by Symplicity which provides a best practice and efficient reporting tool and case management system to track and manage incidents of inappropriate behaviour, including sexual assault and sexual harassment.</p> <p>This system is managed by the Safe and Fair Community Unit, and only those staff with responsibility for responding to disclosures and reports have access to it.</p> <p>The online reporting tool is available via the Safe and Fair Community’s web page.</p> <p>Reporting of de-identified data will continue to be provided to the Vice-Chancellor, University Executive Team and also University Council, as well as the Independent Oversight Committee.</p> <p>The University is committed to publicly reporting the number of sexual assault and sexual harassment incidents and is working through this initiative, following the implementation of the new online reporting product. .</p> <p>An internal review of counselling services provided by the University was conducted in early 2018. From this review additional counsellors were appointed to complement the existing service delivery model, as well as the establishment of an out-of-hours crisis line. In addition, a new role of Manager of Student Wellbeing was created in 2018, providing additional oversight to the wellbeing and support initiatives for students living in University residential accommodation.</p> <p>An external audit of University counselling services was conducted in September 2018. As at February 2019, the University is currently working through an action plan to address the recommendations from this review.</p>

	<p>The University supports the recommendation for an independent body to conduct the national university student survey of sexual assault and sexual harassment at three yearly intervals and will participate as and when required.</p>
<p>Residential colleges and university residences:</p> <p>A review to further examine issues and solutions to address sexual assault and sexual harassment within colleges and university residences</p> <p>(Recommendation 9)</p>	<p>In late 2018, the University commissioned Nous Group to conduct a review of the factors which contribute to sexual assault and sexual harassment in University residential accommodation.</p> <p>This report was received by the University in December 2018.</p> <p>The Independent Oversight Committee has not yet received the report; the University is currently working through developing a comprehensive response and action plan to support implementation of these recommendations, many of which will be supported by the work that has already been completed in respect to the <i>Change the Course</i> report and the <i>Rosenthal and Banks</i> report.</p> <p>The Independent Oversight Committee will receive a copy of the report and the action plan for consideration at its meeting later in the year.</p>