



Sexual Assault and Harassment Services Guide 2018

This pamphlet contains information about:

- How to respond to disclosures of sexual assault and support victims of violence
- Support, medical and legal services available in Canberra
- How to report an incident within the ANU
- How to navigate academic support if you have been sexually assaulted

All of this information can also be found on our website:
anuwomensdepartment.org

CRCC Crisis Line - (02) 6247 2525

ANUSA Women's Officer - sa.womens@anu.edu.au



We made this pamphlet so that everyone can readily access the information they need if they need to support someone who has been sexually harassed or assaulted, or are struggling themselves. So many students affected by sexual violence don't know where to go for help, or how to help someone else, and don't know what options are available to them in regards to health, safety, and to help with their academic study.

We have tried to condense all this information into a resource that is easy to understand, and hopefully we have achieved that. On our website, you can find more information and links to other resources and websites. We have tried to make sure the information is accurate and up-to-date, but much change is happening in this area at the ANU, especially regarding complaint and disciplinary procedures.

We hope that this resource is useful to you. If you have any questions, concerns, or you need support or an advocate, please contact the Women's Officer at sa.womens@anu.edu.au.

Laura Perkov (Women's Officer)
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(Deputy Women's Officers)

HOW TO RESPOND TO DISCLOSURES

This section describes how you can give support to someone disclosed an incident of sexual assault or harassment, and how you can respond to this in a compassionate and safe way.

A compassionate response is important because talking about what has happened and building a social connection helps to heal trauma.

Seeking help is important, and a compassionate, trauma-informed response is needed to make sure that the victim can recover from their trauma. If first disclosures of sexual violence are not handled properly, they can exacerbate and create trauma. When a victim of sexual violence tells another person what has happened to them, they invest a lot of trust and the reaction they get can determine whether they go on to tell anyone else.

Make sure that the person is safe.

In an emergency, contact 000.

→ **“Do you feel safe?”**

Validate their experiences and emotions.

Acknowledge that their pain is real. You should not ask them to go through their story or ask for the details, just hear that their pain and trauma is real. Be a compassionate and gentle human. Clearly express that the behaviour of the perpetrator was unacceptable and wrong.

→ **“What he did was wrong, no one should have to experience that.”**

“I believe you.”

“I’m sorry for what has happened.”

“What happened was a crime.”

Be aware of your own response.

React in a calm and gentle manner, and not with anger, disbelief, or guilt. Be aware of your own feelings and how they may impact the person you are supporting. It is not helpful to the victim of the violence if the person they disclose their experience to becomes upset, or even expresses a desire for revenge. Don’t take over and make it about you or someone else - this is about the person who has experienced the assault or harassment and has come to you for help and support.

Let them take their time.

Don’t interrupt them or their thought process. Silence is okay. You may feel an urge to fill the silence, but often it is better to just let it be - so you don’t give answers you don’t really have, and to let the person know you are there to listen.

→ **“I’m here for you, take your time.”**

Tell them that feeling pain is okay.

They are allowed to feel pain, sadness, and any other emotion. If they try to stop crying, tell them that it is good and helpful to cry.

→ **“What you are feeling is normal and okay. You do not need to feel ashamed. It is not your fault.”**

Do not touch the person, even though you are trying to comfort them. Give them a glass of water, a pillow, or something else to touch. If you initiate physical contact, there is a risk of exacerbating trauma. Ask them what helps calm them down and help them feel empowered through little things that give back autonomy through decision-making.

Acknowledge that you cannot do the work of a professional.

Be clear about what your role is. Tell them that what they have told you will be confidential - it is their information, and not yours - but that you are not a professional counsellor. Let the person know about the services and options available to them.

→ **“Have you talked to someone about it?”**
“I will do what I can to help.”

Centre the needs and choices of the person who has been assaulted.

Deciding what happens next can be an important part of gaining back some power in a situation where the victim has been deprived of their agency. The person you are supporting has the right to:

- Seek medical support or refuse it
- Report to police or refuse to report to police
- Decide who to tell, and who not to tell
- Refuse certain services or certain workers
- Seek counselling or refuse counselling

The person can also change their mind at any time.

→ **“What do you want to do?”**

Debrief with someone.

Call the CRCC Line and debrief with someone about what has happened. For people who have just experienced a disclosure of sexual violence, it is important to talk to someone about how you are feeling and what you have just experienced. The CRCC Crisis Line is open to anyone who needs help. Get the support you need so you can take care of yourself, and be emotionally available for the person when they need you.

What next?

After someone has disclosed to you, it is important to keep the safety and wellbeing of the person in mind in later interactions. Don't bring up the incident or the disclosure and try not to discuss the perpetrator unless the other person does so. Learn to recognise the impacts of trauma, and remain understanding and sympathetic - there is no right or wrong way to experience and deal with trauma, and there is no set timeline for recovery. Check in with the person who has disclosed to you and make sure that they know you are there for them.

Remember to take care of yourself - often, the impacts of vicarious trauma go unnoticed and untreated. Realise that the emotions and distress that you feel are also real, and make sure that you do things that make you feel healthy and happy.

Call CRCC on (02) 6247 2525. This line is open 11am-7pm, 7 days a week.

SERVICES AVAILABLE IN CANBERRA

This section describes support, medical, and legal services available in Canberra in the aftermath of sexual violence.

In an emergency where your or another person's safety is threatened, contact **000**.

Counselling and Support

If you or someone you know needs help or advice, you can call the **Canberra Rape Crisis Centre Line on (02) 6247 2525**. This line is open 7am-11pm, 7 days a week. Outside of these hours, you can call Lifeline on 13 11 14.

CRCC counsellors are available full-time on the ANU campus. CRCC is a client-centred, trauma-informed and confidential counselling and support service. CRCC counsellors are trained in providing support, crisis counselling and advocacy. CRCC can support you in making statements to the police and attending the FAMSAC service outlined below. CRCC also provides advocacy for clients in criminal justice proceedings, and referrals to other private services.

Specialist services under CRCC

SAMSSA: Service Assisting Male Survivors for Sexual Assault. SAMSSA provides counselling specifically for males 16 and over. They have both male and female counsellors trained in working with victims of trauma and working with men.

Nguru: A service for Aboriginal and Torres Strait Islander women, children, and men. Nguru provides culturally appropriate counselling and aims to help clients assess their circumstances and relationships, and to make choices, decisions and plans for the future.

Forensic and Medical services

The Forensic and Medical Sexual Assault Centre (**FAMSAC**) at Canberra Hospital provides sensitive and high quality medical follow-up for people who have experienced sexual assault. This is a 24 hour service. If needed, staff from CRCC can support and guide you through this process. The files at FAMSAC are kept separate from the main hospital and cases are only dealt with by doctors with special licenses.

You can choose to complete the forensic or medical services, or do both:

1. Medical attention: FAMSAC attend to medical issues such as injuries, aches, pains, and the risks of pregnancy and sexually transmitted infections.

2. Forensic examination: FAMSAC are able to collect forensic evidence that can be used in police investigation. This can be collected 72 hours after the incident, and can be stored for up to 3 months whilst the person decides if they wish to engage in the criminal justice process. This evidence may include bodily fluids, injuries indicating restraint or force, bruising, scratch marks, etc.

It is encouraged to use this service as soon as reasonably possible, and forensic information is kept for 3 months. The patient has to give consent to take, hold, and dispose of their biological material.

It is important to note that sexual assault does not always leave evidence of trauma on the victim's body, and the absence of injuries or forensic evidence does not mean an assault has not taken place.

Legal services

If you want to take legal action against your perpetrator, you can choose a few different options. You can make a report to the Police which may lead to a criminal trial, or apply for a **Personal Protection Order** if your safety is in danger. There is no statute of limitations in the ACT regarding sexual offences, which means that it does not matter how long ago a sexual assault took place, it can still be reported to police.

You can meet with Police to discuss the reporting process before making a decision. A CRCC counsellor can also attend to support you.

You have the option of making a **formal or informal report**. In an informal report, the incident is recorded by Police but the victim does not have to engage with any court proceedings, but can also make a formal report at a later date. A CRCC counsellor/advocate will be contacted to offer support to all victims of sexual assault before, during and after they make a statement, unless the victim prefers to make a statement without CRCC support.

The police will compile a brief of evidence and they will liaise with the Department of Public Prosecutions (DPP) and determine whether there is enough evidence to proceed with a prosecution. Just because a case is not able to proceed it does not mean that people do not believe that you were sexually assaulted. Unfortunately there are many cases where there simply was not enough information to lead to a successful prosecution so the case cannot proceed.

There can be a substantial wait (one year or more) between the time of giving a statement and when criminal proceedings take place. Cases are often heard first in the Magistrates Court via a committal hearing. If the perpetrator pleads guilty before or after the committal hearing, they can be sentenced by the Magistrate without the case proceeding to trial.

If the defendant is found not guilty, this can be devastating for the victim and they may feel that they are not believed or that they are in some way guilty. It is important to know that if a defendant is acquitted, this does not mean the offences did not take place, it just means that the standard of evidence, 'beyond reasonable doubt', has not been reached.

If you are concerned that the person who assaulted you or someone they know may try to contact or harass you, you can apply for a Personal Protection Order or Domestic Violence Order through the Magistrates Court.

Anyone who is a victim of a crime committed in the ACT is eligible for some support or information from Victim Support ACT. It is not necessary to have reported the crime to the Police. For more information see their website: www.victimsupport.act.gov.au/

HOW TO REPORT AT THE ANU

This section describes the different ways you can report a violent incident to the ANU.

Informal reporting

If you don't want to make a formal report, you can talk to ANU Counselling, the Dean of Students, or Student Assistance Officers at ANUSA and PARSA. They can advise you of your options.

Discipline Rule

If you have been victimised by another student, the university can investigate under the Discipline Rule. Once you make an allegation of misconduct, which includes sexual assault and harassment, a 'prescribed authority' (the Dean, Registrar, or other nominated person) is required to determine whether to hold an inquiry. The procedure of this inquiry is flexible, and can be held by the Vice-Chancellor, a prescribed authority, or other panel. If they are satisfied that misconduct has occurred on the 'balance of probabilities', they can impose serious penalties including suspension or exclusion from campus. ANU cannot impose criminal punishments.

Other mechanisms

You can also report to the Head of a residential college, who can commence or refer action under the rules of that particular residence. Refer to your specific Handbook for more information.

Student Complaints Resolution Procedure

There is no disciplinary action involved in this procedure, and it is not tailored for the issue of sexual harassment or assault. Under this procedure, you can seek informal or formal resolution. You can approach the person concerned with assistance from the Dean of Students, or proceed to formal resolution.

You must lodge a written complaint to the 'responsible officer', who is the person with responsibility for the area, staff, or student involved. This can be a course convenor, a person's supervisor or head of department, the Registrar of Student Life, or others. If the responsible officer is not identifiable, students can seek advice from the Dean of Students. The officer will aim to resolve the complaint confidentially and within 10 working days.

If this has not resulted in satisfactory resolution, it can be referred to the relevant Dean of an ANU College, Director of a Division, or a nominated mediator.

Some potential outcomes may be an oral or written apology, caution, an agreement to participate in mediation or counselling, and others. Disciplinary action is not part of this process, but the officer or mediator can refer the complaint for consideration under the ANU's disciplinary provisions.

A review into the ANU's policies and procedures surrounding sexual assault and harassment was completed in November 2017.

In response, the ANU has promised to:

- **Implement a comprehensive framework and strategy to respond to sexual violence**
- **Review procedures and mechanisms under which disciplinary action may be taken**
- **Improve its communication to make clear its values regarding the rights of all students and staff have to be safe**
- **Providing a one-stop unit to support survivors and coordinate responses to assaults on campus**
- **Make the complaints process clearer, and easier to understand and navigate**
- **Consider implementing mediation and restorative justice mechanisms.**

HOW TO GET ACADEMIC SUPPORT

This section describes the different ways you can navigate academic assessment at the ANU if you are struggling due to trauma.

If you have a **disability or a medical condition**, you can register with Access and Inclusion (A&I) for an **Education Access Plan (EAP)**. You will need to verify your condition with documentation and discuss your needs with A&I. Students with a current EAP must communicate with their Course Convenor regarding the implementation of reasonable adjustments to their assessment.

Dropping a course means you are no longer enrolled in it and it will not count towards your degree. You can drop or swap courses on ISIS. If you drop a course before the census date you will not incur a financial penalty. Domestic students can drop a course for whatever reason, but international students must maintain a full-time course load and can only drop courses in certain situations. If you want to drop a course due to trauma or mental illness, you may be asked to provide documentation from counsellors, doctors, or other members of the community, or make an impact statement. For more information on this, please have a look at our website.

Late withdrawal means that you are dropping a course after the census date. This may be granted if unavoidable and unpredictable circumstances may have impacted your ability to complete the course. Late withdrawal will be granted if:

1. The circumstances were beyond your control.
2. The circumstance did not make their full impact on you until after the census date.
3. The circumstance made it difficult or impossible for you to complete course requirements.

Victims of sexual assault or harassment would be eligible if the incident occurred or the trauma was exacerbated after the census date. You need to provide a personal impact statement and supporting documentation including information about dates and impact on study.

Special Consideration allows an examiner to take extenuating circumstances into account when marking assessments. This does not mean an extension. You must submit the application within 3 business days of the due date unless there are circumstances that prevent you from doing so. This applies to circumstances that are unforeseeable and unavoidable, including illness, trauma, being a victim of crime, or bereavement.

If you could not complete the assessment, you can apply for a **deferred examination**. This allows you to sit an exam at a different time if there are unforeseeable and unavoidable circumstances such as illness, bereavement, trauma, and being the victim of crime. You will need to provide supporting documentation such as certificates from health professionals or counsellors. Personal impact statements are normally not required.

If you require assistance, you can contact ANU Student Central, your course convenor, your ANU Academic College and your ANUSA College Representatives.

For specific matters relating to your extenuating circumstances, you can contact department officers (including Women's Officer, Ethnocultural Officer, Indigenous Officer, Queer Officer, Disabilities Officer, or the International Student's Officer) and the ANUSA Vice President.