

FINAL RESPONSE TO RECOMMENDATION 9 OF THE
AUSTRALIAN HUMAN RIGHTS COMMISSION REPORT
*CHANGE THE COURSE: NATIONAL REPORT ON SEXUAL ASSAULT AND SEXUAL HARASSMENT AT
AUSTRALIAN UNIVERSITIES 2017*

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1. INTRODUCTION

In response to the Australian release of a U.S. film regarding sexual misconduct at U.S. University campuses (<http://www.thehuntinggroundaustralia.com.au/>) and a series of allegations regarding sexual misconduct at Australian universities, the Australian Human Rights Commission (AHRC) was commissioned to undertake a national survey of university students to gain greater insight into the nature, prevalence and reporting of sexual assault and sexual harassment at Australian universities.

The final report (AHRC, 2017a) was publically released at 10am on 1 August 2017 and the data relevant to UNSW Sydney (AHRC, 2017b) was released at 11am on the same day. In response to the report, a best practice guideline was published by the UNSW Australian Human Rights Centre (UNSWAHR, 2017).

The AHRC final report contains Recommendation 9 which states:

“In addition to considering the implementation of the university recommendations made in this report, residential colleges and university residences should commission an independent, expert-led review of the factors which contribute to sexual assault and sexual harassment in their settings.

This review should consider:

- *appropriate responses by a college or university residence to reports of sexual assault and sexual harassment*
- *a trauma-informed and rights-based approach in a situation in which an allegation of sexual assault has been made*
- *the ways that hazing practices and college ‘traditions’ facilitate a culture which may increase the likelihood of sexual violence*
- *the role of alcohol in facilitating a culture which may increase the likelihood of sexual violence*
- *the level and nature of supervision in a twenty-four hour residential setting in which large numbers of young people are living away from home, and*
- *the level and adequacy of training required to equip residential advisors to serve as first responders or in response to matters of sexual assault and harassment.”*

This document is a final report on a review of New College policies and procedures relevant to sexual misconduct within its residences as per the AHRC Recommendation 9.

Appendices to this report present revisions to key New College training documents, policies and communications held with the independent reviewer, the New College Students Association and New College alumni.

2. CONSULTATION PROCESS

Following the release of the AHRC Report and its Recommendation 9, the process followed has been:

1. Receipt and review of relevant documents from the AHRC, UNSW and the UNSWAHR.

2. Preparation of a preliminary response to Recommendation 9. This document addressed the specific issues raised by AHRC (See Appendix E). Where the independent reviewer or stakeholders have raised questions, responses are made directly within the relevant document (Appendices F, I and L).
3. Consultation with interested stakeholders:
 - a. UNSW required no special consultation and recommended the independent reviewer.
 - b. Alumni (See Appendices G, H and I).
 - c. NCSA (See Appendices J, K and L).
 - d. the Sydney Anglican Diocese required no special consultation but required this final report on the review outcomes be completed.
4. Independent review of the present college policies and practices. (Appendix F).
5. Improvement of the present college policies and practices for the 2018 academic year. (Appendices A, B, C and D).
6. Finalisation of a response to key stakeholders for the 2018 academic year (This present document).
7. Publication of review outcomes. This will be done after review by the New College Board.

As has been undertaken in the past, there will ongoing annual review of our intentions, policies and practices addressing possible sexual misconduct prior to each academic year.

3. ACTIONS ARISING FROM THE REVIEW PROCESS

3.1 Policy Revisions

The New College Harassment and Critical Incident Policies are longstanding governance instruments that have served the college community well over many years.

It is notable that the Critical Incident Policy was a trauma-informed instrument well before the term came into wide usage.

Revisions are proposed to these two instruments. Marked up versions showing the proposed revisions are presented in Appendices A and B.

3.2 Procedural Revisions

A *New College O'Week 2017* document was introduced for the O'Week of 2017. This document contained welcome messages from the Master, Dean and Residential Advisers with guides to campus security, Medical Services at UNSW, Counselling Services at UNSW, the New College Harassment Policy, Friendship, Drugs, Alcohol, Depression, Anxiety and Sexual Health.

The revised version of this document for 2018 is presented in Appendix C. This document will be used during workshops on the Monday of O'Week to introduce new residents to college policies and procedures.

For many years, New College has held separate retreats for Residential Advisers and the NCV Senior Residents. For 2018, these events have been combined.

Arising from this present review, modifications have been made to the retreat notes and a special new session to train advisers how to encourage disclosure has been introduced to the program.

The revised adviser training program and retreat notes are presented in Appendix D.

The college procedure for dealing with matters of serious misconduct (including sexual misconduct) is summarised in the subsection entitled *Managing Serious Misconduct* within the section *How We Encourage Appropriate Behaviour* of the Pastoral Team Retreat Notes.

4. THE FUTURE

Substantial changes have been made to our procedures for the 2018 Academic Year, especially our welcome to new residents, in response to the AHRC review.

New College's vision has the highest standards of residential care as its central focus.

New College will continue to review and improve its policies and procedures in relation to sexual misconduct annually.

5. REFERENCES

Australian Human Rights Commission 2017a *Change the course: National report on sexual assault and sexual harassment at Australian universities*, August 2017, ISBN 978-1-921449-86-4 (available at <https://www.humanrights.gov.au/our-work/sex-discrimination/publications/change-course-national-report-sexual-assault-and-sexual>), accessed 1 August 2017)

Australian Human Rights Commission 2017b *Profile of University Respondents. UNIVERSITY: THE UNIVERSITY OF NSW*. August 2017, (available at <https://www.unsw.edu.au/sites/default/files/documents/University%20of%20NSW%20Summary%20Tables%20V2.pdf>), accessed 1 August 2017)

UNSW Australian Human Rights Centre 2017 *On Safe Ground: Strengthening Australian university responses to sexual assault and harassment. A good practice guide for Australian universities*. ISBN-10 0-7334-3757-5, (available at http://www.ahrcentre.org/sites/ahrcentre.org/files/AHR0002%20On%20Safe%20Ground_Good%20Practice%20Guide_online.pdf, accessed 3 August 2017)