

CHANGING THE CULTURE

Report of the Universities UK
Taskforce examining violence
against women, harassment
and hate crime affecting
university students



Universities UK

FOREWORD

All university students, whether undergraduate or postgraduate, full-time or part-time, are entitled to enjoy a safe and positive experience at university. UK universities have a duty to ensure that outcome. However, in recent years there has been evidence, much of it generated by the notable efforts of the National Union of Students (NUS), which shows that some students have experienced episodes of harassment, hate crime, or sexual violence, and that their university may not always have responded effectively.

In recognition of this, and in response to a letter from the universities minister which asked Universities UK (UUK) to take action to address the issues raised, UUK established a Taskforce to examine violence against women, harassment and hate crime. It consisted of university leaders, student representatives and academic experts. The Taskforce considered harassment in all its forms, but prioritised issues of sexual violence and harassment.

On sexual violence explicitly, there is no comprehensive data available to indicate how many UK university students are affected by such incidents. The evidence is limited to NUS survey findings. Nonetheless, the potential impact of any such incident on a student may be so serious in nature that universities must be equipped to respond effectively and engage in prevention initiatives.

The Taskforce consulted widely and considered extensive evidence on harassment, hate crime and violence against women. Many universities submitted evidence to highlight the steps they and their students' unions are already taking to address these issues. These activities cover effective responses to reported incidents, and mechanisms to prevent them from arising in the first place. It is clear that within the sector there is a visible commitment to protecting students and providing appropriate and effective support to them when needed. Nonetheless, the evidence also showed that institutions could be more systematic in their approaches, and that not every university had all of the necessary building blocks in place for effective prevention and response.

The report makes a number of recommendations, which I believe will drive meaningful change across the higher education sector, and taken together should result in a more consistent and effective approach to addressing harassment, hate crime and violence against women at and beyond university campuses.

This report represents a starting point. More work is to come. As UUK Chief Executive and Chair of the Taskforce I remain committed to progressing its excellent work. This will include building upon the case studies and the sharing of good practice identified in this report, so that across the sector and to the extent that it is possible, we can ensure that violence, harassment and hate crime affecting university students is a thing of the past.

I am most grateful to all the institutions and students' unions that shared their experiences, their views and their case-studies with us, and also to the many organisations that provided their time and expertise.

Finally, I would particularly like to thank the members of the Taskforce for their invaluable contributions.

A handwritten signature in black ink that reads "Nicola Dandridge". The script is fluid and cursive, with the first letters of each word being capitalized and prominent.

Nicola Dandridge
Chief Executive, Universities UK

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EXECUTIVE SUMMARY

This report summarises the evidence considered by the Universities UK Taskforce to examine violence against women, harassment and hate crime and makes recommendations in response to that evidence.

The Taskforce was established in September 2015. Its terms of reference (Annexe A) focused principally on violence against women, harassment and hate crime. This report therefore pays particular attention to these issues but acknowledges that further work is required in other areas.

The Taskforce assessed a range of evidence documenting the nature and scale of the problem in higher education institutions. This revealed that incidents of harassment, hate crime and violence do happen at UK universities. This is unacceptable. These experiences can have a considerable impact on student wellbeing, academic attainment, student retention, institutional reputation and future student recruitment. The evidence also suggested that despite some positive activity, university responses are not as comprehensive, systematic and joined-up as they could be. A commitment to addressing these issues is required within every university, from senior leadership down.

The evidence revealed that these issues are not just isolated to universities but are relevant to wider society including schools, work places, sports organisations and entertainment venues. Universities in other countries, including the United States of America and Australia, are also seeking to address the same problems – there is scope for the UK to learn from their experiences. UK universities have a significant opportunity to lead the way in preventing and responding to violence against women, harassment and hate crime. In doing so, this will have an impact that extends well beyond university campuses.

There is already an extensive range of activity taking place in the sector in relation to preventing incidents of violence against women, harassment and hate crime, and responding effectively should they occur. A number of case studies feature in this report.

This positive activity is often driven by a particular university function or the students' union, and does not always take a coherent, systematic approach across the whole institution. This can impact upon the effectiveness of prevention activities and the quality of university responses. Universities need to be encouraged and supported to take an institution-wide approach which draws together activities across the university from promoting positive behaviours through to ensuring that appropriate support is in place for students. In adopting such an approach, it is vital to ensure that there is effective data collection, appropriate governance, robust risk management and regular impact assessments. This will enable institutions to assess the effectiveness of procedures and improve them where necessary.

Regular and ongoing engagement with students was identified as being of critical importance. It is essential not only in relation to prevention activities, but also in

ensuring the university is best-equipped to deal with violence against women, harassment and hate crime.

Based on the evidence, the Taskforce agreed that there are several steps that universities can take to promote and reinforce positive behaviour within the student population. These include making use of evidence-based bystander initiative programmes and facilitating a culture of zero tolerance. This activity will have knock-on benefits for wider society given the large numbers of students who progress through the UK's higher education system.

The Taskforce concluded that partnership working is a fundamental component of preventing and responding to violence against women, harassment and hate crime. Partners, including the police, community leaders and specialist services can be vital in supporting students, ensuring staff are well trained and assessing the nature and scale of the issues affecting students at a given time. In addition, they can play a crucial role in the development of effective institutional policies and procedures such as the handling of disclosures of sexual violence. By working with local partners, universities can also spread the benefits of their own activities by embedding positive behaviours in social and sporting activities taking place away from university campuses.

The evidence also underlined the importance of having visible and accessible reporting mechanisms in place for students, as well as staff who are appropriately trained and sufficiently aware of the support available to students, both on and off campus.

Although there is a significant volume of positive activity happening already across the university sector, the Taskforce concluded that much of this work has not been widely shared. This is a missed opportunity. The Taskforce therefore agreed a series of recommendations to facilitate the sharing of university initiatives both within the UK and internationally.

Significant concerns were raised about the guidance available to universities on managing situations where a student's disciplinary offence may constitute a criminal offence. Such guidance can be critical in assisting universities to manage cases and provide appropriate support to students. The Taskforce concluded that the existing guidance dating back to 1994 (known as the Zellick guidelines¹) requires review. This review is already underway and new guidance will be published in autumn 2016.

The growing prevalence of online harassment and hate crime was frequently cited as a serious issue. Further action is needed to support universities to tackle this problem.

In summary, the Taskforce identified – from the evidence gathered – a number of recommended actions for universities and Universities UK. These cover several areas

¹ The guidance's official title is *Final Report of the Taskforce on Student Disciplinary Procedures* [the 1994 Taskforce was chaired by Graham Zellick.]

including senior leadership, adopting an institution-wide approach, encouraging positive behaviours, working with the students' union and having effective governance, data collection and staff training. The Taskforce also agreed recommendations to facilitate the sharing of good practice across the university sector.

Finally, the initial work covered by the Taskforce does not capture the full breadth of issues that universities must seek to prevent and respond to effectively. This report therefore represents the completion of the first stage of what will be an ongoing programme of work for Universities UK.

GLOSSARY OF TERMS

The Taskforce has used a number of different terms and phrases when examining violence against women, harassment, and hate crime affecting university students. The glossary provides a definition for these within the context of this report.

This glossary also sets out some of the useful legal terminology in this area. Although some of the following terms may not be used in this report, they are important to be aware of in order to differentiate between criminal and civil offences.

Sexual offences

The sexual offences below are part of the criminal law and are found in the Sexual Offences Act 2003.

The Sexual Offences (Scotland) Act came into force in 2010, bringing with it a number of significant changes to the law on sexual offences in Scotland. The definition of rape is now wider than was previously the case, reflecting a recognition within the law that men as well as women can be victims of rape. Consent is now defined in statute in Scotland for the very first time as ‘free agreement’. The new Scottish law legislates on a number of related offences. These include sexual coercion (forcing others to take part in sexual activities without their consent), voyeurism, sexual exposure, and sending indecent images by email or text. This Act also extends its jurisdiction beyond the UK in cases where offences against children are committed abroad.

Rape

Rape is a criminal offence and defined under section 1 of the Sexual Offences Act 2003. The offence requires the penetration of the vagina, anus or mouth, by a penis, without consent. The requirement of penile penetration means that, in law, rape can only be committed by a man. Both men and women can be raped. If a woman forces a man to penetrate her this would not be rape but charged as another sexual offence. A man can rape a woman by putting his penis in her mouth without consent. If a woman performs oral sex on a man without his consent, this would not be rape but charged as another sexual offence. The maximum sentence for rape is life imprisonment indicating the seriousness of this offence in law.

Sexual assault by penetration

Sexual assault by penetration is a criminal offence and defined under section 2 of the Sexual Offences Act 2003. The offence can be committed by a man or a woman and requires the penetration of the vagina or anus by a body part (such as fingers or tongue) or anything else (such as a bottle or vibrator) without consent. Thus, a woman who penetrates another woman’s vagina with her fingers without consent would be charged with this offence. Note that unlike rape, this offence does not include penetration of the mouth. The maximum sentence for this offence is life imprisonment indicating the seriousness of this offence in law.

Sexual assault

Sexual assault is a criminal offence and defined under section 3 of the Sexual Offences Act 2003. The offence can be committed by a man or a woman and requires touching without consent where the touching is sexual. For example, the unwanted touching of a woman's breasts or a person's genital area or buttocks, or unwanted kissing would be a sexual assault. The touching can be through clothing or anything else (such as a bedsheet) and includes touching done with any part of the body or anything else. The term sexual assault is sometimes wrongly used as a generic term to include or indicate other sexual offences. The maximum sentence for sexual assault is 10 years' imprisonment.

This report uses both 'sexual violence' and 'sexual harassment'. However, there is crossover between these two terms. This is covered in more detail below.

Sexual violence

A non-legal term used as an umbrella term to refer to and include the different sexual offences.

Sexual harassment

Under section 26 (2) of the Equality Act 2010, harassment is defined as unwanted conduct of a sexual nature which has the purpose or effect of violating the recipient's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment. It is a prohibited conduct under the Equality Act 2010, for which redress lies in the civil courts.

There is no specific criminal offence of sexual harassment in English law. However, behaviour referred to as 'sexual harassment' can be criminal under various pieces of legislation, depending on the nature and severity of the incident. The types of behaviours or conduct which make up sexual harassment are varied and may include: verbal harassment such as whistling, catcalling, sexual comments, sexual innuendo, telling sexual jokes and stories, spreading rumour about a person's sex life; non-verbal harassment such as looking someone up and down, displaying pictures of a sexual nature, sending emails containing sexual content, making sexual gestures, and asking for sexual favours. Sexual harassment will overlap with the criminal law on sexual offences once any touching of the other person is involved for example, physical unwanted sexual advances, kissing, touching, hugging, stroking, patting of someone's clothes, body, hair, and rubbing up against someone, where the touching is sexual. Thus patting someone on the bottom may constitute both a sexual assault and sexual harassment and could be pursued in the criminal courts as a sexual assault. Some forms of sexual harassment may overlap with other criminal offences such as harassment and stalking, and revenge porn.

Harassment and stalking

Whilst there is no criminal offence of sexual harassment, the criminal law sets out offences regarding harassment and stalking under the Protection from Harassment

Act 1997 (amended by the Protection of Freedoms Act 2012). These offences require that a course of conduct, which means on at least two occasions (including speech and online harassment), amounting to harassment or stalking, has taken place. Harassment is prohibited, although not defined, but includes causing the other person alarm or distress. The Act gives examples of stalking behaviour, such as following, watching, spying, monitoring use of electronic communications, interfering with another's property, publishing material relating to a person or purporting to originate from a person. The Act further provides the offences of putting people in fear of violence, and stalking which puts a person in fear of violence or causes serious alarm or distress which has a substantial adverse effect on his or her usual day-to-day activities.

Harassment under the Equality Act 2010

Under the Equality Act 2010, harassment is unwanted behaviour which makes a person feel offended, intimidated or humiliated. It is unlawful (in civil law) if it occurs because of, or connected to, one or more of the following protected characteristics:

- age
- disability
- gender reassignment
- race
- religion or belief
- sex
- sexual orientation
- marriage and civil partnership
- pregnancy and maternity

‘Revenge porn’

‘Revenge porn’ is defined as disclosing private sexual photographs and films with intent to cause distress, and is a criminal offence under section 33 of the Criminal Justice and Courts Act 2015. It is an offence to share private sexual photos or film of another without their consent and with the intention of causing that person distress.

Domestic violence

No specific offence of domestic violence or domestic abuse exists in English or Scots law. However, many behaviours which are manifested as part of an abusive relationship may in themselves be criminal law offences including sexual offences. Domestic violence is defined by the government as ‘any incident or pattern of incidents of controlling coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members, regardless of gender or sexuality. The abuse can encompass, but is not limited to:

1. psychological
2. physical
3. sexual

4. financial
5. emotional²

The Scottish Government defines ‘domestic abuse’ as one of a number of forms of gender-based violence, incorporates 1–5 above and is regarded as a cause and consequence of women’s inequality.³

Women experience domestic violence disproportionately.

Controlling or coercive behaviour

Repeatedly or continuously engaging in controlling or coercive behaviour towards an intimate (or ex) partner or family member (B) which has a serious effect on them is a criminal offence under section 76 of the Serious Crime Act 2015. ‘Serious effect’ means that it causes B to fear, on at least two occasions, that violence will be used against B, or it causes B serious alarm or distress which has a substantial adverse effect on B’s usual day-to-day activities (such as socialising, working patterns, mental or physical health deterioration). The penalty is indicative of how seriously these behaviours are now viewed in law, with punishment of up to 5 years’ imprisonment.

The Scottish Government plans to introduce new legislation which will create a specific offence of ‘abusive behaviour in relation to a partner or ex-partner’. A new offence is intended to ensure that psychological abuse, such as coercive and controlling behaviour, is effectively prosecuted.

Hate incidents and hate crime

Hate incidents are incidents which appear to the victim or anyone else to be based on prejudice towards them because of their race, religion, sexual orientation, disability or transgender identity. Examples of hate incidents are verbal abuse, bullying, intimidation, harassment, abusive phone calls, online abuse, graffiti and threats of violence. Where there is overlap with the criminal law a hate incident may also be a criminal offence and if so, is referred to as a hate crime. Hate crime is not a specific criminal offence in itself, rather it denotes a criminal offence such as assault, harassment, sexual offences, criminal damage and hate mail, which is perceived to be motivated by hostility or prejudice based on race, religion, sexual orientation, disability or transgender identity.

Where we refer to ‘hate crime’, the Taskforce has used the definition set out by the Home Office:

‘Any crime that is motivated by hostility on the grounds of race, religion, sexual orientation, disability or transgender identity can be classed as a hate crime.’⁴

² <https://www.gov.uk/guidance/domestic-violence-and-abuse>

³ <http://www.gov.scot/Resource/0045/00454152.pdf>

⁴ p.12

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/543679/Action_Against_Hate_-_UK_Government_s_Plan_to_Tackle_Hate_Crime_2016.pdf

There are three categories of hate crime in legislation:

- incitement to hatred offences on the grounds of race, religion or sexual orientation
- specific racially and religiously motivated criminal offences (such as common assault)
- provisions for enhanced sentencing where a crime is motivated by race, religion, sexual orientation, disability or transgender identity⁵

Violence against women is not currently included under UK law. Although specific police forces may treat it as such, this is not consistent across the UK.

Antisemitism and anti-Muslim hate incidents

Antisemitism and anti-Muslim hate incidents fall within the government definition of hate crime (as above). However, bodies such as the Community Security Trust and Tell MAMA, which record incidents of antisemitism and anti-Muslim hate crime respectively, use different definitions. Explanatory footnotes are used in this report where the data being referenced is based on a different definition to the government's hate crime definition.

LEGAL TERMINOLOGY

Criminal law and civil law

'Criminal law' refers to conduct which attracts punishment by the state. 'Civil law' refers to the legal relationships between individuals and entities formed in everyday life, such as contract and employment. In criminal proceedings the defendant is charged with a criminal offence, prosecuted and may be convicted. In civil proceedings the claimant sues, or brings an action against, the defendant for a remedy.

Standard of proof

The level of proof required for a criminal conviction is 'beyond reasonable doubt'. Guilt of a criminal offence can only be determined by a court of law. This is a higher standard than in civil cases where the standard of proof is 'on the balance of probabilities' which can also be thought of as 'more likely than not'.

Complainant

An individual who has reported a criminal offence against them to the police.

Defendant

This is a legal term indicating an individual who has been charged with a criminal offence or has civil proceedings brought against them.

⁵ Ibid.

Conviction

A finding of guilt of a criminal offence by a court of law.

Perpetrator

Someone who has carried out a harmful or illegal act, such as rape. This term is not related to criminal proceedings.

Victim and/or survivor

A victim is a person who is subject to inappropriate or unlawful conduct. It is a technically accurate term and is used particularly in legal documents and legal speak. However, usage of the term can suggest powerlessness on the part of those who have experienced sexual violence and may also promote focus on the person who has experienced the violence as opposed to the perpetrator. The term survivor is a more empowering term and is often used by campaigners and activists seeking to end violence and those working to support those who have experienced it.

For the purposes of this report, victim/survivor has been used in reference to those who have experienced sexual violence. When used alone, 'victim' pertains to all incidents and issues covered by the work of the Taskforce.

Gender

The socially constructed roles, relationships, and behaviours which structure men and women's lives, and are deemed appropriate for men and women by a society.

Trans and transgender

These terms are often used interchangeably as umbrella terms for people whose gender identity and/or gender expression differs from their birth sex, regardless of whether they undergo gender reassignment hormonal treatment or surgery.

Gender-based violence

This term is often used interchangeably with 'violence against women'. However, gender-based violence refers to violence directed against someone because of their gender and expectations of their role in a society or culture. Women experience gender-based violence disproportionately but men can also experience it.

Violence against women

This term is often used interchangeably with 'gender-based violence'. However, violence against women is only concerned with women. It is defined by the United Nations *Declaration on the Elimination of Violence against Women*, 1993 as 'any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life'.⁶ It is understood as a human rights violation and a form of discrimination against women.

⁶ <http://www.un.org/documents/ga/res/48/a48r104.htm>

Violence against women is typically understood to include the following: domestic violence, forced marriage, female genital mutilation (FGM), honour-based violence, rape and sexual offences, prostitution, trafficking and pornography.⁷

Disclosure and disclosure training

A disclosure is the act of revealing information that was previously unknown to the recipient and is often a secret. In this context the information is likely to pertain to an experience of unwanted conduct or possibly the doing of problematic behaviour (perpetration). Disclosure training refers to specific professional training that enables recipients of disclosures to react sensitively and appropriately to disclosures made to them.

Referral pathways

Referral pathways indicate clearly to someone who has experienced an incident or others who receive a disclosure (including an institution) how to get in touch with an individual professional, support services or organisation. The pathways set out a comprehensive framework and network of cooperation to help, assist and protect victim/survivors of violence.

‘Conducive Context’⁸

The foundations, conditions or environment which can enable violence against women. An example is the sexual objectification of women in popular culture and the media.

LGBT/LGBT+/LGBTQ

This is an acronym used as an umbrella term for a group of people who are lesbian, gay, bisexual and/or transgender. It is not an exhaustive term and is sometimes expanded to ‘LGBT+’ or ‘LGBTQ’ to capture the identities of people who may not feel that ‘LGBT’ describes them accurately and who may identify as queer or questioning, asexual, intersexual, pansexual or unsure.

Homophobia

Dislike, prejudice, negative feelings towards, aversion to, fear of, phobia about, hate of, homosexuality which may include bisexual, transgender and queer or questioning people.

Transphobia

Transphobia is the dislike of or prejudice against transsexual or transgender people.

⁷ Crown Prosecution Service, <http://www.cps.gov.uk/publications/equality/vaw/>

⁸ Kelly, L. (2007) ‘A conducive context’: trafficking of persons in Central Asia. In: M. Lee, ed., (2007) *Human Trafficking*. Cullompton: Willan Publishing, pp. 73-91

CHAPTER 1: SETTING THE SCENE AND THE NATURE AND SCALE OF THE PROBLEM

1. To inform its work, the Taskforce examined government strategy documents, published research, written contributions and official statistics.
2. This chapter summarises the policy context and published research. Annexe B describes the Taskforce's methodology and Annexe C provides a more comprehensive analysis of the evidence reviewed by the Taskforce to determine the nature and scale of the problem in universities.
3. The evidence reviewed by the Taskforce showed clearly that there are two distinct strands to successfully addressing these issues: (i) having a robust strategy in place to provide an effective response and (ii) having a robust strategy to prevent incidents from happening in the first place. Both approaches should operate in tandem and inform each other.
4. The areas examined by the Taskforce are of direct relevance to every university. Universities have a responsibility to ensure a safe environment for students and the evidence shows that students are affected by incidents of harassment, hate crime and violence against women. These are problems which affect wider society and every region of the country – universities are not immune from them and in many ways are a microcosm of society. Currently, 48% of young people participate in higher education by the time they are 30⁹ and there are 2.3 million students enrolled in UK universities. This further underlines the need for the sector to take these issues seriously.

UK POLICY CONTEXT

Violence against women and sexual harassment

5. Much of the recent policy context of relevance to the Taskforce's remit has focused around sexual violence and sexual harassment.
6. In 2010, the coalition government published *A call to end violence against women and girls*, followed by an Action Plan in 2014 which set out the government's vision for eliminating violence against women and girls in England and Wales. This was followed by an updated strategy published by the Home Office in March 2016, which referred to the UUK Taskforce and its role in improving the effectiveness of both prevention and response to incidents in higher education.¹⁰
7. Within the higher education sector, the National Union of Students (NUS) has been campaigning on this issue since 2010. The NUS' work has included the 'I heart consent' campaign aimed at tackling 'lad culture' and the link between this and sexual harassment.

⁹https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/552886/HEIPR_PUBLICATION_2014-15.pdf

¹⁰ *A Call to End Violence Against Women and Girls: Action Plan 2014* (March 2014) and *Ending Violence against Women and Girls: Strategy 2016 – 2020* (March 2016).

8. In 2014, the Annual Report of the Office of the Independent Adjudicator (OIA) also identified sexual harassment and 'lad culture' as an emerging issue of concern and urged universities to take a more proactive approach to dismantling this type of culture. In its 2015 Annual Report, the OIA reported that it continues to receive a 'small but steady' number of complaints about the handling of sexual harassment cases by universities.¹¹
9. The End Violence Against Women Coalition (EVAW) has also been influential in raising the profile of sexual violence. In January 2015, EVAW produced a legal briefing focusing on universities' obligations under the public sector equality duty (PSED) of the Equality Act 2010 and the Human Rights Act 1998. This was sent to government and to UUK members. EVAW also produced a template letter for individual students to use to write to their vice-chancellor.
10. There are also some policy initiatives of note in the devolved nations. *Equally Safe* (2014)¹² sets out Scotland's strategy for preventing and eradicating violence against women and girls. This was updated in March 2016¹³. The Scottish government has also announced a partnership project with the University of Strathclyde in 2016. This two-year funded initiative will include the development of a toolkit for Scottish higher education institutions focused on female university students.
11. In Wales, the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 requires the Welsh Government to prepare and publish a national strategy in relation to these matters. The legislation aims to improve the public sector response in Wales to such abuse and violence. Universities in south Wales are also working together with the South Wales Police and Crime Commissioner and a local charity to address sexual violence, domestic abuse and other forms of violence against women. This is detailed in case study 1 in Annexe E.
12. Schools have also come under increased scrutiny as evidenced by the 2016 Women and Equalities Committee inquiry into sexual harassment and sexual violence in schools in England. UUK submitted evidence to this inquiry, which published its report on 13 September 2016.¹⁴ The Committee found that sexual harassment and abuse of girls at school is being accepted as part of daily life, with cases of teachers accepting sexual harassment as 'banter' and children of primary school age learning about sex and relationships from exposure to pornography¹⁵. There was also a recognition that for 'lad culture' to be tackled

¹¹ OIA Annual Report 2015 (June 2015).

¹² Scottish Government and COSLA, *Equally Safe: Scotland's strategy for preventing and eradicating violence against women and girls* (2014), available at: <http://www.gov.scot/Resource/0045/00454152.pdf>

¹³ Scottish Government and COSLA, *Equally Safe: Scotland's strategy for preventing and eradicating violence against women and girls* (2016), available at <http://blogs.scotland.gov.uk/equally-safe/files/2016/03/ES-update-18-April.pdf>

¹⁴ UUK's submission can be accessed at: <http://www.universitiesuk.ac.uk/policy-and-analysis/Pages/taskforce-violence-against-women-hate-crime.aspx>

¹⁵ See http://www.publications.parliament.uk/pa/cm201617/cmselect/cmwomeq/91/91.pdf?utm_source=91&utm_medium=module&utm_campaign=modulereports

successfully at universities, the government needs to take more action to address this kind of behaviour in schools. The Committee's inquiry found that while there is some excellent work being carried out to prevent sexual harassment and sexual violence in schools, it is not widespread. It has therefore called on the government to ensure that a 'whole school approach' is taken, assisted by national guidance and support, to prevent and respond to sexual harassment and sexual violence. The Committee has also recommended that sex and relationships education (SRE) becomes a statutory subject.

13. The Taskforce also noted the '#SREnow' campaign which is campaigning to make SRE compulsory in all primary and secondary schools in England including consent and healthy relationships.

Tackling hate crime

14. The government's action plan to tackle hate crime, *Action Against Hate* (July 2016)¹⁶, focuses on any crime that is motivated by hostility on the grounds of race, religion, sexual orientation, disability or transgender identity. This includes antisemitism and anti-Muslim hate crime, as well as hate crimes on the basis of sexual orientation and transgender identity, each of which are a focus of the Taskforce's work.
15. The action plan makes specific government commitments to prevent and respond more effectively to hate crimes based on these protected characteristics. A significant number of the commitments are targeted at supporting and reducing prejudice among young people particularly of school age.
16. The action plan highlights that victims of hate crime are more likely to experience repeat victimisation and serious psychological impacts as a result. They are also less likely to be satisfied with the police response. Awareness of this and the potential impact on the student body is therefore important for universities if they are to fulfil their responsibilities for student safety and welfare.
17. Out of hate crimes recorded by the police in England and Wales in 2014–15, 6% were religion hate crimes, 11% were sexual orientation hate crimes and 1% were transgender hate crimes.¹⁷ This compares to 82% of hate crimes over the same period being motivated by racial hatred. Given the prevalence of race hate crime nationally, the Taskforce recognises the scope for further work in relation to race hate crime affecting university students.

Antisemitism

18. As well as being included in the government's action plan to tackle hate crime, antisemitism is also the focus of a separate report produced by the Department for Communities and Local Government (DCLG) in December 2014 – *Government Action on Antisemitism*. This identified the higher education sector

¹⁶ *Action against hate: the UK government's plan for tackling hate crime* (July 2016). Available at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/540700/Action_Against_Hate_-_UK_Government's_Plan_to_Tackle_Hate_Crime_2016.pdf

¹⁷ Home Office, Hate Crime, England and Wales 2014–15, Statistical Bulletin 05/15 (October 2015).

as an area of focus.¹⁸ The report highlights that ‘many institutions are keen to address equality issues holistically and move beyond basic compliance of the law...ensuring campuses are free from intolerance’. The government also recognised that the sector takes its responsibilities seriously and is ‘committed to tackling discrimination and challenging intolerance on campus’.

19. It is also worth noting that under current legislation, Jews are identified as members of a race as well as a religion and police can record crimes against them as either racially or religiously motivated. Evidence on antisemitism is considered in more depth later in this chapter and in Annexe C.

Anti-Muslim hate crime and harassment

20. Unlike antisemitism, there is no distinct government action plan on anti-Muslim hate crime and harassment. However, anti-Muslim hate crimes feature in the government’s action plan to tackle hate crimes. The government’s 2015 counter-extremism strategy¹⁹ also highlights violent and murderous attacks on Muslim citizens, and states that the government is determined that this ‘...and the Islamophobia that underpins it, will be defeated and perpetrators brought to justice’.²⁰ Evidence of the extent of anti-Muslim hate crime and harassment is considered later in this chapter and in more detail in Annexe C.

OVERVIEW OF THE EVIDENCE CONSIDERED BY THE UUK TASKFORCE

The general experience of university students in the UK

21. Most students in the UK have a positive experience at university, both academically and in terms of the wider university experience. The Times Higher Education (THE) student experience survey 2015 found that on average, universities across the UK were rated 5.8 on a 7-point scale in relation to whether there is a good environment on campus or around the university, and 5.5 in relation to community atmosphere.²¹
22. Despite this positive feedback about the overall university experience, separate evidence shows that incidents of sexual violence and sexual harassment are prevalent within wider society. Universities are a microcosm of society and are therefore affected by these same problems. The positive findings in student surveys should not be used to disguise the fact that incidents of all forms of harassment, hate crime and violence against women do affect university students and can have a significant negative impact. Universities need to foster a culture which does not accept the normalisation of this behaviour. The higher

¹⁸https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/390904/Government_Action_on_Antisemitism_final_24_Dec.pdf

¹⁹https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/470088/51859_Cm9148_Accessible.pdf

²⁰ p.10,

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/470088/51859_Cm9148_Accessible.pdf. This strategy applies to England, Wales and Scotland, with specific guidance provided on how to apply in Scotland.

²¹ <https://www.timeshighereducation.com/news/times-higher-education-student-experience-survey-2015-results/2019564.article>

education sector, with its community of 2.3 million students, is in prime position to change perceptions and culture and have a far-reaching and positive impact on wider society.

Violence against women and sexual harassment affecting students

23. University communities are made up of students of all ages, however, in 2014–15, 45% of all students were under 21.²² Institutions across the UK also have increasingly female populations – the latest figures for 2014–15 show that the higher education student population is 56% female and 44% male. In total, there are over one million female students enrolled in higher education.²³
24. The demographic profile of universities is important given that government analysis shows that females aged between 16 and 19 are most likely to be the target of a sexual offence (8.2%) compared to the prevalence rate across all females of 3% and the prevalence rate across both males and females of 1.6%. The same data also shows that female, full-time students have a high prevalence rate of 6.8%²⁴. Similar trends were identified in Rape Crisis service user data for 2014–15, where roughly 28% of service users were in the 18–25 age bracket. EVAW also found that 43% of young women (aged 18–24) in London reported having experienced sexual harassment in public places over the previous year.²⁵ In a more recent EVAW poll, 85% of women aged 18–24 said they had experienced unwanted sexual attention in public places and 45% had experienced unwanted sexual touching. The results for women of all ages in the UK are similarly alarming with 64% experiencing unwanted sexual attention and 35% experiencing unwanted sexual touching.²⁶ In light of these trends, it is extremely important that universities are equipped to deal with such issues.
25. Men can also be victims of rape, sexual assault and sexual harassment. The institution-wide approach advocated by this report (chapter 5) will enable universities to take the necessary steps to respond irrespective of the gender of the victim/survivor.
26. The NUS has carried out a substantial amount of research and work on ‘lad culture’, sexual harassment and sexual assault, which is presented in Annexe C. This includes a 2010 survey²⁷ which found that 68% of respondents had been subject to verbal or physical sexual harassment on campus and 14% had experienced a serious physical or sexual assault (based on an online survey of 2,058 women students across the UK). Further research by the Centre for

²² Equality Challenge Unit, *Equality in higher education: statistical report 2014, Part 2: students*

²³ HESA data – table HE student enrolments by mode of study, sex, level of study and domicile

²⁴ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/214970/sexual-offending-overview-jan-2013.pdf. Based on analysis of survey data over three years from 2009–10 to 2011–12.

²⁵ 2012 survey

²⁶ <http://www.endviolenceagainstwomen.org.uk/news/234/85-of-younger-women-in-uk-have-been-sexually-harassed-in-public>

²⁷ A national online survey of 2,058 women students’ experiences of harassment, financial control, control over their course and institution choices, stalking, violence and sexual assault. The findings are set out in the NUS report, *Hidden Marks*, available at: http://www.nus.org.uk/Global/NUS_hidden_marks_report_2nd_edition_web.pdf

Gender Studies at the University of Sussex, commissioned by the NUS, highlighted that there are a range of influences which shape a student's experience of university, and where 'lad culture' is present it remains an influencing factor. This led the researchers to suggest that there was little in place to deal with the behaviour and attitudes identified as creating this culture on campus. A 2015 NUS poll of new students found that 17% of respondents had been victims of some form of sexual harassment during their first week of term and 29% had witnessed sexual harassment directed at someone else.

27. The NUS has defined 'lad culture' as 'a group or pack mentality residing in activities such as sport and heavy alcohol consumption and 'banter' which was sexist, misogynist, or homophobic'.²⁸ The Taskforce has not attempted to formulate its own definition of 'lad culture' as much of the research in this area has drawn upon the evidence provided by the NUS. Furthermore, the Taskforce recognised that the term 'lad culture' can be problematic. It could create the impression that what was being referred to was trivial and not serious, or lead to an assumption that misogyny, racism and homophobia are specific to an alcohol/sporting culture when they are present across all cultures and demographics. It could also create unfair stereotypes. Although there is no evidence to show that sexual harassment or homophobia is a direct result of 'lad culture', it can result in the normalisation of sexist and misogynistic behaviour. Moreover, this tacit acceptance of such behaviour can be unhelpful, resulting in students being less likely to come forward to report an incident. The evidence strongly advocates the importance of universities fostering tolerant, respectful environments within which violence, harassment or hate crime of any kind has no place.
28. A recently published survey (September 2016) by the alcohol education charity, Drinkaware, asked 2,004 students across the UK about their experiences of a night out. The survey found that 54% of 18 to 24-year-old female students experienced sexual harassment on nights out. Of these women, half said that this is experienced most or every time they go out. 15% of male students also said they have experienced sexual harassment on a night out.²⁹ Drinkaware and UNILAD have teamed up to campaign against the normalisation of sexual harassment, and to raise awareness of the role that alcohol can play in this. This shows that the apparent link between alcohol and the normalisation of behaviour which constitutes sexual harassment continues to exist among students at universities. Although there is no official research to confirm this link, the evidence reviewed and received by the Taskforce does strongly suggest that incidents of sexual harassment often happen in conjunction with the consumption of alcohol. This underlines the importance of wider society, including entertainment venues, working in partnership with universities to address such issues.
29. The Taskforce also received some evidence relating to staff-to-student sexual harassment and violence. Although the primary focus of the Taskforce is

²⁸ NUS, *That's what she said: women students' experiences of 'lad culture' in higher education* (2012).

²⁹ <https://www.drinkaware.co.uk/press/students-call-for-universities-to-take-action-against-drunken-sexual-harassment/>. NB 18–24 year olds made up 1,853 of the total sample of 2,004.

student-to-student harassment, the institution-wide approach advocated in chapter 5 should apply to staff as well as to students and to other forms of gender-based violence. Universities should ensure that their policies and procedures are suitably equipped to support students whether they report an incident perpetrated by a fellow student or by a member of staff.

30. Evidence from the Centre for Feminist Research (CFR) highlighted that there are specific issues for universities to consider when responding to an allegation of sexual harassment or violence by a member of staff. For example, internal complaints procedures could create a conflict of interest where complaints are forwarded to the head of the same department in which the alleged perpetrator is a staff member. Conservatoires UK developed guidance for staff in conservatoires, where one-to-one teaching is prevalent³⁰. This is addressed in further detail in Annexe C. A number of universities also have policies and codes of conduct on staff-student relationships. The Taskforce has also been made aware of the 1752 Group, a new organisation focusing on staff-to-student sexual misconduct and exploitation in higher education. The 1752 Group believes that there is a lack of resources and expertise available for institutions that want to improve their practice in this area. There will be three strands to the Group: consultancy and training; research; and lobbying and campaigning.³¹
31. EVAW also highlighted the problem of forced marriage affecting university students, due to its prevalence among university-age women. In 2015, the government's Forced Marriage Unit (FMU) gave advice or support in 1,220 cases, 35% of which involved victims aged 18–25.³² In 2013, the FMU funded research into how colleges and universities respond to cases of forced marriage.³³ Although the Taskforce has focused primarily on types of sexual violence and harassment affecting women, it recognises that such violence is not limited to women and that violence against women can take many other forms including domestic violence, forced marriage and female genital mutilation (FGM).
32. In recent years, there have been various media reports suggesting that 'lad culture', misogynistic behaviour and sexual harassment are rife among university sports teams. The Taskforce invited evidence from British Universities and Colleges Sport (BUCS). BUCS confirmed that although there was no centralised data available to show the scale of the problem nationally, they were aware of anecdotal evidence across the sector. In response to this, BUCS developed a series of campaigns to support the eradication of this type of behaviour in sports teams³⁴. Further details can be found in case study 2 in Annexe E which documents how universities are working with sports teams to encourage positive behaviours.

³⁰ See <http://www.conservatoiresuk.ac.uk/about-cuk/principles-of-best-practice-in-conservatoire-teaching/> for details of Conservatoires UK's *Principles of Best Practice in Conservatoire Teaching*

³¹ www.1752group.com

³² https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/505827/Forced_Marriage_Unit_statistics_2015.pdf

³³ http://www.amosshe.org.uk/sites/default/files/u3152/2395_LMU_Forced_Marriage_Report.pdf

³⁴ Take a stand, <http://www.bucs.org.uk/athlete.asp?section=18767§ionTitle=%23TakeAStand>

International initiatives

33. The UK is not alone in examining violence against women in higher education. Other countries are similarly concerned. The Taskforce therefore considered initiatives implemented in the United States of America (US), Australia and Canada in relation to sexual assault and harassment.
34. In the US, there has been a considerable volume of work focusing primarily on university responses to sexual assault. It is worth noting that the legal context is very different in the US where universities possess greater investigatory powers under Title IX of the Education Amendments of 1972. Nonetheless, there appears to be scope for the UK to draw upon the US experience to enhance university responses. Several UK universities are already doing this, including drawing upon the sexual misconduct processes adopted by institutions such as Yale University (see case study 3 in Annexe E).
35. A number of responses received by the Taskforce referenced the work of the White House Task Force to Protect Students from Sexual Assault. *The first report of the White House Task Force* sets out the key aspects of an effective institutional response, as identified in the research.³⁵ It is interesting to note that there is significant overlap between these aspects and the core principles that have been identified in chapter 3 of this report. These, and further work carried out by the US Task Force, are set out in Annexe C.
36. In February 2016, Universities Australia announced the launch of the ‘Respect. Now. Always.’ campaign to prevent sexual assault and harassment in Australian universities.³⁶ This sector-wide campaign focuses on raising awareness, providing clear support pathways and encouraging a zero-tolerance stance on sexual assault and harassment. Initial work has focused on developing campaign materials which individual universities can use to demonstrate that they take a zero-tolerance approach to sexual assault and sexual harassment. The next stage will involve a survey of 60,000 students to understand their experiences and the support they received from their university. Subsequently, survey findings will be analysed and individual universities will be provided with data to benchmark themselves against the rest of the sector.
37. In Canada, although the work towards tackling sexual violence on campus is not as far progressed as in the US, it has gained more attention in recent years. Examples of initiatives are available in Annexe C.

Sexual orientation and gender identity-based harassment and hate crime

38. There are a number of reports examining the experiences of lesbian, gay, bisexual and transgender students. The most recent and comprehensive of these – research by the NUS with LGBT students in 2014 – highlighted that the experience of LGBT+ students was not always as positive as it should be.

³⁵ *Not Alone: the first report of the White House Task Force to Protect Students from Sexual Assault* (April 2014).

³⁶ Available at <https://www.universitiesaustralia.edu.au/Media-and-Events/media-releases/Respect--Now--Always--University-sector-launches-new-campaign#.VtBkOE1ybcv>

39. The study found that one in five LGB+³⁷ and one in three trans students had experienced at least one form of bullying or harassment on campus and 51% of trans students had considered dropping out. The findings for trans students were particularly stark; trans respondents were twice as likely as LGB students to have experienced harassment (22% versus 9%), threats or intimidation (13.5% versus 6%) or physical assault (5% versus 2%). Reporting levels to the police were also found to be low, with only 16% of those who experienced physical assault based on perceived sexuality or gender identity reporting it to the police.
40. A small research study by Sheffield Hallam University on the experience of LGBT+ students found that university engagement with LGBT+ issues often took place periodically rather than systematically, for example during LGBT+ History Week and local Pride events.³⁸ The evidence also suggested that there was a perception that student-led LGBT+ societies undertook most activity in this area, rather than the university.³⁹ The research also suggests that approaches, and student perceptions of these, vary substantially across the sector. In addition, it found that while universities may have policies in place, these may not be linked to wider awareness raising activity.
41. Although the number of students who report harassment on the basis of identifying as LGBT+ appears to be low, the NUS study reveals that incidents have a big impact on university experiences. LGBT+ students are more likely to consider dropping out than heterosexual students and the main reason given for this is the feeling of not fitting in.⁴⁰ Further, there appears to be a particular issue around how accepted trans students feel on campus. This is echoed outside of the higher education sector. The University of Sussex's Hate Crime Unit's (SHCU) submission to a recent Women and Equalities Committee inquiry states that trans people '...are doubly victimised and affected, above and beyond other commonly stigmatised and harassed groups.'⁴¹
42. Evidence from Stonewall highlighted that homophobic hate crimes or incidents are most likely to be experienced by the 18–24 age group⁴². In relation to university students specifically, the Equality Challenge Unit's (ECU) 2009 survey found that institutions' policies on equality and inclusion are a significant factor in the choice of institution for 15% of LGB and 24% of trans students.⁴³ There is also research to suggest that being bullied at school on the basis of

³⁷ In the NUS research, the use of LGB+ refers to respondents to the survey who defined their sexuality as lesbian, gay, bisexual or queer, asexual, pansexual or unsure. LGBT refers to the community as whole including those who identify as trans.

³⁸ Formby, E., *Freshers to Finals* (July 2015). The research focused on the experience of Sheffield Hallam University students alone.

³⁹ Ibid.

⁴⁰ NUS, *Education beyond the straight and narrow: LGB+, trans, bullying and harassment on campus* (2014), p.5.

⁴¹ SHCU submission to Women and Equalities Committee available at http://data.parliament.uk/WrittenEvidence/CommitteeEvidence.svc/EvidenceDocument/Women_per cent20and_per cent20Equalities/Transgender_per cent20Equality/written/19415.html

⁴² Stonewall hate crime research, 2013

⁴³ ECU, *Experience of lesbian, gay, bisexual and trans staff and students in higher education: research report* (2009).

identifying as LGB can have a significant impact on the future educational plans of young people.

43. The ECU's evidence highlighted the transgender equality report produced by the House of Commons Women and Equalities Committee.⁴⁴ In relation to the higher education and further education sector, the Committee observed that levels of bullying and harassment experienced by trans students 'are unacceptable'. The ECU also highlighted evidence submitted to the Committee by the SHCU which shows that trans people (not only students) are more likely than non-trans LGB people to have been a victim of hate crime.

Harassment and hate crime on the basis of religion and belief

44. In 2011, the ECU undertook research that explored the extent of harassment on the grounds of religion and belief in the higher education sector. 92% of students either agreed or strongly agreed that their institution created an environment where they felt valued and welcomed. In addition:
- There was no clear pattern in the religion or belief identities of those who did not indicate that they felt valued.
 - Around a quarter of Jewish respondents (20 students in total) said that they felt discriminated against or harassed.
 - Around 16% of Sikh respondents (6 students in total) said that they had felt discriminated against or harassed.
 - 14% of Muslim respondents (50 students in total) said they felt discriminated against or harassed.⁴⁵
45. The study, although based on small cohort sizes, suggests that the vast majority of respondents have not experienced discrimination or harassment on the grounds of religion or belief and that universities have tried to create a tolerant and inclusive atmosphere. However, where it has occurred, the impact has often been significant. This mirrors the research exploring harassment on the basis of identifying as LGBT+ or transgender and reinforces the importance of the implementation of robust policies and procedures, no matter how low the numbers, and ensuring the development of cross-institutional responses. More recent evidence on antisemitism and anti-Muslim hate crime and harassment is summarised below.

Antisemitism

46. The Community Security Trust's (CST) *Antisemitic Incidents Report 2015* shows that of the 924 antisemitic incidents recorded in the UK in 2015, 21 cases

⁴⁴ <http://www.publications.parliament.uk/pa/cm201516/cmselect/cmwomeq/390/39002.htm>

⁴⁵ ECU, *Religion and belief in higher education: the experiences of staff and students*, (2011), p.78.

involved Jewish students, academics or other student bodies.⁴⁶ 13 of these took place on campus. Around three quarters of the total 924 incidents took place in Greater London and Greater Manchester, which host the two largest Jewish communities in the UK and are major university cities.

47. Despite the relatively low number of reported incidents on campus, Jewish community leaders have raised concerns with UUK about antisemitism affecting university students. In order to explore these concerns, UUK hosted a roundtable with representatives from the Jewish community, student representative groups including the Union of Jewish Students (UJS), university representatives and parliamentarians to discuss the experience of Jewish students at UK universities. The discussion revealed that on the whole Jewish students have a positive experience of university, but there are situations where Jewish students feel hostility on campus. Various organisations including the University Jewish Chaplaincy highlighted concerns that Jewish students were not reporting incidents to their universities. In terms of improving the institutional response, the feedback received at the roundtable aligned closely with the themes which are summarised in chapter 3.

Anti-Muslim hate crime and harassment

48. The main evidence on anti-Muslim attacks in the UK is produced by the Tell MAMA (Measuring Anti-Muslim Attacks) initiative⁴⁷. The Tell MAMA data is covered in further detail in Annexe C and sets out a number of significant findings.
49. Tell MAMA received 1,128 reports of anti-Muslim incidents from victims, witnesses and third-party organisations in 2015.⁴⁸ 437 of these incidents or crimes (affecting 468 victims) were classified as ‘offline’, referring to where they took place in person between victim (or property) and perpetrator, and this represents a 200% increase over the previous reporting period.⁴⁹ 364 incidents or crimes were classified as ‘online’, meaning they occurred on social media or other internet-based platforms. In addition to this, three police forces now

⁴⁶ There are variable and sometimes contested definitions of antisemitism. In its *Antisemitic Incidents Report 2015* (February 2016), the CST defines an antisemitic incident as: ‘...any malicious act aimed at Jewish people, organisations or property, where there is evidence that the incident has antisemitic motivation or content, or that the victim was targeted because they are (or are believed to be) Jewish. Incidents can take several forms, including physical attacks on people or property, verbal or written abuse, threats against Jews or antisemitic leaflets and posters. CST does not include the general activities of antisemitic organisations in its statistics; nor does it include antisemitic material that is permanently hosted on internet websites.’ This is a different definition to the one used in the DCLG’s *Government Action on Anti-Semitism* which uses the broader definition of a hate crime. There is also the definition used by the European Forum on Anti-Semitism (EUMF). Further detail on how antisemitic incidents are reported to the CST and the categories of incident that the organisation uses for analytical purposes can be found in their publication, ‘[Definitions of Antisemitic incidents](#)’.

⁴⁷ Tell MAMA is a confidential and independent third-party hate crime reporting service for individuals who experience anti-Muslim hate crime and violence. Tell MAMA classifies an anti-Muslim incident as any malicious act aimed at Muslims, their material property or Islamic organisations and where there is evidence that the act has anti-Muslim motivation or content, or that the victim was targeted because of their Muslim identity. This also includes incidents where the victim was perceived to be a Muslim.

⁴⁸ Available at http://tellmamauk.org/wp-content/uploads/pdf/tell_mama_2015_annual_report.pdf

⁴⁹ Previous reporting period was the 12 months to March 2015.

provide data to Tell MAMA. 1,494 incidents were reported in total by Merseyside Police, Greater Manchester Police and the Metropolitan Police Service (London).⁵⁰

50. Tell MAMA's data does not reveal how many incidents involved Muslim university students or how many took place on university campuses, although the 468 victims of an 'offline' attack are broken down by place of incident which does include 'educational institution'. Around 6% of all female victims and 14% of all male victims were at an educational institution when the incident occurred. Tell MAMA reports relatively high proportions of male victims in educational institutions where the majority are under 18 years of age. Therefore, while it is difficult to assess the scale of the problem specifically for the UK higher education sector it is likely that some incidents will involve young people attending university. The findings provide useful insights for universities when considering both prevention and response. For example, Tell MAMA reports that anti-Muslim hate is frequently gendered and that women are more likely to be attacked than men in most settings.⁵¹
51. The Tell MAMA data also offers some insights into the patterns of anti-Muslim incidents which may be helpful to universities in terms of both prevention and response. For example, the data suggests that within London, incidents frequently occur in places with high access to public transport and close to major roads. This type of information can be used when developing prevention strategies but also underlines the importance of having links with the local community to fully understand the nature and scale of an issue and to develop an effective regional response.
52. UUK has attempted to engage with the Federation of Student Islamic Societies (FOSIS) several times to gain their input, but none has been provided. The Taskforce has instead focused on the evidence collected by Tell MAMA, as outlined above.

Hate crime following the EU referendum

53. The result of the UK referendum on membership of the European Union held in June 2016 coincided with an increase in the number of reported race hate crimes. The Metropolitan Police – the UK's largest police force – reported a rise in the number of incidents, with 599 race hate crimes reported between 24 June and 2 July 2016. This equates to an average of 67 reports a day, a rise of more than 50% on the previous average of 44.⁵² Nationally, figures for the days immediately following the referendum result suggested a 57% increase in reported incidents for the same days four weeks earlier.⁵³ Data published by the National Police Chiefs' Council in September 2016 showed a 49% rise in incidents in the last week in July when compared with the same week the

⁵⁰ 67 incidents, 359 incidents and 1,068 incidents respectively.

⁵¹ Tell MAMA, Annual report 2015, p. 11.

⁵² <http://www.independent.co.uk/news/uk/crime/brexit-race-hate-crime-eu-referendum-met-police-a7121401.html>

⁵³ <https://www.theguardian.com/uk-news/2016/jun/27/sadiq-khan-muslim-council-britain-warning-of-post-brexit-racism>

previous year. The following week saw a 58% increase on last year to 1,787 recorded incidents.⁵⁴ Following the result on 24 June 2016, the Muslim Council of Britain also compiled a dossier of reported racist and anti-Muslim incidents. The impact of this single event highlights the need for universities to be aware of, and responsive to, geopolitical events, and how particular student communities may be affected by them.

Intersectionality

54. It is also important to remember that violence against women, harassment or hate crime can take place on the basis of a number of protected characteristics. Being aware of the intersectionality that may characterise incidents affecting students is important to ensuring an effective response. For example, evidence was submitted to the Taskforce which highlighted that some women students are targeted for sexual harassment on the basis of their ethnicity, race and faith. Understanding how these interactions contribute to unacceptable behaviour can assist in responding to and preventing such incidents, as well as highlighting where particular problems may arise.
55. There appears to be a limited amount of robust evidence on intersectionality in relation to the higher education sector. The major area that has been highlighted is the risk for Muslim women. Evidence submitted to the Taskforce suggested that a rise in religious and race hate crime, exacerbated by a wider climate of anti-Muslim hate crime and harassment, means that female Muslim students are at greater risk of attacks. The NUS Black Students' Campaign also stated that '72% of Muslim women have experienced verbal abuse and threatening behaviour relating directly to their visible Muslim presence'.⁵⁵ This echoes some of the findings of Tell MAMA outlined earlier.

⁵⁴ <http://news.npcc.police.uk/releases/tackling-hate-crime-remains-a-priority>

⁵⁵ NUS Black Students' Campaign.

CHAPTER 2: EVIDENCE FROM UNIVERSITIES

56. As well as analysing published research, stakeholder evidence and official statistics, Universities UK sought evidence from its members to capture existing activity underway across the sector to prevent and respond to incidents of violence against women, harassment and hate crime. 60 universities responded. These responses highlighted a range of initiatives, both planned and implemented. Annexe E contains a number of case studies. Responses also highlighted some of the obstacles and complexities institutions face.

HIGH-LEVEL INITIATIVES

57. The evidence gathered by the Taskforce showed that some universities are already implementing high-level strategies to address violence against women, harassment and hate crime. One example is Durham University's Sexual Violence Taskforce, a high-level working group with representation from across the institution which is featured as case study 4 in Annexe E.

UNIVERSITY POLICIES ON VIOLENCE AGAINST WOMEN, HARASSMENT AND HATE CRIME

58. Evidence from universities showed that it is commonplace for institutions to have an overarching bullying and harassment policy in place which covers a wide range of potential incidents. Most institutions do not have distinct policies to deal with hate crime or with sexual violence or harassment explicitly – these issues tend to be dealt with under an overarching policy.
59. Nonetheless, there were some institutions that did report that they had developed a distinct policy on sexual harassment and/or sexual violence. Some universities also referred to providing additional guidance on how to deal with cases of sexual violence under their overarching policy. One example of an institution which has developed its own policy on gender-based violence is the School of Oriental and African Studies (see case study 5 in Annexe E which describes how the institution has worked with local partners and students to improve existing policies on handling incidents of sexual violence).
60. A significant number of respondents reported that in the first instance their policies and guidance on bullying and harassment advised students to try to resolve disputes informally with those involved in the incident. The NUS has raised concerns with this approach as contact between the alleged victim and the alleged perpetrator may not be in the interests of either party. This creates an additional barrier to disclosure if a student victim understandably does not want to, or feels unable to, approach the alleged perpetrator.

PROMOTION AND COMMUNICATION OF UNIVERSITY POLICIES

61. A number of universities highlighted awareness-raising and campaigning activity to make students aware of institutional policies and procedures. Much of this has taken place in partnership with students' unions. Nottingham Trent University is one example of a university that has initiated a programme of cross-institutional awareness-raising to promote its dignity and respect policy

which sets clear behavioural expectations for students (see case study 6 in Annexe E).

62. There is a general acceptance that students are unlikely to read and recall all university policies that are relevant to them. Therefore, ensuring that students understand and conform to particular behavioural expectations requires the university and students' union to work together to communicate and reinforce these behavioural expectations effectively and at regular intervals.

REPORTING AND RECORDING MECHANISMS

63. The evidence received from universities showed that some have taken innovative steps to enhance the reporting mechanisms available to students to report incidents. One example was the Report and Support mechanism developed at the University of Manchester which gives students a variety of reporting options including an anonymised option (see case study 7 in Annexe E).
64. However, underreporting and the absence of clear, robust reporting mechanisms was repeatedly highlighted as a problem in the feedback from wider stakeholders. This was also a prominent theme in the evidence received from individual universities.
65. Despite some good examples of innovation, it was clear from the sector input that formal recording mechanisms are not in place across all institutions. This does not necessarily mean that universities are not recording incidents, but that this recording does not necessarily take place in a systematic way. There is also evidence from institutional responses that, once disclosed, not all incidents are channelled through the same mechanisms. This can impact upon the quality and effectiveness of data collection and the institution's overall response.
66. The lack of formal or centralised reporting and monitoring processes appears to be partly due to the comparatively low numbers of students reporting an incident of violence against women, harassment or hate crime. However, it is important for the sector to recognise that a low number of disclosures is not necessarily proof that students are not experiencing such incidents. The evidence submitted suggests that more needs to be done to break down barriers to reporting. In particular, victims/survivors of sexual violence may fear an inappropriate or counter-productive response from their university which may result in non-reporting. Others may not know how to report or may feel unable to report due to stigma or shame. Some may try to report but fall through the gaps because staff members are unaware of how to handle such circumstances. Similarly, victims of harassment and hate crime may be reluctant to report because they do not believe the issue is serious enough. Addressing barriers to reporting, ensuring that appropriate reporting mechanisms are in place and that incidents are recorded thoroughly may lead to an initial spike in reported numbers. In the longer-term, such improvements will increase student confidence in the institutional response and provide universities and their governing bodies with a clearer sense of the scale of any issues. In turn, this will enable institutions to assess the impact of preventive measures and attempts to improve the institutional response.

ASSESSING EFFECTIVENESS

67. Institutions understand the importance of assessing the effectiveness of policies to prevent and address harassment, hate crime and sexual violence. Several universities explained that where they have established their own internal working groups to understand and tackle such issues – these have often arisen from an internal review of university policies and data. However, there remains scope for improvement and for the sharing of case studies and best practice across the sector. Effective assessment of institutional policies will also be contingent on having good reporting and recording mechanisms in place. Without these, it will be difficult to monitor trends and the impact of specific interventions.

BUILDING EXTERNAL RELATIONSHIPS

68. There are many examples of institutions that have built effective relationships externally, for example with the police and specialist support services.
69. Whether this is led by the institution, the students' union or both varies across the sector. The evidence suggests that a cross-institutional approach is associated with a more strategic and systematic response to incidents. One example is the collaboration between the University of Leeds and the local police which has improved training for staff on specific issues and built trust with the student body (see case study 8 in Annexe E).
70. The evidence received also highlighted some positive examples of universities working with specialist agencies to develop and improve policies and procedures and support for students. An example is Coventry University's work with the Coventry Rape and Sexual Abuse Centre to assess and improve the university's approach to supporting students who have experience unwanted sexual incidents (see case study 9 in Annexe E). This involved a range of work including surveying staff and students to assess the institution's capacity to respond effectively to incidents of sexual violence, the development of staff training and improvements to internal policies and procedures.

SIGNPOSTING STUDENTS TO RELEVANT SUPPORT

71. The evidence also showed that universities have developed different mechanisms for ensuring students are aware of available support.
72. The University of Sussex has developed an easy-to-use Care Pathway for staff. At the University of Oxford, a student-led campaign resulted in the development of a smartphone application *First Response* for students. This sets out options for sexual assault victims/survivors (including attending a sexual assault referral centre or calling the police). Details of both initiatives can be found in case studies 10 and 11 in Annexe E and provide examples of the types of steps institutions can take to ensure students are able to access the right support quickly.

CHALLENGES IN PREVENTING AND RESPONDING TO INCIDENTS

73. The challenges reported by institutions ranged from specific process issues to much broader campus culture and educational challenges.
74. In terms of process improvements, reporting and recording mechanisms were highlighted by a significant number of institutions. Ensuring that students feel able to report incidents to internal and external authorities and support organisations is an important responsibility of the institution. With regards to broader challenges, many respondents highlighted the diverse nature of their student bodies. There is not necessarily a clear, common understanding of what constitutes harassment. Universities are large communities made up of people from a huge variety of backgrounds, nationalities and beliefs. This can create a challenge in terms of education and attitude, and some universities felt that more needed to be done to encourage a shared understanding of what is, and is not, acceptable and what was meant by appropriate behaviour.

ONLINE HARASSMENT

75. Many universities highlighted the growing problem of online harassment and the inherent complexity of managing this now that students use social media so extensively in everyday life. This was echoed in evidence from wider stakeholders including the UJS, Tell MAMA and the NUS who highlighted that social media is becoming a more prominent vehicle for harassment and hate crime.

USING THE EVIDENCE

76. It is clear from the evidence that the quality and effectiveness of responses across the sector is varied. Not all students have a positive experience at university and not all universities respond effectively to incidents when they do occur. Yet it is also apparent that universities do take these responsibilities seriously and that there are good examples of a firm commitment to this agenda across the university sector.
77. The examples presented in Annexe E provide universities with a number of examples of how other institutions are responding to the challenges of preventing and responding to incidents of violence against women, harassment and hate crime.
78. In spite of the positive initiatives, there is a recognition from universities that more work is required to ensure that students have access to the support they need and to foster a culture that mitigates against unacceptable behaviour.
79. The evidence summarised in this chapter enabled the Taskforce to identify a number of emerging themes and recommendations. These are presented in chapter 3.

CHAPTER 3: THEMES FROM THE EVIDENCE

80. As summarised in the previous two chapters, the Taskforce considered extensive evidence. This evidence helped the Taskforce to identify a number of prominent elements integral to the effective prevention of, and response to, violence against women, harassment and hate crime. This chapter explores these emerging themes and proposes recommended actions. The Taskforce acknowledges that institutions may require further support and information to implement some of the recommendations. Further work of this nature will be explored by Universities UK.

A COMMITMENT FROM SENIOR LEADERSHIP

81. The Taskforce agreed that a long-term and visible commitment from senior leadership is needed to ensure that violence against women, harassment and hate crime are effectively addressed.
82. This commitment has to first recognise that harassment, hate crime and violence against women are serious problems affecting university students, and second, that necessary steps need to be taken to address these issues in a consistent and institution-wide manner supported by appropriate resources. A commitment from senior leadership should:
- demonstrate that the issues are taken seriously by the institution
 - recognise the importance of effective policies, procedures and disciplinary proceedings
 - ensure appropriate and thorough recording and data collection, regular monitoring and review and governance oversight
 - prioritise effective training
 - ensure availability of appropriate resource
 - be communicated clearly and regularly to other levels of management
83. The Taskforce concluded that the absence of a firm and sustained commitment from senior leadership poses a serious risk to the effectiveness of both prevention and response activities. In turn, this is likely to impact the student experience, retention rates, academic outcomes, reputation and the institution's capacity to meet its duty of care to students.

A commitment from senior leadership was deemed essential. The Taskforce believes that tackling violence against women, harassment and hate crime is crucial to ensuring the wellbeing of students. It therefore recommends that all university leaders afford it priority status and dedicate appropriate resources to tackling it.

ENSURING A CONSISTENT INSTITUTIONAL APPROACH WHICH IS DEVELOPED COLLABORATIVELY AND WITH SIGNIFICANT INPUT FROM STUDENTS (AND RELEVANT EXPERTS, WHERE NECESSARY)

84. A number of organisations highlighted that institutional approaches to sexual violence are often inconsistent. The decentralised structure of many UK universities has the potential to inhibit an effective, comprehensive and consistent cross-university response. This can make it difficult for a student to know where and who to report to, and in some cases means that the quality of response varies. Rape Crisis reported that responses to sexual violence are often based on a particular staff member's handling of the situation rather than institution-wide procedures. There is also inconsistency across the sector in terms of how universities engage with external bodies, such as specialist services, the police and local stakeholders. This underlines the importance of ensuring that staff across the university have a basic knowledge of what to do and who to refer victims/survivors to internally in the event that they disclose an incident of sexual violence.
85. The need to adopt a cross-institutional approach to all aspects of preventing and responding to violence against women, harassment and hate crime affecting university students – including long-term behavioural and cultural change – was also emphasised in much of the evidence received.
86. The evidence indicated that where the university and students' union work together, the results have greater impact. Campaigns, particularly in relation to sexual violence and harassment, have often been instigated by students' unions. The evidence from institutions suggests that where this is backed up by university leadership, a greater amount of activity that is specifically designed to tackle unacceptable behaviour and bring about culture change takes place on campus. Without institutional support, much of the work driven by students' unions will be less effective.
87. There also appears to be a correlation between those universities that have taken a cross-institutional approach and those that describe more systematic reporting systems, better links with external organisations and the police, specialist staff training and greater general awareness internally of how these incidents can affect the student population. There is scope for these experiences to be shared across the sector via conferences and other events, potentially resulting in a more consistent sector-wide response as well as promoting consistency within individual institutions.
88. The evidence from wider stakeholders highlights that a cross-institutional approach will be more effective in both reducing incidents and effecting cultural change. There is also an important strategic point around ensuring that knowledge and expertise is retained in spite of students' union officers changing regularly or departures of other key personnel. Therefore, embedding policies, processes, reporting mechanisms, support pathways and initiatives within the university can help withstand changes in personnel. Taking this approach is also likely to improve the consistency of response across an institution, addressing the concern that victims/survivors often receive differing responses depending

on who they report to. In relation to this, the Taskforce highlighted that universities should also ensure that their approach is in line with their safeguarding policies and procedures to help protect students and staff.

89. The Taskforce also noted the important role that a university governing body has to play in being accountable for institutional activities and responsible for ensuring the promotion of equality and diversity throughout the institution. This could involve analysing institutional data on reported incidents, assessing institutional policies and procedures, and reviewing what steps an institution has taken to address negative trends.

The Taskforce recommends that universities should:

- take an institution-wide approach to addressing violence against women, harassment and hate crime. (One way of adopting this institution-wide approach to responding to incidents of sexual violence is to use the points set out in chapter 5 of this report as a guide.)
- provide their governing bodies with regular progress reports summarising what progress has been made towards adopting a cross-institution approach. Universities are also encouraged to provide regular reports to governors on incidents of violence against women, harassment and hate crime disaggregated by the category of the incident, including year-on-year trends (where available) and a summary of what action the institution has taken to address these trends. Further, this should include reporting on the resource made available and used to support an effective cross-institution approach, including any recommendations for additional resource.
- carry out a regular impact assessment of their approach. This should include exploring student perceptions of safety and the effectiveness of their institution's response and assess staff understanding of what to do in the event that a student reports an incident to them.
- involve their students' union in developing, maintaining and reviewing all elements of a cross-institution response.

PREVENTION OF INCIDENTS

Supporting students to be agents of change, fostering a positive respectful culture via evidence-based, bystander initiatives

90. Many submissions to the Taskforce highlighted the benefits of encouraging and empowering students to be agents of change.
91. The evidence highlighted that in order to be agents of change in a culture that can be accepting of sexism or other negative behaviours, students and others need to believe that this culture is inappropriate. This often requires attitude change which is a gradual process. Students and others also need to feel confident that they have the skills to deal safely and sensitively with lower-level incidents and with situations where there may be immediate dangers posed to

them or others. This is achieved through attitude change and through skills development for effective and sensitive prevention.

92. The implementation of an evidence-based bystander intervention programme is one method of achieving these improved outcomes particularly in relation to sexual harassment. Evidence from the sector suggests that a growing number of universities are implementing or considering implementing bystander programmes, particularly following the publication of the *Intervention Initiative*⁵⁶ and the evidence review from Public Health England which identifies the elements for effective prevention through bystander programmes⁵⁷. Further information on the *Intervention Initiative* is included at Annexe G.
93. The evidence highlights the importance of only using evidence-based interventions. There is a risk that interventions can be ineffective if they do not adhere to principles for achieving behaviour change. There is also a risk that they can have unintended consequences and potentially result in poorer student outcomes. It is therefore important to pilot these prevention programmes, to evaluate the impact on student outcomes and to ensure that a 'backlash effect' has not been created.

Universities should adopt an evidence-based bystander intervention programme. In doing this, universities will need to (i) assess the budgetary requirements necessary to enable this training to take place and (ii) determine whether training can be organised jointly with other institutions in the same region to improve efficiency.

A zero-tolerance culture that sets clear behavioural expectations and is backed up by student disciplinary regulations designed to address behaviour that fails to meet these expectations

94. The evidence considered by the Taskforce emphasised the importance of adopting and embedding a zero-tolerance approach to facilitate meaningful cultural change.
95. Many universities already have zero-tolerance policies in place and others are planning to implement this approach. Students' unions have been at the forefront of this drive partly due to the NUS Women's Campaign for unions to adopt the 'Zero Tolerance to Sexual Harassment' initiative. The NUS' 'I heart consent' campaign has also had an important role to play⁵⁸. These campaigns have been branded in different ways by individual institutions, but all are intended to raise awareness, empower and protect students. Where the

⁵⁶ Fenton, R. A., Mott, H. L., McCartan, K. and Rumney, P. (2014). *The Intervention Initiative*. Bristol: UWE and Public Health England. Online at www.uwe.ac.uk/bl/research/InterventionInitiative.

⁵⁷ Fenton, R. A., Mott, H. L., McCartan, K and Rumney, P. (2016). *A review of evidence for bystander intervention to prevent sexual and domestic violence in universities*. Public Health England 2016011. Online at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/515634/Evidence_review_bystander_intervention_to_prevent_sexual_and_domestic_violence_in_universities_11April2016.pdf

⁵⁸ <http://www.nusconnect.org.uk/winning-for-students/women/lad-culture/i-heart-consent>

university has supported such campaigns this has helped to raise awareness of many different forms of harassment, has demonstrated how seriously this behaviour will be taken, and has made clear the disciplinary consequences of certain behaviours.

96. The lessons learned from these student-led campaigns could be applied to the implementation of a wider zero-tolerance approach that addresses all areas being examined by the Taskforce. Outlining expected behaviours in the context of a zero-tolerance culture sends a clear message to both staff and students that certain behaviours are not acceptable. A zero-tolerance approach should inform robust policies as well as bring about wider culture change and raise awareness of students' rights and responsibilities as part of the university community.
97. Policies should be unambiguous and clearly present the type of behaviours that are unacceptable. To be effective, they should be backed up by clear disciplinary procedures which align with the stated policy. This will demonstrate that such behaviour has consequences and will be taken seriously by both the institution and the students' union.
98. Adopting a zero-tolerance approach should also aim to be effective in bringing about wider culture change. As the NUS has suggested in relation to sexual harassment, it can be used to raise awareness of behaviours that will not be tolerated. This should not only build the confidence of students to speak out about an incident but also empower student witnesses to challenge and report where they see their peers behaving badly. This wider approach has already been adopted by some institutions, such as at the University of Manchester where the university and students' union have collaborated to expand the 'We Get It' campaign to cover all forms of bullying, harassment and discrimination.
99. A number of institutions working with their students' unions highlighted that peer-to-peer training can be an effective mechanism for addressing the normalisation of unacceptable behaviour. BUCS has capitalised on the influential position of members of university sports teams and societies to help stamp out poor behaviour. It found that educating and training members of the student body can result in a far-reaching 'trickle down' effect.
100. The Taskforce also noted that fostering a zero-tolerance approach should involve wider community engagement particularly with entertainment venues including local bars and nightclubs. There are good examples of students' union and university initiatives to engage with local businesses to encourage a zero-tolerance approach with many signing up to the 'Good Night Out' campaign⁵⁹.
101. The Taskforce considered what other mechanisms were available to universities to reinforce specific behaviours within the student body. The Taskforce agreed

⁵⁹ See <http://www.goodnightoutcampaign.org/>

that student contracts between UK universities and their undergraduate students could be used to reinforce expected behaviours from the outset.

The Taskforce recommends that universities should:

- ensure that partnership agreements between the students and the university highlight up front the behaviours that are expected from all students as part of the university community. The agreement should also set out the disciplinary sanctions a student could face if they fail to meet these behavioural obligations. The university's commitment to ensuring the safety and wellbeing of students should also be clearly set out, reflecting that both the institution and the student have obligations.
- embed a zero-tolerance approach across all institutional activities including outreach activities with schools and further education colleges, engagement with local bars and nightclubs, student inductions (including international student inductions), and student information. This should be given high visibility and be reaffirmed at regular intervals.
- take meaningful steps to embed into their human resources processes (such as contracts, training, inductions) measures to ensure staff understand the importance of fostering a zero-tolerance culture and are empowered to take responsibility for this.

ENABLING AN EFFECTIVE RESPONSE

Clearly signposted, visible and robust disclosure and reporting mechanisms

102. The Taskforce also determined that having clearly signposted, visible and robust reporting mechanisms is vital to an effective response. There are extremely complex issues and emotions involved in the disclosure of any of the types of incidents considered by the Taskforce but particularly sexual violence. These factors will also vary from person to person. It is therefore crucial that institutions have clearly signposted, visible and robust reporting mechanisms which support students appropriately throughout. Ideally different reporting options should be available, including the ability to make an anonymous report.
103. Any option to report anonymously should be accompanied with clear information on the extent to which an institution can investigate such reports. This may prove challenging as university action may be more difficult without independent witnesses/evidence, as there is likely to be insufficient evidence to proceed. Providing clarity on what action the university can take in relation to different types of report will help to manage expectations.
104. Providing varied and visible reporting options should help to address the barriers to reporting highlighted in the evidence. For example, research from Stonewall suggests that LGBT+ people can feel that incidents are not serious enough to report. This has also been raised by a number of stakeholders in

relation to sexual violence and harassment. Others may feel that they will not be taken seriously or the university will not respond to a report effectively.

105. Furthermore, effective reporting mechanisms will improve the institution's ability to record data efficiently, which in turn allows for enhanced monitoring and evaluation of policies and processes.
106. The evidence repeatedly highlighted the need for a systematic institutional response, including an institution-wide reporting procedure. The existence of devolved university structures in the UK may have impacted on the extent to which institutions have established this. One university is intending to establish a centralised reporting office to streamline the process and enable the centralised collection of data. This approach may not be appropriate to all but would allow for greater ownership of data, which should help to increase an institution's own awareness of the extent of any problems affecting its students.
107. Key considerations for an effective reporting procedure:
 - Is advice on how to report an incident straightforward and easily accessible, whether the student is a victim or a witness?
 - Are there alternatives to formal reporting in the first instance? The idea of going to the police or through formal disciplinary procedures can be a barrier to reporting and result in a student feeling unable to seek support.
 - Who is the report made to and how is it recorded?
 - Is a member of staff clearly identified to the student?
 - Are the relevant staff properly trained to support students once initial disclosure has been made? (Students will often choose to report to a familiar tutor despite signposting to a specialist who they may not know.)
 - Is the student provided with the option to make an anonymous report?
 - Is advice provided on options once a report has been made?
 - Has the reporting procedure been developed to take account of known barriers to reporting?
 - Does the reporting procedure signpost students to available support?
 - Does the reporting procedure enable effective information sharing within the university thereby minimising the risk of individuals having to disclose on multiple occasions to different staff members?
 - Does the reporting procedure make clear that the university will not contact the police without the student's consent unless there is a serious risk of harm to the student or someone else? Universities should only in exceptional circumstances report to the police contrary to the wishes of the victim. This may be justified if disclosure is necessary to protect the victim or others from harm or to prevent a further crime taking place⁶⁰. In deciding whether to make

⁶⁰ Under the Data Protection Act 1988, universities will need to be able to justify the disclosure of information about a victim that is made to the police without their consent.

such a disclosure, universities must take into account any potential harm that the unauthorised disclosure may cause to the victim.

108. As well as implementing carefully designed reporting procedures, consideration also needs to be given to increasing the confidence of both victims/survivors and bystanders to report. Ensuring that there is clear advice for students, an effective reporting procedure and support provided by well-trained staff who are knowledgeable and understand the issues, is likely to contribute significantly to this. In addition, providing clear information to students on what steps the university will be able to take in different situations to investigate an incident and invoke disciplinary proceedings may also improve confidence levels. Further information on this can be found in chapter 6.
109. The evidence also suggests that increasing confidence and breaking down barriers to reporting is also linked to wider behaviours and cultures in and around the university – where campus cultures tacitly condone unacceptable behaviour, this in itself creates a significant barrier to reporting. The ‘report and support’ button developed by University of Manchester and their students’ union (detailed in the case study 7 at Annexe E) provides an example of a cross-institutional initiative to break down barriers to reporting.
110. Initiatives to drive culture change should help to raise awareness of unacceptable behaviour and create an environment in which students feel safe and empowered to report an incident. Effective reporting procedures will underpin this, supporting student victims/survivors and thereby increasing confidence in the institution’s ability to respond.
111. On sexual violence specifically, the Taskforce noted the importance of handling disclosures in a way that (i) enables students to be referred to specialist support as quickly as possible and (ii) records information in a supportive but factual and non-judgmental manner.
112. In the first instance, all staff should know the process for referring students to identified staff members who are trained to take detailed disclosures. A failure to achieve this level of awareness risks students being passed to multiple staff members before being able to access the right support or falling through the gaps completely. It may also result in staff members taking disclosures in a way that may compromise any future court proceedings. The template in Annexe F, developed by Rape Crisis South London, offers some reflections on responding to disclosures of sexual violence and sets out a template referral pathway for institutions to adapt for their own internal use. Individual universities can use this generic template to develop their own bespoke, clear and easy to use referral pathway.

Universities should develop a clear, accessible and representative disclosure response for incidents of sexual violence and rape, working with relevant external agencies where appropriate.

This should be communicated at regular intervals to all staff, including at inductions for new starters, and should be readily accessible. This should include a clear care pathway which includes details of external support services that students can be signposted to and the different options available to them. It should also make clear where victims/survivors should be referred to within the university to access appropriate support. Universities should also identify relevant staff to receive specialised disclosure training using appropriate specialist services in the region.

An effective, centralised process for recording incidents, collecting data and regularly reviewing this data

113. Evidence from wider stakeholders clearly showed that many institutions do not have systematic recording processes in place, or a centralised point where data is stored and collected. EVAW expressed a particular concern in relation to the effectiveness of the recording of incidents of sexual harassment and violence against women. These concerns arose following Freedom of Information requests which revealed 'significant disparities' in the ways that institutions record incidents. It is for institutions to determine how to record this sensitive data, but data collection and recording processes should be robust and consistent across an institution.
114. The evidence emphasises the need for a systematic, institution-wide approach to recording and data collection. Decentralised or devolved systems can impact on an institution's ability to record complaints and incidents effectively. This theme also featured in a number of institutional responses which described how complaints may be made via different routes or to different members of staff, resulting in data existing in various places and not always being collated centrally to give a clear sense of the scale of an issue.
115. The reporting procedures and recording of incidents will be closely related. It follows that effective reporting procedures will enable more efficient data collection. This in turn should allow for improved monitoring and evaluation of policies and interventions.

Universities should take reasonable and practicable steps to implement a centralised reporting system. This should offer students different accessible mechanisms to report incidents, allow for anonymity if preferred and signpost individuals to relevant internal and external support. Any system should enable accurate data to be captured to determine the scale of a problem and track year-on-year trends.

Appropriately trained staff

116. The Taskforce agreed that having appropriately trained staff is important to an effective response and can markedly increase students' confidence to report incidents as well as ensuring that the necessary support is in place. This applies in cases where a student has been directly affected, and where they have witnessed an incident. This training will depend on factors specific to an individual institution such as student demographics and size. In some cases, training may be external depending on the issue but in others may consist of raising awareness amongst staff of specific policies and procedures.
117. Much of the published research and evidence from stakeholders highlighted staff education and training as an important requirement for providing the necessary support to students. Universities also identified staff training as a priority for further guidance and resources.
118. For those staff closely involved in preventing or responding to incidents of harassment, hate crime or violence against women, there is a need to understand and have knowledge of:
- the circumstances within which particular incidents might occur
 - the barriers to disclosure, whether this is informal or to the police
 - specialist support and services available to a student (which will vary depending on the nature of the incident and the location of the university)
 - the potential magnitude of the emotional and psychological impact
 - physical and mental health implications
 - intersectionality

These staff should also work closely with the university's chief safeguarding officer.

119. Feedback from specialist agencies revealed concerns that universities only have a partial understanding of the specific issues affecting students. This was particularly emphasised in relation to handling incidents of violence against women and sexual harassment. The evidence highlighted that university staff are not well equipped to handle the issue of forced marriage and often made assumptions about the victim. A number of organisations including Rape Crisis and the CFR suggested that they would be willing to develop and provide specialist training around sexual violence. Annexe E includes case study 12 which describes Brunel University London's approach to training staff as part of the Universities Supporting Victims of Sexual Violence (#USVreact) project being run at a number of universities across Europe.

Universities should conduct a thorough assessment of which staff members need to be trained and what training needs to be provided. A clear, multi-tiered training strategy covering different types of incident can then be developed. Where possible, this should identify external sources of expertise and consider whether engagement with other institutions will minimise the burden on specialist support services.

EFFECTIVE EXTERNAL RELATIONSHIPS WHICH ARE USED TO ENHANCE THE SUPPORT PROVIDED TO STUDENTS BY THEIR UNIVERSITY

Specialist support services

120. Much of the evidence submitted to the Taskforce emphasised the need for universities to work with specialist support services wherever necessary. The Taskforce agreed that establishing relationships with organisations providing specialist support is important for addressing the needs of students. This support may vary depending on the type of incident but for sexual violence in particular external support usually has a significant role to play. In order to work effectively with specialist support services, universities should monitor whether there are barriers to students' ability to access services in the area and be responsive to this. Ongoing awareness and understanding of this will allow institutions to consider what might be appropriate in terms of making available additional funding and support if students cannot easily access these specialist support services⁶¹.
121. Universities may not always have the specific expertise to provide the full range of support required for these extremely sensitive issues. However, there is an expectation that institutions will be able to guide students through the available options and refer them to the specialist advice and support that is on offer. The evidence received identified some positive examples of partnership working between institutions and specialist support services. However, these can be dependent upon the initiative of a particular member of staff rather than the result of formalised institutional policy and practice. The evidence supports universities taking a more systematic approach to establishing these links to ensure that students receive the appropriate advice and support. This approach will also minimise the impact of expert knowledge being lost via staff absence or departure.
122. In relation to violence against women and sexual harassment, experts recommended that institutions build relationships with local specialist support services including Rape Crisis Centres (or other similar services, as Rape Crisis centres are not always nearby) and with charities such as Refuge or Women's Aid. On antisemitism, UJS recommended that universities should engage with it for advice and support as well as the CST and University Jewish Chaplaincy. Tell MAMA are keen for universities to encourage victims of anti-Muslim harassment or hate crime to report the incident to Tell MAMA as well as their university. In relation to LGBT+ hate crime, the National LGBT Hate Crime Partnership may also provide opportunities for universities to link up with local and regional organisations providing victim support.
123. Annexe D provides a non-exhaustive list of support agencies that universities may wish to engage with or refer students to on specific issues.

⁶¹ At the time of writing, UUK is carrying out work to understand where universities are providing mental health services to support the demand from students that local mental health services do not have the capacity to respond to.

Local police

124. As well as developing good links with local organisations, it is also important for institutions to develop and maintain strong links with the local police force in preventing and responding to violence against women, harassment and hate crime affecting students. Evidence from police officers responsible for liaising with universities highlighted the importance of universities and the police developing and maintaining a constructive working relationship. Senior level commitment is necessary to ensure that resources are available to manage the ongoing partnership, and that this remains integral to an effective response.
125. Evidence from the Police Association of Higher Education Liaison Officers (PAHELO) and Association of University Chief Security Officers (AUCSO) highlighted a number of factors which can impact on the ability of institutions and the police to build effective working relationships (see Annexe C p.89). This evidence also highlighted that developing strong links with the police can result in a greater awareness of initiatives and events taking place within the wider community and provide the opportunity to develop other useful external relationships.
126. Building these relationships at a strategic level can help:
- promote a more consistent response
 - secure the involvement of the police in prevention initiatives, as the case study *Working with the police at Leeds* suggests (see case study 8 in Annexe E)
 - plan and deliver specialist training to university staff, such as specialist training from the police's Rape and Serious Crime Unit to help staff gain a deeper understanding of sexual assault, and Islamic cultural awareness training to help staff better support Muslim students
 - foster a greater understanding on both sides of the nature of incidents and their impact on students
 - address barriers to reporting by working together
 - raise awareness of what is unacceptable behaviour and what amounts to violence against women, harassment and hate crime
 - build trust and confidence in the police amongst the student body
127. The importance of the police relationship has also been emphasised in the work of the White House Task Force to prevent students from sexual assault. It developed a template memorandum of understanding (MOU) for working with local law enforcement agencies which sets out the essential elements in the relationship between these parties.

Other local agencies

128. The Taskforce also noted that good partnership working with local authorities, the NHS, religious leaders in the wider community and others can be of benefit to both prevention and response. For example, this engagement can help

universities understand the nature and scale of off-campus incidents, provide opportunities for students to seek support from their faith community if desirable or ensure students are aware of local NHS services. With regards to involving other agencies in providing support to a victim, this should only be done where appropriate and with the consent of the victim (consent may not be necessary where there is a clear danger to the victim or others).

Universities should build and maintain partnerships with local specialist services to ensure consistent referral pathways for students. Institutions need to be mindful of the limited availability of these services and consider funding additional support to overcome students accessing specialist support in a timely manner.

Universities should establish and maintain strong links with the local police and NHS in order to develop and maintain a strategic partnership to prevent and respond to violence against women, harassment and hate crime affecting students.

DRAWING ON GOOD PRACTICE BOTH WITHIN THE UK AND INTERNATIONALLY

129. The evidence gathered by UUK has highlighted a range of good practice within the UK higher education sector as well as internationally. However, despite this positive activity there appears to be little awareness of what others are doing. This is a missed opportunity for the sector.
130. The evidence gathering process has identified a number of case studies. Many are featured in this report but there is scope to source and share others.
131. UK universities can also learn from the research conducted and the resources developed in other countries to deal with these issues – for example, in the US, where the development of policies and initiatives to prevent and tackle sexual assault is further developed than in the UK.
132. The Taskforce concluded that good practice should be shared as much as possible.

Universities UK should hold an annual national conference for the next three years to facilitate the sharing of good practice on matters related to the work of the Taskforce.

Universities UK should publish a directory of case studies and templates based on what the sector is already doing (to include reference to international resources and activities).

ONLINE HARASSMENT AND HATE CRIME

133. The prevalence of online harassment and hate crime, particularly among young people, was repeatedly raised as a significant problem within university communities. The Taskforce recognises that more work is needed to explore the nature and scale of this problem as it affects students.

Universities UK should work with relevant bodies such as NUS, Jisc and Reclaim the Internet to assess what further support may be needed in relation to online harassment and hate crime.

CHAPTER 4: RESPONDING TO HARASSMENT AND HATE CRIME

134. As Chapter 3 demonstrates, the Taskforce identified a number of important components relating to effective prevention and response. This chapter will look at homophobia and transphobia, antisemitism and anti-Muslim hate crime and harassment in turn and offer some reflections on taking an institution-wide approach to responding to incidents. Chapter 5 will focus separately on sexual violence as such cases are particularly complex and sensitive.
135. There are a number of common features to an effective institutional response to any of the issues covered in this chapter. These include appropriate governance, clear referral mechanisms, ongoing engagement with the student body and effective partnership working.
136. Nonetheless, despite these commonalities, it is important to note that each form of harassment or hate crime, and every individual case, will have its own particular circumstances that will need to be taken into account when responding to an individual report. Further, universities should be aware, and develop an understanding of, the intersectionality of incidents. An incident of harassment or hate crime can be carried out on the basis of a number of different characteristics which a person presents, and the victim may feel attacked, offended or humiliated on the basis of any or all of these. These characteristics are also likely to interact and shape how a student victim responds to an incident of harassment or hate crime. It is therefore important to be aware and to respond to each incident and to each individual on the particular circumstances of the case. This can also have implications for how incidents are recorded. Recording systems therefore need to be effective enough so as to accurately capture the true nature of a particular incident. This will allow universities to monitor any trends that may indicate specific problems affecting their students.

HOMOPHOBIA AND TRANSPHOBIA

137. As highlighted in chapter 1 and Annexe C, although the number of homophobic and transphobic incidents recorded by universities appears to be relatively low, evidence from Stonewall suggests that LGBT+ people can feel incidents are not serious enough to report. This suggests that raising awareness about the seriousness with which the institution will treat any homophobic or transphobic incidents is essential. This should include but not be limited to engagement with the student body. This should help to break down barriers to reporting and ensure students get the support they need. One example is De Montfort University which runs a month-long Student Pride celebration across LGBT History Month. This also provides an opportunity for the university to signal their zero-tolerance approach to hate crimes, bullying and harassment on the grounds of any protected characteristic.
138. The transgender equality report produced by the House of Commons Women and Equalities Committee observed that levels of bullying and harassment experienced by trans students are 'unacceptable' and recommended that government should ensure that all further education and university staff receive

gender identity awareness training and that institutions should proactively promote trans equality.⁶²

139. Responding to homophobic and transphobic incidents will require universities to consider whether there are appropriately trained staff in place to ensure students affected by such incidents receive the support they need, are properly informed of their options and are referred to specialist support where necessary.
140. One example of university activity is Brunel University's Student LGBT Peer Support Network. This is made up of four students, both undergraduate and postgraduate and from different backgrounds, who can be approached for advice and support.⁶³
141. Maintaining a strong understanding of the external support services available to LGBT+ students who have experienced hate crime and harassment will enable universities to signpost students to specialist support. A number of relevant organisations are listed in Annexe D.
142. At a national level, the National LGBT Hate Crime Framework Group has been set up to map the range and diversity of LGBT Hate Crime service delivery across the UK. This aims to develop a common programme to increase the overall opportunities for LGBT people to report homophobic, biphobic or transphobic hate crime, focusing on existing services to do so.⁶⁴ This could provide opportunities for universities to link up with local and regional organisations, such as Galop (see pp.82–83 of Annexe C), which provide support to victims and to ensure that institutions are aware of new referral pathways being established in order to encourage reporting.

ANTISEMITISM

143. Reported incidents of antisemitism taking place on university campuses or affecting university students are relatively low. However, Jewish community leaders have raised concerns about its occurrence among the university population. A UUK roundtable on antisemitism revealed that on the whole, Jewish students have a positive experience of university but there are a number of on-going issues and occasions where Jewish students feel hostility on campus. There is a particular concern that students are not reporting incidents to their university.
144. Taking steps to raise awareness of the seriousness with which incidents will be treated is therefore essential, as is ensuring a variety of reporting mechanisms. Any such activity should be underpinned by the university's corporate governance arrangements enabling those in a governance role to track trends in incidents and review the effectiveness of the institution's prevention activities and response.

⁶² <http://www.publications.parliament.uk/pa/cm201516/cmselect/cmwomeq/390/39002.htm>

⁶³ http://www.brunel.ac.uk/_data/assets/pdf_file/0006/358323/LGBT-Peer-Support-Poster.pdf

⁶⁴ <http://www.lgbthatecrime.org.uk/#project-overview>

145. Consideration should also be given to providing training for staff on the nature and context of antisemitism. The UJS has offered to deliver such training.
146. There is also a clear role for universities to remain in close contact with local Jewish community leaders and other agencies such as the local authority. This is crucial in terms of understanding antisemitism that is occurring in the local community and in making use of available support for students affected by an incident. University chaplains may also be aware of incidents that students have not reported formally to their university.
147. Incidents of antisemitism (or fears of incidents arising) may also increase in response to global events. It is therefore important for universities to reach out to their student body in response to any global events that may increase the risk of antisemitism occurring.

ANTI-MUSLIM HATE CRIME AND HARASSMENT

148. There are a number of steps universities can take to ensure an effective and tailored response to anti-Muslim hate crime or harassment. In the first instance, the Tell MAMA data may help universities to develop a better understanding of the occurrence of incidents in the area and the circumstances under which they have occurred.
149. For example, the recorded data does not reveal how many incidents involved Muslim university students or how many took place on university campuses. It is therefore difficult to assess the scale of the problem in the UK higher education sector. However, the Tell MAMA findings are still relevant to the higher education sector and provide useful insights for universities when considering both prevention and response. An awareness of this data may help to demonstrate the potential impact on the more localised university community.
150. The most recent Tell MAMA data suggests that within London, incidents frequently occur in areas with high access to public transport and close to major roads. Awareness of this is important for understanding how and when students may be affected. This also underlines the importance of developing and maintaining close links with local religious and community leaders and other agencies such as the local authority. This is important in terms of understanding anti-Muslim hate crime and harassment occurring in the local community and in making use of available local support for students affected by an incident.
151. Taking steps to raise awareness of the seriousness with which incidents will be treated is therefore essential as is ensuring a variety of reporting mechanisms. These steps may include clear information on how the university will respond to any report. Such activity should also be underpinned by the university's corporate governance arrangements enabling those in a governance role to track trends in incidents and review the effectiveness of the institution's prevention activities and response.
152. Incidents of anti-Muslim hate crime and harassment (or fears of incidents arising) may also increase in response to global events. It is therefore important

for universities to reach out to their student body in response to any global events that may increase the risk of anti-Muslim hate crime and harassment occurring.

CHAPTER 5: ACHIEVING A UNIVERSITY-WIDE RESPONSE TO INCIDENTS OF SEXUAL VIOLENCE

153. Universities, although they might be quite different in their ethos, structure and approach, have a clear responsibility to respond appropriately to any student or staff member who experiences sexual violence.
154. As described in chapter 3, the Taskforce recommends that universities take an institution-wide approach. This chapter offers some suggestions on how this might be achieved in relation to incidents of sexual violence and recommends that individual universities develop their own explicit framework for dealing with sexual violence which is developed, tested and regularly reviewed. The chapter takes a non-prescriptive approach yet offers some reflections on achieving a joined-up and coherent framework for responding. Universities UK is grateful to staff at LimeCulture⁶⁵ for their assistance in developing this chapter. Annexe E includes case studies 13 and 14 which highlight the University of Greenwich and Keele University's recent efforts to implement an institution-wide approach to responding to sexual violence.
155. The sole focus of this chapter will be on responding to incidents of sexual violence and not prevention activities. This is not to underplay the importance of prevention activities which are vital in counteracting the normalisation of certain attitudes that may lead to victims/survivors being less likely to report an incident of sexual violence. However, prevention should be distinct from any response to an incident of sexual violence. Chapter 3 includes recommendations on prevention activities.
156. Universities need to consider the wider support needs of a victim/survivor following an incident of sexual violence as well as their educational needs in the short and medium term.
157. In addition to their victim/survivor-care responsibilities, all universities will have to consider their responsibilities towards any staff or student member who is *accused* of committing a sexual assault.
158. The quality of the university's response will have a direct impact on a victim/survivor's wellbeing, particularly on their mental health and will also have repercussions for alleged perpetrators as well. All universities will need to ensure that their response can be tailored to the specifics of an individual case – whether recent or historic, whether or not victims/survivors wish to report to the police or whether the victim/survivor is male, female or transgender.
159. To respond effectively to individual incidents of sexual violence, an institution should have an agreed strategic response. This will require a number of different components including clear lines of accountability, risk management and joined-up support which are further explored later in this chapter.

⁶⁵ LimeCulture is a national sexual violence organisation based in the UK. It works with frontline professionals, and their organisations, to improve the response to victims of sexual violence, through training/development initiatives, research and consultancy services.

160. It is also worth noting that responding effectively will require a clear understanding of the circumstances in which a university can invoke disciplinary proceedings, particularly in those situations where a student makes an allegation of sexual violence against another student and does not wish to go to the police. New guidance on this will be published in autumn 2016 following the review of the 1994 Zellick guidelines which is described in chapter 6.

RECOGNISING EVERY CASE IS DIFFERENT

161. It is important that institutions recognise that there is no ‘one-size-fits-all’ response which can be applied to every case. There are a variety of factors which may differ from case to case including whether the case is recent or historic, whether the victim/survivor wishes to access a forensic medical examination, whether or not they wish to report to the police and what internal or external support they wish to access including psychological, mental health support or sexual health services. Some but not all cases may involve a police investigation and potentially a court case.
162. Furthermore, any response must be flexible enough to deal with a wide range of scenarios. Individuals may suffer sexual violence either on or off-campus, in or outside of term time or during a study abroad placement or work placement/year in industry. Victims/survivors may vary in terms of their age and whether they are studying part time or full time. The relationship between the victim/survivor and alleged perpetrator will also differ from case to case. Response mechanisms must be flexible enough to respond effectively to the individual circumstances of a case and the specific needs of the victim/survivor. Visa considerations and professional practice matters may also be a factor.
163. Irrespective of the individual circumstances of an incident, all universities will need to take considerable care to ensure that their involvement has not done anything to undermine a criminal prosecution or contaminate evidence relating to the sexual offence. Furthermore, staff could potentially be called as witnesses in a trial, so robust record keeping will need to be in place to account for any involvement the university has had in relation to a sexual assault.
164. The response may involve carrying out an investigation internally, it might mean implementing policies and procedures to remove or suspend the accused and could include reviewing whether the university could have done anything to prevent the assault by way of safeguarding and to reduce the risk of future incidents.

BASIC PRINCIPLES

165. Institutions may wish to consider the following principles when developing their own joined-up strategic response framework:
- To respond effectively, there must be clear lines of accountability, ownership and escalation. Ideally, accountability should be vested with an individual who occupies a senior position, who has influence over decision-making, resourcing and the capacity to ensure agreed processes

and procedures are embedded and adhered to. This person won't be responsible for doing all the work but will have ownership over developing and implementing the agreed response.

- An effective response must also involve a clear understanding of risk and the identification of individuals within the institution who own specific risks (ownership of different types of risk may sit in different places). The risks encountered may relate to organisational risk, risk to the victim/survivor, risk to the criminal justice process, legal risks, reputation risks or risk to the wider student body. Universities should conduct a risk assessment which seeks to identify and assess risks across relevant functions – for example, disciplinary processes, human resources, student services, codes of conduct, academics, student and staff contracts, investigations, sanctions including suspensions.
- It is important to link an institution's response framework to its corporate governance framework. This is necessary as the university governing body is accountable for institutional activities and has a legal duty (under the Equality Act 2010) to eliminate unlawful discrimination and harassment throughout the institution and to promote equality and diversity in line with the principles in the Higher Education Code of Governance (the Code states 'The governing body must promote equality and diversity throughout the institution, including in relation to its own operation'). As part of the process of embedding the institutional response in corporate governance frameworks, those operating in a governance role should be suitably equipped to have a clear understanding of the issues that are relevant to their responsibilities, and provided with regular information on the outcomes and effectiveness of the institutional response.
- An institution's response should be understood by, and embedded across, key functions and staff groups – this is important in ensuring that individuals receive joined-up support. Relevant functions are likely to include governance, student services, human resources, academics, disciplinary processes and students' union.
- Policies and procedures across the institution must align – they should not contradict each other
- Involvement from the students' union is essential in developing and implementing a university-wide response. One area to consider is confidentiality between the university and students' union particularly if students approach the union for support in the first instance. It is sensible to unpick confidentiality considerations between the university and students' union and identify conflicts of interest or barriers to information flows. Communicating effectively with the students' union will also help to avoid inconsistencies in policies to tackle sexual violence which could undermine an institution-wide approach. It will also ensure clear case handling processes.

- The support offered to the victim/survivor must be tailored to their individual needs. This is essential as individuals will differ in their response to the trauma of sexual violence and every case will be different.
- Ideally, an effective response should involve the identification and up-skilling of specialist staff within the university to act as the key people who will manage the response to a reported incident of sexual violence affecting a student within the university. To ensure a clear definition of responsibilities, care should be taken to avoid replicating the function of specialist roles such as the police or Independent Sexual Violence Advisors (ISVAs) although specialist staff in the university are likely to liaise closely with both. These specialist staff must be recognised both internally and externally as the 'go to' people to ensure that (i) police and specialist agencies can contact them if a student approaches these agencies directly, and (ii) university staff, irrespective of role, know who to refer individuals to for the right support. The 'go to' staff will know what specialist external support is available to refer to (any available support will depend on the local area). They will also be able to inform students what their options are including forensics, reporting to the police and available internal and external support. This will empower the victim/survivor to make informed decisions. Giving these staff an easily identifiable title will make their role clear, for example, Sexual Violence Liaison Officer.

In summary, the following principles are important to an effective strategic response:

- ✓ Separate out prevention activities from response
- ✓ Ensure clear lines of accountability – ultimate accountability should lie with a senior staff member
- ✓ Have a clear understanding of risk and who owns each risk
- ✓ Ensure appropriate governance
- ✓ Embed across all relevant university functions
- ✓ Involve the student body as much as possible
- ✓ The support offered must be tailored to meet the needs of the individual
- ✓ Identify and up-skill 'go to' people in the university – make sure all staff are made aware of them

OPERATIONAL RESPONSE

166. An effective operational response will be far easier to achieve if the right strategic response is in place to support it. Without a coherent university-wide response, the operational response is likely to be less effective and individuals may fall between the gaps or receive insufficient support.
167. An effective operational response is contingent on universities having a clear process for handling an initial disclosure of sexual violence. If this is insufficient, then there is a high probability that it will lead to a breakdown in the provision

of appropriate support. Staff across the university should have a basic awareness of what to do and who to refer victims/survivors to – the template in Annexe F and case study 10 provide examples of clear referral pathways.

168. The operational response has two components; (i) victim/survivor duty of care and (ii) alleged perpetrator duty of care.

Victim/survivor duty of care

169. The duty of care to victims/survivors should be underpinned by an institutional commitment to take seriously and at face value any disclosure of sexual violence.
170. Effective and holistic support for individuals that have disclosed sexual violence to their university will cover a wide range of considerations – academic, accommodation, finance, support whether or not they decide to go to police, and referrals to external agencies such as the local SARC, ISVAs or other specialist services including local and national charities. The specialist support available will vary between locations – details of local and national services can be found via organisations such as Rape Crisis and The Survivors’ Trust. The support required will also depend on the nature of the case – whether historic or recent – and the gender of the victim/survivor.
171. The identified ‘go to’ people within the university should develop and retain an extensive and up-to-date knowledge of external support as well as knowledge of internal processes and links to the relevant staff in different departments (accommodation, finance, registry, mental health and counselling services etc). In this way, they can act as a facilitator on behalf of the victim/survivor, providing an ongoing point of contact and mitigating the risk of the victim/survivor having to disclose on multiple occasions to different staff.
172. There should be clear pathways into the university as well as pathways out of it. As well as being the main referral point within the university, the ‘go to’ people should be the main link with external specialist support and the identified point of contact should victims/survivors approach specialist support services and not the university in the first instance. Confidentiality and data-sharing agreements are important in this respect particularly in enabling information to be shared between key staff to prevent victims/survivors having to make multiple disclosures.
173. Effective and coordinated support will also require university staff to have a general awareness of what to do should an individual disclose an incident of sexual violence to them. For example, currently there is a high chance that students may disclose to a member of staff such as an academic, security staff or out-of-hours personnel, and a low chance that the staff member will know what to do or who to refer the student to internally. The situation may be further complicated by a fear of getting it wrong or trying to be helpful but causing more harm than good. Problems are likely to arise when people go outside their roles/expertise. There should be a clear understanding across the staff, including staff of companies delivering outsourced services and partner institutions, of who the ‘go to’ people are within the institution, what their role is and what is required to refer a student to them.

174. Wherever possible, detailed disclosures of sexual violence should be taken by the 'go to' staff within the institution. This is important as where a victim/survivor has disclosed a rape to someone else before the police, there are strict rules governing whether these disclosures can be used as evidence at court. Staff taking disclosures should be appropriately trained to ensure they (i) are non-judgemental, (ii) record disclosures verbatim, (iii) focus on recording the facts and avoid offering their own opinion, (iv) know when to stop and (v) don't try to answer on behalf of the victim/survivor. It is crucial that individuals carry out this function correctly as information recorded in a disclosure may be used in a subsequent court case. Chapter 3 includes some recommendations on disclosures and Annexe F includes a template from Rape Crisis South London. Care referral pathways should also include details of available external and internal support including counselling services.

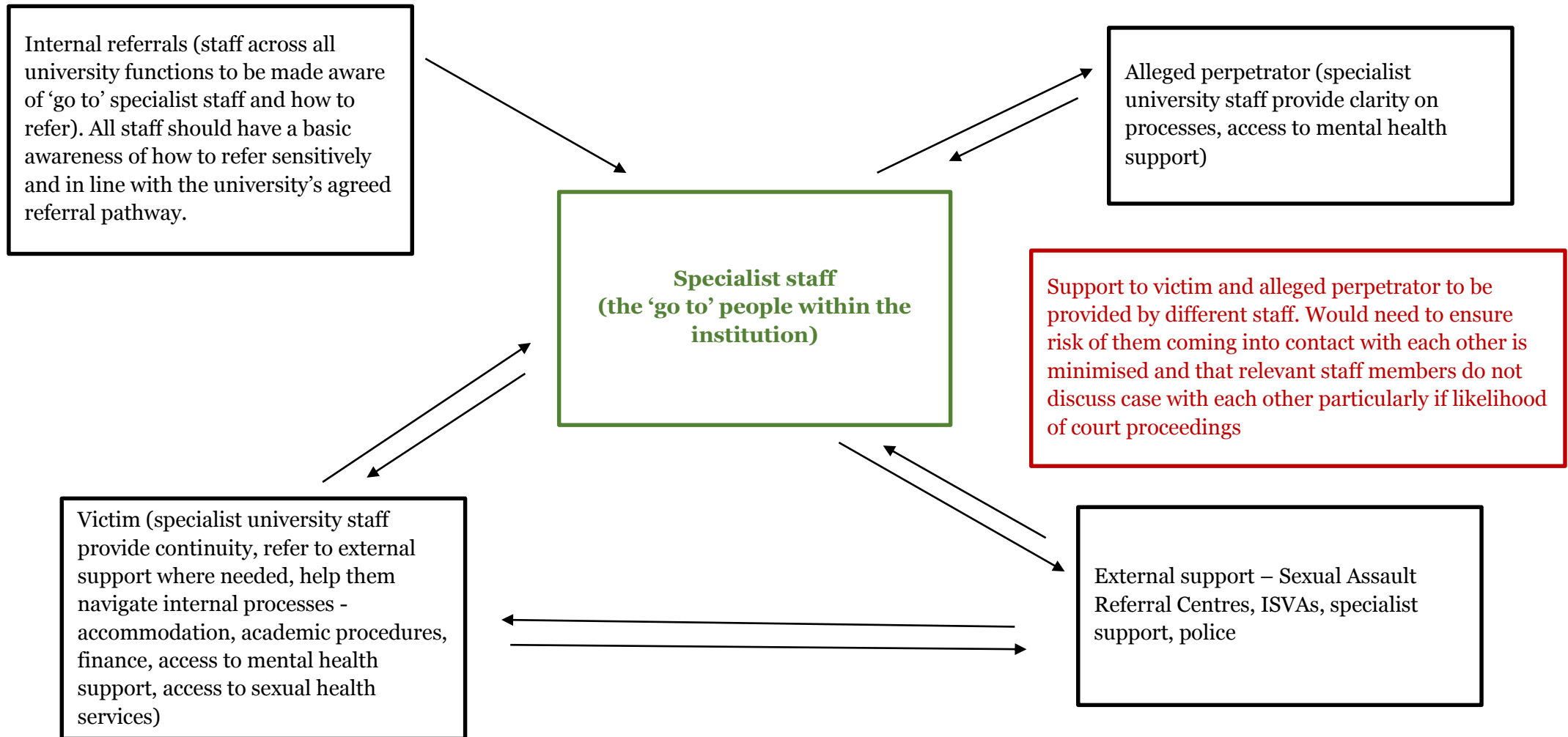
Alleged perpetrator duty of care

175. This will involve the management of risk (including to the wider student body and the alleged perpetrator), disciplinary matters and a day-to-day response.
176. The duty of care towards the alleged perpetrator should be underpinned by an institutional commitment to recognising that an individual is innocent until proven guilty. Nonetheless, any response must risk assess the possibility of harm that an alleged perpetrator may pose to the wider student community or themselves.
177. The duty of care to the alleged perpetrator will include making them aware of the allegations made against them, appropriate academic support if suspended and being kept informed of any university investigation.
178. Support for both the victim and the alleged perpetrator may be provided by the same team but must be provided by different members within that team. Care should be taken to ensure that the risk of the victim and alleged perpetrator coming into contact with each other is managed effectively. Furthermore, there is the possibility that members of the same team may receive separate disclosures from each party. If a case has gone to court or is likely to, staff members providing support to the victim and alleged perpetrator should avoid discussing the details of it as this may compromise any court case.
179. Record keeping is vital, particularly if a case goes to court later on, or if a report is made to police in future. Records must be stored appropriately and senior management should be regularly updated on how records of historical incidents can be accessed.

Investigations

180. Any operational response may also involve an internal investigation. Further information on this area will be included in the new guidance arising from the review of the 1994 Zellick guidelines (see chapter 6).

ROLE OF SPECIALIST STAFF



CHAPTER 6: REVIEW OF THE ZELICK GUIDELINES

181. The Taskforce received evidence from the NUS, individual universities and other organisations highlighting concerns about the ongoing relevance of the 1994 report of the Council for Vice-Chancellors and Principals (CVCP), *Final Report of the Task Force on Student Disciplinary Procedures*, commonly known as the Zellick guidelines.
182. The non-statutory Zellick guidelines provided advice to universities on handling circumstances where a student's alleged misconduct would also constitute a criminal offence. Some universities, but not all, continue to use Zellick as the basis for their internal procedures.
183. The evidence received demonstrated a range of concerns linked to Zellick including:
- the guidelines do not reflect important legislative changes such as the Equality Act 2010 and Human Rights Act 1998 and the development of legislation, guidance and case law which views students as 'consumers'⁶⁶.
 - the guidelines do not adequately reflect that institutions have a duty of care to students
 - the guidelines do not reflect the important changes in the technological and social context within which universities and their students operate. These developments can also play a role in the incidents that contemporary universities must deal with such as online abuse and harassment and misuse of social media.
 - the guidelines are too simplistic and do not reflect the nuances of 'real life' incidents
 - the guidelines recommend that an institution should not invoke disciplinary proceedings where a victim does not report to the police, if the Crown Prosecution Service decides not to prosecute or if court proceedings result in an acquittal – this can result in university inaction
 - the guidelines do not reflect that more recent case law has established that universities can invoke disciplinary proceedings on the balance of probabilities (although universities are not equipped to determine criminality)
 - the guidelines do not advise on how to support students during the reporting process
 - the guidelines focus too much on protecting institutions rather than supporting students
 - the approach set out in the guidelines discourages students from reporting incidents, particularly those involving sexual violence
 - the guidelines are outdated as they assume police investigations/court proceedings will progress quickly
 - the guidelines advise a blanket prohibition on investigating and invoking internal disciplinary procedures if an incident is not reported to the police which could be direct/indirect discrimination (under the Equality Act 2010) – given the majority of victims of sexual violence are female and the vast majority do not report incidents to

⁶⁶ As summarised in the Competition and Markets Authority Guidance of March 2015 available at <https://www.gov.uk/cma-cases/consumer-protection-review-of-higher-education>

the police. Concerns were also expressed that it is difficult to see how elements of the Zellick guidelines can be reconciled with the legal duties on universities under the Human Rights Act 1998.

184. On the basis of the evidence the Taskforce agreed that the Zellick guidelines should be reviewed and new guidance published.

Universities UK should conduct a thorough review of the 1994 Zellick guidelines and produce new guidance for the sector on how to handle disciplinary issues that may also constitute a criminal offence.

REVIEWING ZELICK

185. The review is underway. Legal advice has been sought and a steering group established to inform the review. The steering group consists of representatives from universities and the NUS.
186. New guidance will be published in autumn 2016. This will provide universities with updated advice on how to handle student disciplinary issues that may also constitute a criminal offence.

CHAPTER 7: TASKFORCE RECOMMENDATIONS AND NEXT STEPS

As shown in chapter 3, the Taskforce identified a number of prominent themes from the available evidence and agreed a range of recommendations. The recommendations below are designed to support universities in adopting an institution-wide approach, embed effective preventative measures and maximise the support provided to students who experience incidents of sexual violence, harassment or hate crime. Universities UK will take a range of steps to ensure that universities are fully aware of the Taskforce's recommendations.

SENIOR LEADERSHIP

- i. The Taskforce recommends that all university leaders should afford tackling violence against women, harassment and hate crime priority status and dedicate appropriate resources to tackling it.

INSTITUTION-WIDE APPROACH

The Taskforce recommends that universities should:

- ii. take an institution-wide approach to tackling violence against women, harassment and hate crime. (One way of adopting this institution-wide approach to responding to incidents of sexual violence is to use the points set out in chapter 5 of this report as a guide).
- iii. provide their governing bodies with regular progress reports summarising what progress has been made towards adopting a cross-institution approach. This should include reporting on the resource made available and used to support an effective cross-institution approach, including any recommendations for additional resource.
- iv. carry out a regular impact assessment of their approach.
- v. involve their students' union in developing, maintaining and reviewing all elements of a cross-institution response.

PREVENTION

The Taskforce recommends that universities should:

- vi. adopt an evidence-based bystander intervention programme.
- vii. ensure that partnership agreements between the student and the university highlight up-front the behaviours that are expected from all students as part of the university community, set out disciplinary sanctions and state the university's commitment to ensuring the safety and wellbeing of students.
- viii. embed a zero-tolerance approach across all institutional activities including outreach activities with schools and further education colleges, engagement with local bars and nightclubs, student inductions (including international student inductions), and student information.
- ix. take meaningful steps to embed into their human resources processes (such as contracts, training, inductions) measures to ensure staff understand the importance

of fostering a zero-tolerance culture and are empowered to take responsibility for this.

RESPONSE

The Taskforce recommends that universities should:

- x. develop a clear, accessible and representative disclosure response for incidents of sexual violence and rape, working with relevant external agencies where appropriate.
- xi. take reasonable and practicable steps to implement a centralised reporting system.
- xii. conduct a thorough assessment of which staff members need to be trained and what training needs to be provided. A clear, multi-tiered training strategy covering different types of incident can then be developed.
- xiii. build and maintain partnerships with local specialist services to ensure consistent referral pathways for students.
- xiv. establish and maintain strong links with the local police and NHS in order to develop and maintain a strategic partnership to prevent and respond to violence against women, harassment and hate crime affecting students.

MANAGING SITUATIONS WHERE STUDENTS HAVE COMMITTED A DISCIPLINARY OFFENCE WHICH MAY ALSO CONSTITUTE A CRIMINAL OFFENCE

The Taskforce recommends that:

- xv. Universities UK should conduct a thorough review of the 1994 Zellick guidelines and produce new guidance for the sector on how to handle disciplinary issues that may also constitute a criminal offence.

SHARING GOOD PRACTICE

The Taskforce recommends that:

- xvi. Universities UK should hold an annual national conference for the next three years to facilitate the sharing of good practice on matters related to the work of the Taskforce.
- xvii. Universities UK should publish a directory of case studies and templates based on what the sector is already doing (to include reference to international resources and activities).

ONLINE HARASSMENT

The Taskforce recommends that:

- xviii. Universities UK should work with relevant bodies such as the NUS, Jisc and Reclaim the Internet to assess what further support may be needed in relation to online harassment and hate crime.

NEXT STEPS

Looking ahead, the Taskforce agreed that Universities UK should continue its work in this area. This will cover a range of activities including raising awareness of the Taskforce's initial recommendations and taking forward work in relation to online harassment. In addition, UUK will be considering what further work is needed to support universities to implement this report's recommendations as well as work relating to those areas which the Taskforce was not able to consider in sufficient depth. These include, but are not limited to, staff to student sexual harassment, race hate crime, disability hate crime, forced marriage and domestic abuse.

ANNEXE A: TASKFORCE ACKNOWLEDGEMENTS

TASKFORCE MEMBERS

- Nicola Dandridge | Taskforce Chair; Chief Executive, Universities UK
- Professor Janet Beer | Vice-Chancellor, University of Liverpool
- Minda Burgos-Lukes | Head of Liberation, NUS; member of the Taskforce June – September 2016
- Carol Burns | Registrar and Secretary, University of Brighton; AHUA representative on the Taskforce, September 2015–February 2016
- Paul Deemer | Head of Head of Diversity and Inclusion, NHS Employers
- Megan Dunn | President, NUS; member of Taskforce, October 2015–June 2016
- Jenny Jenkin | Registrar, University of Bedfordshire; AHUA representative, March–September 2016
- Professor Janice Kay | Provost, University of Exeter
- Jess Lishak | Women's Officer, University of Manchester Students' Union
- Maria Lorenzini | Director of Student Experience, Bangor University
- Dr Helen Mott | Independent Consultant and co-creator of The Intervention Initiative
- Dr Veena O'Halloran | Director of Student Experience and Enhancement Services, University of Strathclyde; Taskforce member, March–September 2016
- Professor David Richardson | Vice-Chancellor, University of East Anglia

TASKFORCE SECRETARIAT

- Jo Attwooll | Programme Manager
- Emily Darian | Policy Researcher
- Fiona Waye | Senior Policy Lead

TERMS OF REFERENCE

1. To bring together relevant stakeholders to explore what more can be done to support the higher education sector to prevent, and respond effectively, to incidents of violence and sexual harassment against women, hate crimes and other forms of harassment.
2. To research and review:
 - a. existing policy, practice and research around prevention and addressing harassment in all its forms
 - b. current programmes and activities aimed at generating cultural and behavioural change
 - c. models of good practice within and outwith the sector, and internationally
3. To provide an analysis of the nature and scale of the problem.

4. To consider how best to frame the outcomes in a way that is both holistic and responsive to the distinctive needs of individuals, and acknowledges that different forms of harassment require distinct approaches.
5. On the basis of the evidence obtained, develop principles and recommendations for individual UUK members to:
 - support cultural and behavioural change
 - demonstrate commitment to that change
 - review and improve the effectiveness of their institution's policies, procedures, support mechanisms, and interventions

ANNEXE B: METHODOLOGY AND LIST OF CONTRIBUTING ORGANISATIONS

METHODOLOGY

The Universities UK (UUK) Taskforce to examine violence against women, harassment and hate crime was established in September 2015. The Taskforce consisted of 13 representatives supported by a secretariat of three UUK staff. It featured university leaders, senior management, academics and student representatives. Although the Taskforce was small in number, it committed to a process of broad consultation to ensure a wide range of views were considered. As a result, the Taskforce benefited from extensive evidence to inform its deliberations.

The Taskforce met a total of four times between November 2015 and September 2016. Progress reports were published on the UUK website to provide updates on activity and UUK also provided regular reports to its UK Board and to government.

The Taskforce agreed at the outset that consideration should be given to addressing violence against women as well as harassment and hate crime. The rationale for this approach was that although different types of incidents will require different approaches, there are also commonalities in terms of how an institution might respond to these, such as ensuring proper reporting mechanisms, effective staff training, the setting of clear behavioural expectations and the creation of a visible culture of zero tolerance. Nonetheless, when registering these commonalities, the Taskforce also recognised that responding to sexual violence necessitates a particularly sensitive and careful response. It therefore considered sexual violence in particular depth. Chapter 5 offers some specific advice for institutions on responding to such incidents.

LITERATURE REVIEW

The Taskforce considered a number of published reports from the National Union of Students, the Equality Challenge Unit and reporting initiatives like the Community Security Trust and Tell MAMA.

CALL FOR EVIDENCE FROM UNIVERSITIES

In 2015, UUK issued a call for evidence to its members (133 higher education institutions, since expanded to 135) for information on how institutions prevent and respond to incidents of sexual violence, harassment and hate crime. 60 universities submitted evidence. This evidence was supplemented by feedback obtained from a one-day seminar in April 2016 which involved over 80 university representatives from 40 institutions.

ENGAGEMENT WITH RELEVANT SECTOR GROUPS

The Taskforce included representatives from the Association of Managers of Student Services in Higher Education and the Association of Heads of University Administration, which represents senior university managers. UUK also engaged with the Academic Registrars Council and Conservatoires UK and gathered further input via speaking engagements at a range of sector meetings and events.

INPUT FROM SPECIALIST AGENCIES

In recognition of the specialist nature of many of the issues being considered by the Taskforce, UUK engaged with several specialist agencies to inform the Taskforce's work. These included Rape Crisis England and Wales, individual Rape Crisis centres and the End Violence Against Women Coalition. LimeCulture also provided significant input particularly in developing the institution-wide approach to responding to sexual violence, as set out in Chapter 5.

INPUT FROM ACADEMIC EXPERTS

The Taskforce received and considered a range of evidence from a number of academics with relevant expertise, including the Centre for Feminist Research at Goldsmiths, University of London, Rachel Fenton (Senior Lecturer, University of the West of England) and Dr Alison Phipps (Reader in Sociology and Director of the Centre for Gender Studies, University of Sussex).

WIDER STAKEHOLDER ENGAGEMENT

UUK also formally invited a number of organisations to submit evidence. Invaluable contributions were received from a wide range of external bodies including the Union of Jewish Students, Stonewall, Tell MAMA, Galop and the Community Security Trust. A number of law firms also approached UUK directly to share their expertise. The publication of regular updates on the Taskforce's progress also generated the submission of further evidence from interested parties.

REVIEW OF INTERNATIONAL EVIDENCE

The Taskforce recognised that issues of sexual violence, harassment and hate crime are not confined to UK universities or the higher education sector. In view of this, the Taskforce also reviewed international evidence and initiatives to identify the lessons that the UK could learn from other countries. This involved looking at the US experience, the Universities Australia campaign 'Respect. Now. Always' and recent initiatives in Canada.

PARLIAMENTARY ACTIVITY

The Taskforce engaged regularly with ministers, MPs and other parliamentarians in relation to its work. This included a meeting in December 2015 of the All Party Parliamentary Universities Group (APPG) entitled *Stamping out sexual harassment and 'lad culture' in the university sector*⁶⁷.

In June 2016, UUK also hosted a parliamentary roundtable on the experience of Jewish students at UK universities, which was attended by members of the APPG on antisemitism, the Board of Deputies of British Jews, the Union of Jewish Students and others.

UUK also monitored the Women and Equalities Committee's inquiry into sexual harassment and sexual violence in schools, which reported in September 2016. The Taskforce has taken the inquiry's evidence and findings into account in the development of its work, recognising

⁶⁷ For more details, including a note of the meeting see <http://universityappg.co.uk/meetings/stamping-out-sexual-harassment-and-%E2%80%99lad-culture%E2%80%99-university-sector>

both the importance of having a joined-up approach across educational sectors⁶⁸ and the role of schools in the provision of personal, social and health education (including consent and healthy relationships). Furthermore, the Chair of the Taskforce Nicola Dandridge met with Maria Miller MP, Chair of the Women and Equalities Select Committee to discuss both reports and common themes and messages. They also co-authored an article to raise awareness of the work of both the Taskforce and Committee and the important role schools and universities play in preventing and responding to sexual violence and harassment.

LIST OF CONTRIBUTING ORGANISATIONS

- Association of Heads of University Administration
- Association of Managers of Student Services in Higher Education
- Association of University Chief Security Officers
- Board of Deputies of British Jews
- British Council
- British Universities and Colleges Sport
- Centre for Feminist Research, Goldsmiths, University of London
- Community Security Trust
- Conservatoires UK
- End Rape on Campus
- End Violence Against Women Coalition
- Equality Challenge Unit
- Everyday Sexism
- Galop
- The Global Foundation for the Elimination of Domestic Violence
- Islamic Human Rights Commission
- Jewish Leadership Council
- LimeCulture
- McAllister Olivarius
- National Union of Students
- Police Association of Higher Education Liaison Officers
- Rape Crisis England and Wales
- Stonewall
- StopHate UK
- Tell MAMA (Measuring Anti-Muslim Attacks)

⁶⁸ <http://www.universitiesuk.ac.uk/policy-and-analysis/reports/Documents/2016/uuk-response-to-wec-inquiry.pdf>

- True Vision
- Union of Jewish Students
- University Jewish Chaplaincy
-

LIST OF CONTRIBUTING UNIVERSITIES

- Aberystwyth University
- Aston University
- Bangor University
- Birmingham City University
- Brunel University London
- Canterbury Christ Church University
- City University London
- Coventry University
- Cranfield University
- De Montfort University
- Durham University
- Guildhall School of Music and Drama
- Heriot-Watt University
- Keele University
- Lancaster University
- Leeds Trinity University
- Loughborough University
- Manchester Metropolitan University
- Middlesex University
- Newcastle University
- Northumbria University
- Nottingham Trent University
- Queen Mary University of London
- SOAS, University of London
- Southampton Solent University
- St George's, University of London
- Staffordshire University
- The University of Edinburgh
- The University of Hull
- The University of Manchester

- The University of Nottingham
- The University of Sheffield
- The University of Winchester
- Ulster University
- University of Aberdeen
- University of Brighton
- University of Bristol
- University of Cambridge
- University of Chester
- University of Derby
- University of East Anglia
- University of Essex
- University of Exeter
- University of Glasgow
- University of Gloucestershire
- University of Greenwich
- University of Hertfordshire
- University of Huddersfield
- University of Kent
- University of Leeds
- University of Leicester
- University of Liverpool
- University of Oxford
- University of Reading
- University of South Wales
- University of Stirling
- University of Sunderland
- University of Surrey
- University of Sussex
- University of the Arts London
- University of Worcester
- York St John University

ANNEXE C: EVIDENCE

1. EVIDENCE ON VIOLENCE AGAINST WOMEN AND SEXUAL HARASSMENT AFFECTING STUDENTS

Published research

In the last two to three years there have been campaigns by the National Union of Students (NUS), the media and the End Violence Against Women Coalition (EVAW) to highlight the impact of ‘lad culture’, sexual harassment and violence against women whilst at university. This included a legal briefing by EVAW which was sent to all vice-chancellors to support the sector in understanding their legal obligations, *Spotted: Obligations to Protect Women Students’ Safety & Equality*.⁶⁹ The media has also taken a particular interest in ‘lad culture’ and sexual harassment – including a campaign by *The Telegraph* urging universities to do more and a number of articles focusing on the improvements needed to support students if they are affected by sexual harassment or violence.⁷⁰

In 2014, the annual report⁷¹ produced by the Chief Executive of the Office of the Independent Adjudicator for Higher Education (OIA) (England and Wales) identified sexual harassment and ‘lad culture’ as an emerging issue of concern and urged universities to take a more proactive approach to dismantling laddish culture.⁷²

At government level, in 2010 the coalition government published *A Call to End Violence Against Women and Girls*, followed by an *Action Plan* in 2014 which set out the government’s vision for eliminating violence against women and girls.⁷³ This was followed by an updated strategy published in March 2016 which includes reference to the Universities UK Taskforce and its role in improving the effectiveness of both prevention and response to incidents.⁷⁴ This area therefore continues to be a focus of government policy, with universities expected to play a part in tackling the problem.

The number of prosecutions relating to violence against women and girls (VAWG) in England and Wales has been increasing and reached their highest level yet in 2015–16. The Crown Prosecution Service’s (CPS) Violence Against Women and Girls Crime Report 2015–16 found that the number of VAWG crimes prosecuted rose by almost 10% on 2014–15 to 117,568.⁷⁵

In April 2015, two new offences relating to domestic abuse came into force under the Serious Crimes Act 2015: one to tackle the problem of ‘revenge pornography’ (disclosing private sexual images without consent) and the other to make ‘controlling or coercive behaviour’ within intimate relationships a crime. Although the Taskforce has received no official evidence of how students are impacted, the Taskforce was alerted to the phenomenon of

⁶⁹ Available at http://www.endviolenceagainstwomen.org.uk/data/files/Spotted_-_Obligations_to_Protect_Women_Students_Safety_Equality.pdf

⁷⁰ <http://www.telegraph.co.uk/women/womens-life/11343380/Sexually-assault-1-in-3-UK-female-students-victim-on-campus.html>

⁷¹ <http://www.oiahe.org.uk/media/99897/oia-annual-report-2014.pdf>

⁷² <https://www.timeshighereducation.co.uk/news/tackle-laddish-conduct-more-vigorously-oia-head-says>

⁷³ *Call to End Violence Against Women and Girls: Strategic Vision* (November 2010) and *Call to End Violence Against Women and Girls: Action Plan 2014* (March 2014).

⁷⁴ *Ending violence against women and girls, Strategy: 2016 – 2020* (March 2016).

⁷⁵ p.4, Crown Prosecution Service, *Violence Against Women and Girls Crime Report 2015-16* (September 2016).

revenge pornography taking place at universities. The director of public prosecutions has linked its growth to the use of the internet and social media, with 206 cases taken to court in the year covered by the CPS report.⁷⁶

National Union of Students campaign to address 'lad culture' and sexual harassment

The NUS has been particularly active in highlighting their concerns in this area, and define 'lad culture' as 'a group or pack mentality residing in activities such as sport and heavy alcohol consumption and 'banter' which was sexist, misogynist, or homophobic'.⁷⁷

The NUS' call for action followed a number of student surveys and pieces of research into students' experiences of this type of behaviour. A summary of the findings from this research is set out below.

Hidden Marks: a study of women students' experiences of harassment, stalking, violence and sexual assault (2010)

- One in seven experienced a serious physical or sexual assault during their time as a student.
- 68% of respondents reported that they had been subject to verbal or physical sexual harassment on campus and in some of these experiences were on a daily basis, representing normalised behaviour.
- One in ten victims of serious sexual assault reported that they were given alcohol or drugs against their will before the attack.

In August 2012, the NUS commissioned the Centre for Gender Studies at the University of Sussex to conduct a piece of research on campus culture and explore the experience and views of female students. This included a literature review of the evidence of 'lad culture' set in the context of gender issues and higher education policy. This resulted in the report, *That's what she said: women students' experiences of 'lad culture' in higher education*.⁷⁸

The findings revealed that:

- 'lad culture' is often heavily associated with the social side of university life
- many participants had altered or limited their nightlife activity as a result of 'lad culture' behaviour
- impact on the educational experience at university appears to have been less affected, although there was some feedback on the existence of negative attitudes towards feminism and gender-related topics within courses
- participants identified strong connections between 'lad culture' and the values, attitudes and behaviours that occurred on their campuses, suggesting that where 'lad culture' is thought to be prevalent, it can have a far-reaching impact on campus

⁷⁶ p.11, *Violence Against Women and Girls Crime Report 2015-16*.

⁷⁷ NUS, *That's what she said: women students' experiences of "lad culture" in higher education* (2012).

⁷⁸ Ibid.

- the behaviours associated with ‘lad culture’ were not seen as the particular ‘preserve of the privileged’ as some of the existing research had suggested
- ‘lad culture’ behaviour was not restricted to men

The research also highlighted that while there were clearly other influences which shaped a student’s experience of university, where ‘lad culture’ is present it remains an influencing factor. This led the researchers to suggest that there was little in place to deal with the behaviour and attitudes identified as creating this culture on campus.

In 2014, the NUS also held a summit on ‘lad culture’ which led to the development of a national strategy team. An audit of institutional and students’ union approaches to tackling ‘lad culture’ was carried out. The audit analysed the policies, training, education and support services that institutions and students’ unions had put in place to tackle ‘lad culture’. The policies the NUS considered relevant were dignity at work, equality and diversity, alcohol and substance abuse, violence and harassment, and bullying and safe spaces.

The audit revealed that:

- many students’ unions and institutions lacked policy to directly address ‘lad culture’
- some equality and diversity and bullying and harassment policies were ill-defined, often not relevant to ‘lad culture’, and at times unclear on what constitutes sexual harassment and assault
- 51% of institutions had a formal policy on sexual harassment
- one in ten had a policy that covered the display of sexist and discriminatory material
- many institutional complaints procedures put the onus on the victim to try and resolve matters ‘informally first’
- only one in ten students’ unions (11%) provided training
- 32% of students’ unions provided sexual consent workshops
- 6% of institutions had included consent as part of their curriculum

The NUS developed a ‘lad culture’ pilot scheme, partnering with nine institutions and students’ unions to implement an effective strategy for tackling ‘lad culture’. As a result, a benchmarking tool has been developed to help all universities in achieving this, and sets out five principles to tackle ‘lad culture’ along with guidance on implementing each principle.⁷⁹

In 2015, the NUS carried out a poll of new students’ awareness of sexual harassment reporting procedures at university. The survey was conducted with 2,670 respondents from a nationally significant sample frame.⁸⁰ The survey found that:

⁷⁹ <http://www.nusconnect.org.uk/resources/5-principles-of-tackling-lad-culture-benchmarking-tool>

⁸⁰ See <http://www.nus.org.uk/en/news/nus-research-reveals-one-in-four-students-suffer-unwelcome-sexual-advances/>

- 17% of respondents stated they had been victims of some form of sexual harassment during their first week of term.
- 29% had witnessed sexual harassment directed at somebody else.
- The most significant forms of harassment were unwanted sexual comments about people's bodies. 59% of these incidents were reported to have happened at social events or night clubs and a further 33% in halls of residence.
- Over half of the respondents were not made aware of any university codes of conduct.
- Over half stated that they were not aware of the procedure to report these incidents.

Further to this research, the NUS also launched the '#StandByMe' campaign in November 2015 which called for institutions to reject the Zellick guidelines (see chapter 6 of the main report). A consultation was launched in April 2016 to collect students' unions views on what should be in place to support students affected by assault and other forms of sexual violence. There were only 13 respondents but the results were combined into a manifesto outlining the NUS' recommendations to the UUK Taskforce.⁸¹ These reflect many of the areas that have been addressed by the Taskforce.

Recent research commissioned by the alcohol education charity Drinkaware surveyed 2,004 students across the UK concerning their experiences on nights out. The survey found that 54% of 18–24-year-old female students experienced sexual harassment on nights out. Of these women, half said that this is experienced most or every time they go out. 15% of male students also said they have experienced sexual harassment on a night out. Drinkaware and UNILAD have teamed up to campaign against the normalisation of sexual harassment, and to raise awareness of the role that alcohol can play in this. This displays that the apparent link between alcohol and the normalisation of behaviour which constitutes sexual harassment continues to exist among students at universities. Although there is no official research to confirm this link, the evidence reviewed and received by the Taskforce does suggest that incidents of sexual harassment often happen in conjunction with the consumption of alcohol.

Wider stakeholder evidence on violence against women and sexual harassment affecting students

We received input from a number of experts and specialist organisations in relation to the extent of violence against women, sexual assault and sexual harassment affecting university students. This includes ERAW, End Rape on Campus (EROC), Rape Crisis, The Global Foundation for the Elimination of Domestic Violence (GFEDV), the Centre for Feminist Research (CFR), Professor Heidi Safia Mirza⁸², McAllister Olivarius solicitors⁸³ and British Universities and Colleges Sport (BUCS).

⁸¹ <http://www.nusconnect.org.uk/resources/student-survivor-support-the-standbyme-manifesto>

⁸² Professor of Race, Faith and Culture, Goldsmiths College University of London.

⁸³ Dr Ann Olivarius, Senior Partner at McAllister Olivarius, established sexual harassment as a form of legal discrimination under US Title IX legislation as a plaintiff in *Alexander v Yale* 35 years ago. McAllister Olivarius specialises in representing people who have faced discrimination and unfair treatment in higher education in the US and the UK.

Government statistics show that females aged between 16 and 19 are at the highest risk of being a victim of a sexual offence (8.2%) with an increased risk of victimisation for full-time students of 6.8%.⁸⁴ EVAW highlights that this is also echoed in Rape Crisis service user data for 2014–15, where roughly 28% of service users were in the 18–25 age bracket. In its own survey conducted in 2012, EVAW found that 43% of young women (aged 18–24) in London reported having experienced sexual harassment in public places in the previous year.

The law firm McAllister Olivarius frequently represents university students who have experienced sexual harassment or sexual violence, and believe that the UUK Taskforce presents an opportunity to establish a ‘clear, enforceable framework for trying to decrease the incidence of harassment and sexual violence at university’, as well as to help victims deal with the psychological and emotional impact and to advise and support them in asserting their legal rights.

A major challenge highlighted by McAllister Olivarius is the decentralised model of many UK universities which can inhibit an effective and consistent cross-university response. This distributed structure can mean it is difficult for a student to know where and who to report to, and that the response a student receives may vary depending upon who has responsibility for providing support to the student or who the student chooses to speak to. The role of the police, and the importance of specialist education and training in relation to these crimes as they affect young people, is also highlighted as a priority area for improvement.

The input of Rape Crisis highlights a number of important insights when considering how the higher education sector can better respond to violence against women and sexual harassment. Rape Crisis Centres (RCCs) have reported a number of issues:

- **Limited understanding** about sexual violence and the need for specialist support services – the limited understanding by university staff, sometimes including welfare staff, of sexual violence and the need for referral to independent specialist support services. There does not always seem to be a clear understanding of the difference between a Rape Crisis Centre (RCC) and a Sexual Assault Referral Centre (SARC)⁸⁵ and some institutions have policies that their own welfare advisors will carry out the support work rather than make a referral. This may not be appropriate where there has not been specialist training for staff.
- **Inconsistency** of institutional approach and response – evidence from RCCs indicate inconsistent responses between and within institutions, with responses to sexual violence often based on how a particular staff member handles the situation. There is also inconsistency across the sector in the engagement that universities have

⁸⁴ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/214970/sexual-offending-overview-jan-2013.pdf. Based on analysis of survey data over three years from 2009–10 to 2011–12.

⁸⁵ Rape Crisis Centres (RCC) provide free, confidential specialist help for women and girls who have been raped or experienced any other form of sexual violence. Its services are for women of all ages and girls over 14. Services include emotional and practical support, one-to-one counselling, group support and advocacy. A Sexual Assault Referral Centre (SARC) is a special facility where recent victims of rape or sexual assault can receive immediate help and support. This includes access to a forensic medical examination, which is carried out by an experienced and qualified doctor, and the opportunity to speak to the police about what has happened to them if the client wishes to do so. Crisis Workers are also on hand to support them and stay with them throughout the process.

with RCCs. There are excellent examples of RCCs and universities working very effectively together, including arrangements such as the delivery of training by RCC staff to university staff. However, there is also evidence that many institutions have no engagement with their local RCC and do not refer students to their services. Rape Crisis believes there is little data available on disclosures and responses at an institutional level, making it difficult to assess the consistency of university responses.

- **Lack of funding** – Most RCCs receive no funding from universities, even when providing training and support to university staff. Rape Crisis have called for institutions to contract with local RCCs and provide funding for the delivery of services and training.

Evidence of the inconsistency of approaches across the sector is also highlighted in the response of the GFEDV. It argues for a ‘youth-led’ dialogue in creating a framework for universities to prevent and address domestic violence where it affects students. The Eliminate Domestic Violence Youth Council – which aims to raise awareness and tackle domestic violence affecting 16–24-year-olds in the UK – has led several workshops at universities and has created a toolkit on domestic violence in partnership with the NUS. The focus of this is on educating students about the signs of domestic violence and how they can help to tackle the problem, rather than on the role of the institution.⁸⁶

Staff to student sexual harassment and sexual violence

The UUK Taskforce has been made aware that staff to student sexual harassment is also a problem which needs to be acknowledged and tackled. The Taskforce takes this very seriously and has identified this as a potential area of further work for UUK.

The submission made by CFR focused on staff to student sexual harassment and sexual violence within the higher education sector, particularly academic staff and postgraduate students. Data from 2013–14 shows that 22% of professors in the UK are female and women make up a third of academic staff (excluding professors). They suggest that this gender imbalance may contribute towards unacceptable staff behaviour remaining hidden and refer to the difficulties that staff members may face in attempting to speak out against a colleague. CFR believe that there is a lack of research in this area and this problem has remained fairly insulated; cases are dealt with internally and confidentiality agreements often signed.

CFR believe consistency is lacking in institutional policy and procedures, and have particular concerns with complaints procedures. Internal complaints procedures can create a conflict of interest where complaints are forwarded to the head of the same department in which the alleged harasser is a staff member. CFR’s submission also reflects the wider concern with university procedures for recording incidents, and the extent to which this is dealt with informally rather than on the basis of an institution-wide policy promoting a systematic approach. They recommend that best practice guidelines are developed for complaints procedures, recording, disciplinary procedures, investigative procedures and how to provide support to students. Although specific to the issue of staff to student harassment, these areas

⁸⁶ <http://beta.nusconnect.org.uk/resources/edv-youth-council-and-nus-eliminate-domestic-violence-toolkit>

are very much in line with key areas for improvement highlighted across the wider stakeholder group and in the research considered.

Furthermore, they echo the call for more specialist training, specifically for academic and support staff working with postgraduate students. They argue that existing codes of conduct covering relationships between staff and students are inadequate and that UUK should consult with the NUS and the University and College Union to develop a code of conduct which could be put on a statutory footing to ensure it is enforceable and help to prevent serial perpetrators moving between institutions.

A submission was also made concerning staff to student sexual harassment, exploitation and abuse specifically in relation to tertiary music education, with a focus on the conservatoires. The authors of the submission argue that allegations of serious sexual exploitation have been made across a number of the UK conservatoires, though there does not appear to be data on this. The submission reports particular problems in relation to disclosure, reports of student complaints being dismissed and poor institutional response to whistleblowing. These must be addressed in clear policies and procedures which protect students and ensure that their complaints are heard. The authors also call for improved training, research into the way abuse occurs in a music education context and how institutions should respond to this, and a code of conduct for staff in classical music higher education institutions.

UUK also received evidence from Conservatoires UK (CUK) which highlighted guidance developed within the conservatoire sector to ensure safe and mutually respectful working practices between staff and students over 18. This followed a small number of cases – the majority of which took place in the 1970s and 1980s – where conservatoire staff committed crimes of rape and sexual assault against female students. In response to these historic failings the conservatoire sector has developed CUK's *Principles of Best Practice in Teaching* which set out guidelines for safe working practices with students over 18, particularly in one-to-one teaching settings. They include guidelines on physical contact between teacher and student that is necessary for the student's learning; safe and comfortable teaching spaces that incorporate a proportionate degree of external visibility; and the use of teaching spaces that are approved by the institution with any off-site teaching, where this is permitted, being subject to prior approval by the institution.

The *Principles* state that, where students are aged 18 or over, teachers are strongly discouraged from establishing or seeking a sexual relationship with students and that each conservatoire is expected to have its own policies and procedures to deal with any such occurrence. This includes procedures for both students and staff to report concerns and how to seek advice and support if they believe that institutional policies, procedures and practices are not being followed. The Conservatoires UK Student Network also acts as an important focus for the student voice across the sector, and provides a conduit for issues of particular concern to conservatoire students to be addressed at a high level through the Conservatoires UK Board.

Forced marriage

There is no legal definition of violence against women in the UK. It generally includes sexual violence and rape, stalking and harassment, domestic violence, trafficking of women, female

genital mutilation, forced prostitution, forced marriage and 'honour' crimes.⁸⁷ The UN defines violence against women as:

'...any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.'⁸⁸

In their submission to the Taskforce, EVAW draws particular attention to forced marriage affecting university students, due to its prevalence among university age women. In 2015, the government's Forced Marriage Unit (FMU) gave advice or support in 1,220 cases, 35% of which involved victims aged 18–25.⁸⁹ In 2013, the FMU funded research into how colleges and universities respond to cases of forced marriage⁹⁰, indicating that government sees the role played by both higher and further education institutions as significant.⁹¹

The research was carried out by professors at London Metropolitan University in order to gather evidence of how colleges and universities respond to students affected by forced marriage and other forms of sexual or domestic abuse. A good practice guide was produced for the sector, as well as a suggested template of information that institutions could make available on their websites. Following analysis of in-depth interviews with university staff, religious leaders, service providers and police officers, the study found that:

- Violence against women – and forced marriage in particular – was 'largely invisible' to university staff.
- There were problematic assumptions made by some staff, including a lack of understanding about the difference between forced and arranged marriage.
- There also appeared to be an assumption that a student concerned about forced marriage would be willing to come forward with their concerns and a lack of recognition that there would likely be underreporting in this area, suggesting limited understanding of the circumstances within which forced marriage can occur and the barriers which may prevent an individual speaking out.
- There was a lack of specialised staff training on forced marriage and how to deal with it, along with the absence of a strategic or systematic institutional response.

The report questions the usefulness of broad policies that do not encourage specialised staff training or recording of the gender of both the victim and perpetrator in statistics. This suggests that while broad institutional policies are necessary, it is still important to ensure that specialist knowledge and support is available.

⁸⁷ <https://www.amnesty.org.uk/violence-against-women>

⁸⁸ *UN Declaration on the Elimination of Violence Against Women* – see <http://www.un-documents.net/a48r104.htm>

⁸⁹ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/505827/Forced_Marriage_Unit_statistics_2015.pdf

⁹⁰ http://www.amossh.org.uk/sites/default/files/u3152/2395_LMU_Forced_Marriage_Report.pdf

⁹¹ http://www.amossh.org.uk/sites/default/files/u3152/2395_LMU_Forced_Marriage_Report.pdf

Conduct of university sports teams

In recent years there have been numerous negative media articles focusing on ‘lad culture’ and sexual harassment linked to university sports clubs. To investigate this further, UUK met with British Universities and Colleges Sport (BUCS), which has been carrying out a substantial amount of work to tackle ‘lad culture’ in university sports clubs. BUCS reported that there is no centralised data available to show the scale of the problem nationally, but that they were aware of significant anecdotal evidence.

In response to these problems, the BUCS ‘Take A Stand’ campaign has been developed to support institutions with the tackling and prevention of anti-social behaviour where it arises in a university sports context, and does not focus on sexual harassment alone.⁹² It includes a guidance document covering racism, sexism, LGBTphobia, alcohol and drug abuse, crowd behaviour, initiations, and faith and culture. Tips for prevention, training and case study examples are provided. A charter has also been developed which individual sports clubs can sign to demonstrate their commitment to the principles of the campaign.

BUCS have also run successful training sessions aimed at sports club executive committee members to help raise awareness of the nature of ‘banter’ and what constitutes harassment. The training also intends to equip clubs to respond to, and diffuse, the type of behaviour that can lead to sexual harassment, or indeed other forms of harassment or hate crime. BUCS reported that a peer-led, train the trainer approach has been effective and could be replicated more broadly across an institution.

It can appear – particularly from media reports – that ‘lad culture’, misogynistic behaviour and sexual harassment are rife among university sports teams. Both the teams and the individuals who make up these clubs can be highly influential among their peers. This can encourage the type of pack mentality and tacit condoning of unacceptable behaviour which results in harassment. However, BUCS have also used the influential position of these students to help stamp out this kind of behaviour. By educating and training active members of the student body, the ‘trickle down’ effect can be far reaching. This type of approach could be explored further in trying to address issues associated with pack mentality, particularly where unacceptable behaviour has become normalised.

International experiences

UUK has reviewed some of the evidence available relating to international initiatives to address sexual violence and harassment.

In the United States of America, there has been a considerable volume of work focusing primarily on university responses to sexual assault. The legal context is very different in the US where universities possess greater investigatory powers under Title IX of the Education Amendments of 1972. Nonetheless, there appears to be scope for the UK to draw upon US experiences to enhance university responses. UUK is aware of several UK universities that are already doing this, for example drawing on the sexual misconduct processes adopted by institutions such as Yale University.⁹³

⁹² <http://www.bucs.org.uk/page.asp?section=18789§ionTitle=What+is+per+cent23TakeAStand+per+cent3F>

⁹³ <http://smr.yale.edu/sexual-misconduct-policies-and-definitions>

White House Task Force to protect students from sexual assault

A number of responses have referenced the work that has been carried out by the White House Task Force to Protect Students from Sexual Assault. *Not Alone: The First Report of the Task Force* sets out the key aspects of an effective institutional response, as identified in the research.⁹⁴ There is significant overlap between the aspects outlined below and the core principles that have been identified in chapter 2:

- Someone a survivor can talk to in confidence.
- A comprehensive policy: the White House Task Force has created a checklist for universities.
- Better disciplinary systems: the report stated that the Justice Department intended to conduct an assessment of different models for investigating and adjudicating campus sexual assault cases in order to identify best practice.
- Partnerships with the community: the Task Force developed template memoranda of understanding that universities can refer to when establishing relationships with local RCCs and local law enforcement agencies, stressing the importance of putting in place effective relationships with external bodies.
- Greater transparency and improved enforcement.

The Task Force also launched a dedicated website, notalone.gov, which provides advice, emergency contact numbers, details of a victim's legal rights, step-by-step guidance on how to make a complaint and advice for bystanders. The guidance provided for universities builds upon the key aspects listed above. Resources include:

- advice on legal obligations
- a guide to developing policies and procedures – including the checklist to help universities draft a comprehensive policy, as mentioned above
- guidance on developing partnerships with local RCCs including a template memorandum of understanding
- template memorandum of understanding with local police
- links to specialist support organisations, which can also be searched by area

The role of campus police

In February 2016, the Institute on Domestic Violence and Sexual Assault at the University of Texas at Austin published a comprehensive guide on the role of campus police in responding to sexual assault.⁹⁵ This publication is intended to serve as a toolkit for police at all levels. It provides detailed guidance to help campus police understand as fully as possible: what campus sexual assault is; how it can occur; the circumstances that are associated with it;

⁹⁴ *Not Alone: the first report of the White House Task Force to Protect Students from Sexual Assault* (April 2014).

⁹⁵ Institute on Domestic Violence and Sexual Assault at the University of Texas at Austin, *The Blueprint for Campus Police: responding to sexual assault* (February 2016). Available at <https://utexas.app.box.com/blueprintforcampuspolice>

barriers to reporting and strategies to counter these; and the legal obligations of a university. Toolkits are provided for chief executives, investigators and patrol officers. These provide practical guidance, such as how to conduct victim-centred investigations and good practice for those responsible for first response.

The evidence gathered by UUK suggests a fairly wide variation in police and university responses. There is a significant issue of underreporting and a tendency for survivors to feel as though the police will not take them seriously. The US toolkit aims to address similar problems and guide campus police forces through the complexities of responding to incidents of sexual assault.

Australia

In February 2016 Universities Australia announced the launch of the ‘Respect. Now. Always.’ campaign to prevent sexual assault and harassment in Australian universities.⁹⁶ This sector-wide campaign will focus on raising awareness, providing clear support pathways and encouraging a zero-tolerance stance on sexual assault and harassment. The sector is working to:

- seek more comprehensive Australian data on sexual assault and harassment in universities through a national survey
- participate in a review and update of policies and procedures at universities to prevent sexual assault and harassment
- share global best practice models for reporting incidents and supporting students who disclose sexual assault or harassment

Stage 1 of this work has focused around developing promotional materials for the campaign which individual universities can use to demonstrate that they take a zero-tolerance approach to sexual assault and sexual harassment.

Stage 2 will be a survey of 60,000 students to understand their experiences and the support they received from their university. Stage 3 of the project will involve analysis of the survey data. This analysis will be used to produce a national report for the sector, as well as individual reports for each institution, benchmarking them to the rest of the sector.

Canada

In Canada, work towards tackling sexual violence on campus is not as far progressed as in the US, but it has gained more attention in recent years. A number of specific initiatives include:

- the development of an online resource for university presidents developed by an Association of Universities and Colleges in Canada taskforce to provide advice on how to use orientation-week activities to talk about sexual violence

⁹⁶ Available at <https://www.universitiesaustralia.edu.au/Media-and-Events/media-releases/Respect--Now--Always--University-sector-launches-new-campaign#.VtBkOE1ybcv>

- a number of institutions now have working groups and taskforces to develop policies on sexual assault awareness, prevention and response (including York University and the University of British Columbia, and Saint Mary's)
- a number of student-led initiatives have been funded at the federal level, including a campus health survey and the development of a bystander programme⁹⁷

Legal obligations of UK universities in relation to sexual violence and harassment

UUK sought input from the sector on the continued relevance of the 1994 report of the Council for Vice-Chancellors and Principals (CVCP), *Final Report of the Task Force on Student Disciplinary Procedures*, commonly known as the Zellick guidelines. This guidance covers all criminal offences and is not just applicable in relation to sexual violence, however it is particularly in relation to this area that concerns have been raised. The majority of responses from institutions maintain that Zellick still has some relevance.

Evidence from End Rape on Campus (EROC) suggested a lack of understanding across the sector on the legal obligations of universities in cases where students report a rape. EROC questioned the relevance of the Zellick guidance and its impact on the way that universities handle incidents of sexual violence and harassment. The concern is that strict adherence to the principle that an institution should not take investigative action in the absence of a report to police may contravene the legal obligation on universities to create a safe environment for students, as highlighted in EVAW's legal briefing to the sector.⁹⁸

Rape Crisis' evidence argues that the Zellick guidelines put too great a focus on whether the survivor is telling the truth, rather than ensuring that the necessary support is in place. They are concerned that the guidelines appear to be widely in place across the higher education sector. The Centre for Feminist Research (CFR) also believe the guidelines to be outdated, and the NUS has called for Zellick to be scrapped and new guidance developed.

Following the second meeting of the Taskforce it was decided that UUK should undertake a review of the Zellick guidelines. The law firm Pinsent Masons was appointed to provide legal advice and develop new guidelines. This is discussed in Chapter 6 of the main report.

2. EVIDENCE ON HOMOPHOBIA AND GENDER IDENTITY BASED HARASSMENT AND HATE CRIME

Published research

There are several reports that examine homophobia on campus.

1. 2008, *Ellis study – Diversity and inclusivity at university: a survey of the experiences of lesbian, gay, bisexual and trans (LGBT) students in the UK*

This survey examined the experiences of 291 LGBT students from 42 UK universities. One in four students surveyed said they had been victims of homophobic harassment on at least one

⁹⁷ <http://www.universityaffairs.ca/features/feature-article/ending-sexual-violence-campus/>

⁹⁸ EVAW, *Spotted: Obligations to Protect Women Students' Safety and Equality. Using the Public Sector Equality & the Human Rights Act in Higher and Further Education Institutions to Improve Policies and Practices on VAWG* (January 2015).

occasion. Almost one in four respondents had feared for their safety because of their sexual orientation or gender identity and half have concealed this to avoid intimidation. Ellis concluded that although homophobic incidents on campus are low, they are frequent enough to create a climate of fear, and fear of harassment.⁹⁹

2. *Equality Challenge Unit – Experience of lesbian, gay, bisexual and trans staff and students in higher education: research report 2009*

The Equality Challenge Unit (ECU) conducted a survey in 2009 on the experiences of LGBT students and staff which revealed similar results to the Ellis study. The ECU's survey also found that institutions' policies on equality and inclusion are a significant factor in the choice of institution for 15% of LGB and 24% of trans students. The report found that overall, LGBT students have a positive view of higher education and tend to think of university as a safe place. However, the report made a series of recommendations on improving the experience of LGBT students and improving procedures to protect students from homophobic and transphobic behaviour.

3. *NUS, Education beyond the straight and narrow: LGB+, trans, bullying and harassment on campus, 2014*

This report sought to further understand the experiences and attainment of LGBT+ students in higher education. Research took place in 2014 with around 4,000 respondents from 80 institutions. Key findings include:

- Two in ten trans students feel completely safe on campus, half that of heterosexual students (43%) and less than LGB+ students (36.7%).
- One in five LGB+ and one in three trans students have experienced at least one form of bullying or harassment on campus.
- LGB+ students are more likely to consider dropping out. The main reason for considering this is the feeling of not fitting in.
- 51% of trans respondents had seriously considered dropping out of their course.
- Trans respondents are twice as likely as LGB+ students to have experienced harassment (22% vs 9%), threats or intimidation (13.5% vs 6%) or physical assault (5% vs 2%).
- Reporting levels of verbal or physical harassment, threats and intimidation are low – 16% of those who experienced physical assault based on (perceived) sexuality or gender identity reported it to the police.
- Negative behaviour was mostly reported to tutors (45.5%), a friend (40%) or students' union (26.8%).
- LGBT+ students seem to feel more comfortable as part of students' union.

⁹⁹ Ellis, S. J. (2008). 'Diversity and inclusivity at university: a survey of the experiences of lesbian, gay, bisexual and trans (LGBT) students in the UK.' *Higher Education*, 57 (6), pp. 723–739.

- 45% of LGB+ respondents and 52% of trans respondents were aware that their university has an LGBT+ society before applying to study there.
- Perpetrators of homophobic and transphobic bullying were most often identified as being male students.
- Some women respondents identified homophobia as being part of 'lad culture'.

The Metro Youth Chances research – a survey of young people's (16–25) experiences of identifying as LGBTQ – considers experiences of university students.¹⁰⁰ This was an online survey of 7,126 respondents, of which 6,514 were LGBTQ. A high number of respondents reported that fellow students were speaking up against homophobia, biphobia and transphobia (77% and 74% of LGBQ and transgender respondents respectively) and 68% of both LGBQ and transgender respondents said that there was a policy they knew of to protect staff and students.¹⁰¹ Another report on LGBT+ student experiences, *Freshers to Finals*, found that university engagement with issues affecting these students took place periodically rather than systematically, for example during LGBT History Week and local Pride events. There is often a feeling that student-led LGBTQ societies carry out the most activity in this area, rather than the university.¹⁰² This research again suggests that a range of approaches, and student perceptions of these, vary substantially across the sector. It also suggests that while universities may have policies in place, these are not necessarily linked to wider awareness raising activity.

Although the numbers of students who report harassment on the basis of identifying as LGB+ or trans appear to be low, the NUS study reveals that incidents have a big impact on university experiences. The research suggests that LGBT students who have experienced a form of homophobic, biphobic or transphobic harassment are two to three more times likely to consider leaving their course.¹⁰³ LGB+ students are also more likely to consider dropping out than heterosexual students and the main reason for this is the feeling of not fitting in. Further, there appears to be a particular issue around how accepted trans students feel on campus. Thus, although the evidence suggests that the number of incidents may be low, the report advocates that universities and students' unions should do more to prevent unwanted behaviour and provide support for those individuals who need it.

Wider stakeholder evidence

Stonewall has also been active in this area previously and has developed a guide which scores each university against a checklist of ten criteria they believe universities should have in place in order to provide the best environment for LGBT students. This checklist is currently under review and due to re-launch in 2016. In 2012, Stonewall published *The School Report (2012)*, which examined the experiences of students in schools and identified various findings of relevance to higher education. The research found that one in three lesbian, gay or bi young people who are bullied consider changing their future educational plans as a result, for instance by deciding not to go to university or college. 20% of LGB students in

¹⁰⁰ Metro Youth Chances, *Survey of 16-25 year olds: first reference report* (2014).

¹⁰¹ Ibid.

¹⁰² Formby, E., *Freshers to Finals* (July 2015).

¹⁰³ NUS, *Education beyond the straight and narrow: LGB+, trans, bullying and harassment on campus* (2014), p.5.

further education colleges had experienced homophobic bullying in the last year. Stonewall believes that the universities that take steps to combat homophobic, biphobic, and transphobic bullying and promote their work in this area will encourage these young people to carry on in education and to apply to study at their institutions.

In addition to examining Stonewall's published research, UUK approached the organisation directly for further input. Stonewall has not conducted any specific research with university students, although their latest hate crime research (2013) did show that the 18–24 age group were most likely to have experienced a homophobic hate crime or incident – 21% of this age group had experienced this in the last three years, compared to 17% in general.

Stonewall's input highlighted that anecdotally, there are some examples of good practice in the sector, such as Brunel University's LGBT Peer Support Network which is made up of four students, both undergraduate and postgraduate and from different backgrounds, who can be approached for advice and support.¹⁰⁴ De Montfort University runs a month-long Student Pride celebration across LGBT History Month, which also provides an opportunity for the university to signal their zero-tolerance approach to hate crimes, bullying and harassment on the grounds of any protected characteristic.

As we have seen from the evidence on violence against women and sexual harassment, Stonewall's own research shows that LGBT+ people can feel that incidents are not serious enough to report. Therefore, awareness raising and communication around these issues should aim to dispel this perception to help break down barriers to disclosure. Institutions should use a variety of outlets to communicate with students to ensure that information is clear and accessible, while also unambiguously indicating the kind of behaviour that will not be tolerated.

Stonewall's recommendations for dealing with harassment or hate crime on the basis of gender identity or sexual orientation at an institutional level call for a focus across very similar factors to those highlighted by the Taskforce:

- anonymous or third party reporting, which is 'explicitly LGBT-inclusive'
- build links with specialist LGBT support services and organisations
- clear monitoring mechanisms should be in place to understand the nature and scale of the problem as far as possible, and any trends in when and where incidents occur
- effective staff training

UUK also engaged with Galop, an LGBT anti-violence and abuse charity.¹⁰⁵ In addition to the above, this highlighted a number of other factors that should be taken into consideration when responding to a student reporting an incident, including:

- Ensure the response is tailored to the person reporting – they should be offered options of how and who they would like to make the report to.

¹⁰⁴ http://www.brunel.ac.uk/data/assets/pdf_file/0006/358323/LGBT-Peer-Support-Poster.pdf

¹⁰⁵ <http://www.galop.org.uk/>

- Having practical mechanisms in place eg if a student wants to move to a different hall of residence.
- To feel believed and respected.
- To be provided with regular updates once have reported to university/students' union/police.
- Well-trained staff.
- Clear referral pathways.

It is also clear that the above considerations are in line with the factors that have been raised in the evidence for responding to reports of violence against women and sexual harassment, suggesting that there are commonalities in the approach.

The Equality Challenge Unit's (ECU) input highlighted the transgender equality report produced by the House of Commons Women and Equalities Committee.¹⁰⁶ In relation to the higher and further education sectors, the Committee observed that levels of bullying and harassment experienced by trans students 'are unacceptable'. They also welcomed an offer from the minister for skills to raise this issue with university vice-chancellors and discuss whether enough is being done when complaints are made. The Committee recommended that government should ensure that all further education and university staff receive gender identity awareness training and that institutions should proactively promote trans equality.¹⁰⁷

The ECU also highlighted the conclusions of the submission made by the University of Sussex's Hate Crime Unit (SHCU) to the Women and Equalities Committee. As the NUS research found, their findings suggest that trans people are more likely than non-trans LGB people to have been a direct or indirect victim of hate crime involving physical assaults, physical assaults with weapons, verbal abuse and online abuse. SHCU's evidence suggests that trans people '...are doubly victimised and affected, above and beyond other commonly stigmatised and harassed groups.'¹⁰⁸ While this research is not based on students alone, the SHCU evidence is the most up to date on the effects on trans and LGB people experiencing hate crime.

A National LGBT Hate Crime Framework Group has been set up by LGBT Consortium¹⁰⁹ to map the range and diversity of LGBT Hate Crime service delivery across the UK. This aims to develop a common programme to increase the overall opportunities for LGBT people to report homophobic, biphobic or transphobic hate crime, focusing on existing services to do so.¹¹⁰ This could provide opportunities for universities to link up with local and regional

¹⁰⁶ <http://www.publications.parliament.uk/pa/cm201516/cmselect/cmwomeq/390/39002.htm>

¹⁰⁷ <http://www.publications.parliament.uk/pa/cm201516/cmselect/cmwomeq/390/39002.htm>

¹⁰⁸ SHCU submission to Women and Equalities Committee available at http://data.parliament.uk/WrittenEvidence/CommitteeEvidence.svc/EvidenceDocument/Women_per_cent20and_per_cent20Equalities/Transgender_per_cent20Equality/written/19415.html

¹⁰⁹ LGBT Consortium is a national membership organisation focusing on the development and support of LGBT groups, projects and organisations.

¹¹⁰ <http://www.lgbthatecrime.org.uk/#project-overview>

organisations that provide support to victims and to ensure that institutions are aware of new referral pathways being established in order to encourage reporting.

3. EVIDENCE ON HARASSMENT/HATE CRIME ON THE BASIS OF RELIGION AND BELIEF

Published research

Concerns have been raised with UUK around incidents of harassment and hate crime on the basis of religion and belief, particularly in relation to antisemitism and anti-Muslim harassment and hate crime. This section sets out the available evidence on these issues as they affect university students.

In 2011, the ECU undertook research to explore whether issues relating to religion and belief were having an impact on the higher education sector at the time. The ECU collected evidence from 3,077 members of staff and 3,935 students. Although this research was not statistically representative, it is important in that it was one of the first attempts to understand whether student and staff experiences on campus differed because of their religion or belief. The research culminated in a report, *Religion and Belief in higher education: the experiences of staff and students (2011)*. Experiences were explored through four themes, one of which was discrimination and harassment on campus, the findings of which are set out below:

- An overwhelming majority of both staff (80.2%) and students (92.4%) either agreed or strongly agreed that their institution created an environment where they felt valued and welcomed.
- There was no clear pattern in the religion or belief identities of those who did not indicate that they felt valued.
- Around a quarter of Jewish students (20 students in total) said that they felt discriminated against or harassed.
- Around 16% of Sikh respondents (6 students in total) said that they had felt discriminated against or harassed.
- 14% of Muslim survey respondents (50 students in total) said they felt discriminated against or harassed.¹¹¹

As research into other areas of harassment, hate crime and violence against women suggests, incident reporting here is also low. The ECU survey found that less than 1.7% of student respondents had made a complaint since 2003. The report cited two differing views on why this might be the case: first, that higher education institutions are tolerant and respectful environments and therefore there were low levels of discrimination and harassment, and secondly, that individuals were reluctant to report incidents. Ensuring that an individual feels safe to report an incident is crucial.

The study suggests that the vast majority of respondents have not experienced discrimination or harassment on the grounds of religion or belief and that universities have tried to create a tolerant and inclusive atmosphere. However, where it has occurred, the

¹¹¹ ECU, *Religion and belief in higher education: the experiences of staff and students*, (2011), p.78.

impact on the victim is clearly distressing. This is unsurprising and the research exploring harassment on the basis of identifying as LGB+ or transgender suggests a similar situation. This highlights the importance of the implementation of robust policies and procedures, no matter how low the numbers, and ensuring effective development of cross-institutional responses.

Evidence of antisemitism affecting university students

Concerns about antisemitism affecting university students have been raised previously. The NUS, the Community Security Trust (CST) and the Union for Jewish Students (UJS) produced *A Student's Guide to Recognising, Reacting to and Fighting anti-Semitism on Campus* (2010).¹¹²

The CST *Antisemitic Incident Report 2015* sets out that of the 924 antisemitic incidents recorded for that year, the victims in 21 of these cases were Jewish students, academics or other student bodies. 13 of these took place on campus. Around three quarters of the total 924 incidents took place in Greater London and Greater Manchester, which include the two largest Jewish communities in the UK.¹¹³

Despite the relatively low number of reported incidents, Jewish community leaders have raised concerns with UUK about antisemitism on campus. In order to further understand some of these concerns, UUK held a roundtable with student representative groups, university representatives and parliamentarians. The discussion revealed that on the whole Jewish students have a positive experience of university, but there are a number of ongoing issues and occasions where Jewish students feel hostility on campus. Although the CST figures are low, there is a concern that students are not coming forward. In terms of improving the institutional response, these themes align with those drawn out in chapter 3 of the main report and are explored in more detail in this section. In addition to this, a concern was expressed that universities do not always strike the right balance between ensuring freedom of speech and academic freedom, and respect for Jewish students.

Evidence of anti-Muslim harassment and hate crime affecting students

Student groups have expressed concerns that anti-Muslim harassment and hate crime will increase on campus as a result of the government's decision to place the Prevent strategy on a statutory footing, as part of the Counter-Terrorism and Security Act 2015.¹¹⁴ The NUS recently passed a motion at its national conference reaffirming its opposition to the Counter-Terrorism and Security Act, partly on the basis that it 'creates and exacerbates a culture of Islamophobia in the UK'.

The only available evidence on anti-Muslim attacks in the UK appears to be the data produced by the Tell MAMA (Measuring Anti-Muslim Attacks) initiative. Tell MAMA is a confidential and independent third-party hate crime reporting service for individuals who experience anti-Muslim hate incidents and crimes.

¹¹² Available at [https://cst.org.uk/docs/Students per cent20Book per cent202010-for per cent20website.pdf](https://cst.org.uk/docs/Students%20per%20Book%202010-for%20website.pdf)

¹¹³ CST, *Antisemitic Incidents Report 2015* (February 2016).

¹¹⁴ Counter-Terrorism and Security Act 2015, available at <http://www.legislation.gov.uk/ukpga/2015/6/part/5/enacted>

The Tell MAMA Annual Report 2015, *The Geography of anti-Muslim hatred*, sets out that for 2015 1,128 reports of anti-Muslim incidents were received from victims, witnesses and third-party organisations.¹¹⁵ 437 of these incidents or crimes were classified as ‘offline’, referring to where they took place in person between victim (or property) and perpetrator, and this represents a 200% increase over the previous reporting period.¹¹⁶ 364 incidents or crimes were classified as ‘online’, meaning they occurred on social media or other internet-based platforms.

61% of victims for whom details of gender have been recorded were female. 55% of all victims were visibly Muslim, but 75% of all female victims were visibly Muslim. Further to this, in a survey conducted in February 2015, almost one in five British Muslim women agreed that they ‘do not feel safe in Britain’ and 40% felt that most Britons do not trust Muslims.¹¹⁷ There is also evidence to suggest that anti-Muslim attacks against women are often misogynistic.¹¹⁸ Tell MAMA therefore found that anti-Muslim hate is gendered, with Muslim women more likely to be attacked than men in most settings. The data also suggests that white males represent the largest proportion of perpetrators.

When looking at offline incidents reported to Tell MAMA each week during 2015, there are clear spikes immediately following significant international Islamic extremist events. This displays increased anti-Muslim feeling and emphasises the need for universities to remain aware of the impact such events may have on both their students and staff.¹¹⁹

The recorded data does not reveal how many incidents involved Muslim university students or how many took place on university campuses. It is therefore difficult to assess the scale of the problem in the UK higher education sector. However, the findings are still relevant to the higher education sector and provide useful insights for universities when considering both prevention and response. An awareness of this data may help to understand what the potential impact may be on the more localised university community. This in turn can enable institutions to take the appropriate steps to prevent incidents where possible and to ensure processes are in place to respond effectively should an anti-Muslim incident occur. For example, the Tell MAMA data suggests that within London, incidents frequently occur in areas with high access to public transport and close to major roads. Awareness of this is important for understanding how and when students may be affected.

Wider stakeholder evidence

UUK received input from UJS as part of the wider stakeholder engagement, in addition to the antisemitism roundtable. The types of incidents reported to UJS and Jewish societies range from comments and graffiti on campus, to lecturers making inappropriate comments, to acts amounting to the glorification of violence.

UJS reports that in general, where ‘blatant antisemitism’ is involved, such as graffiti, posters or threats to individuals, both university leadership and campus security are supportive and

¹¹⁵ Available at http://tellmamauk.org/wp-content/uploads/pdf/tell_mama_2015_annual_report.pdf

¹¹⁶ Previous reporting period was 12 months to March 2015.

¹¹⁷ p.17, Tell MAMA Annual Report 2015.

¹¹⁸ Ibid. p.18,

¹¹⁹ Ibid. p. 22

swift in their response. Yet there is not always a full understanding of the needs and concerns of Jewish students, including concerns around harassment as a result of antisemitic behaviour. UJS highlighted that there have been past attempts to offer training to university and students' union staff on developing better understanding of the anxieties that Jewish students may have, as well as an improved understanding of the 'broader ethnic and national dimension to Jewish identity'.

UJS state that they would welcome the opportunity to deliver this training and suggest working with other minority group organisations in order to broaden the training to cover a wide range of groups. Though specific to supporting Jewish students, the submission from UJS supports the common focus on effective training and strong external relationships emphasised by the evidence gathered across all of the Taskforce's areas of focus.

UUK has attempted to engage with the Federation of Student Islamic Societies (FOSIS) to gain their input, but none has been provided. The Taskforce has therefore focused on the evidence collected by Tell MAMA, as outlined above.

Intersectionality – women, ethnicity, race and faith

Evidence was also submitted highlighting that some women students are targeted for sexual harassment on the basis of their ethnicity, race and faith, with a focus on black and minority ethnic women.

There is little official, robust evidence on this. The Taskforce received input referring to recently reported evidence which suggests that a rise in religious and race hate crime, exacerbated by a wider climate of anti-Muslim feeling, means that Muslim women are at risk of attacks on campus. The NUS Black Students' Campaign also stated that '72% of Muslim women have experienced verbal abuse and threatening behaviour relating directly to their visible Muslim presence'.¹²⁰ Institutions are advised to develop a better understanding of how the intersectional complexity of race, ethnicity, class, gender and sexuality interacts with religion and belief in higher education in order to respond to and prevent misogynistic attitudes and actions that different women students may face. This includes addressing the way in which curriculums address faith-based, racial and sexual issues in the classroom, as well as the practical way in which these incidents are dealt with.

Hate crime on the basis of other protected characteristics

The focus of the Taskforce has been on the areas outlined above – violence against women and sexual harassment, harassment and hate crime based on gender and sexual orientation, and harassment and hate crime on the basis of religion and belief. It is in relation to these areas that particular problems have been drawn to the attention of UUK including by government, students, campaign groups and institutions themselves. The research and engagement carried out in support of the Taskforce therefore reflects this focus.

However, hate crime on the basis of other protected characteristics also impacts upon students' university experiences. Below we outline some of the evidence available in relation to race and disability hate crime affecting students.

¹²⁰ NUS Black Students' Campaign.

The Home Office *Hate Crime Report 2014–15* provides evidence of reported hate crime by protected characteristic, providing some context on the incidence of hate crime across England and Wales. Data is not provided for the higher education sector specifically. Key statistics for England and Wales include:

- 82% of reported hate crime was on the basis of race
- 11% were sexual orientation hate crimes
- 6% were religion hate crimes
- 5% were disability hate crimes
- 1% were transgender hate crimes

The Home Office report also highlighted that 34% of people who experience hate crime are ‘very emotionally affected’ compared to 14% who experience other types of crime. The emotional and practical support for victims, whether or not they decide to report, is therefore key to an effective institutional response.

Race

The NUS has produced a series of reports covering hate crime affecting students¹²¹ on the basis of different protected characteristics. *No place for hate: race and ethnicity*¹²² found that:

- Racial prejudice was a motivating factor in 30% of hate incidents.
- Overall, 18% of black/black British, Asian/Asian British, mixed and Chinese respondents experienced at least one racial hate incident during their current studies, compared with only 3% of white British students.
- 19% of Asian/Asian British stated they had been victimised because of a prejudice against their racial or ethnic identity.
- 22% of non-EU respondents had experienced at least one racially motivated incident, compared with 8% of EU students and 6% of UK-domiciled students.
- Respondents reporting racially motivated incidents were more likely to experience repeat victimisation than respondents reporting non-bias incidents.

The ECU also highlights that a number of institutions have become third-party hate crime reporting centres, providing students – whether victims or witnesses – with a clear alternative to reporting directly to the police. This can be done anonymously and the centre can then report to the police on behalf of the student, if they choose to allow their information to be shared.

¹²¹ It should be noted that both higher education and further education students (9,229) were surveyed for this series of hate crime reports by the NUS. 68% of respondents were at university.

¹²² NUS, *No place for hate: race and ethnicity* (2012).

Disability

In 2011, the Equality and Human Rights Commission (EHRC) published the results of its inquiry investigating national incidents of disability related harassment. Key findings to be aware of include:

- Disabled people in all age groups are more likely than non-disabled people to have experienced a harassment related crime in the last twelve months.
- Among disabled young people (16–24), 42% were victims of crime over the past 12 months compared to 33% of non-disabled people of the same age.

The 2011 NUS hate crime disability report¹²³ found that:

- 8% respondents who considered themselves to have a health condition, disability or illness had experienced at least one hate incident while studying at their current institutions, which they believe was motivated by prejudice against their disability.
- Verbal abuse was the most common form of hate incident reported in the survey.
- Students who experienced disability hate incidents were more likely to be repeatedly victimised than those who experienced non-bias motivated incidents.

In guiding universities' approach to preventing and tackling hate crime affecting university students, the ECU recommends that the Taskforce take into account the recommendations made by the NUS in their series of hate crime reports, which categorise action to be taken into three areas. These are outlined below and support the areas of focus identified by the Taskforce and set out in chapter 3.

1) Prevention

- a. demonstrate a firm commitment to equality and diversity
- b. develop preventative and educational activity on prejudice and hate
- c. stop or mitigate against perpetrator behaviour
- d. establish multi-agency, joined up approaches to tackling hate

2) Support

- a. strengthen existing support services
- b. establish strong support networks

3) Reporting

- a. encourage reporting and maintain systematic documentation and data collection of hate incidents
- b. provide flexible options for reporting
- c. promote greater confidence in reporting mechanisms

¹²³ NUS, *No place for hate: disability* (2011).

- d. Provide clear guidance on the existing legislative framework.

Collaboration with the police

As part of our engagement with wider stakeholders UUK received input from the Police Association of Higher Education Liaison Officers (PAHELO) and Association of University Chief Security Officers (AUCSO) in order to gain an understanding of the arrangements and relationships that are currently in place between universities, university security teams and local police forces.

The responses the Taskforce received suggest that the approach varies across the sector. There are several factors which appear to have a significant impact on the ability of institutions and the police to build effective working relationships:

- It is not necessarily straightforward for the police to engage with large, complex university structures – this requires a significant input of time and effort from both the institution and the appropriate police officers.
- Senior level commitment on both the part of the institution and the police enables a more proactive approach.
- Senior level commitment also demonstrates the importance of building and maintaining these links.
- Where there is a lack of a broader, strategic approach from the institution the establishment of a working relationship relies on the initiative of individual staff.
- There is anecdotal evidence to suggest that having an identified police officer contact helps to generate greater trust and confidence both in the police and the university response.
- Strong links between the police and universities enables greater awareness of the initiatives and events that may be taking place in the community, thereby helping to share experience and good practice.

Although AUCSO does not currently collate crime and incident statistics from members, they have highlighted some examples of good practice at institutions. For example, the planning and delivering of specialist training to university security staff from the Rape and Serious Crime Unit, including a visit to a local sexual assault referral centre, which helped staff to gain a deeper understanding of sexual assault. Another example referred to a university whose security staff undertook Islamic cultural awareness training, with a focus on understanding cultural sensitivities and how staff could better support Muslim students.

Nottinghamshire Police recently announced that ‘misogynistic incidents’ would be recorded as hate crimes. This means that abuse or harassment which might not be a crime can be investigated by the police if reported to them, with support for the victim put in place.

The importance of the police relationship has also been emphasised in the work of the White House Task Force to prevent students from sexual assault. They have developed a template memorandum of understanding for working with local law enforcement agencies. This indicates that a formal and strategic relationship is regarded as a crucial element in the

overall university approach. Although the focus of this is on sexual assault, it is likely that the principles on which this relationship is built will have significant overlap for ensuring the effective involvement of the police and their expertise.

ANNEXE D: LIST OF SUPPORT AGENCIES

This annexe lists a number of support agencies which universities may wish to partner with or refer students to. It is not intended to be an exhaustive list. Universities should also take steps to understand what support is available in their region as this will differ between locations.

GENDER-BASED VIOLENCE

- Rape Crisis England and Wales, <http://rapecrisis.org.uk/>
- Rape Crisis Scotland, <http://www.rapecrisisscotland.org.uk/>
- The Survivors Trust – provides details of available support by region, <http://thesurvivorstrust.org/find-support/>
- The NHS website has a service search function – inputting ‘rape and sexual assault referral centre’ and the postcode will identify the nearest local service, <http://www.nhs.uk/Service-Search/>
- Survivors UK – helps men who have been sexually abused and raises awareness of their needs, <https://www.survivorsuk.org/>
- Mankind – support for men who have been sexually abused, <http://www.mankindcounselling.org.uk/>
- National Association for People Abused in Childhood – national charity which offers support to adult survivors of child abuse and training to those who support them, <http://napac.org.uk/>

FORCED MARRIAGE

- Karma Nirvana – a national charity supporting male and female victims of forced marriage and honour based abuse, <http://www.karmanirvana.org.uk>
- Forced Marriage Unit (government), <https://www.gov.uk/guidance/forced-marriage>

DOMESTIC VIOLENCE

- National Domestic Violence Helpline, <http://www.nationaldomesticviolencehelpline.org.uk/support-a-friend-or-family-member-experiencing-domestic-violence.aspx>
- Refuge, <http://www.refuge.org.uk/>
- Women's Aid, <https://www.womensaid.org.uk>
- Scottish Women's Aid, <http://www.scottishwomensaid.org.uk>
- Welsh Women's Aid, <http://www.welshwomensaid.org.uk>
- Woman's Trust, <http://www.womanstrust.org.uk>

RACE OR RELIGION

- Union of Jewish Students, <https://www.ujs.org.uk/>
- Federation of Student Islamic Societies, <http://www.fosis.org.uk/>

- The Community Security Trust (National Organisation for Jewish victims), <https://cst.org.uk/>
- TELL MAMA (National organisation for Muslim Victims), <http://tellmamauk.org/>
- Forum Against Islamophobia and Racism, <http://www.fairuk.org/intro.htm>

LGBT+

- The Stop LGBT Hate Crime Helpline – 0808 801 0661
- Galop – the LGBT+ anti-violence charity, <http://www.galop.org.uk/>
- Imaan– supports LGBT Muslim people, <http://imaan.org.uk/about/about.htm>
- LGBT Foundation – a national charity delivering a wide range of services to lesbian, gay and bisexual and trans communities, <https://lgbt.foundation>
- Stonewall, <http://www.stonewall.org.uk/>
- Broken Rainbow – provides help to LGBT people experiencing domestic violence, <http://www.galop.org.uk/domesticabuse/>
- The Gender Trust, <http://gendertrust.org.uk/>

DISABILITY HATE CRIME

- Disability Rights UK, <http://www.disabilityrightsuk.org/how-we-can-help/publications/lets-stop-disability-hate-crime-guidance>
- Leonard Cheshire Disability, <https://www.leonardcheshire.org/>
- Scope, <http://www.scope.org.uk/>
- UK Disabled People's Council, <http://www.ukdpc.net/site/>

NATIONAL CHARITIES

- Support Line –provides a confidential telephone helpline offering emotional support to any individual on any issue, www.supportline.org.uk
- Victim Support, <https://www.victimsupport.org.uk>
- Stop Hate UK – charity providing independent and confidential support to people affected by hate crime, www.stophateuk.org

ANNEXE E: UNIVERSITY CASE STUDIES

CASE STUDY 1: SOUTH WALES UNIVERSITIES: RECOGNISING AND RESPONDING TO DOMESTIC AND SEXUAL ABUSE

This project is a collaboration between the South Wales Police crime commissioner, the Ministry of Justice, Atal Y Fro (domestic violence services) and universities in south Wales, Cardiff University being the lead.

The project aims to establish a range of joined-up services across university campuses in south Wales, recognising and responding to domestic and sexual violence.

Over the past three years, awareness-raising in this area has highlighted a significant increase in the levels of domestic and sexual violence experienced by 16 to 24-year-olds, including the level of vulnerability that students can feel within universities, particularly in relation to sexual assaults.

Core principles of the project

- Domestic abuse and sexual assault training for all identified staff, with tiered training dependent upon the job role within the educational institution
- Identification of domestic abuse ‘champions’ from among both the academic and pastoral staff to provide leadership and cultural change
- Training student counsellors to recognise and respond to suspected or disclosed domestic abuse; this includes raising awareness of indicators and providing skills to respond effectively and refer to specialists
- Training security staff to identify increased vulnerability and to recognise and positively respond to issues relating to disclosures of domestic abuse and sexual assault
- Developing links with relevant specialist agencies
- Providing of advocacy, support and referral to specialist agencies
- Providing a clear pathway to a single point of contact

Outcomes

The following have been shared with the Ministry of Justice as indicative outcomes:

- Increased awareness within tutors and support staff of domestic abuse and its indicators
- An increase in targeting and asking students if they have any concerns about domestic abuse or sexual assault
- Increased referrals to counselling university support services
- Increased confidence to report incidents to the police and a subsequent rise in reporting of incidents (domestic violence/sexual assaults)
- Increased referrals to specialist agencies for ongoing support and advocacy

- Raised awareness of domestic abuse within the student population
- An increased ability to safety plan
- Less repeat victimisation
- An increased percentage of the student population feeling safe

CASE STUDY 2: BRITISH UNIVERSITIES & COLLEGES SPORT: 'TAKE A STAND' CAMPAIGN

In December 2015, British Universities & Colleges Sport (BUCS) launched its '#TakeAStand' campaign, aiming to tackle anti-social behaviour and discrimination in sport and make the university sport experience as inclusive and accessible as possible.

Recognising that anti-social behaviour and discrimination takes different forms, BUCS identified eight themes of behaviour to tackle, and developed a guidance document with content focusing on each of these themes to support member universities' activity. Collating existing policy and training programmes from across higher education is also enabling BUCS to showcase the breadth of positive activity institutions have implemented as they work towards making university sport more inclusive.

BUCS has established its women-focused 'This BUCS Girl Can Week' in recent years, and is also planning to run additional weeks of action alongside this. It has ambitions to develop an extensive ambassador programme to increase the profile of the #TakeAStand campaign beyond the higher education sector. BUCS will increasingly seek to work with national partners including Stonewall, Women in Sport and Sporting Equals to support member universities in tackling discrimination towards their students, and will continue to support their efforts to develop inclusive and accessible opportunities for all students to take part in sport and physical activity.

At BUCS Conference 2016, the University of York was awarded BUCS' 'Take A Stand' Award in the award's inaugural year. York's equal opportunities project was a fantastic embodiment of the '#TakeAStand' campaign, with the university's students' union delivering a range of peer-to-peer training events led by the union's student liberation networks. These events educated student leaders about the barriers to participation their diverse student demographic face, and shared information about appropriate language and how they could make their club activity more inclusive. Now, with greater collaboration between club presidents and the union's part-time officers, York's campaign is seeing student sports clubs elect committee members directly responsible for championing the equal opportunities campaign and supporting members' welfare throughout the 2016–17 academic year and beyond.

For more information, see

<http://www.bucs.org.uk/athlete.asp?section=18767§ionTitle=%23TakeAStand>

CASE STUDY 3: THE UNIVERSITY OF CAMBRIDGE: DRAWING ON THE UNITED STATES EXPERIENCE

The University of Cambridge, with the agreement of all of its 31 autonomous colleges, has implemented a new procedure for consideration of cases where one student alleges sexual assault or rape by another student. The formulation of this procedure has been influenced by the experience of American universities, particularly Yale. The development of the procedure involved close collaboration with undergraduate and graduate student representatives from the university, and discussions with the local police.

The Cambridge procedure identifies appropriate routes for seeking resolution of complaints of sexual assault. The first stage of the procedure involves a non-judgmental factual investigation by an appropriately trained investigator who will seek to identify as many undisputed facts as possible and any disputed facts. The investigator's report will then be referred to a specially constituted Harassment and Sexual Assault Panel, which will comprise three members, one of whom is a student, and all of whom have received specialist training. The panel will consider the case in the light of the investigator's findings of fact and will be able to make one of three determinations:

- (i) that there is no case to answer and the complaint should be dismissed
- (ii) with the agreement of both parties, that a resolution should be applied; possible resolutions include: a verbal or written warning; the student against whom a complaint has been made being required to refrain from contact with the complainant; or the student against whom a complaint has been made attending behaviour awareness training
- (iii) that the case should be referred for consideration under the university's disciplinary procedure.

The adoption of this procedure is underpinned by a number of core principles. These include that the procedure is designed to empower students to raise a complaint about sexual assault and to support students in choosing whether to raise the complaint with the university or the police. To this end, advisors are available who are specially trained to deal with cases of sexual assault. Crucially, the procedure ensures fairness to all parties concerned and emphasises that the university cannot replicate criminal procedures and punishments. Further, the procedure forms part of a wider university policy which supports cultural and behavioural change founded on mutual respect between students. This policy is supported by various other initiatives including consent workshops and the adoption of codes of acceptable conduct by sports teams.

CASE STUDY 4: DURHAM UNIVERSITY: SEXUAL VIOLENCE TASK FORCE

The Durham University Sexual Violence Task Force (SVTF) was set up in 2015 in response to a growing concern at Durham, and within the higher education sector nationally and internationally, about sexual violence involving students.

The university began from the perspective that it had a civic duty to address this area of student safety and wellbeing.

Numerous consultation events were held throughout the Task Force. In the later stages of the work feedback was sought on the emergent ideas and proposals, including from student groups such as Nightline, It Happens Here and the Feminist Society. This was invaluable in further developing the approaches that were recommended. The SVTF also commissioned a rapid evidence appraisal.

A key underlying principle in the redrafting of policies and practices was to support the empowerment of students making reports. This was a key test for the policies and practices recommended. The SVTF made sure to focus on the needs of the respondent, in particular to ensure that counselling services were in place for all parties.

A full-time worker was employed in this area and the university more than doubled the level of support provided to students through Rape Crisis. The level of training given to students and staff increased and continues to do so. The main educational focus is on prevention.

Recommendations

1. Have specialist policies and practices in place for addressing reports of sexual violence
2. Ensure that every policy and practice is tested against the organising principle of empowering those who make reports of sexual violence
3. Ensure that there are links with the safeguarding policies, procedures and practices of the university and cases of sexual violence
4. Undertake bystander intervention and consent workshops for students
5. Undertake student leader and staff training on working with those who disclose sexual violence
6. Inculcate training messages across a number of sessions for students and staff
7. Launch a campaign to ensure the visibility of institutional policies and practices in supporting those who report
8. Ensure senior leadership engagement; the Durham SVTF was chaired by a pro-vice-chancellor (a member of the university executive)
9. Undertake a case management-based approach in individually assessing and managing each report, working with local partners eg Sexual Assault Referral Centres (SARCs) and Rape Crisis
10. Encourage greater reporting through communications to students and staff

See <https://www.dur.ac.uk/svtf> for further details.

CASE STUDY 5: SOAS GENDER-BASED VIOLENCE POLICY

Aims and objectives

In January 2016, SOAS, University of London, launched its new approach to preventing and responding to gender-based violence (GBV). The aim was to contribute to sector-wide initiatives to reduce such incidents and ensure a safe campus environment for all students.

To do so, it developed and launched new guidance on preventing and responding to gender-based violence. The guidance commits SOAS to investigating allegations of gender-based violence in clearly defined circumstances – rather than simply saying that they are a matter for the police to deal with (the approach advocated by the 1994 Zellick guidelines).

SOAS consulted broadly on the development of the new guidance, working closely with the SOAS students' union on the terms of the new approach and the wording of the guidance. Expert external agencies were also consulted, including the End Violence Against Women Coalition (EVAW), Rape Crisis, the NUS; it also took independent legal advice.

A new approach

The first section of the SOAS guidance relates to prevention. This involved working closely with the students' union to develop and deliver training to students and staff on consent, and delivering the University of West England (UWE) 'Intervention Initiative' materials to student society organisers. Training was provided to senior staff on investigating allegations in a sensitive manner. The approach is inclusive, and it recognises that LGBQ, trans and male students can also be victims of GBV.

The second section focuses on how SOAS responds to reports of GBV. The guidance includes a step-by-step procedure on how best to support victims and sets out the circumstances in which SOAS would internally investigate allegations of GBV, at all times respecting the wishes of the student.

Ongoing challenges and evaluation

Adopting this new approach has not been without barriers and challenges. SOAS took legal advice to ensure that its procedures are appropriate and compliant with relevant legislation. There have also been challenges around managing the expectations of complainants and tailoring appropriate training required for staff and students. The School is also keen to learn lessons from early cases to inform the ongoing review of internal practices in this area. The new guidance was launched in January 2016, so SOAS does not yet have sufficient data to inform detailed evaluation. However, it has established a new anonymous reporting system to ensure that it will be able to review the effectiveness of the guidance.

The School's approach is ground-breaking as only a very limited number of other institutions are known to have gone beyond the Zellick recommendations. Therefore, it is hoped that the SOAS guidance serves as an example to other institutions thinking of updating their policies on addressing GBV.

CASE STUDY 6: NOTTINGHAM TRENT UNIVERSITY: 'RESPECT AT NTU. GIVE IT. GET IT. EXPECT IT.' A CAMPAIGN TO LAUNCH THE UNIVERSITY'S DIGNITY AND RESPECT POLICY

Nottingham Trent University's dignity and respect policy was launched as part of the university's 'Respect at NTU' campaign. This campaign is publicly backed by the vice-chancellor, the university executive team and Nottingham Trent students' union. The campaign and policy are publicised across all three of the university's campuses.

The policy sets out the university's commitment to an inclusive and positive environment and articulates the university's expectations regarding acceptable and unacceptable

behaviours and the consequences of not adhering to the policy. It makes clear that all members of the NTU community are responsible for contributing to an environment free from unacceptable behaviours such as intimidation, harassment, bullying and victimisation. The policy applies to staff, students and visitors to the university.

It contains general principles and expectations of all members of the university community and includes information on informal and formal resolution methods. These include the university's Mediation Service, Dignity and Respect Contacts Service, the grievance policy and procedure and complaints procedure for students.

The policy sets out the potential consequences of inappropriate behaviour and signposts to the relevant complaints procedure where further detail can be found.

The policy was launched via a multi-faceted communications strategy using social media, student newsletters and web pages, as well as communications from senior leadership. This includes:

- vice-chancellor's monthly video and eNews to all staff
- vice-chancellor's welcome to new students
- staff headlines (monthly newsletter)
- student newsletter and web news articles
- the equality, diversity and inclusion (EDI), student support services and students' union webpages
- stands and large banners on all three campuses during launch week, staffed by EDI staff members and including a wide range of promotional merchandise
- t-shirts being worn by 55 staff across the university during launch week promoting the message 'Respect at NTU. Give it. Get it. Expect it.'
- core staff EDI training now includes Respect at NTU
- training for student peer influencers including fresher's reps, sports club committees and residence assistants
- plasma screens in all buildings and on student buses promoting the 'Respect at NTU' campaign
- Twitter presence during launch week, 9 November 2015
- a Respect at NTU video, to be launched in November 2016
- development of an online resource, hosted on the students' union website, providing information and signposting to internal support and external agencies
- a wide range of NTU/NTSU initiatives promoting Respect at NTU within sport

CASE STUDY 7: THE UNIVERSITY OF MANCHESTER'S ONLINE 'REPORT AND SUPPORT' PLATFORM

Background

The University of Manchester's online 'report and support' platform was originally developed as part of the joint 'We Get It' campaign between the university and the students' union. The

campaign aims to send a clear zero-tolerance message to staff, students and visitors. Its key message is that everyone is responsible for ending bullying, harassment, sexual harassment and discrimination. The objectives of the campaign have been to get people to think, talk, report and get support.

Joint working

As part of this work, the students' union women's officer was keen to ensure students could easily report an incident anonymously and/or get the right support. At the same time the university's Diversity and Inclusion Team was in the process of identifying how to improve access to the support available, including the existing Harassment Support Advisor Network. It was an ideal opportunity for both organisations to come together again and identify how best to ensure the right mechanism was available to both students and staff. As with the 'We Get It' campaign, people from both organisations contributed time, expertise and resources. Funding for the design and build of the report and support platform and the Harassment Support Advisors came from the university.

Once the university knew that it wanted an online form where both staff and students could report something and confirm if they wanted to get support, it needed to identify a process that would assist this.

The process

The reporting tool is the responsibility of the university's Diversity and Inclusion Team. Once a report is submitted, an email alerting the team to the report is sent; a member of the team accesses the system and the report is screened to identify the appropriate next stage. If the report is anonymous and requires no immediate action it is filed for future analysis. If it is considered an urgent priority, a member of the team will seek to find out more and take the necessary action. If an advisor is requested, the team will decide if it should be dealt with by one of the diversity and inclusion advisors or if one of the volunteer harassment support advisors could follow up. In all cases, advisors will attempt to make contact within two working days. Both diversity and inclusion advisors and harassment support advisors are fully trained and are aware of the different policy options and support available. Harassment support advisors receive continual professional development and support from the Diversity and Inclusion Team.

Confidentiality

A limited number of staff within the Diversity and Inclusion Team have access to the system and strict data protection rules are followed. It is made clear that all enquiries and advice is given in confidence, however it is also made clear that in limited cases the team may have to disclose information if it identifies a risk to any individual. In these cases, it is the responsibility of the diversity and inclusion advisors to identify the appropriate course of action.

Anonymous reports

The preference is that both students and staff feel able to come forward and report something and get support. However, the university acknowledges that some people do not feel able to do this. Anonymous reporting increases the university's ability to obtain a true picture of what is happening and to pro-actively identify action.

Monitoring

All cases are monitored to ensure urgent enquiries are dealt with immediately and reports are provided regularly to the Directorate of Human Resources and Student Experience.

Results

159 students and staff have used the new online system to report an incident since November 2014. 63 were anonymous and 96 opted to speak with an advisor. 46 of those who spoke to an advisor were students; previously students had not made use of the harassment support advisors.

For further details, see <https://survey.manchester.ac.uk/pssweb/index.php/767652/lang-en> or contact Cath Prescott, Equality and Diversity Advisor (cath.prescott@manchester.ac.uk)

CASE STUDY 8: UNIVERSITY OF LEEDS: WORKING WITH THE POLICE

The University of Leeds and West Yorkshire Police (WYP) work in partnership to support students in a number of ways. This includes match-funding a police liaison officer to support effective liaison between the university and WYP.

A number of specific projects and developments have been facilitated by the close working relationship between the university and the police liaison officer. Key features of the partnership include:

- the engagement of the liaison officer with relevant working groups and meetings, eg the working group to review and develop support services for students
- a multidisciplinary academic research project to explore the perceptions of students in relation to their safety in locations across and around the campus and the city
- coordinating the university's and students' union's links with local support services
- the liaison officer's group of 12 volunteers, including students, who provide advice and campaigns (via social media) relating to crime and situational awareness
- the links between the liaison officer and the range of university support services, with the liaison officer acting as the single point of contact between them
- ongoing awareness raising, communications and support for mutual aims and objectives

This partnership has been made possible by the time and patience invested in breaking down barriers and building trust between the police, the university and students. The complexity of the university can be difficult to navigate, but with a commitment to open communication and the building of relationships, as well as support from the university and Leeds University Union, the police liaison officer plays an extremely important role in university life.

CASE STUDY 9: COVENTRY UNIVERSITY AND CRASAC: PARTNERSHIP WORKING

The University Challenge project at Coventry University emerged from work undertaken in 2014–15 that attempted to identify the level of sexism that Coventry University students experienced in city entertainment venues.

Following this initiative, a proposal was put forward in June 2015 requesting internal funds to investigate the university's approach to dealing with students who have experienced unwanted sexual incidents. The proposal was approved by the vice-chancellor and this coincided with the announcement by Universities UK of the establishment of its Taskforce to examine violence against women, harassment and hate crime affecting university students. It should be noted that although the UUK Taskforce is focused on women and girls, the Coventry study decided not to focus on one gender. It is recognised that although women and girls are disproportionately affected by sexual violence in all its forms, men and boys can also be victims.

Key to this project is the collaboration between academic researchers, lecturers, the students' union, students and the local Rape Crisis center (CRASAC), underpinned by robust support from the university's Equality and Diversity Group, comprised of deans, Student Services, students and academic staff reporting directly to the vice-chancellor's office.

The project used a range of methods in its research:

1. Online anonymous survey for students to gauge their experiences, which yielded 613 responses
2. Online anonymous survey for staff to assess their experiences of handling disclosures from students, which yielded 226 responses
3. One-to-one interviews with eight students and 10 members of staff
4. Examination of the existing electronic data available to students (external website and internal intranet)

From this the following recommendations were made:

Immediate tasks

Set up sexual violence taskforce to:

- (i) Liaise with UUK Taskforce
- (ii) Advertise existing services
- (iii) Data collection from students and staff (app/email)
- (iv) Develop disclosure training and policy for staff

Longer-term tasks

Students

- (i) Awareness raising campaign on acceptable/unacceptable behaviour
- (ii) Drop-in facility
- (iii) Emergency response unit
- (iv) Out-of-hours support
- (v) Bystander training

Staff

- (i) Out of hour welfare support for protection

- (ii) Specific post within welfare department
- (iii) Clinical supervision

Other

- (i) Multi-agency sharing agreement with CRASAC/police/Sexual Assault Referral Centre
- (ii) Develop specific sexual violence policy
- (iii) Research best practice with other universities
- (iv) Widen focus to include all gender identities
- (v) Iterative monitoring and evaluation

At the time of writing, an online disclosure training module has been developed which all Coventry University staff will be obliged to complete in future. The key points of this module are:

- the content has been written by experts (Rape Crisis England & Wales)
- staff have to download a bespoke referral pathway document before they finish the module
- the provision of an email address for staff to report disclosures anonymously
- the provision of an email address for staff to request face-to-face disclosure training.

It is anticipated that work on further recommendations will commence in January 2017.

Further details are available on request. Contact Dr Jane Osmond, Research Fellow (arx162@coventry.ac.uk)

CASE STUDY 10: THE DEVELOPMENT OF THE UNIVERSITY OF SUSSEX CARE PATHWAY

Following two sexual assaults on University of Sussex students in 2012 followed by the arrest of one of these students for allegedly perverting the course of justice, a campaign group called Students Against Sexual Harassment (SASH) and the Students' Union Welfare Officer, Indi Hicks, joined forces to raise awareness of sexual violence on campus and to campaign for better reporting procedures for such incidents.

In response to this and with the help of the Violence Against Women and Girls (VAWG) Commissioner for Brighton and Hove Council, James Rowlands, the University (Student Services) formed a working group of local experts and services to discuss staff responses to disclosures of sexual violence. Members included representatives of Student Services, the Students' Union, Brighton & Hove Council, Survivors' Network, The Saturn Centre (SARC), Sussex police, the local GUM clinic, Mankind Counselling and The Brighton Women's Centre.

A first draft of the Care Pathway and detailed guidance for 'first responder' staff was put together as a result of this working group, and then refined by the student wellbeing

manager according to detailed one-to-one feedback from partners. Student Services held a seminar on campus in March 2014 for all its partners to share good practice. All student-facing staff in Student Services, Security and the Students' Union were trained and the Care Pathway and accompanying guidance for both staff and students were promoted on the university web pages and displayed in all student-facing offices. The package was shared with other institutions through AMOSSHE, the student services organisation, and more directly with individual universities including Warwick, Leicester, Glasgow Caledonian, Chichester, Leeds, Imperial College and SOAS.

The Sussex Care Pathway will be evaluated through the EU-funded project Universities Supporting Victims of Sexual Violence Training for Sustainable Student Services to provide evidence for the continuation of a sustainable training programme at Sussex. The Care Pathway continually evolves and improves in response to changes in practice, changes in local services and developments within the sector. Its continued review is greatly assisted by university membership of the local authority VAWG operational groups to maintain communication and collaboration with local partners/stakeholders.

Contact: Amanda Griffiths, Manager, Student Wellbeing, University of Sussex
(a.griffiths@sussex.ac.uk)

For more information on the Care Pathway, see
<https://www.sussex.ac.uk/webteam/gateway/file.php?name=responding-to-sexual-violence-care-pathway-april-2016-final.pdf&site=392> and
www.sussex.ac.uk/wellbeing/sexualconsent

CASE STUDY 11: FIRST RESPONSE MOBILE APP FOR STUDENTS AT THE UNIVERSITY OF OXFORD

The First Response mobile app (www.firstresponseoxford.org) was a collaboration between the 'It Happens Here' campaign and Code4Rights. 'It Happens Here' is dedicated to raising awareness about sexual violence and working with members of the University of Oxford and the wider community to ensure that Oxford is a safe place for *all* people. Code4Rights seeks to increase women's participation in technology by providing opportunities to create apps that can help create a more equal society for all.

The app is the first of its kind in the area and is intended to equip students with the immediate information they need to address any incident of sexual violence. It provides survivors of sexual violence and friends of survivors with information about support resources, ways to respond, key contact details, and answers to frequently asked questions.

The app sets out advice and key contact information under four headings:

- Going to a referral centre
- Calling the police
- Getting medical attention
- Getting support

A section on frequently asked questions is targeted at both student victims and supporters, and provides definitions on sexual violence and consent as well as the university's definition

of harassment. Throughout the app there are links to advice on where and how to get help. It should be noted that this is an advice app – it does not include the facility to report an incident.

The two organisations held brainstorming workshops during their Anti-Violence Valentine's Conference on 14 February 2015, before holding technical workshops teaching coding to female participants. Participants contributed pages to the app, and once a draft app was made, took part in a feedback workshop to offer suggestions for improvements. Feedback was incorporated into the next technical workshops, which were followed by another feedback workshop. The cycle repeated until the app was completed.

CASE STUDY 12: BRUNEL UNIVERSITY LONDON – UNIVERSITIES SUPPORTING VICTIMS OF SEXUAL VIOLENCE: TRAINING FOR SUSTAINABLE SERVICES (USVSV) #USVREACT

The 'Universities Supporting Victims of Sexual Violence: Training for Sustainable Services' (USVSV; #USVreact) is a European Commission co-funded project to enhance the ability of university staff to respond to disclosures of sexual violence from students. The project is led by Brunel University in London, and includes seven partners and seven associate partners across seven European countries. 'Best practice' in first responses to disclosure has been reviewed in each local context and used to develop culturally and institutionally appropriate programmes for university staff. Each university is developing, piloting and evaluating a programme with 80 of its own staff.

At Brunel University London, the project has been developed with an intentionally large steering group. Information about the USVreact project was shared widely among leaders and staff. A number of meetings took place with individuals to explain the remit of the project, and its potential for supporting and enhancing the work of existing services at the university. Colleagues with academic and professional roles were invited to join the steering group and collaborate on the project on the basis of their broader role in student welfare, advice and/or policy-making. Students were also invited to join. The steering group consists of students and staff from chaplaincy; counselling; equality and diversity; residences; security; sports centre; staff development; student welfare; Union of Brunel Students; the university safeguarding lead supported by the deputy vice-chancellor (education), the pro-vice-chancellor (equality, diversity and staff development) and the dean of research. This breadth is essential for the sustainability of the project in both the short and long term.

The group has met monthly to discuss the national and local context and develop the programme which will be rolled out to staff in spring 2017. Brunel University London is looking at ways of involving all staff in the programme, including new staff as part of their induction. The university is also developing a concise resource for dissemination to all staff which outlines the steps to take if a student discloses and the services both within the university and in the local area that students can be directed to.

The learning from the evaluation of the project at Brunel University London will be shared with the project partners, and the programmes for staff made available free of charge, via an online portal. The project findings conference will take place on 9 November 2017 in London.

Contact

Anne Chappell (Brunel University London USVreact Project Coordinator),
anne.chappell@brunel.ac.uk
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Project code: JUST/2014/RDAP/AG/VICT/7401

CASE STUDY 13: UNIVERSITY OF GREENWICH: TACKLING SEXUAL VIOLENCE USING A WHOLE-INSTITUTION APPROACH

Sexual violence is a serious public health issue affecting universities (ACHA, 2016), and figures for all sexual offences and rape in England and Wales have increased substantially in 2015 compared with the previous year (ONS, 2016) – possibly suggesting a greater willingness to disclose. While in the United States the obligations of universities in terms of addressing sexual violence have been brought into sharp focus following a White House Task Force in 2014, the UK is behind the curve.

The University of Greenwich is strongly committed to developing an appropriate, robust response to sexual violence and believes that an institution-wide approach is required to both meet the needs of victims and to manage the risks posed by sexual violence. A university-wide steering group led by the deputy vice-chancellor (academic) was established in early 2016 comprising academic and professional services staff as well as representatives from the students' union. The group's aim was to review existing university policy, protocol and practice and in light of these findings develop a coordinated, cross-institutional strategic response. The steering group's first meeting was facilitated by LimeCulture, a national organisation with expertise in improving responses to sexual violence.

Two phases of work are underway: the university's response to disclosures (phase 1) and prevention/awareness-raising (phase 2). The need for a whole-institution approach is informed by the complexity of the issue for higher education institutions, which have a duty of care to students; eg the nature of the case (historical/current), the individuals involved (another student/staff member/person external to the university), the needs of the victim and therefore the associated referral pathways, and issues surrounding appropriate investigation when the victim does not want to report to the police.

Phase one involves:

- developing a sexual violence strategy and associated protocol, ensuring this articulates with other relevant university strategies/policies
- ensuring all staff respond appropriately to disclosure and refer individuals immediately to new sexual violence specialists working in the university, managed by an institutional lead located in Student Services

- refining the internal and external referral pathways for victims such that specialists can refer them to appropriate support depending on victim need (counselling, independent sexual violence advisers, Sexual Assault Referral Centre, police)
- articulating clear ownership and management of risk at different levels of the institution
- working in collaboration with LimeCulture and Keele University to develop training for sexual violence specialists that could be rolled out nationally
- providing basic training to all staff in how to respond to disclosure

The second phase will involve an institution-wide conference in 2017, working in partnership with students.

The university's work in this area has benefitted from being led at the highest strategic level, with the deputy vice-chancellor having a strong personal commitment to diversity, inclusion and tackling sexual violence. Ultimately, Greenwich's approach focuses on a robust and appropriate response to a very serious crime which has significant impact on victims' lives, and explicit and proportionate management of institutional risk. A focus on sexual violence is also prompting reflection on how the university responds to the diverse personal needs of all of its students.

CASE STUDY 14: KEELE UNIVERSITY: DEVELOPING A WHOLE-INSTITUTION APPROACH

Over the past year, Keele University has been developing and implementing a whole-institution approach to responding to sexual violence. The university has committed to the ongoing review and development of activities in the following four areas to achieve a comprehensive, integrated, connected and student-centred response.

Better education, awareness and information

- Talking openly about the issue of sexual violence to raise awareness about sexual violence and consent and to challenge unacceptable behaviour
- Training for staff and student volunteers
- Raising awareness with students, eg activities conference, welcome talks
- Campaigns, videos, posters, leaflets, social media
- Easily accessible and clear information on web pages

One important strand has been joint work with Staffordshire University and respective students' unions to encourage students to be 'active bystanders'. This 'social norming' approach aims to empower members of the community to step up and make a difference when they hear or see something that is wrong.

Wrap-around care and support for survivors

- Immediate and ongoing 'wrap-around' care and support: referrals to counselling and medical services; safety planning; academic and workplace adjustments; self-care resources; advocacy; navigating resources

- Assistance with reporting and complaints: assistance in making an informed decision about next steps should an individual choose to report to the university or to the police
- Provision of information: provide up-to-date community resource information
- Education: deliver education, prevention, training and awareness activities with campus partners
- Responsibility for sexual violence statistics: maintain non-identifying annual data on disclosures and reports of sexual violence within the university community which are reported annually to university executive committee and to university council

Knowledgeable staff and services who can appropriately respond, support and refer

- Sexual Violence Prevention and Support Team who can offer support to students and discuss options including:
 - Arrange appropriate adjustments
 - Explain university procedures, assisting and supporting through the process if the student wishes
 - Refer to appropriate specialist support, eg Sexual Assault Referral Centre (SARC), Independent Sexual Violence Advisor (ISVAs), counselling
 - Liaise with police
 - Liaise with academic schools and other services within the university, eg accommodation, counselling

Effective reporting and conduct systems

- Easy-to-find web pages with clear information about reporting
- Accurate and confidential recording of information related to cases of sexual violence
- Risk assessments when allegations of sexual violence are made
- Revised disciplinary regulations and investigatory process
- Review of disciplinary sanctions and university actions

For more information, including details of support and the university's sexual violence policy statement, see www.keele.ac.uk/sexualviolence

For details of the active bystander work, see www.keele.ac.uk/activebystanders

RESPONDING TO DISCLOSURES OF SEXUAL VIOLENCE: Best practice evidence from Rape Crisis South London

EMPOWERMENT IN PRACTICE

When anyone experiences a sexual violation, in that moment all of their choices have been stripped away because of what someone else chose to do.

For this reason it is crucial that as a worker that you create a safe environment where the person disclosing is able to make their own choices and decisions about what they would like to do next.

Your role is to explore the support options available, without telling someone what they should do, or acting on their behalf without their explicit consent.

CREATING A SAFE ENVIRONMENT

LISTEN: Don't interrupt or finish sentences. Concentrate on what they are saying, not what you are going to say. Relate back to them what you have heard, so that you are clear and s/he can clarify anything s/he said.

HONEST: Be transparent about procedures such as confidentiality and safeguarding. If you do not know the answer to a question be honest and, if you can, find out later rather than make something up.

EMPATHETIC: Try to avoid 'sympathetic' responses such as 'I am sorry for you' instead reframe by using empathetic language such as 'that sounds like it was really frightening'.

ACKNOWLEDGE: Validate what you have been told by letting the person know you understand how difficult it can be to talk and you're glad they felt able to speak with you.

NON JUDGEMENTAL: Do not offer advice, opinions or judgement. Avoid 'Why' questions and instead try to reframe using 'How?' 'What?' and 'Where?' It is important always that you come from a position of belief and not one of criticism.

EMPOWERMENT: Remember, the person in front of you is the expert in themselves. This means whatever they did to survive and cope since has worked. Focus on their strengths and gently challenge feelings of self-blame. It is important that the person you are supporting is in control of the process.

IMPORTANT QUESTIONS

When did the assault take place?

If recent, is the person in any physical pain?

Are they safe right now?

What do they need from you at this moment?

Key Considerations:

Any notes taken on what the survivor says about the assault could impact on a subsequent police investigation - ensure they are factual and based on who, what, when and where questions and not your own assumptions.

There is no one size fits all response to a disclosure of sexual violence, as everyone's experience and response will be individual. Trauma impacts in different ways, and people may respond differently to how you may expect.

It is important to come from a place of belief and not make assumptions, or cast judgements on what you think has happened. Supporting them in their decisions and taking action if necessary is the most important part of your response.

If assault within hours: Advise that eating, drinking, teeth brushing, smoking, showering, urinating, defecating can impact on forensic evidence being gathered. In reality it's likely s/he may have done some of these things already – reassure this is natural in response to the trauma experienced.

Below are a range of options available to the person disclosing. You can explore these with someone, remembering it is up to each person to decide what they want to do – even if this is different to what you want them to do.

Ask if they want to report to the police.
This can be for a recent or non-recent assault.

YES – Call 999

Police response

The police response will vary depending on how recently the assault has occurred.

Where possible, it will involve collection of evidence such as condom, bedding, clothing present at scene. It may also involve an Early Evidence Kit or a forensic medical examination.

Statements will be taken which may include video statements.

In developing a referral pathway, universities should work with their local police and Sexual Assault Referral Centre (SARC) to ensure that their referral pathway clearly sets out what the process will be depending on how recently the assault took place and what support is available. This is essential in providing individuals with clear information to explain their options.

The pathway should also provide information on the local SARC and also NHS services to address any sexual health needs – such as emergency contraception and drugs to prevent STIs and HIV.

NO/UNSURE

Reassure the student that it is ok to not know what to do and that s/he is in control of the process. S/he does not have to report to the police if s/he does not want to.

KEY CONSIDERATIONS:

You can let the person know about evidence and its preservation. Explain that even without reporting to the police, they can attend a Sexual Assault Referral Centre (SARC) and give anonymous details of the incident. Attendance at the SARC may also enable any forensic evidence to be gathered and for emergency sexual health needs to be addressed (emergency contraception and drugs to prevent STIs and HIV). The student can decide about reporting to the police at a later date.

SAFEGUARDING: If there is an immediate safety concern it is important to follow the university safeguarding procedure. It is important that this is explained to the person disclosing IN FULL.

If there is no immediate risk, DO NOT call emergency or support service without explicit consent

Let the person disclosing know about independent specialist support services available. Services will differ by location. Institutions should ensure the referral pathway signposts to the nearest available services.

National Rape Crisis Helpline - 0808 802 9999
Independent Sexual Violence Advocates (ISVA)
Counselling/Psychotherapy

Organisation / Institution Considerations and Support Available

Self-care: It is important that as a worker you look after yourself after receiving a disclosure. This could include speaking to an appropriate person in your team or within a specialist service should you need it. You're best placed to know what you need and what would help at this time.

ANNEXE G: THE INTERVENTION INITIATIVE

The Intervention Initiative is a bespoke bystander intervention programme with a social norms component, which adheres to the public health criteria for effective prevention programming. It is designed specifically for the prevention of sexual and domestic violence in English university settings and was commissioned by Public Health England as a free resource for English universities. The multi-disciplinary research team who developed the intervention programme reviewed the strongest evidence and best practice worldwide in their [evidence review](#) published by Public Health England.¹²⁴ This evidence review verifies that best evidence was assimilated in the development of a [theory of change](#) model used to guide the development of the programme. The research team developed the programme in conjunction with a national expert advisory panel and a student bystander committee to ensure maximum authenticity and sociocultural relevance.

The resulting toolkit is available online and is published in its entirety at www.uwe.ac.uk/interventioninitiative. It includes all PowerPoints, handouts and facilitator notes to run the intervention. A [theoretical rationale](#), which explains the pedagogical reasoning behind each interlinked element of the intervention was published to accompany the programme. Public Health England and the University of the West of England funded a full controlled statistical evaluation of the intervention. Results are very promising, showing the intervention to be effective, and are under review. Student feedback on the programme has been excellent and a [report](#) is available online.

The Intervention Initiative is a complex, multi-faceted intervention designed to run over eight hours of facilitated learning, delivered by trained facilitators using a wide variety of pedagogical techniques, in a small group environment. It aims to change the attitudes, beliefs, behaviours, social and cultural norms and peer group relationships which allow sexual and domestic violence to take place and to be normalised, and thus to engender a cultural change within student populations. The process of achieving attitude and behaviour change is complex, encompassing multiple stages – as seen within *The Intervention Initiative* – and this requires time and resources. One-off interventions – such as a short online programme – are unlikely to be effective in changing behaviour, and according to the White House Task Force Report 2014, are unlikely to have any impact on rates of violence., They also detract from investment of scarce resources into more effective approaches.

The Intervention Initiative is based on bystander theories. A prosocial bystander is someone who witnesses a problematic event or unhealthy behaviour and intervenes in a positive way. This intervention sends a powerful message to the wrongdoer and lets others know that it is socially acceptable to challenge such behaviour. There is a growing research base, predominantly from the United States, that a bystander intervention approach is showing a particular aptitude for effective prevention in universities. Empowering students to be bystanders is powerful because it situates men and women as part of an inclusive and positive community. *The Intervention Initiative* centres on fostering a shared social identity as a prosocial bystander, thus reducing scope for hostility and defensiveness that may decrease receptiveness to learning.

¹²⁴ Public Health England, *A review of evidence for bystander intervention to prevent sexual and domestic violence in universities* (April 2016).

The Intervention Initiative's content layout is underpinned by the four stages for bystander intervention that individuals must go through in order to move from inaction to action. These are: noticing the event, understanding that it is problematic, assuming responsibility to act and possessing the skills to intervene. Thus sessions 1–4 focus on the first three stages and cover understandings about the psychology of bystander action, sexual and domestic abuse in all their forms, including knowledge about law and consent, gender, and the contexts which allow violence to take place. The sessions include a specific empathy exercise and aim to increase understandings of victim experiences, shift attitudes about violence, including rape myth acceptance and foster motivation to act.

Key to being able to act is acquiring the requisite skill-set. Motivation in itself is not sufficient. Thus, sessions 5–8 focus on strategies for intervention and use experiential learning through scripted role-plays to increase confidence to intervene and acquire situation-specific skills. Research suggests that role-play in interactive small group settings in itself may contribute to opinion change on the part of participants. These sessions develop communication and speaking skills and other professional and transferable leadership skills relevant to students throughout their university career, enhancing their employability.

Social Norms Theory is integrated throughout *The Intervention Initiative*. When individuals misperceive a social norm they are less likely to intervene and more likely stay silent. The lack of corrective intervention encourages and facilitates problematic behaviour. Correcting the actual misbeliefs of participants relating to their own peer group on sexual violence and willingness to intervene is a crucial component of the intervention, and is facilitated by participant interaction during group sessions. At the start of the intervention a social norms questionnaire relating to participants' own and peer norms is distributed, and the results are fed back to students in session 5. Thus the facilitator is able to correct the actual social norm misperceptions of that particular cohort of students.

Good pedagogy is key to achieving learning outcomes successfully. The well-established criteria for effective behaviour change – which are echoed by adult educationalists – and the processes of the trans-theoretical model of change inform, and are adhered to by, *The Intervention Initiative*. These criteria and a list of questions that university managers should ask of any intervention are found in the [evidence review](#) from p.27.

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