

Please note that this is an annotated version of the submission by the NCACG when provided with the Master's preliminary response to the Australian Human Rights Commission Recommendation 9. The annotations denote the response of New College to their review. All annotations are shown in red.

New College UNSW
Sydney
NSW 2052

Wednesday 22 November 2017

Dear Bill,

Thank you for your communication dated 13 October 2017. We firstly acknowledge the initial steps the College, through your actions, has taken to address Recommendation 9 of the Australian Human Rights Commission report: *Change the Course: National Report on Sexual Assault and Sexual Harassment at Australian Universities 2017*. We further acknowledge and praise the preliminary response dated 11 September 2017 for its thoroughness. The New College Alumni Consultation Group (NCACG) have reviewed the correspondence and attached documentation and wish to provide the following comments and recommendations.

Please note that NCACG does not currently have representative(s) from the New College Village (NCV) community and as such cannot make recommendations on their behalf. We would like to see a similar alumni consultation group form for NCV or would welcome members of the NCV alumni to join this group to ensure a holistic New College alumni response.

The Master has discussed this possibility with the NCV Dean but, to date, no offers of assistance have been received.

The NCACG wish to provide these recommendations and additional comments for the College's review and response.

Section 4: Harassment Policy

1. The NCACG recommends that in addition the policy of zero tolerance of sexual harassment a policy of zero tolerance of retaliation against those who speak up (including but not limited to, incidents of victim blaming and bullying). We see this as a means to promote a culture of actively speaking out against sexual harassment.

Thank you. Section 5.4 of the Harassment Policy has been revised as follows.

Anonymous allegations of breach of this policy will be received by college staff.

Pursuit of allegations of breach of this policy will be undertaken in accord with guidelines developed by the NSW Ombudsman for universities for dealing with complaints (NSW Ombudsman, 2015). Special care will be taken to respect the wishes of the complainant, to protect any complainants against reprisals and to maintain confidentiality in accordance with the Ombudsman's guidelines.

We trust that this revision and its implementation will adequately address this concern.

Section 5: Staff Roles and Responsibilities in College Discipline

1. It is a recommendation of this group that wherever possible a balance of gender occurs throughout the leadership of the pastoral staff to ensure a line of escalation that can accommodate any gender preference of an alleged victim of sexual harassment.

While not explicitly part of present college policy, in practice, Administration approach is as follows.

Resident adviser (RA) appointment is a delicate balance of applicants and community engagement. Given the pool of applicants, we endeavour to have an RA (SR at NCV) team

that is as gender balanced and community balanced as possible.

The present (academic tutor) AT team composition is a reflection of few (New College) women applying to be ATs for 2017. The appointed AT team for 2018 is closer to balance and a reflection of the applicant pool. Academic competence and ability to tutor are the basis for AT appointment, without discrimination.

In both NC and NCV, there is an aim for a gender balance between Dean and Deputy Dean/SRA positions.

The Board will consider revisions to college policy in response to this concern during 2018.

Section 7: PRELIMINARY RESPONSE TO THE SPECIFIC CONCERNS OF RECOMMENDATION 9

- *appropriate responses by a college or university residence to reports of sexual assault and sexual harassment*

1. While it is noted that New College takes the reporting of sexual harassment incidences seriously, the NCACG has concerns that many incidents are not reported due to a lack of transparency of potential outcomes for alleged victims and perpetrators, the fear of victim blaming or the victim's perceptions that the incident must be severe before it should be reported. This has the potential for behaviours to go under-reported until a significant incident occurs.

As such the NCACG recommend:

- An alternative anonymous reporting route. This may occur through an anonymous online reporting system that allows an individual who has either experienced or witnessed harassment to report. This is followed with an option for the reporter to elect for the incident to be followed up by College pastoral staff or not. This tool would enable a culture of zero tolerance of harassment and provide College leadership with insights into the depth and breadth of sexual harassment issues inside the College.

The college policy now invites anonymous allegations to RAs and staff to encourage disclosure.

Since 2017, incoming residents have been provided with the Dean's and Master's mobile phone numbers and are invited to contact them with regard to any matter of concern.

UNSW has an anonymous online reporting tool. Incoming New College residents will be advised of its existence.

With these initiatives in place, we do not believe that another anonymous reporting method can be justified.

- That the harassment policies and processes for dealing with allegations be easily accessible via the College's website and any New College Students Association social media or internal intra nets, alongside a list of contacts for internal and external services.

The New College Board is presently considering how to make all college policies available publically.

New College procedures (Directory/Handbook) are already available online.

- That regular reminders of the new College Harassment policy, ways to report incidents, and sign posting to relevant services occur throughout university semesters informally at College suppers through invited guests such as Police spokesperson, member of 'Respect Now' campaign, Campus GP clinic, Campus counselling as examples.

Compulsory workshops for all incoming residents will be held at the commencement of each

semester/trimester. The focus of these workshops will be to enable incoming residents to clearly enunciate college procedures in relation to a range of practical scenarios (including harassment and possible sexual assault) based on relevant college policies, a “Welcome to College” and the relevant Handbook/Directory.

Representatives of UNSW Security and UNSW Counselling and Psychological Services will feature as part of these workshops.

- That formal notices of the college policy and reporting options are provided for first years (or 'freshers') in 0 week semester 1 and again in the first week of semester 2.

This will be addressed during the aforementioned workshops.

- *a trauma-informed and rights-based approach in a situation in which an allegation of sexual assault has been made*

Our Critical Incident Policy was already trauma-informed and has been annotated to make this explicit.

By a “rights-based approach” it is assumed that this refers to the ability of an alleged victim to determine how his/her allegation should be pursued. In our view, the clearest enunciation of such an approach has been provided by the NSW Ombudsman (NSW Ombudsman 2015 Complaint handling at universities: best practice guidelines ISBN 978-1-925061-24-6, 1 January 2015 (available at <https://www.ombo.nsw.gov.au/news-and-publications/publications/guidelines/universities/complaint-handling-at-universities-best-practice-guidelines> accessed 10 August 2017) and this is our operational guideline in this regard. This is now explicit in the college Harassment Policy.

We trust that these revisions adequately address these present concerns.

The NCACG note the action to provide alleged victims and perpetrators with counselling services external to the College and believe that this is a good approach. Additionally, The NCACG recognises that the first responder to reports of sexual harassment may experience some level of vicarious trauma, and should be included in this approach. This is likely to include group members or close friends also residing in College. In the New College Community, the RAs are often at the front line and ensuring they receive regular support by counselling services is an important trauma and rights based approach to safeguard RA resilience and wellbeing in dealing with sexual assault.

Deans are now receive UNSW first responder training and are recognised as such.

It has been longstanding college practice (via the Critical Incident Policy) to recognise the trauma of those close to a victim and to refer residents and SRs/RAs to UNSW CAPS accordingly.

UNSW CAPS already provides training prior to each academic year. Compulsory Dean and SR/RA debriefings will be held in collaboration with UNSW CAPS at the end of each academic semester/trimester from 2018.

New College will continue to review its practices and would welcome any alternative suggestions in this regard.

To support the approach laid out by the College the NCACG are recommending the College develop ongoing trusted partnerships with key external organisations. As an example, we recommend the College seeks to create an ongoing relationship with the UNSW Counselling and Psychological Services (CAPS) promoting the visibility and activity of the service in the College community. This

ensures the College and its residents are up to date with best practice in this area.

New College has a strong relationship with UNSW CAPS. As discussed earlier, CAPS will be holding regular briefings/debriefings with Deans and the college Pastoral Teams.

Other organisations we urge the College to consider partnerships with:

- NSW Police
- NSW Health Sexual Assault Service
- The Respect Now campaign
- Red Frogs
- University Health Clinic

New College has retained Brent Sanders for 2018 (when UNSW has decided not to have him speak) because of his strong insights into Police operations, legal matters and what to do in dangerous situations.

New College has a strong relationship with the University Health Clinic. The clinic is promoted within our “New College O’Week” document.

We always remain open to possible partnerships but we need to carefully balance the impact of the key messages being conveyed with the possibility of having residents turn off due to information overload.

Comments from the NCSA and the NCACG, in conjunction with our own administrative review, suggest that our two most pressing issues are:

1. better communication of college policies and procedures to residents.
2. encouragement of resident disclosure.

Once our changed practices have been reviewed at the end of 2018, we will investigate other possible partnerships.

- *the level and adequacy of training required to equip residential advisors to serve as first responders or in response to matters of sexual assault and harassment.*

NCACG acknowledge the training RAs currently receive but recommend that the College engage trained external facilitators to provide RAs with specific sexual harassment and assault response training. We encourage this training to address the use of language when discussing incidents of reported harassment or assault with an alleged victim, preparator and witness. Principles of psychological first aid could also be useful in this context. We recommend a refresher of this training be provided in the second half of the year.

As discussed in my preliminary response, the Dean is the principal investigator in relation to such matters and therefore is the focus of sexual harassment and assault response training. Both Deans have been trained and are recognised by UNSW as first responders. As stated previously, the Deans do not act as counsellors but refer to residents to qualified professionals.

The role of the RAs is to encourage appropriate disclosure and to refer alleged victims and any witnesses to the Dean. It would be inappropriate for RAs to be interacting with alleged perpetrator except during an emergency.

Each year, UNSW CAPS train the RAs/SRs in *Managing Students in Distress*: recognition of distress as well as common mental health issues.

Specialist training of SRs/RAs to encourage disclosure is being introduced to the Pastoral Training

Retreat for the 2018 academic year.

The two Deans and the New College 2018 SRA completed Mental Health First Aid in November 2017.

CAPS will be holding briefings/debriefings with Deans and the college Pastoral Teams at the end of each Semester/Trimester.

We are open to further changes in college training and procedures but significant changes have been made for the 2018 academic year which will be subject to review prior to the 2019 academic year.

We additionally recommend RAs receive specific training in self-care, and that management ensure they are linked early with external supports including counselling services if needed.

One of my focusses since becoming Dean in 2015 has been to think through the issue of self care.

As Master, I requested that the Dean and RAs determine some specific changes in RA duty that would improve this aspect of RA life. Some significant changes to the Duty Roster and college pastoral care have been made for 2018.

I share your concerns and be assured that I carefully monitor the well-being of all pastoral carers in college. Principal changes for 2018 will be changes to roster operation and debriefing with CAPS at the end of each semester.

The effectiveness of these changes will be assessed prior to the 2019 academic year.

The NCACG thanks you again for your consideration of our recommendations and will happily discuss any of our recommendations further as required.

With kind regards,

Johanna Elms Chair,
NCACG