



## Consultation on the Draft Action Plan Addressing Gender-based Violence in Higher Education – Student representatives and victim-survivor advocates

### Draft Action Plan and National Code

#### The Code requires consistency in terminology used regarding gender-based violence

Stakeholders noted a lack of consistency in terminology, processes and potential outcomes from making a complaint and this creates settings that are hard to navigate. For example, 'disclosure', 'complaint' and 'report' can have different meanings in universities and residences may also use different terms to each other. Stakeholders noted that students need more clarity around what pathways are most appropriate for their ideal outcome - whether that is for individual support or a formal investigation. Stakeholders requested details on accountability mechanisms should a provider not be up to standard.

#### Education and training are critical prevention measures

Stakeholders shared that clear expectations of education and training requirements and upskilling staff and student leaders should be included in the National Code. The National Code should also upskill students to proactively address gender-based violence in their workplaces and ensure students are aware of student unions.

#### Effective design and implementation of the Code will require significant and ongoing consultation

Stakeholders stated that the voices of equity groups must actively inform the National Code and its design must include a First Nations lens, and reflect the experiences of the LGBTQIA+ community, including violence that is not perpetrated by men. Following the introduction of the National Code, stakeholders flagged that effective communication that raise awareness, set the expectations of staff and students and outline consequences of institutional non-compliance would be critical to successful implementation of the National Code.

#### Student accommodation providers need to be brought up to standard

Stakeholders recommended a standard for agreements between higher education providers and student accommodation providers to align their monitoring, reporting and mitigation of gender-based violence and these agreements should include information on how students can raise concerns and find support. Problematic cultures in accommodation need to be explicitly addressed.

## National Student Ombudsman

### Students are unaware of the pathways that are available to them

Stakeholders noted one of the major barriers to escalating complaints is that students are often unaware of the pathways currently available to them. Information about complaints escalation pathways may be available on higher education provider websites and in provider policies but it can be difficult to find, and/or be presented in a legal/technical manner that can be difficult to understand. It can also be confusing for students studying remotely or at a campus in a different state to know where to escalate their complaint.

Stakeholders noted that communication around the proposed Student Ombudsman needs to be clear, transparent and accessible. Similarly, a communication strategy should utilise student bodies, such as clubs and unions, and events like O-Week as a communication channel.

### The Ombudsman needs to have sufficient scope and resourcing to be effective

Stakeholders noted the Ombudsman needs to be appropriately resourced and have expertise to manage intersecting issues to perform its role.

Stakeholders noted the importance of ensuring that the Student Ombudsman could consider broader complaints than those relating specifically to gender-based violence, particularly as these issues often intersect with complaints about other administrative decisions. For example, a victim-survivor may not complete their course or may require adjustments following an incident of gender-based violence. Some stakeholders recommended that the Ombudsman should have the remit to consider decisions concerning academic merit and recommend financial redress.

Stakeholders also shared that while restorative practices can be very effective and should be in scope, these practices require expertise that most universities still need to acquire.

### Ongoing engagement and communication are essential to the role of the Ombudsman

Stakeholders noted the importance of the Ombudsman being visible to students and the need for regular engagement with students to help support this visibility. Stakeholders highlighted that student representatives change annually and there should be annual engagement with student bodies to maintain connections.

Stakeholders emphasised the need to actively consult with diverse cohorts, including LGBTQIA+ people, First Nations people, culturally and linguistically diverse students and students with a disability, in the design of the Ombudsman. Stakeholders noted that financial reimbursement for participating in consultations will ensure students are engaged and feel respected.

Stakeholders flagged the Ombudsman should regularly engage with non-student advocacy groups to help incorporate specialist insights into the Ombudsman's practices. Stakeholders also suggested the Ombudsman should have a mechanism for receiving and responding to feedback from students, institutions, and other stakeholders to ensure it remains responsive to the ever-evolving challenges and issues faced by students.

### Students require clarity around timelines and outcomes

Stakeholders noted that information is required on expected timelines for investigations, potential complaint outcomes, consequences for providers that do not act on Ombudsman recommendations, and whether institutional and Ombudsman processes and procedures can occur concurrently.

