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MONASH GENDER
AND FAMILY VIOLENCE
PREVENTION CENTRE

Submission in response to the Australian Universities Accord Interim Report

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Thank you for this opportunity to respond to the Australian Universities Accord Interim Report.

This submission has been developed by members of the Monash Gender and Family Violence Prevention Centre: Professor Kate Fitz-Gibbon, Dr Naomi Pfitzner, Dr Nicola Helps and Dr Stefani Vasil.

Regulating universities' prevention of sexual harm

We note the proposal in the Interim Report for a new independent regulatory body to be created to oversee universities' prevention of sexual harm. We have been involved in several research projects, contracted by the Commonwealth Government Department of Education, with the aim of strengthening respectful relationships and consent education across Australian states and territories. The research evidence indicates that respectful relationships and consent education is more likely to be effective when a whole-of-community approach is taken. For this reason, we propose that responsibility for overseeing universities' prevention of sexual harm – including sexual assault and sexual harassment (SASH) – be located in the TEQSA regulatory framework.

Establishing SASH in the TEQSA standards would

- Underscore the gravitas of sexual assault and sexual harassment.
- Makes compliance auditable.
- Ensure public reporting. We note that all higher education providers have to demonstrate that they are meeting the standards every seven years when seeking re-registration. Where conditions are placed on registration this information is published publicly on the TEQSA website. These public reporting requirements will ensure critical transparency for student safety.

Embedding responsibility for sexual assault and sexual harassment in the TEQSA regulatory framework would enable a whole-of-sector approach and ensure that sexual assault and sexual harassment are seen as core responsibilities for universities across Australia. This would place responsibility for these issues at the highest level of corporate responsibility in the university sector; a provider's governing body (i.e. the Council, board and/or the Chancellery). To implement and operationalise this approach, we recommend that TEQSA work in partnership with relevant sector and industry experts, including victim-survivors advocates and student-led bodies.

We note that implementing this recommendation would require legislative and operational changes, as detailed in the broader submission made by Monash University. As per our discussion of our recent research findings on university staff experiences of workplace sexual harassment below, we stress that any model of regulation and reporting introduced must cover all individuals impacted by sexual harm at Australian universities, including off-site activities and events.

Creating better and safer higher education institutions for all

We welcome the acknowledgement in the Australian Universities Accord Interim Report that:

“higher education institutions need to be better and safer places to work, consistently and reliably meeting workplace obligations. The Review acknowledges that great progress towards this has been made by many institutions, but that more obviously needs to be done. Staff and student safety, including in relation to sexual assault and sexual harassment, requires concerted action.” (p21)

We support the statement that more needs to be done to secure safer outcomes for staff and students in higher education settings. The landmark *Change the Course* report by the Australian Human Rights Commission drew attention to the high rates of sexual harassment and violence experienced by tertiary students across Australian universities. Significantly less attention has been paid to university staff experiences of sexual harassment in Australia. While it is undoubtedly important to capture and improve responses to student experiences, these acts do not occur in isolation of institutional culture and wider harms.

In 2022 we conducted a [national survey of victim-survivor experiences of workplace sexual harassment](#) in Australia. We received 1412 responses from victim-survivors across Australia, and across a diverse range of industries (see further Helps et al., 2023). The survey captured data on experiences of workplace sexual harassment, the impact of the abuse, the response received as well as victim-survivors' views on opportunities for prevention and early intervention. Our survey captured the experiences of 100 victim-survivors who had experienced workplace sexual harassment while they were working at an Australian university campus. This included the experiences of staff who were both staff and students at the time they were harassed. This data provides important insights into employee experiences of workplace sexual harassment in university settings.

Preliminary findings from this research include:

- *The contributory role of seniority:* 40 per cent of perpetrators were identified as being over 55 years old at the time of the harassment, and were often in more senior positions compared to the victim-survivor. No victim-survivors were harassed by a more junior colleague.
- *That university-based workplace sexual harassment often involves numerous incidents over time:* 23 per cent of university-based victim-survivors who responded to our survey experienced sexual harassment on a weekly basis, 21 per cent experienced sexual harassment on a monthly basis, and 31 per cent experienced sexual harassment for more than a year.
- *That incidents of sexual harassment are often well known within the university:* 46 per cent of university-based victim-survivors who responded to our survey identified that there were witnesses to their experience of workplace sexual harassment. 18 per cent noted that four or more people had witnessed the incident. Of those victim-survivors whose victimisation was witnessed, in only 15 per cent of cases did a witness intervene. Furthermore, 71 per cent of the victim-survivors in our survey knew someone else who had experienced sexual harassment in the same workplace. And 72 per cent of those, also knew that their harasser had harassed someone else in that workplace.
- *That current university responses to workplace sexual harassment are inadequate:* 24 per cent of the university-based victim-survivors in our study lodged a formal report or complaint following their experience. Over 80% of those victim-survivors were dissatisfied with the response received, and over 70% reported that the university did not change anything in an attempt to detect, prevent or better respond to future workplace sexual harassment. Numerous victim-survivors stated there were no consequences for the perpetrator that they were aware of. While for them, in order to manage their own safety or as a result of the impacts of the experience, they left the university.

University students are often employed as staff on campus – for example, as sessional tutors and research assistants. Our survey captured these experiences as well as the experiences of staff, who were not also enrolled in the university as students. Half of the university staff who responded to our survey felt their employment was insecure at the time of their experience of workplace sexual harassment. This includes casual staff but also extends to fixed-term positions and a number of full-time permanent university staff. Recent debates have focused largely on casualisation, and while this is a critical focus for improving workplace cultures in Australian universities, our survey shows that workplace sexual harassment does not discriminate based on employment type.

These research findings point to the significant need for an acceleration of improved response and prevention efforts across higher education settings. We urge the panel to ensure that any interventions and reforms introduced through the Australian Universities Accord pays close attention to the prevention of sexual harm experienced by all persons in higher education settings, including students *and* staff. Recognising that workplace sexual harassment experiences of staff and students are not separate issues but intertwine in multiple ways is critical to ensuring collective efforts to address this harm on all fronts. There is a need to ensure transparency in reporting, to create a culture of accountability for perpetrators and to establish reporting processes that support and validate victim-survivors' experiences of harm. The longer-term but essential work for universities will be to implement clear actions to prevent acts of workplace sexual harassment and to drive the culture change needed to achieve respectful and safe university workplaces for staff and students.

National alignment on efforts to prevent sexual harm

We note that there are numerous efforts currently underway – with leadership from the Commonwealth Government – to improve the prevention of and responses to sexual harm in all educational settings. Any legislative and operational changes, including regulation, compliance and reporting models, introduced for higher education settings should align with broader efforts to reduce and ultimately eliminate sexual harm in other education settings. There is a need to ensure national alignment across this work wherever possible, noting that it currently falls across numerous government departments and regulation bodies. Working in partnership with state and territory governments, relevant education sectors, and experts is critical to propel efforts to achieve prevention of sexual harm and ensure swifter sharing of effective practice.

For further information

We would welcome the opportunity to discuss any aspects of this submission and our wider program of research on respectful relationships and consent education, and workplace sexual harassment in university settings with the Panel further to inform the Final Report to the Minister for Education in December 2023.

Submission citation

Fitz-Gibbon, K., Pfitzner, N., Helps, N. & Vasil., S. (2023) Submission in response to the Australian Universities Accord Interim Report. *Monash Gender and Family Violence Prevention Centre*, doi: 10.26180/24072597

Relevant references

Fitz-Gibbon, K., Helps, N. & Vasil, S. (2023) Sexual harassment impacts university staff – our research shows how. *The Conversation*, 24 August. Access via: <https://theconversation.com/sexual-harassment-impacts-university-staff-our-research-shows-how-211996>

Helps, N., Fitz-Gibbon, K., Vasil, S., & Genat, A. (2023). Workplace sexual harassment in Australia: A data snapshot. Monash University. <https://doi.org/10.26180/22144568.v3>

Helps, N., Fitz-Gibbon, K., Vasil, S., & Genat, A. (2023). Workplace sexual harassment in Australia: Project overview. Monash University. <https://doi.org/10.26180/22144592.v1>

Pfzner, N., Stewart, R., Ollis, D., Allen, K.-A., Fitz-Gibbon, K., & Flynn, A. (2022). Respectful Relationships Education in Australia: National Stocktake and Gap Analysis of Respectful Relationships Education Material and Resources Final Report. Monash University. <https://doi.org/10.26180/21099592.v1>