

2182 Working to End Student – Staff Sexual Misconduct

Proposer: Abbie Mulcairn (Leeway Society)

Seconder: Madeleine Colledge (Postgraduate Education Officer)

Union Notes:

1. That the NUS Women's Campaign defines sexual harassment as behaviour that is "unwanted, persistent and of a sexual nature". Sexual harassment includes:
 - a. Unwanted sexual comments (including comments about your body or private life);
 - b. Unwelcome sexual invitations, innuendoes and offensive gestures;
 - c. Wolf whistling, catcalling or offensive sexual noises;
 - d. Groping, pinching or smacking of your body;
 - e. Having your skirt or top lifted without consent;
 - f. Someone exposing their sexual organs to you without consent
2. The Union has zero tolerance policy towards all sexual assault and misconduct on our campus
3. A third of women students will be victims of sexual assault while on campus.¹ Only around 15% of victims report the incident to the police and only a tiny fraction of these end in criminal convictions
4. Approximately 85,000 women and 12,000 men are raped in England and Wales alone every year; that's roughly 11 rapes (of adults alone) every hour.²
5. The NUS Lad Culture Audit report revealed that there's lack of clarity around the complaints and disciplinary procedures in universities across the country.³
6. NUS Women's Campaign and Students Unions around the country have taken steps to tackle sexual misconduct between students on campus but until now there has been very little research and guidelines around staff to student sexual misconduct
7. UEA (SU) conducted their own survey and found that:
 - a. 78% of participants had experienced unwanted groping, pinching or touching in a sexual manner
 - b. 50% were not aware of how to report an incident on harassment or assault on campus outside of Union settings
 - c. over 70% said "I didn't think any action would be taken" as a reason for not reporting incidents⁴
8. The Zelic Report was created in 1994 to give guidance to universities about how to deal with sexual assault cases. It tells universities not to

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

² <https://rapecrisis.org.uk/statistics.php>

³ <https://www.nusconnect.org.uk/resources/lad-culture-audit-report>

⁴ [http://s3-eu-west-](http://s3-eu-west-1.amazonaws.com/nusdigital/document/documents/21410/46de837745898f0f8636ecd318f20db2/1839_Stand_by_Me.pdf)

[1.amazonaws.com/nusdigital/document/documents/21410/46de837745898f0f8636ecd318f20db2/1839_Stand_by_Me.pdf](http://s3-eu-west-1.amazonaws.com/nusdigital/document/documents/21410/46de837745898f0f8636ecd318f20db2/1839_Stand_by_Me.pdf)

investigate cases and not to go through disciplinary procedures until the victim had gone through the police system.

9. In 2016 UEA(SU) repealed the Zellick Report from their own governance structure and are currently addressing the issue through the 'Changing the Culture Taskforce'. This taskforce is concerned with creating a centralised reporting system.
10. So far, the Changing the Culture Taskforce has not addressed staff to student sexual misconduct at UEA.
11. NUS Women's Campaign and the National Union of Students have partnered with lobby and research organisation 1752 Group to work on a ground-breaking piece of research into sexual misconduct by the university staff towards students.
12. This pioneering project will draw on expertise from the 1752 Group (mainly led by academics) to carry out a national survey of staff and students with an anticipated 3000 responses from students and staff, as well as the qualitative research examining how institutions respond to this issue.⁵
13. A recent study in the US found that 1 in 6 women postgraduate students and 1 in 20 women undergraduate students had experienced sexual harassment from a lecturer or a university advisor⁶
14. A Guardian investigation revealed that almost 300 claims have been made in a 6 year period across 120 different institutions and lawyers say these complaints are just the tip of the iceberg⁷
15. Women are often scared to disclose incidents of rape by male academics as they do not think perpetrators to have their careers ruined as a result. This is not an isolated experience.⁸

Union Believes:

1. Sexual assault is a deeply gendered issue and we should recognise the power structures that operate particularly between male academics and female students.
2. Considering the rates and statistics of sexual assault and harassment at UEA (see Notes 7), it is not unreasonable to assume that sexual misconduct is as rife within academia as the student population.
3. Sexual assault does not just happen in student nightclubs. It happens in the classroom and in office hours as well. Sexual violence is a systemic and institutional problem which requires deep institutional solutions.
4. Evidence shows that 82% of rapes are never reported to the police and of these, only 1 in 5 results in court proceedings. For the few cases which do enter the court system, the average length of the court process is 1 year and 4 months from report to verdict – at which point many victims may no longer be studying at the university. This means in practice, the

⁵ <https://1752group.com/national-campaign-launch/>

⁶ <https://1752group.com/national-campaign-launch/>

⁷ <https://www.theguardian.com/education/2017/mar/05/students-staff-uk-universities-sexual-harassment-epidemic>

⁸ <https://www.timeshighereducation.com/features/there-culture-denial-around-sexual-misconduct-academia#survey-answer>

majority of victims of sexual violence would see no action taken by their university⁹

5. The quality of University reporting procedures and support services across the UK are inconsistent and inadequate.
6. That Universities need to have a clear, preventative strategy with dealing with sexual violence
7. That Universities need to fund and support services, particularly counselling, for survivors.
8. Student staff sexual misconduct is an area that has not been researched and investigated. The University should be proactive in ensuring that the position of power of employed staff have is not manipulated.
9. In light of student-staff sexual misconduct cases, Universities need adequate policies, procedures and support for students who experience sexual misconduct from university staff
10. One of the main functions of a University is to conduct research yet they have failed to research what is happening in their own institutions. It is clear the Universities have an interest in maintaining their reputation and
11. Dr Anna Bull, co-founder of the 1752 Group believes Universities may have vested interests in remaining silent. She said "Young women are often terrified about the consequences if they make a complaint about a staff member. So when they do, the universities chief concern is to downplay any wrongdoing and protect its own reputation by keeping the whole thing quiet"¹⁰
12. A major story about sexual misconduct within the institution at Goldsmiths led Professor Sara Ahmed to resign over failures to adequately address the problem. The problem requires an institution-wide, deep level approach to rewrite guidelines around reporting, reconsidering hiring policies, and defining professional codes of conduct.
13. Many female students do not know what relationship they should expect with academics and as a result there may be any number of cases of sexual misconduct at UEA which have gone unreported and ignored.
14. Institutions must have a policy on staff-student sexual relationships. This needs to specify the actions to be taken should a relationship occur. It should include continued monitoring of the relationship. This must include all university staff and students, irrespective of the role of the staff member and whether they have direct or indirect responsibility for the student's academic progress.¹¹
15. Because of the nature of postgraduate research programmes, where a PhD student may be sharing a work space with their supervisor full-time, or other members of academic staff, the majority of sexual misconduct cases go unreported for fear of repercussion or impact on their future career. Their PhD funding may be restricted to a particular supervisor's research project, meaning that they cannot change supervisor.

⁹ [http://s3-eu-west-](http://s3-eu-west-1.amazonaws.com/nusdigital/document/documents/21410/46de837745898f0f8636ecd318f20db2/1839_Stand_by_Me.pdf)

[1.amazonaws.com/nusdigital/document/documents/21410/46de837745898f0f8636ecd318f20db2/1839_Stand_by_Me.pdf](http://s3-eu-west-1.amazonaws.com/nusdigital/document/documents/21410/46de837745898f0f8636ecd318f20db2/1839_Stand_by_Me.pdf)

¹⁰ Ibid.

¹¹ <https://1752group.com/strategic-priorities/>

16. Previous cases have demonstrated that universities are reluctant to reprimand academic staff for sexual misconduct who hold bring in large amounts of research funding.
17. Due to many postgraduate taught programmes containing small cohort sizes, it is not uncommon for the course director to also teach the majority of a student's modules, be their advisor, and their supervisor. The associated risks from reporting are very high for this group of students.

Union Resolves:

1. To use all Union resources, including student officer's social media pages to promote the National Survey run by the 1752 Group and NUS Women's Campaign (<https://www.snapsurveys.com/wh/s.asp?k=150963117909>)
2. To build into the central reporting system, a way for students and staff to report misconduct or assault which is sensitive to race, gender identity, sexual orientation, and physical or mental health related ability, which will not have an adverse effect on the victim's future participation in academia.
3. For Union representatives on the Changing the Culture Taskforce to work with the 1752 Group to create a set of guidelines around preventing student-staff misconduct, and an enforceable code of conduct which clarifies for both the staff and student the boundaries of the professional relationship at UEA. These guidelines and code of conduct must include a section specifically for PGR student-staff misconduct because of different risk factors involved.
4. To lobby the University to keep a record of anonymised data and statistics of incidents and allegations and to make publicly available all reports on incidents of sexual misconduct¹²
5. To lobby the University to commit to supporting students and staff both academically and pastorally through recognising the long-term impact of sexual violence. To lobby specifically for an increase in funding for SSS and counselling services for survivors of sexual assault and violence.¹³
6. To lobby the University to train all teaching and academic staff on sexual misconduct and appropriate boundaries with students, and to immediately remove any known perpetrators at the institution.¹⁴

¹² <https://1752group.com/strategic-priorities/>

¹³ Institutions must recognise that each allegation of sexual misconduct represents a long term process which can easily take years to resolve. This requires on going support for the student. Such support may include the provision of long-term counselling services that may be external to the institution, access to legal services, providing support for international students whose immigration status is at risk if studies are delayed, support for students whose funding for postgraduate studies may be withdrawn through lack of progress, and providing undergraduate students with extensions for deadlines. Institutions need to be sensitive to the varied costs that delays in completing studies have on students.

¹⁴ Once UEA has policy around staff-student misconduct in place, any staff or student found to have violated this policy should be fired from the institution and data about known perpetrators should be shared across educational institutions. We recommend that any staff who are under investigation for cases of sexual misconduct should be suspended while the investigation takes place. All information pertaining to the victim should be kept anonymised and in line with Data Protection policy.