ADDRESSING STUDENT SEXUAL VIOLENCE IN HIGHER EDUCATION
REVIEWS

This book needs to be in the hands of every advocate, in the library of every university and on the desks of every administrator and policy maker in the higher education sector, regardless of their geographical location. It cuts through all of the noise we’ve heard in recent years, and offers practical and realistic advice for addressing sexual violence within the higher education sector, without ignoring the nuances that can be present in any individual situation. I can’t thank the authors enough for writing it. There were so many moments as I was reading that I was actually shouting out loud in agreement with what they had written. It’s made me re-think some of the work that we’ve been doing, and how we can improve our messaging.

—Sharna Bremner, Founder and Director, End Rape on Campus Australia

Towl and Humphreys fill a niche gap in literature by strategising and explaining specific ways institutions of higher education can and must go beyond legal compliance and ‘checking the box’ in order to best prevent sexual violence and support victim-survivors of violence. Their unique approach is practically focused with plenty of detailed guidance, which although UK specific is widely applicable internationally as a most useful resource. Many of their ideas should be immediately tested and implemented.

—Annie E. Clark, Co-Founder and Former Executive Director, End Rape on Campus; Author of We Believe You

This book is a desperately needed contribution to the discourse on sexual violence in Higher Education. The authors’ nuanced analysis of international approaches to sexual violence, institutional responsibility and the varied needs of victim-survivors is also applicable to institutions tackling sexual violence outside the HE sphere. This thoroughly researched guide is a vital tool in making the transformative change necessary to eradicate sexual violence in education, and I highly recommend it to student activists, students’ unions and staff working in Higher Education.

—Rachel Watters, Women Students’ Officer, National Union of Students
Institutional responses to student sexual violence continue to be inadequate across the sector as a whole, sometimes through a lack of will, but often through a lack of understanding the complexities and specific issues that arise in this field. Humphreys and Towl bring their many years’ specialist academic and practical experience to bear, for the benefit of those in Higher Education who know they must develop a better response to sexual violence in universities but need to understand more detail about what good practice looks like and why. The authors help to flesh out the compelling reasons for taking a focussed long-term, whole-institution approach and then provide the tools for ensuring that the detail of policy, culture change programmes, investigations and disciplinary processes will be crafted from a place of understanding. This is an accessible and very helpful text that provides a wealth of relevant information about all aspects of sexual violence in the student community and sets institutions on their way to achieving appropriately high standards in their response to sexual violence.

–Dr Helen Mott, Sexual Harassment and Women’s Rights Consultant

Universities create societal leaders and thus have a unique ability to engender cultures where gender-based violence is prevented and robustly tackled. Key to this are holistic institutional frameworks which comprise an integrated suite of policies, tools, partnerships and behaviours. In this work, Humphreys and Towl provide valuable perspectives and practical, evidence-informed guidance to develop such frameworks and facilitate a culture of shared ownership across Universities to deliver tangible and impactful societal change.

–Jill Stevenson, Executive Member, AMOSSHE; Dean for Equality, Diversity and Inclusion and Head of Student Support Services, University of Stirling

This is the book that UK universities have been waiting for. Drawing on extensive knowledge of sexual violence prevention and response, the authors lay out clear and practical steps for universities to follow in order to create a safer institution, as well as pushing forward best practice through evidenced arguments. This
book should be required reading for university leaders and everyone working on the front line of student sexual violence services. Now that we know how to make campuses safer, there is no excuse for institutions that fail to act.

–**Dr Anna Bull**, Co-founder, *The 1752 Group*

As a sector, not nearly enough has been done yet to tackle sexual violence in universities, despite the fact that it impacts so many students’ lives in such tragic and personal ways. It is great to see such a well-thought-out and practical resource, which removes one more barrier to implementation. As the authors suggest, ultimately the main factor that stops institutional action on this is leadership prioritisation. For those institutions who know you still need to do more, it’s over to you to do so…

–**Chris Newson**, Chairman and CEO, *The Student Room Group*
ADDRESSING STUDENT SEXUAL VIOLENCE IN HIGHER EDUCATION

A Good Practice Guide

BY

CLARISSA J. HUMPHREYS
GRAHAM J. TOWL
The Rape and Sexual Abuse Counselling Centre (RSACC) was established in 1990 and is the only free and confidential specialist provider of services for individuals aged 13 years and over in Darlington and County Durham. RSACC’s primary objective is to relieve the distress of individuals who have suffered any form of sexual violence, sexual abuse, domestic abuse or harassment and to educate and raise awareness of the consequences of sexual abuse with a view to preventing violence against women and girls.

Support for survivors of sexual violence is desperately needed within Darlington and County Durham. Sexual violence has significant and lasting consequences on survivors, including impacting individuals’ mental and physical health, leaving women feeling isolated and disconnected from their community. Other long-term consequences can include post-traumatic stress disorder, anxiety and panic attacks, depression, social phobia, substance abuse, obesity, eating disorders, self-harm and suicide. Often survivors are involved in the criminal justice system, which has the impact of increasing stress and anxiety, even re-traumatisation, as clients describe not feeling believed or experiencing victim-blaming.

RSACC values the importance of understanding and responding to survivors within the community need and focuses on working and consulting with survivors to provide services that help them deal with the trauma of sexual abuse, promote their recovery and improve their mental health. Services are developed to provide more choice and a more holistic approach; counselling, helpline, facilitated groups, external training and most recently an Independent Sexual Violence Advisors service and a project working within a prison setting.

RSACC is also an accredited member of Rape Crisis England and Wales National Service Standards and actively supports campaigning both locally and nationally to end violence against women and girls.

Please note the authors are donating their royalties in full to RSACC.
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LIST OF ABBREVIATIONS
AND ACRONYMS

ACHA American College Health Association
AHE Advance higher education
AHRC Australian Human Rights Commission
AMOSSHE The Student Services Organisation
ATIXA Association of Title IX Administrators
BLOG Believe, Listen, Offer options and resources, Get support for yourself
CDC Centers for Disease Control and Prevention
CEDAW UN Convention on the Elimination of Discrimination Against Women
CJS Criminal Justice System
CPS The Crown Prosecution Service
EVAW End Violence Against Women coalition
EVAWI End Violence Against Women International
FE Further education
HE Higher education
HEI Higher education institution
MOU Memorandum of Understanding
NASPA Student Affairs Administrators in Higher Education
NUS National Union of Students
OfS Office for Students
<table>
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<th>Abbreviation</th>
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<tr>
<td>OIA</td>
<td>Office of the Independent Adjudicator for Higher Education (England and Wales)</td>
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<td>PTSD</td>
<td>Post-traumatic stress disorder</td>
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<td>RJ</td>
<td>Restorative Justice</td>
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<td>RMA</td>
<td>Rape myth acceptance</td>
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<td>SAMHSA</td>
<td>Substance Abuse and Mental Health Services Administration</td>
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<td>SARC</td>
<td>Sexual Assault Referral Centre</td>
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<td>SVLO</td>
<td>Sexual Violence Liaison Officer</td>
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<td>UUK</td>
<td>Universities UK</td>
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<td>VAW</td>
<td>Violence Against Women</td>
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Clarissa J. Humphreys is the Sexual Misconduct Prevention and Response Manager at Durham University. She is a practitioner and leading authority on addressing gender-based violence in higher education and was the first person to hold a dedicated role in this area in the United Kingdom. She is responsible for policy development, case management, student support and prevention and training. She is an experienced trainer and has developed and delivered courses covering topics such as understanding sexual violence in higher education, responding to disclosures and conducting trauma-informed investigations. In 2018, she was recognised for her work with students by Durham Students’ Union and was awarded Best Student Support. The following year, she was recognised by Durham University through Durham Women Making a Difference. Prior to this role, she gained extensive professional experience working as a forensic mental health social worker in England and as a Licensed Master Social Worker and Licensed Chemical Dependency Counsellor in Texas. She has worked with survivors and perpetrators of domestic abuse and sexual violence and with individuals with acute mental illness and co-occurring substance use issues. Additionally, she has both case management and clinical experience, which includes providing group and individual therapy utilising predominantly Cognitive Behavioural Therapy (CBT) and Motivational Interviewing (MI).

Graham J. Towl is Professor of Forensic Psychology at Durham University, UK, where he was Pro Vice Chancellor Chair of the Sexual Violence Task Force (2015–2016). Formerly he was a Senior Civil Servant and Chief Psychologist at the Ministry of Justice, UK, and also previously a practitioner psychologist working with,
amongst others, sex offenders. In his therapeutic work he has also worked with women (in prisons) who have been subjected to sexual violence. He is an expert on sexual violence at universities and has worked with Universities UK, Advance HE and the Office for Students on addressing sexual violence at universities. He chaired the first UK conference on addressing sexual violence in higher and further education (July 2019). He is the co-author (with Professor Tammi Walker, Teesside University, UK) of *Tackling Sexual Violence at Universities; An International Perspective* (2019) published by Routledge. He is a member of the new Office for Students (OfS) Safeguarding and Welfare Expert Advisory Panel.
Across the world young people who have the ambition and opportunity to progress to higher education embark upon a phase of their lives where new ideas, skills, friends and networks can beckon. For many, this period can be marked by excitement and possibilities but for too many these are stolen through the experience of sexual violence.

From Bangladesh\(^1\) and Uganda\(^2\) to Chile\(^3\) and Japan\(^4\) hitherto largely unacknowledged sexual abuse on campus is finding recognition and starting to gain the attention of managers and administrators. This is in significant part due to the efforts of students to name their experiences and to call their university administrations to account for their (in)action. There is nothing to suggest that more accounts from other parts of the world will not emerge.

Drawing primarily on data and experiences in four industrialised countries – Australia, Canada, United Kingdom and United States – this book provides an impressive body of advice, recommendations and practical measures that, taken together, can drive university

efforts to address and seek to prevent such violence. The urgent and holistic work that needs to be progressed will not be resolved by a few small or easy adjustments – that will not end the problem or fix a reputation. Meaningful efforts to end sexual violence and provide justice to those who have been violated are not about quick fixes but about thoughtful and holistic work that takes on the cultural and often little-expressed notions that excuse perpetrators, deny victims’ credibility and refuse to see the harm that rape culture brings to educational settings. Efforts must be integrated, consistent and system-wide.

Sexual violence remains a global epidemic: it is pervasive, it brings harm and it costs far too many lives. It is steeped in cultural norms and beliefs, attitudes and behaviours that target and blame women for the sexual abuse that scars them, minimises the harms done, shatters the potential of their being heard as truth tellers and ultimately excuses perpetrators. Rape culture wields the social, political and economic inequality of power that is global and gendered.

Sexual violence reflects the many assumptions and impacts of gender and sex discrimination that are infused in society and culture. Universities are not islands, separated from the world they inhabit, but are inevitably connected to it; these institutions have to decide whether and to what extent they will uncritically recreate what exists or whether they will rupture the norms of their social context. The construction of gender, the assumptions of women’s sexual availability and men’s presumed sexual entitlement are among these, as are ideas about which women or men are considered ‘naturally’ sexualised and thus available for consumption or ‘naturally’ sexually aggressive. Those who are lesbian, gay, bisexual or trans, those who have disabilities, belong to immigrant communities, are young or in other ways sexualised as submissive or hyper-sexual seem to be both especially targeted and especially disbelieved in their reports.

Work against sexual violence has a long and honourable history through which clear principles have been established, including that the majority of reports arise from real experience (not malicious intent), that the voices of victims and survivors provide clear
direction as to what is needed, that impunity breeds perpetration, that investigations need to be timely and bring meaningful consequences. Such principles inform and drive the work in this volume. It provides universities in and beyond the United Kingdom a solid framing and understanding of how sexual violence on campus is to be addressed.

University is when young people should be focusing on learning and benefitting from environments where they can establish relationships that will nourish and help them to grow intellectually, in competence and socially. Their ability to participate in a learning environment and be nourished by it is profoundly compromised or wholly denied through the incursion of sexual violence into their lives as well as by its corrosive remains.

Understating what constitutes sexual violence, including rape, remains a work in progress. A common, minimalist approach has seen rape as penile–vaginal penetration, evidenced by the victim fighting off the assailant and consequently bearing marks or injury that evidence a lack of consent, that is subsequently relied upon in court. More recently, dynamics of power and inequality, coercion and control have entered definitional discussions. The international definitions of rape and sexual violence reflect the experiences of those raped and sexually violated: rape is

Power shapes the fear, desperation, coercion and the other conditions identified in these definitions and is present on campus. Any serious intent to rid places of scholarship of sexual violence has to tackle seriously the naming and minimising of such inequalities and to ensure that the ability to learn is a primary ambition. Sexual violence damages the ability to learn, feel safe, be able to debate, plan and build a life after study. If processes of reporting, investigation and the delivery of justice start from the premise of disbelief, prioritising the wellbeing of the alleged abuser over the person violated, then the institution’s primary mission of education is severely compromised. Instead of focusing on the risk of being violated, a rightful focus on the risk of perpetration shifts the debate and identifies the source of the problem.

The extremely helpful guidance in this volume instead offers routes away from denial or minimisation of sexual violence, providing practical routes to ensure that reporting is made worthwhile, investigations are likely to be meaningful and educational objectives are deliverable. Students and the #MeToo movement have made clear that sexual violence on campus is not to be tolerated or considered inevitable. Measures are needed to support and win confidence of survivors, advise professionals, monitor experiences and responses if lasting change is to be made. Clarissa Humphreys and Graham Towl point the way to delivering on these changes – and to the rightful prioritising of the true mission of institutions of scholarship: environments conducive to learning and growth for all students.

Purna Sen
UN Women

Purna Sen is Executive Coordinator against sexual harassment at UN Women, where she was formerly Policy Director. Purna’s experience is in policy, advocacy, teaching, research and publishing in education, inter-governmental work, local government and NGOs.

Her work has covered violence against women, human rights, trafficking, sexuality and sexual control, development and race equality in the United Kingdom. She has been on management/
advisory groups of NGOs including the Refugee Women’s Resource Project, Southall Black Sisters, the Kaleidoscope Trust (LGBT rights), RISE (domestic abuse) and the Commonwealth Human Rights Initiative. Purna was previously Deputy Director of the LSE Institute of Public Affairs, Head of Human Rights for the Commonwealth and Programme Director at Amnesty International. Her PhD (Bristol) researched domestic violence.

Purna received the Sir Brian Urquhart Award for Distinguished Service to the UN in 2018 and was included in the 100 Most Influential People in Global Gender Policy in 2018 and 2019.
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ACKNOWLEDGEMENTS

To the victim-survivors, activists, practitioners, academics and institutions that have been doing this work for years, months, weeks or days. It saddens us that this book is still needed, but it is through your courageous voice, valuable work and tireless efforts that we are able to gather and develop this information that we hope will aid in this fight for the basic human rights of safety and equality. Thank you for speaking up, speaking out and helping to shift the culture so that sexual violence is not tolerated in our institutions. We see and hear you. Thank you.
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“All students have the right to live and study in an environment of dignity and respect, free from the fear of harassment or violence.”

~Olivia Bailey, NUS National Women’s Officer Hidden Marks, National Union of Students, 2011
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INTRODUCTION

The idea for this book came from countless conversations with colleagues about the absence of practical and detailed guidance on how to address issues of sexual violence in higher education (HE). Various bodies and individuals have called for sector-wide guidance and tighter regulation. But the guidance that is available tends to be broad and more about policies and principles than practice. From our perspective we thought that rather than exhort others, whether regulatory or representative bodies, to produce detailed guidance we would do it for ourselves, and hopefully provide a resource for those working in the field to draw upon. We have complementary knowledge, experience and skills, and we work together to try and make the whole more than the sum of the parts. Our experience is international and includes the domains of forensic psychology and forensic social work alongside experience of the HE sector.

This book is intended for practitioners, including policymakers, student services administrators, case managers, educators, investigators, adjudicators and all of us who may receive a disclosure of sexual violence. We hope student activists may also find this book helpful. Above all we want this to be a useful resource and tool for all of us who care about making a difference in reducing sexual violence.

Although there has been some progress in addressing sexual violence in HE, it seems to us that there is still much to be done, and that as a sector we have done little more than take the first few steps
needed to address this pervasive issue in higher education institutions (HEIs). One illustration of this is when senior leaders make the wholly implausible claim that one reason for a lack of progress is a lack of funds. We think that this may more accurately be described as a lack of prioritisation. Compared with other areas of the public sector, such as further education (FE), universities seem well funded and on the whole, relatively wealthy. We argue that executive leaders and governing bodies can make the choice to prioritise investing in this work.

The lack of sufficient HE senior leadership prioritisation in this area is part of the problem and can reflect a rather narrow view of the potential of HE communities. Successive generations of HEI governing bodies and executive leaders have not seen fit to make fundamental changes to address sexual violence. Increasingly we are seeing the human cost of such failures of leadership (Towl & Paske, 2017). Research and teaching are key to HE, but so are education, learning and making a positive impact in wider societies. The UK Criminal Justice System (CJS) seems to us to be a very blunt, and largely ineffectual, system in tackling sexual violence. At the time of writing, we have seen the rates of rape prosecutions and charges in England and Wales at the lowest levels in a decade (Barr, Topping, & Bowcott, 2019). In 2018/2019, 1 in 65 rapes reported to the police resulted in a charge or summons compared to 1 in 7 in 2015/2016 (Barr, 2019). Recently, the End Violence Against Women Coalition (EVAW) commenced Judicial Review proceedings against the Crown Prosecution Service (CPS) reporting that the CPS changed its policies resulting in this substantial drop in prosecutions (2019). Although improvements can, and hopefully will, be made to the CJS there are some cross-cutting issues to consider. Perhaps the most obvious and potentially impactful example of one such challenge is addressing the fact that there seems to be significant under-reporting to police and universities (NUS, 2011).

1Throughout this book we use the terms ‘higher education institution (HEI)’, ‘university’ and ‘institution’ interchangeably to represent all types of institutions of higher learning.
This is a key point that we would pick up as tapping into the broader educational purpose of HEIs to do something good and useful in wider society. One means of doing this is by getting our own house in order. We need to invest in order to increase reporting, support victim-survivors and ensure the quality of internal investigations and decision-making processes. We need to create environments where students and staff can access education and employment free from the fear of sexual violence. A central argument of this book is that if disclosing and reporting is the ‘new norm’ this may contribute to prevention through deterrence alongside a robust comprehensive prevention programme.

If we can make a real and tangible difference to the prevention of sexual violence in HE and also potentially within wider society, why would we not do it? We argue that we can and should do what we can as a sector to make a difference. In doing so we are seeking to protect the long-term interests of all of us.

As we will discuss throughout the book, it is important how we discuss and frame these issues. In this book we use the term ‘sexual violence’ as an umbrella term to capture a range of non-consensual, unwanted, forced and/or coerced sexual behaviours including, but not limited to, rape, assault by penetration, sexual assault, sexual harassment, indecent exposure, image-based sexual abuse, stalking and domestic abuse, including coercive and controlling behaviour. These are all forms of gender-based violence identified as part of what is considered the ‘sexual violence continuum’ (Kelly, 1987, 1988). As we discuss this further in Chapters 2 and 3, we will highlight why sexual violence is considered gender-based violence. We note that internationally, particularly in the United States and Scotland, the term ‘gender-based violence’ is preferred in HE prevention efforts. For the purposes of this book, we have chosen to use ‘sexual violence’, as sector guidance in England and Wales has initially used this language.

We use the following terms to refer to those subjected to or perpetrating sexual violence:

- **Victim-survivor (survivor)**: individual subjected to any form of sexual violence;
- **Perpetrator/offender**: individual who committed any form of sexual violence;

- **Reporting Party**: individual reporting to an HEI that they have been subjected to any form of sexual violence;

- **Responding Party**: individual who has been reported to have committed any form of sexual violence within an HEI; and

- **Subjected to (sexual violence)**: we prefer the epithet ‘subjected to’ rather than ‘experienced’ because it more accurately reflects the power dynamic involved. The term ‘experienced’ has a level of neutrality to it that does not reflect this power dynamic.

The language is purposeful in that we choose not to use ‘victim’ as a standalone label even though ‘victim’ along with ‘injured party’ or ‘witness’ are used in the CJS. HEI administrations may enact civil justice-based procedures and processes but not criminal justice-based investigations, and we aim to reflect this in our language. Where appropriate, we would generally use ‘survivor’ as a standalone label; however, from our joint clinical experience working with victim-survivors we recognise that the label of ‘victim’ or ‘survivor’ takes on different meanings and purposes at different points in recovery. Therefore out of respect for the autonomy of individuals to choose a label that supports their recovery at a specific point, we have chosen this double-barrelled label to use throughout our book only abbreviating to ‘survivor’ on occasion. The use of victim-survivor takes on the meaning of moving from victim to survivor and on to thriving in the recovery process highlighting an individual’s resilience and strength. In our experience, excluding the use of the term ‘victim’ may have the impact of individuals feeling as if their victimisation by the perpetrator was ignored or minimised, and that they were only asked to survive or pull themselves up by their bootstraps. In addition, we acknowledge the brutal reality that not all individuals subjected to sexual violence survive; the sobering, but necessary, truth is that an estimated 1 in 10 victims subjected to sexual violence attempt suicide (Office for National Statistics, 2018), and
every four days a woman is killed by her male partner or former partner in Britain (Long, Harper, & Harvey, 2017).

We use the term ‘Reporting Party’ as a label for an individual who reports to an HEI they have been subjected to sexual violence. This is a neutral term for the purposes of an internal investigation. We find that using ‘victim’, ‘survivor’ and ‘victim-survivor’ within an internal investigation creates an inherent bias that will encourage Responding Parties to appeal decisions. The term ‘complainant’ is problematic too as it implies the individual is complaining, whining or in some way potentially viewed as a problem.

The term ‘Responding Party’ (or ‘Respondent’) is, again, a neutral term to refer to an individual who has been reported to have committed sexual violence. Other terms, which may be perceived to hold bias, but hold the same meaning would include Accused Party or alleged perpetrator. Both of these terms are in common use in the CJS, but we would reiterate the need to not use CJS-based terms but rather to recognise the civil legal nature of university processes and procedures.

This book is a modest, but we hope, helpful contribution to this growing field. What distinguishes this book is its firm focus on the practicalities of addressing sexual violence in HE; in that sense it is more of a handbook. We have structured this book into two parts. In Part 1, we consider the landscape for addressing sexual violence in HE internationally and offer a call to action for senior leaders to invest in and lead in this area. In Part 2 starting in Chapter 4, we offer practical how-to guidance beginning with a model for a comprehensive institution-wide approach alongside discussions of how to resource this work. In Chapter 5, we detail how to develop robust policies in this challenging area. This is followed by a discussion on how to develop comprehensive prevention and response training across the institution. In Chapter 7, we cover in detail how to respond to disclosures of sexual violence. In Chapters 8 and 9 we consider how to run trauma-informed investigations and disciplinary procedures. Finally, in Chapter 10 we offer concluding thoughts and recommendations. In addition, we provide a set of resources and templates for practitioners at the end of this book.
Little of what follows in terms of practical advice and proposed policies and practices may be achieved if there are insufficient financial resources being prioritised to support such work. Increasingly students are talking about sexual violence more openly. We are keen that this book is one useful contribution to those conversations.