

## Sexual Harm Procedures - Dubai

*Printed copies are for reference only. Please refer to the electronic copy in the Policy and Procedure Manager (PPM), the electronic policy management system (EPMS), to ensure you are referring to the latest version. This procedure will be implemented in a phased approach, with implementation due to be complete by end 2021.*

### Policy Supported:

[Sexual Harm Policy](#)

### Audience:

University Community, public

### Scope:

This procedure should be read with the [Sexual Harm Policy](#). It applies to the University Community located within Dubai. See the [Sexual Harm Procedure](#) for all other locations. Any staff member with a tertiary mental health qualification, appropriate authority, and an understanding of trauma, may deviate from this procedure if the deviation will provide more support and care to a person who has experienced Sexual Harm.

### Objectives:

- To set out Trauma-Informed processes for preventing and responding to Sexual Harm incidents within the University Community.
- To prioritise the safety and wellbeing of students and staff who experience, Disclose or Report Sexual Harm and ensure this is the centre of the University's response.

### Table of Contents

<b><u>Emergencies</u></b> .....	<b><u>2</u></b>
<b><u>Critical Incidents</u></b> .....	<b><u>2</u></b>
<b><u>General</u></b> .....	<b><u>2</u></b>
<b><u>Support Services</u></b> .....	<b><u>3</u></b>
<b><u>Bystanders</u></b> .....	<b><u>4</u></b>
<b><u>Disclosures</u></b> .....	<b><u>4</u></b>
<b><u>Sexual Harm Review Panel</u></b> .....	<b><u>5</u></b>
<b><u>Reports</u></b> .....	<b><u>6</u></b>

<b><u>Investigations</u></b> .....	<b>8</b>
<b><u>Police Involvement</u></b> .....	<b>10</b>
<b><u>Risk Assessments</u></b> .....	<b>11</b>
<b><u>Prevention</u></b> .....	<b>11</b>
<b><u>Accommodations</u></b> .....	<b>12</b>
<b><u>Other Complaints Bodies</u></b> .....	<b>12</b>
<b><u>External Reporting</u></b> .....	<b>12</b>
<b><u>Internal Reporting</u></b> .....	<b>13</b>
<b><u>Definitions</u></b> .....	<b>13</b>
<b><u>If you have Experienced Sexual Harm Flowchart (Attachment A)</u></b> .....	<b>18</b>
<b><u>Sexual Harm Procedure Flowchart (Attachment B)</u></b> .....	<b>19</b>
<b><u>Responding Effectively to Sexual Harm Disclosures (Attachment C)</u></b> .....	<b>20</b>

## **Procedure:**

### *Emergencies*

1. In an emergency, phone 999 for police, or 998 for medical.
2. Campus Security can be contacted on 04 3602 262.
3. All members of the University Community should familiarize themselves with local police customs, processes, laws and potential penalties regarding Sexual Harm as they can vary significantly depending on location.
4. Students and staff should follow the emergency information in the [MurdochSafe app](#).
5. Campus Security may contact police or ambulance if a person is in imminent danger, experiencing a life-threatening medical emergency or if a person has given permission to do so.

### *Critical Incidents*

6. Where staff identify a critical incident as defined in the [Murdoch University Critical Incident & Continuity Management Plan \(CIMP\)](#), it must be managed in accordance with the CIMP.

### *General*

7. All members of the University Community are expected to:
  - 7.1 hear a Disclosure or Report with compassion, not judgement or blame;
  - 7.2 treat all Disclosures as being genuine;
  - 7.3 not diminish a person's experience;
  - 7.4 minimise the number of times and depth of detail to which a person is asked to recount a traumatic experience; and
  - 7.5 consider the wishes of the person who experienced Sexual Harm and, where possible and appropriate, involve that person in decision making.

8. All staff involved in this procedure must take prompt and appropriate action where an allegation is raised, but also ensure that wherever possible, processes meet the pace set by the person who experienced Sexual Harm, the time taken to respond to a Report and investigation of Sexual Harm is minimised, and the outcome of a Report is finalised as soon as practicable.
9. Timeframes in this procedure may only be exceeded in extenuating circumstances.
10. Any person is welcome to have a support person throughout any stage of the Disclosure, Report or investigation process.
11. There is no monetary cost associated with providing a Disclosure or Report, or participating in an investigation.
12. Any person who experienced Sexual Harm can withdraw a Disclosure or Report, or cease their involvement in an investigation at any time. Where there is a serious risk of harm to the University Community, the University may be required to continue an investigation without the participation of the person who has experienced Sexual Harm.
13. A Sexual Harm Support Officer can arrange an interpreter, where possible, for students and staff who wish to make a Disclosure or participate in a Report process in their preferred language.
14. All staff involved in the assessment of a Disclosure or Report must do so in a professional and fair manner, with appropriate transparency.
15. All staff must declare any actual, potential or perceived conflict of interest and where appropriate they should be removed from having involvement in a Sexual Harm matter. See the *Conflict of Interest Policy* for more information.
16. A staff member must not provide information about an allegation to any person where there is an actual, potential, or perceived conflict of interest.
17. A staff role in these procedures may be delegated to another staff position if that position holds appropriate authority and expertise.
18. Any staff member communicating information regarding Sexual Harm must take defamation laws into consideration.
19. Advice and options for those who have experienced Sexual Harm can be found in *Attachment A* and a simplified overview of this procedure is documented in *Attachment B*.

#### *Support services*

20. The Murdoch University Dubai Student Counsellor provides counselling services to students. Appointments can be made by email or phone (+97155 249 7464).
21. The UAE National Programme for Happiness and Wellbeing provides counselling services through a toll-free support line and WhatsApp chat (8004673). Services are available from 8am-8pm daily in English or Arabic.
22. The Dubai Foundation for Women and Children provide a 24-hour helpline (800 111) and crisis care for women and children. They can be contacted by phone (04 6060300), SMS (5111), live chat or email.

### *Bystanders*

23. Members of the University Community are encouraged to intervene safely when they encounter instances of unacceptable behaviour. As active bystanders, members of the University Community can:
  - 23.1 notice events and interpret the event as requiring intervention;
  - 23.2 intervene in the situation safely which may involve directly challenging or confronting perpetrators or potential perpetrators, distracting either party or getting help from others; and
  - 23.3 provide support and care to the person who has experienced sexual harm at a later time.

### *Disclosures*

24. Members of the University Community who have experienced Sexual Harm can make a Disclosure to a Sexual Harm Support Officer in the Access Wellbeing and Equity (AWE) team.
25. Disclosures can be made [online](#) or via the [Murdoch Safe App](#).
26. A Disclosure is a step a person can take to seek support and care. A person who makes a Disclosure may or may not make a Report.
27. A Report is a step a person can take to request the University investigates an allegation of Sexual Harm.
28. A person who witnessed or was informed of Sexual Harm can make a Disclosure.
29. If a staff member suspects or believes a Child has experienced Sexual Harm and a person who may be involved is a member of the University Community, they should immediately provide a Disclosure to the AWE team.
30. If a staff member is informed of Sexual Harm in relation to the University by a person who does not wish to Disclose their experience to the University, the staff member must immediately provide De-Identified information about the incident to the University [online](#) or via the [Murdoch Safe App](#).
31. Procedures for responding to a person sharing information about Sexual Harm is at *Attachment C*.
32. All Disclosures of Sexual Harm may be made anonymously and can be De-Identified. The University may be limited in how it can respond if information is De-Identified.
33. If a Sexual Harm incident is communicated via other mechanisms such as complaints, occupational health and safety reporting, or misconduct reporting, these Disclosures must be referred to the AWE team as soon as possible, [online](#) or via the [Murdoch Safe App](#).
34. If student accommodation providers suspect or believe a member of the University Community has experienced Sexual Harm, they are encouraged to Disclose De-Identified information to the AWE team, [online](#) or via the [Murdoch Safe App](#).
35. As soon as possible, the AWE team must forward any Disclosures to a Sexual Harm Support Officer in the Dubai Partner organisation.

36. A Sexual Harm Support Officer must respond to a Disclosure by close of the next working day, where contact details have been provided.
37. The Sexual Harm Support Officer will:
  - 37.1 keep a Disclosure confidential, but the Senior Manager, AWE will refer the Disclosure to the Sexual Harm Review Panel (SHRP) as soon as possible;
  - 37.2 where contact details are provided:
    - 3721 provide information to the person making the Disclosure about support services available;
    - 3722 empower the person making the Disclosure to share their expectations about what may result from their Disclosure; and
    - 3723 outline the role of the SHRP, and advise the person who made the Disclosure that the Disclosure will be considered by the SHRP.
38. To inform the assessment of risk and/or provide advice in relation to Precautionary Actions and People and Culture processes, if a Murdoch staff member is accused of Sexual Harm, a Sexual Harm Support Officer will provide information about the Disclosure to Director, People and Culture, or a nominated delegate via Senior Manager, AWE. This information will include the name of the Murdoch staff member but all other parties will be De-Identified.
39. To identify trends and themes, if a Murdoch staff member has experienced Sexual Harm, a Sexual Harm Support Officer will provide information about the Disclosure to Director, People and Culture, or a nominated delegate. This information will identify the work area of that person (at office or equivalent level).

#### *Sexual Harm Review Panel*

40. Where the Senior Manager, AWE, in consultation with the Chair, convenes a meeting of the SHRP, the SHRP must meet by close of the next working day and will consider a Disclosure to identify the most appropriate course of action. The SHRP will consider:
  - 40.1 the seriousness and complexity of the allegation;
  - 40.2 the cultural and legal circumstances;
  - 40.3 the level of risk to the University Community;
  - 40.4 whether there is a need for legal advice;
  - 40.5 whether there is a requirement or other reason to report to the Knowledge and Human Development Authority (KHDA);
  - 40.6 if there is any external party involvement;
  - 40.7 whether there is a requirement to report to police, or if there is existing police involvement;
  - 40.8 whether there are mandatory reporting requirements;
  - 40.9 whether there are any Precautionary Actions that should be implemented; and

- 40.10 whether any other appropriate actions should be taken, such as measures to reduce the risk of another incident occurring in the future.
41. Information provided to the SHRP must be kept De-Identified wherever possible.
42. The membership of the SHRP includes:
- 42.1 Senior Manager, AWE;
  - 42.2 Pro Vice Chancellor Transnational Education (Chair, unless a Murdoch staff member is the accused person);
  - 42.3 Dean Dubai;
  - 42.4 University Secretary;
  - 42.5 Director, Student and Library Services (only if a student is involved);
  - 42.6 Director, People and Culture (as a panel member in cases where a Murdoch staff member is involved in the allegation; or as the Chair in cases where a Murdoch staff member is the accused person);
  - 42.7 any other staff member with a specific skill set deemed necessary by the Chair (membership must be as minimised as possible). This may include, but is not limited to, Legal Counsel and General Manager for the Dubai Partner organisation.
43. If the SHRP identifies a critical incident as defined in the CIMP, the incident must be managed in accordance with the CIMP.
44. The SHRP must keep information about an allegation confidential, unless sharing information is necessary to mitigate a serious risk of harm to the University Community.
45. After consideration by the SHRP, the Sexual Harm Support Officer will advise the person who made the Disclosure as soon as possible of any Precautionary Actions or other actions that can be taken. They must explain the potential outcomes of submitting a formal Report to the University and of involving police or other authorities.
46. The Chair may make a decision after considering advice from the SHRP and after considering the views of the person who experienced Sexual Harm (if known) and the person making the Disclosure (if possible).
47. The Dean Dubai will allocate action(s), unless those actions relate to Murdoch staff, in which case Director People and Culture will allocate action(s).
48. Senior Manager, AWE is responsible for monitoring the implementation of actions and informing relevant staff of progress and completion of actions.
49. Where possible and appropriate, the Sexual Harm Support Officer will inform the person who experienced Sexual Harm or made a Disclosure of risk mitigation measures that were implemented.

### *Reports*

50. A Report is a formal account or statement about Sexual Harm to the University. Where a person provides a Report, they are asking the University to investigate an allegation of Sexual Harm.

51. In most cases, a person will have already made a Disclosure to the University [online](#) or via the [Murdoch Safe App](#). After making a Disclosure in this way, a Sexual Harm Support Officer will ask the person who experienced Sexual Harm if they want to make a Report.
52. A person in the University Community who did not experience Sexual Harm may make a Report where the incident occurred within the University's Jurisdiction, however the University will only investigate where the person who experienced Sexual Harm agrees to it being investigated, where there is sufficient information, or if as a result of a risk assessment, the Chair of the SHRP decides an investigation is required.
53. A Report can also be made anonymously [online](#) or via the [Murdoch Safe App](#), however, anonymous Reports may limit the University's ability to undertake an investigation, including undertaking any disciplinary action due to insufficient details.
54. Once a person has indicated they want to make a Report, a Sexual Harm Support Officer will explain what is involved in the Report process, the potential outcomes of the process for all parties, and the potential legal and cultural consequences.
55. If the person decides to make a Report, the Sexual Harm Support Officer will ask that person to provide the appropriate information necessary to undertake a procedurally fair investigation, if that information has not already been provided at the Disclosure stage.
56. A Sexual Harm Support Officer will work with the person to create the Report and formally submit it to the University. The person making the Report will always approve the Report before it is submitted.
57. By close of the next working day, Senior Manager, AWE will provide this Report to:
  - 57.1 The Chair of the SHRP;
  - 57.2 Dean Dubai; and
  - 57.3 General Manager for the Partner organisation in Dubai.
58. Senior Manager, AWE, in consultation with the Chair, will then convene the SHRP as soon as practicable (must be within 10 working days of the Report being made).
59. The SHRP will consider:
  - 59.1 the seriousness and complexity of the allegation;
  - 59.2 the cultural and legal circumstances;
  - 59.3 the level of risk to the University Community;
  - 59.4 whether there is a need for legal advice;
  - 59.5 whether there is a requirement or other reason to report to the KHDA;
  - 59.6 if there is any external party involvement;
  - 59.7 whether there is a requirement to report to police, or if there is existing police involvement; and
  - 59.8 whether there are mandatory reporting requirements.

60. The Chair of the SHRP will decide whether to proceed to investigation or other appropriate next steps.
61. If the accused person is not a student or staff member, the University may be limited in how it can respond, and if the accused person is not a member of the University Community, the University is unlikely to be able to investigate. In such circumstances the University may be able to take other action such as referring the incident to another organisation.
62. If the Chair decides not to proceed to investigation, the Chair is responsible for ensuring the person who experienced Sexual Harm and the person who made the Report are provided with a written statement of the reasons for the decision (if possible and appropriate).

#### *Investigations*

63. Pro Vice Chancellor Transnational Education is responsible for ensuring there is a pool of Sexual Harm Investigators who are appropriately trained to respond to trauma and investigate Sexual Harm matters involving any member of the University Community aside from Murdoch staff.
64. Director People and Culture is responsible for ensuring there is a pool of Sexual Harm Investigators who are appropriately trained to respond to trauma and investigate Sexual Harm matters involving Murdoch staff.
65. The Chair of the SHRP will ensure the case is assigned to a Sexual Harm Investigator as soon as practicable.
66. The Chair of the SHRP is responsible for ensuring the accused is informed of the allegation, this procedure, contact details for support services, and to expect correspondence from a Sexual Harm Investigator.
67. If a member of the University Community who is not a student or staff member is accused, the Chair will determine whether to inform their organisation (if applicable).
68. A Sexual Harm Support Officer will inform the person who experienced Sexual Harm to expect contact from a Sexual Harm Investigator.
69. The Sexual Harm Investigator must commence an investigation within five working days of being assigned the case (unless a Murdoch staff member is accused in which case the timeframe will be in line with relevant University policy and/or industrial instruments).
70. The Sexual Harm Investigator will:
  - 70.1 conduct the investigation fairly for all parties;
  - 70.2 understand the cultural and legal circumstances of the allegation;
  - 70.3 understand relevant University policies and/or industrial instruments;
  - 70.4 review all available information and evidence;
  - 70.5 be unbiased;
  - 70.6 ensure they minimise the number of times and depth to which a person is asked to recount a potentially traumatic experience;
  - 70.7 only request information from the person who experienced or witnessed Sexual Harm in consultation with a Sexual Harm Support Officer;



- 70.8 consider a person's preferred mode of communication; and
- 70.9 maintain appropriate confidentiality and only share information with those outside of the investigation where necessary.
- 71. The accused person is entitled to be provided with reasonable information about allegation(s) made against them, and have the opportunity to consider and respond to those allegation(s).
- 72. The person who experienced Sexual Harm and the accused person will have the opportunity to formally present their own information and/or evidence, and will not have the right to question witnesses.
- 73. All parties will be provided with a reasonable timeframe to respond to a request for information. Normally this could range between 24 hours to five University working days depending on the complexity of the information.
- 74. All parties involved in an investigation are entitled to regular and timely communication about its progress and outcome (where appropriate).
- 75. As soon as practicable, the Sexual Harm Investigator must:
  - 75.1 make findings on the balance of probabilities as to whether the allegation(s) of misconduct are substantiated or not; or
  - 75.2 whether there is insufficient information to make a finding; and
  - 75.3 if substantiated, any resulting breaches of University policy; and
  - 75.4 where appropriate, recommend any actions (other than disciplinary action outcomes) to be taken.
- 76. As soon as practicable, the SHRP must review the Sexual Harm Investigator's findings and recommend any Precautionary Actions or other actions to the Chair. This may include ways to mitigate risk to the safety and security of the University Community or a requirement to report to police or other government authorities.
- 77. For an allegation of misconduct by any member of the University Community aside from Murdoch staff, as soon as practicable:
  - 77.1 the Chair must confirm the Sexual Harm Investigator's findings or make other findings on the balance of probabilities as to whether the allegation(s) of misconduct are substantiated or not and any resulting breaches of University policy; and
  - 77.2 if appropriate, determine or recommend resulting action, in accordance with the *Sexual Harm Policy* (if applicable); and
  - 77.3 the Chair must consider the Sexual Harm Investigator's findings and recommendation(s) and advice provided by the SHRP.
- 78. For an allegation of Murdoch staff misconduct:
  - 78.1 the Chair must recommend proposed disciplinary action to the relevant senior leader of the accused (if applicable); and
  - 78.2 the Chair is responsible for ensuring the accused is provided with information about the finding(s) of the allegation; and

- 78.3 the Chair can make decisions about Precautionary Actions and other actions after considering advice and information from the SHRP, the Sexual Harm Investigator, or nominated delegate.
79. For an allegation of student misconduct:
- 79.1 the Chair must advise the accused person of the outcome and provide reasons for decisions; and
- 79.2 amongst other potential actions provided in the *Sexual Harm Policy*, the Chair may recommend a student is expelled from the University, however this decision can only be made by the Provost, or, in the case of a conflict of interest, another person appointed by the Vice Chancellor.
80. For an allegation of misconduct by a Partner staff member:
- 80.1 the Chair will notify the Partner organisation of the finding(s) and if applicable, make recommendation(s) supported by reasons.
81. For an allegation of misconduct by a member of the University Community who is not a student or staff member:
- 81.1 the Chair may, if applicable, make recommendation(s) supported by reasons to that person's organisation.
82. As soon as practicable, the Chair must ensure the person who experienced Sexual Harm is informed of the finding(s) of the investigation in writing and the person who made the Report is informed of the finalisation of the process.
83. The Chair must allocate any University action(s) to the appropriate Murdoch staff member(s) to immediately commence implementation and complete as soon as reasonably practicable.
84. Senior Manager, AWE must monitor such actions and inform the Chair of progress and completion.
85. The Chair must ensure the person who experienced Sexual Harm and the person who made the Report are informed of any implemented actions where appropriate, as soon as practicable.
86. Where deemed reasonable by the Chair, a person involved in an allegation against any member of the University Community other than Murdoch staff may submit further information within five working days of an outcome being determined or recommended. This information must be considered by the Sexual Harm Investigator and SHRP.
87. In the unlikely circumstance that an investigation finds an allegation to be vexatious, the matter will be dealt with in accordance with relevant University policy.
88. This procedure uses the phrase 'person who experienced Sexual Harm' and 'accused person'. The University will however consider Disclosures and Reports only as allegations of Sexual Harm until a finding has been made in an investigation on the balance of probabilities as to whether a person has breached a relevant University policy.

#### *Police Involvement*

89. A person has the right to report their experience to police, regardless of any decision to make a Disclosure or Report to the University.

90. The University's investigations process is not a substitute for a criminal process.
91. If a person wants to make a report to police and advises the University, a Sexual Harm Support Officer will explain the process of reporting to police, the potential outcomes for all parties, the potential legal and cultural consequences.
92. A police investigation, civil law, Sharia law or common law claim must take precedence over a University investigation process. Any action taken by the University in relation to allegations of misconduct must be conducted in a way that avoids, to the greatest extent possible, interference or perceived interference with current, pending or future investigations.
93. A University investigation process may proceed alongside a police investigation if the University has consulted with police to confirm the University's actions will not prejudice the police investigation.
94. Subject to the Privacy Policy, the University will assist police and provide any requested records and other information to support a police investigation.
95. Any deferral of a University investigation process will not prevent the University taking other reasonable action to implement safety measures or otherwise manage risks to the University Community.

#### *Risk Assessments*

96. Pro Vice Chancellor Transnational Education must coordinate the assessment of risk of Sexual Harm occurring for activities in relation to the University in Dubai, and monitor and regularly coordinate the reassessment of risk through ongoing risk management. This must be reported to Senior Manager, AWE for oversight.
97. Pro Vice Chancellor Transnational Education must monitor controls implemented to reduce the risk of Sexual Harm occurring to any member of the University Community, and report to Senior Manager, AWE for oversight.
98. Senior Manager, AWE, must report the assessed level of risk and the management of that risk to the Vice Chancellor (or delegate). The Vice Chancellor (or delegate) must report this to the Senior Executive Group and Audit and Risk Committee on an annual basis.
99. The Senior Leadership Group is responsible for the management of the risk of Sexual Harm in Dubai.

#### *Prevention*

100. University leaders have a responsibility to foster a culture that is intolerant of Sexual Harm.
101. For students, Senior Manager, AWE is responsible for arranging appropriate evidence-based training on how to recognise, prevent and respond to Sexual Harm, consent, and how to be an active bystander.
102. For Murdoch staff, Director People and Culture or delegate is responsible for arranging appropriate evidence-based training on how to recognise, prevent and respond to Sexual Harm, consent, and how to be an active bystander.
103. For Partner staff, Pro Vice Chancellor Transnational Education is responsible for arranging appropriate evidence-based training on how to recognise, prevent and respond to Sexual Harm, consent, and how to be an active bystander.

104. Pro Vice Chancellor International must ensure that any entity engaged by the University to perform any Department of Foreign Affairs and Trade (DFAT)-related work applies the DFAT Preventing Sexual Exploitation, Abuse and Harassment Policy.
105. Staff may monitor digital forums related to the University for evidence of Sexual Harm involving a member of the University community.
106. Alleged non-compliance with the *Sexual Harm Policy* or these procedures (aside from allegations of Sexual Harm misconduct) must be reported to the Equity and Diversity Committee and managed in accordance with the appropriate staff or student misconduct process, or any relevant agreement with another member of the University Community.

#### *Accommodations*

107. Any Murdoch staff member who has Disclosed Sexual Harm to the AWE team or to any staff member may be provided with additional support and/or temporary reasonable adjustments by agreement with a reporting line leader and in consultation with a nominated representative from People and Culture. Reasonable evidence may be requested.
108. Any student who has Disclosed Sexual Harm to the AWE team or to any staff member may be granted academic accommodation to assist them in their studies. For example, a student may be granted an extension to submit an assessment, and special allowances may be made regarding student performance and progression.
109. Students seeking academic accommodation may provide supporting documentation from any relevant independent person (or authority), for example:
  - 109.1 a document/certificate from a health professional (such as a Murdoch counsellor);
  - 109.2 a letter of support from a Murdoch staff member;
  - 109.3 a document from the police; or
  - 109.4 a personal statement outlining why you are seeking academic accommodation.
110. Where a health professional or police provides a recommendation for academic accommodation, the document does not need to provide any details of the alleged incident in order for academic accommodation to be granted.

#### *Other complaints bodies*

111. Students may make a submission to the following external bodies:
  - 111.1 Tertiary Education Quality and Standards Agency; and
  - 111.2 KHDA.

#### *External Reporting*

112. If the Pro Vice Chancellor Transnational Education believes that if an allegation were proven, that the allegation would amount to a criminal offence under the UAE Penal Code (Federal Law No. 3 of 1987 as amended) or discrimination under the Anti-Discrimination Law (Federal Law No. 2 of 2015 as amended), they must report to police. The obligation to report to police will usually only be triggered where a thorough investigation has been undertaken.

113. In accordance with On Child's Rights (Wadeema's Law) Federal Law No. 3 of 2016, educators, physicians, social specialists or others entrusted with the protection, care or education of a child must notify the [Community Development Authority](#) in case of anything that threatens a child's physical, psychological, moral or mental integrity or health.
114. The Pro Vice Chancellor Transnational Education must determine whether the University will notify the [Community Development Authority](#) after a Disclosure or Report of Sexual Harm to a Child.
115. Within two working days of a Report, the Senior Manager, AWE, or delegate, must advise DFAT of any Sexual Harm related to the delivery of DFAT business. This includes any alleged incident that poses a significant reputational risk to DFAT. Incidents must only be reported where it is safe to do so, De-Identified, and where it aligns with the wishes of the person who experienced Sexual Harm.
116. Within five working days, Pro Vice Chancellor International must advise DFAT of any alleged non-compliance with DFAT's Preventing Sexual Exploitation, Abuse and Harassment Policy.
117. Senior Manager, AWE, or delegate must immediately advise DFAT of a suspicion or belief of Sexual Harm occurring to any Child, where the accused is a member of the University Community. Where Senior Manager, AWE has already reported, but becomes aware of additional information, they must also report that information.

#### *Internal Reporting*

118. Senior Manager, AWE, and Sexual Harm Support Officer(s) are responsible for ensuring written records of Sexual Harm Disclosures and Reports are kept in a confidential manner. Where an allegation does not proceed to investigation, the record must include a statement of the outcome and reasons for the outcome.
119. Pro Vice Chancellor, Transnational Education and Director, People and Culture, are responsible for ensuring written records of Sexual Harm investigations, including a statement of the outcome and reasons for the outcome, are kept in a confidential manner.
120. Senior Manager, AWE, or delegate must monitor Disclosures and Reports of incidents to identify trends, themes, and patterns of recurring incidents.
121. Senior Manager, AWE must coordinate a report of the analysis of De-Identified information, along with action taken or recommendations to mitigate future risk, to:
  - 121.1 Respect Now Always Advisory Group on a quarterly basis;
  - 121.2 Audit and Risk Committee twice a year;
  - 121.3 Student Wellbeing Committee twice a year;
  - 121.4 Academic Council twice a year; and
  - 121.5 Senate once a year.
122. Senior Manager, AWE is responsible for publicly reporting De-Identified data of numbers of Disclosures and Reports on the University's website to ensure transparency and accountability.

## Definitions:

*Any defined terms below are specific to this document. The definition of common terms appears in the Murdoch University Dictionary of Terms.*

- **“AWE”** is Access, Wellbeing and Equity.
- **“Child”** is a person under the age of 18.
- **“Consent”** is fully informed, active choice to engage in an activity or action, where all parties have the freedom and capacity to make that choice. People who cannot give consent are those who are unconscious, asleep, intoxicated, drugged, otherwise unable to say ‘yes’, are under the age of 16, or have a psychological or decision-making disability that impacts on their ability to understand what they are consenting to. Consent can change at any time before or during an incident, and this may be communicated verbally or non-verbally. Examples of non-verbal signs include turning away, pushing a hand away, or not responding to touch.
- **“De-Identified”** means no name, age or description of any person involved.
- **“DFAT”** is the Department of Foreign Affairs and Trade.
- **“Disclosure”** is an initial sharing of confidential information regarding any incident of Sexual Harm.
- **“Jurisdiction”** includes University grounds or residences; locations of activities run by the University and any students’ clubs and associations; locations outside University grounds but where activities are run, sponsored or funded by the University; locations online where activities are created, authorised, sponsored, or funded by the University; and/or locations where activities are conducted as part of deployment on University business or as a representative of the University (such as field research, student placements, secondments or exchanges).
- **“Partner”** means a third-party provider for education services in Dubai.
- **“Precautionary Actions”** are non-disciplinary actions that may be imposed in response to a Disclosure or Report. The purposes of precautionary actions are to ensure the safety of the affected individuals, to discourage or prevent victimisation and retaliation, prevent incidents of Sexual Harm and preserve the University’s ability to investigate. They are not considered disciplinary action and are without prejudice to the accused person. Examples include, but are not limited to:
  - increasing security measures;
  - where possible, offering, increasing, refining or mandating relevant training to members of the University Community;
  - increasing messaging about acceptable behaviours to staff, student or other cohorts within the University Community;
  - in most cases, with the permission of the person who experienced Sexual Harm:
    - separating a person from the accused person; or
    - arranging for an appropriate staff member to have an informal conversation with the accused person to remind them of acceptable behaviours and relevant University policy. Potential outcomes of this conversation may include:

- the staff member resetting expectations about the offending behaviour with the other person/people;
  - a requirement for the other person/people to undertake appropriate training; or
  - an apology being made by the other person/people to the person subjected to Sexual Harm.
- **“Report”** is a formal statement regarding an incident of Sexual Harm given to the University.
- **“Sexual Abuse”** is when someone in a position of power or authority attempts to, or takes advantage of a person’s trust and respect to involve them in a sexual activity or behaviour, or where there is significant disparity in the developmental function or maturity of a child and another person involved in sexual behaviour. For example, Sexual Abuse can occur between a student and a teacher, a child and an adult, a child and an older child, a family member and a young person, or a staff member and their superior. Sexual Abuse includes a person having a sexual relationship with someone under 18 years of age if that person has a relationship of power or authority with them, for example, they are their teacher, employer or sports coach. It also includes profiting monetarily, socially, or politically from sexual abuse of another.
- **“Sexual Assault”** is any unwanted, unwelcome or uninvited sexual act or behaviour of a sexual nature which is threatening, violent, forced, bribed or coercive. This includes any act or behaviour of a sexual nature to which a person has not given Consent or was not able to give Consent, including sexual intercourse without Consent, and indecent assault.
- **“Sexual Harassment”** is any unwanted, unwelcome or uninvited conduct of a sexual nature which a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the person harassed would be likely to be offended, humiliated or intimidated. Examples include, but are not limited to unwanted, unwelcome or uninvited:
  - requests for sexual favours;
  - making sexual advances;
  - staring, leering or whistling;
  - intrusive questions about a person’s private life or appearance;
  - suggestive comments or jokes;
  - physical touching or cornering;
  - requests to go on dates;
  - requests for sex or other sexual acts;
  - emailing or exposure to pornography or rude jokes;
  - sexual gestures, indecent exposure or display of the body;
  - sending sexually explicit emails or messages;
  - distributing commentary, images or film of a person;
  - witnessing Sexual Harm; or

- displaying posters, magazines, screen savers or sending gifts of a sexual nature.
- **“Sexual Harm”** is Sexual Assault, Sexual Harassment, Sexual Abuse, or any other act or behaviour of a sexual nature which is a crime or breach of legislation at the location where the incident occurred. Anyone can be a person who experienced Sexual Harm regardless of their status and diversity.
- **“Sexual Harm Investigator”** is a nominated role (internal or external) with appropriate training to respond to trauma and investigate Sexual Harm matters on behalf of the University.
- **“Sexual Harm Support Officer”** is a nominated role with appropriate training within the AWE team in Australia or provided by a Partner Organisation in Dubai.
- **“SHRP”** is the Sexual Harm Review Panel which is an advisory group with decisions made by the Chair.
- **“Trauma-Informed”** is an approach that realises the widespread impact of trauma and understands potential paths for recovery; recognises the signs and symptoms of trauma; responds by fully integrating knowledge about trauma into policies, procedures and practices; and seeks to actively resist re-traumatisation. A trauma-informed approach follows the principles of safety, trust, choice, collaboration, empowerment and respect for diversity.
- **“University Community”** is University staff, students, volunteers, consultants, contractors and their staff, members of University boards and committees, subsidiaries of the University and their staff, visitors to University grounds, University guests, University function attendees, and any other people or organisations appointed or engaged by the University to perform duties or functions on its behalf.

#### **Related Documents:**

[Conflict of Interest Policy](#)

[Murdoch University Critical Incident & Continuity Management Plan \(CIMP\)](#)

[Managing Misconduct Procedure](#)

[Murdoch University Enterprise Agreement 2023](#)

[Privacy Policy](#)

[Security Safety and Wellbeing Guidelines](#)

[Sexual Harm Procedure](#)



**Approval and Implementation:**

<b>Approval Authority:</b>	Senior Manager, AWE and Pro Vice Chancellor Transnational Education
<b>Responsible Officer(s):</b>	Deputy Vice Chancellor Education and Equity and Pro Vice Chancellor Transnational Education
<b>Committee with oversight:</b>	Student Wellbeing Committee
<b>Contact Officer:</b>	Senior Manager, AWE and Pro Vice Chancellor Transnational Education

**Revision History:**

<b>Approved/ Amended/ Rescinded</b>	<b>Date Approved</b>	<b>Effective Date</b>	<b>Next Review Date</b>	<b>Resolution No. (if applicable)</b>
Administrative Amendment	01/05/2024			
Approved	17/03/2021			AC/18/2021(ii)
Approved	26/10/2020		26/10/2021	

# If you have experienced Sexual Harm.

You are not alone;  
the University is  
here to support you.

## Remember

This is not your fault.

It is **YOUR** choice what course of action you decide to take. The University will respect your decision and will involve you in decision making wherever possible.

Your wellbeing is our priority and we encourage you to use our free and confidential services. You should familiarise yourself with local police customs, processes, laws and potential penalties regarding Sexual Harm as they can vary significantly depending on location.

## A Sexual Harm incident occurred

### Make yourself safe

Get to a safe place and seek help:

- In an emergency, contact police or ambulance.
- If the incident occurred on campus, contact Campus Security.
- The Murdoch University Dubai Student Counsellor provides counselling services to students. Appointments can be made by email or phone (+97155 249 7464).
- The UAE National Programme for Happiness and Wellbeing provides counselling services through a toll-free support line and WhatsApp chat (8004673). Services are available from 8am-8pm daily in English or Arabic.
- The Dubai Foundation for Women and Children provide a 24-hour helpline (800 111) and crisis care for women and children. They can be contacted by phone (04 6060300), SMS (5111), live chat or email.

### Make a Disclosure to the University

If you choose to Disclose to the Access, Wellbeing and Equity team ([online](#) or via the [Murdoch Safe App](#)), a Sexual Harm Support Officer can offer you information about a range of support, including:

- counselling;
- health care;
- academic or workplace support; and
- next steps, such as speaking to police or making a Report to the University.

**Disclosures can be made anonymously and confidentially.**

### Make a formal Report to the University

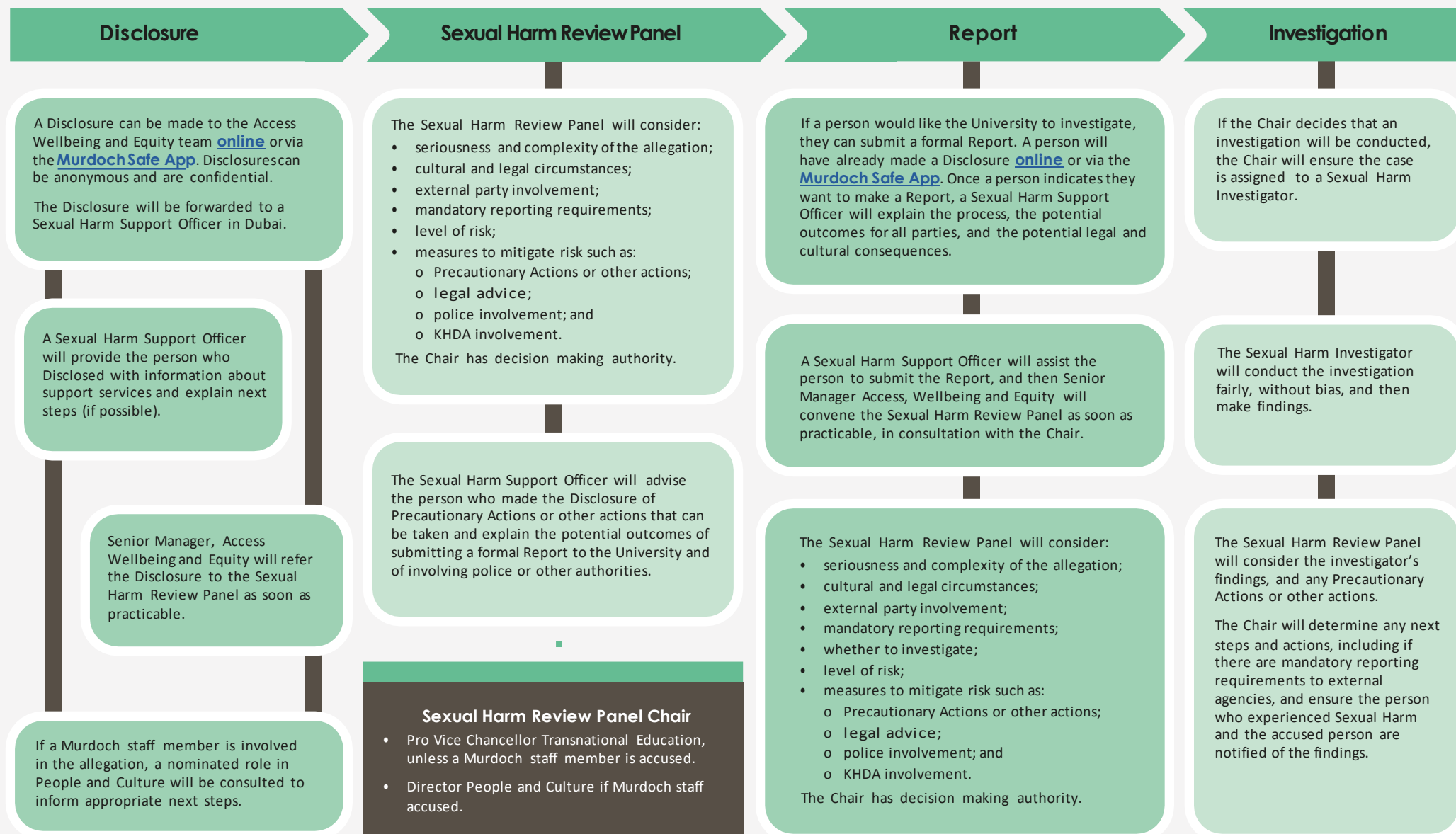
After you make a Disclosure, you can speak with a Sexual Harm Support Officer about what to expect if you make a Report. You can choose to make a formal Report to the University at any time if you would like the incident to be investigated. It is **YOUR** choice whether you decide to make a formal Report to the University.

### Ongoing support

Our priority is your immediate and ongoing wellbeing. The University is here to support you no matter which choice you make. Murdoch University offers the following free and confidential services to staff and students:

- For students, support is available through the Murdoch University Dubai Student Counsellor.
- For staff, support is available through the [Employee Assistance Program](#).

# Sexual Harm Procedure Flowchart. Simplified Overview



**RESPONDING EFFECTIVELY TO SEXUAL HARM DISCLOSURES  
(ATTACHMENT C)**

Safe and supportive environment	<ul style="list-style-type: none"><li>• Recognise that by disclosing to you, the person has chosen to trust you.</li><li>• Provide the person with your full attention.</li><li>• Remain calm; remind the person that this is not their fault and that they are not alone.</li></ul>
Listen and believe	<ul style="list-style-type: none"><li>• Show empathy, respect and understanding.</li><li>• Acknowledge the person's feelings.</li><li>• Allow the person to guide the conversation.</li><li>• Allow the person to choose any follow up actions – remember that they may not wish to Report the incident formally at this time.</li><li>• Don't ask 'Why?' questions – these may feel judgemental or make the person feel responsible (Why were you wearing that? Why were you with them? Why didn't you go home earlier?).</li></ul>
Refer	<p>Support and wellbeing options</p> <ul style="list-style-type: none"><li>• Advise the person of support services available (see information in these procedures).</li></ul> <p>Reporting</p> <ul style="list-style-type: none"><li>• Advise the person they can Disclose their experience to the University <a href="#">online</a> or via the <a href="#">Murdoch Safe App</a>.</li><li>• Keep the information confidential. However, if the person does not wish to Disclose their experience to the University, and you are a staff member, you must provide De-Identified information about the incident to the University <a href="#">online</a> or via the <a href="#">Murdoch Safe App</a>. Staff members can provide this information anonymously.</li></ul>
Practice self-care	<p>Supporting someone who has experienced Sexual Harm can be challenging. Look after yourself after receiving distressing information and seek a confidential debrief with a counsellor:</p> <ul style="list-style-type: none"><li>• for students support is available through the <a href="#">Murdoch University Dubai Student Counsellor</a>;</li><li>• for staff support is available through the <a href="#">Employee Assistance Program</a>.</li></ul>