

Improving the Responses of Cambridge University and its Colleges to Student Reports of Misconduct of an Intimate Nature (MIN)

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A) Definition of Misconduct of an Intimate Nature (MIN)

MIN is a new term being used here to incorporate a variety of forms of intimate and sexual abuse. It includes, but is not limited to, the following:

- Intimate Partner Abuse (IPA) – defined by the Home Office ([Home Office – Domestic Violence and Abuse](#)) as any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass but is not limited to the following types of abuse: physical; emotional; psychological; sexual; financial.
- Rape - defined by the Metropolitan Police ([Metropolitan Police – Rape and Sexual Assault](#)) as being “when a person intentionally penetrates another's vagina, anus or mouth with a penis, without the other person's consent.”
- Assault by penetration – defined by the Metropolitan Police ([Metropolitan Police – Rape and Sexual Assault](#)) as being “when a person penetrates another person's vagina or anus with any part of the body other than a penis, or by using an object, without the other person's consent.”
- Sexual assault – defined by the Metropolitan Police ([Metropolitan Police – Rape and Sexual Assault](#)) as “an act of physical, psychological and emotional violation in the form of a sexual act, inflicted on someone without their consent. It can involve forcing or manipulating someone to witness or participate in any sexual acts.”
- Sexual misconduct – defined by the University ([University of Cambridge – Harassment and Sexual Misconduct](#)) as including the above definitions of rape, assault by penetration and sexual assault, as well the following: attempting to engage in sexual intercourse or a sexual act without consent; sharing private sexual materials of another person without consent; kissing without consent; touching inappropriately through clothes without consent; inappropriately showing sexual organs to another person; repeatedly following another person without good reason; and making unwanted remarks of a sexual nature. In addition, staff-student sexual misconduct has been defined by The 1752 Group ([The 1752 Group – Sexual Misconduct](#)) as describing forms of power enacted by academic, professional, contracted, and temporary staff in their relations with students (this can also occur in relations with other staff members) in higher education. It can include harassment, assault, grooming, coercion, bullying, sexual invitations and demands, comments, non-verbal communication, creation of atmospheres of discomfort, and promised resources in exchange for sexual access.
- Harassment - defined by the University ([University of Cambridge – Harassment and Sexual Misconduct](#)) as “single or repeated incidents involving unwanted or unwarranted conduct

towards another person which it is reasonable to think would have the effect of (i) violating that other's dignity or (ii) creating an intimidating, hostile, degrading, humiliating, or offensive environment for that other."

B) Current University Procedures for Handling MIN

In October 2017, the University launched a campaign against sexual misconduct called "Breaking the Silence" ([Cambridge University – News](#)). The aims of this were to raise awareness of harassment and sexual misconduct at the University and to create a better system for students and staff to report any such behaviour. As part of this, both an informal and an anonymous reporting process were introduced, which provide alternatives to the formal reporting process that was already in place. If a student wishes to report another student or a staff member for MIN, they currently have the following options:

- Report to their college, which can then deal with the matter themselves in an informal or formal process, or encourage the student to report to the University;
- Report anonymously to the University;
- Report informally (under their own name) to the University;
- Report formally (under their own name) to the University.

A student can only choose one of these options – a situation cannot be dealt with by both a College and the University. In addition, if a student involves the Police, any University or College procedure will be put on hold until the Police case is closed.

In addition, as part of Breaking the Silence, the University employed a Sexual Assault and Harassment Adviser (SAHA) ([University of Cambridge – Counselling Service](#)).

C) Main Issues with Current University Procedures for Handling MIN

Although the University system has been much improved with the launch of Breaking the Silence, we feel it still falls short in several ways, including the following:

1. Student Awareness

- From conversations with a wide range of students, it is clear to us that many are still unaware of the Breaking the Silence campaign, the University policies on MIN, or the existence of the SAHA.

2. Webpages

- The webpages ([University of Cambridge - Breaking the Silence](#)) concerning the University policies on MIN, the reporting processes, and different options for reporting are confusing. In particular, these resources are not designed for those who are stressed or traumatised, and they may struggle to digest the information as it is currently presented.
- There is a section on the webpages about how students could choose to deal with low-level harassment themselves, with the support of a staff member. It is not made clear that this is not an appropriate course of action if the perpetrator is a member of staff.

3. Reporting Procedures

- There is language used in the informal reporting procedure which can seem hostile to those trying to report. For example, on one form students are asked to explain why their report is

“late” if it is more than 28 days after the incident occurred. Another form states that if an investigation takes place the information may be shared with the respondent, but it does not say whether this will be discussed with the complainant beforehand, or that there is any option to halt the process once it has begun.

- The formal reporting process is inaccessible and unfriendly and so far, no investigations of situations involving MIN have resulted in a student being found guilty of the charge. In addition, there are situations such as complainants being cross-examined by respondents and the character of complainants being attacked, which have not been ruled out as possibilities in the investigations that form part of the formal reporting process.

4. Colleges & Departments

- The processes for dealing with MIN in Colleges vary hugely – while some Colleges have a good system in place, others have almost nothing.
- If a student chooses to report to their College and not the University, the central University body does not receive any details of this. A lack of a centralised reporting procedure enables perpetrators to commit MIN against students at multiple colleges without the pattern being identified.
- Different departments in the University handle reports of MIN in varied ways; there is no specific process for them to follow.
- Complaints of MIN in Colleges and Departments are often dealt with by members of staff who have not had any training in supporting someone who has been a victim of MIN and who may not understand different aspects of MIN. This can cause additional distress for complainants and cause them not to continue with a reporting procedure. In addition, there are often multiple members of staff that students end up having to speak to about their experiences through the process.

5. Intimate Partner Abuse (IPA)

- Intimate partner abuse (IPA), also known as intimate partner violence, domestic abuse or domestic violence, is not mentioned anywhere. This is particularly problematic considering that statistics suggest one in four women will suffer an abusive relationship in their lives and that the most commonly affected age group is 16-24 ([Kerss et al. 2017](#)).

6. Marginalised Groups

- There is insufficient support available for people in the LGBT+ and BME communities and for people living with disabilities, all of whom can be disproportionately affected by MIN ([Fielden et al. 2009](#); [Stonewall – LGBT](#); [Stonewall – Domestic Violence](#); [Scottish Transgender Alliance](#); [SafeLives](#)).

7. The Sexual Assault and Harassment Adviser (SAHA)

- Given that the university received 173 anonymous reports of sexual misconduct between May 2017 and January 2018 ([University of Cambridge - News](#)), having only one SAHA to support all students at the university who suffer MIN is inadequate. In addition, the current SAHA role only covers sexual assault and not IPA. As the two are often interconnected and interrelated, it is unhelpful and confusing for the support to be limited in this way. This separation is likely to make victims of IPA feel that their suffering is not considered important.

8. Personal Relationships Policy

- Currently, in the University's policy on staff-student personal relationships ([University of Cambridge – Personal Relationships](#)), only a staff member that has or is due to have a "professional connection" with a student is required to disclose a personal relationship. This is problematic as it does not recognise that differences in power can exist between staff and students, and that there are risks of that power being abused or exploited in any student-staff personal relationship.

D) Recommendations for Improving the University Procedures for Handling MIN

1. Student Awareness

- Students at the University should be better educated on MIN and the University procedures for handling it. This should involve:
 - Workshops and talks on consent and all aspects of MIN including IPA in every College at the beginning of each academic year, which students are strongly encouraged to attend. These should be run by professionals but a student-led discussion should also be encouraged.
 - Guidance, in the form of a booklet, being issued to every incoming student, which should include definitions of MIN, information on what is appropriate behaviour by staff members and supervisors towards students (currently being worked on by [The 1752 Group](#)), how to report MIN and where to go for support.

2. Webpages

- The University website pages concerning MIN and the reporting processes should be redesigned so that students, including those who have experienced trauma, can quickly and easily understand their options and how to proceed with each. A good example to follow is the Report and Support tool used by the University of Manchester ([University of Manchester – Report and Support](#)).
- In addition:
 - It should be made clearer on the website that the university takes MIN to be serious misconduct and will support those reporting.
 - Separate and clear pathways for reporting MIN perpetrated both by staff members and by students should be in place.
 - As with the guidance for incoming students, information as to what is appropriate behaviour by staff members and supervisors towards students should be provided, as well as clear definitions of different aspects of MIN.
 - It should be made clear in the section on “dealing with low-level harassment yourself” that this is not an appropriate course of action if the perpetrator is a member of staff.

3. Reporting Procedures

In line with the recommendation from the Home Office that victims of violence and harassment be at the “centre of service delivery” ([Home Office – VAWG National Statement of Expectations](#)), we feel that the following should be undertaken:

- The wording in parts of the informal reporting procedure should be changed to reduce stress and emotional turmoil for those reporting. All efforts should be taken to avoid language which suggests any wrongdoing on the part of the victim. In addition, the language should be altered to help victims feel they have control and choice throughout the reporting processes, in line with best practice guidelines ([The Survivor Pathway](#)).
- Students who choose to report through the formal procedure should be supported by, and as much as possible only communicate with, one trained individual such as the SAHA. People who have recently experienced MIN can suffer PTSD ([Avdibegović & Sinanović 2006](#); [Chivers-Wilson 2006](#)) which can easily be triggered when talking about what happened to them. It is important that they be guided by someone who understands this and made to feel as safe as possible through the process, in line with best practice guidelines ([The Survivor Pathway](#)).
- The option to be supported by the SAHA through any reporting procedure or for counselling generally should be better advertised.
- The possibilities of complainants being cross-examined by respondents, or the character of complainants being brought into question, in a trial under the formal procedure should be explicitly ruled out. This is an intimidating prospect for anyone who has suffered MIN, would be likely to increase levels of traumatisation, and is not in keeping with best practice guidelines to give survivors of MIN safety and privacy ([The Survivor Pathway](#)).

4. Colleges & Departments

- Guidance should be issued for Colleges and Departments on how to handle complaints of MIN. This should involve recommendations to:
 - Adopt the template procedure already issued by the University, once it has been updated
 - Follow the examples set by other universities such as the University of Worcester ([University of Worcester – Domestic Abuse, Sexual Violence & Stalking](#)), Cardiff University ([Cardiff University – News](#)) and the University of Strathclyde ([University of Strathclyde – Equally Safe in Higher Education Toolkit](#)), and train staff members on MIN, including how to recognise IPA and to support victims of it. Some training on supporting survivors of rape and sexual assault is already available for Cambridge staff but this should be furthered to include IPA training such as that offered by the Cambridgeshire & Peterborough Domestic Violence and Sexual Violence Partnership ([CambsDASV](#)), and be compulsory for staff in roles of pastoral care.
 - Make sure that only a minimum number of staff members are aware of, or involved in, any complaints made.
 - Log any reports of MIN with the University.
 - Consider employing their own SAHAs
- As with staff members in roles of pastoral care, all students in Women & Non-Binary (WNB), LGBT+ or Welfare roles at the University, in either the Colleges, the Departments, the Students’ Union or the Graduate Union, should be trained by professionals on how to support students who suffer MIN and handle any reports they receive. All colleges should have both Graduate and Undergraduate WNB, LGBT+ and Welfare Officers.

5. Intimate Partner Abuse (IPA)

- IPA should be incorporated into all aspects of the University Procedures for handling MIN. A strict procedure should be followed when handling incidents of IPA to prevent further abuse of a victim by a perpetrator through manipulation of the systems in place. In addition, the common behaviour for perpetrators to report their victims for IPA (Iwi & Newman 2015) should be understood by involved staff. Finally, the University should follow the example of other universities such as the University of Sussex, the University of Worcester and Cardiff University, and publicly acknowledge the issue of IPA amongst students and declare its support for those who suffer IPA while studying here ([University of Sussex - News](#); [University of Worcester – Domestic Abuse, Sexual Violence & Stalking](#); [Cardiff University - News](#)).

6. Marginalised Groups

- In line with Home Office recommendations, there should be local, specialist support for individuals from marginalised groups affected by MIN within Cambridge University ([Home Office – VAWG National Statement of Expectations](#)).

7. The Sexual Assault and Harassment Adviser (SAHA)

- The role of the SAHA should not be limited to one person – case studies from Universities UK indicate that a well-trained team of first responders who can support victims of MIN is critical ([Universities UK 2017](#)). In addition, the role should be expanded to cover IPA.

8. Personal Relationships Policy

- As recommended by The 1752 Group ([The 1752 Group – Strategic Priorities](#)), the University’s policy on staff-student personal relationships should be expanded to include all personal relationships between staff and students as they are defined in the policy. This is already the case at the University of Sussex ([University of Sussex – Relationships Policy](#)).

9. Additional Recommendations

- The University should work with other UK universities to maintain best practices and innovative mechanisms of preventing MIN and supporting survivors. The Universities UK Directory of Case Studies ([Universities UK 2017](#)) and the University of Strathclyde’s Equally Safe in Higher Education Toolkit ([ESHE](#)) are an important starting point for this process.
- As the University does not currently have the resources available to fully support students who are victims of MIN, it and its Colleges should be financially assisting local charities, such as Cambridge Women’s Aid and Cambridge Rape Crisis Centre, which support large numbers of Cambridge University students.

E) Beneficial Changes Already Made to the University Procedures for Handling MIN

As a result of recommendations that we have already made, the wording of some parts of the form for informal reporting has been changed. Specifically:

- The question concerning why a report is being made “late”, if it is more than 28 days after an incident, has been removed. This was thought to cause distress to complainants as it suggests they should have reported sooner and involves explaining why they did not, when usually the

reason will be that they were scared or trying to process what had happened, which can be difficult to explain.

- The question concerning what outcomes they would like in terms of disciplinary action against the respondent has been removed. This was thought to be off-putting to complainants as it can be very confusing to think about what you might want to happen to a person who has abused or harassed you when you are in a state of trauma.

F) Timeline

We feel strongly that these changes should be made as soon as possible. As it is university policy for major changes to regulations only to be made before the start of an academic year, we would like to see the majority of these aims reached by September 2018.

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