



St Mark's College Report 2022

CLA

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Executive Summary

Professor Catharine Lumby, the Principal of Catharine Lumby Associates, strongly endorses the approach that St Mark's College takes under the leadership of Professor Don Markwell and his senior management team to preventing and responding to sexual misconduct. In terms of best practice, the College takes a gold standard approach to policy, practice, education, evaluation and to ensuring complaints are dealt with in a sensitive manner which respects due process. The commissioning of this Review further demonstrates the commitment of the College to ongoing evaluation and transparency. The following recommendations have been designed drawing on qualitative and quantitative research and informed by deep and reflective conversations with Professor Markwell and his team. Sexual misconduct unfortunately occurs in all organisations. What matters is how prepared and committed organisations are to preventing it where possible and hearing complaints fairly where necessary. For reasons outlined below, the conclusion of this Review is that St Mark's College has an advanced, proactive, reflective and enlightened approach.

Background

St Mark's College engaged Catharine Lumby Associates (CLA) to undertake a Review and prepare a Report on what the College does and can do better to prevent and respond to sexual misconduct at the College. The request was prompted by a desire to ensure the College senior management team, under the leadership of Head of College Professor Don Markwell, is taking a best practice approach to education and policy frameworks, including complaint handling, when it comes to any incidents of sexual misconduct or sexual harassment.

Under Professor Markwell's leadership the College has engaged in a rigorous assessment of College culture and of policies and protocols dealing with sexual misconduct or any other unethical behaviour. The College published an Action Plan for Cultural Renewal in September 2018. Under the leadership of the Board Chair Linda Matthews, who took office in August 2018, and Master Rose Alwyn, who had been Master (Head) of the College since 2008, this Action Plan was being implemented in 2018-19. Professor Markwell became Head of College in November 2019, and the period since then has continued to see a very strong focus on cultural renewal and seeking to uphold the values of respect and dignity for all, and a culture of safety, respect, and inclusion.

St Mark's College has continued to provide updates on the implementation of the Action Plan, with its most recent being published in February 2022 (and updated in May 2022).¹ That 2022 progress report update, together with the College's Handbook, provides a comprehensive overview of the actions the College has been taking, including clear statements of values, best practice policies and education, and action in response to misconduct.

The 2022 St Mark's progress report update reaffirms the College's commitment to the process of cultural renewal and upholding values, including "ensuring the safety, respect and dignity of all, regardless of gender, ethnicity, sexual orientation, or any other attribute".

The Review CLA was commissioned to conduct is part of that commitment to ongoing external evaluation of the policy, procedures and education in line with best practice.

One of the main conclusions, referred to in our Executive Summary, is that the College has clear and best practice procedures for managing allegations of sexual misconduct and does so in a manner which is in line with both the legal obligations of natural justice and a trauma-informed approach to survivors² who come forward with allegations. In our view, the College has a proactive and informed response to sexual misconduct and we strongly endorse the approach of Professor Markwell and his team.

¹ This progress report update is at <https://stmarkscollege.com.au/wp-content/uploads/2022/05/Upholding-our-values-progress-report-update-on-cultural-renewal-February-2022-revised-19-May-2022.pdf>

The 2022 St Mark's College Handbook is at <https://stmarkscollege.com.au/wp-content/uploads/2022/02/2022-St-Marks-Handbook-Final-version-with-Cover.pdf>

² Key aspects of trauma-informed approaches are discussed in an appendix to this Report. A central element of trauma-informed approaches is empathetic listening.

Conduct of Review

At the outset of this Review in May 2022, the College provided Professor Catharine Lumby, the Principal of Catharine Lumby Associates, with extensive written materials, including its 2022 progress report update, further contextual material, the College Handbook (containing many College policies), and further material on training that the College provides. Professor Lumby had no prior connection with St Mark's College.

Professor Lumby visited St Mark's College on June 8 and 9, 2022 to interview self-selecting students from all years and to talk to student leaders past and present about their experience of College life and culture. Students and student leaders were interviewed in small groups and in some cases one-to-one. A total of 23 students and student leaders were interviewed.

In addition, Professor Lumby spent five hours meeting with the College's senior management team and Professor Markwell to discuss College strategy, protocols, education programs and gain a deeper understanding of the roles of everyone in the senior management team. She was advised of further actions the College has undertaken this year, including the appointment of an independent external support person from whom students could seek advice or support, and further training by Full Stop Australia.

Professor Lumby also took part in a leadership retreat with student leaders on July 2, 2022 which included discussion of how student leaders can contribute further to enhancing the culture and upholding the values of the College. Professor Lumby also met with the Chair of the College Board, Ms Linda Matthews, and another Board member, Professor Suzanne Le Mire.

This initial phase of the research was used to inform the design of the survey outlined below, which was circulated to all students on July 27, with a closing date of August 4. As reported below, 83 students completed the survey, which, in statistical terms, is considered a valid sample. It provided both quantitative and qualitative data which has been analysed alongside the other qualitative data referred to above.

The Review has also involved consideration of best practice in issues related to this topic, including the best practice in residential colleges which has been set out in Ms Elizabeth Broderick's reports.

Professor Lumby has had further discussions of her findings and recommendations with student leaders, senior staff, and Board members at the College on October 4.

Overview of best practice in residential colleges at universities

The blueprint for best practice in managing sexual misconduct and allied broader culture issues in university colleges is the Broderick report on the University of Sydney Residential Colleges published in 2017.

In May 2016 the Sydney University engaged the former Sex Discrimination Commissioner, Elizabeth Broderick, to investigate the culture at several of Sydney University's residential colleges - Sancta Sophia College, St Andrew's College, St John's College, Wesley College and The Women's College. In November 2017 Ms Broderick delivered her comprehensive findings into the university and its colleges. The report delivered 23 recommendations aligned with four principles. These principles and recommendations form the best practice standard for all universities and residential colleges.³

The strategies recommended are designed to ensure sustainable, long-term change. They are common sense strategies that recognise what is necessary to ensure a cohesive, collegiate community. The report specifically calls out the need for best practice strategies regarding:

- Student leadership structures
- Orientation/Welcome Week events and policies
- The safe supply and demand of alcohol
- Safety and well-being
- Disclosure and reporting

³ In 2017, St Paul's College asked Elizabeth Broderick to undertake a review of its culture. This review was undertaken during 2018, and its report and an Action Plan for Cultural Renewal to give effect to all its recommendations, as well as to the recommendations in the 2017 review of the colleges generally, were published in September 2018.

The Broderick recommendations were organised around a series of Principles:

Principle 1: Successful and sustainable cultural renewal depends on strong and courageous leadership

This principle is grounded in the understanding that leaders set the tone of an organisation. The recommendations in this principle focus on the need for diverse leadership teams driving ongoing cultural renewal. The recommendations call for greater clarity in the role of student leaders, how they are selected, the composition of student leaders and the support they receive. Additionally, recommendations around Staff leadership title and role clarity are needed to better reflect their role as leaders not administrators.

Principle 2: Inclusive institutions foster and celebrate diversity, respect and non-discrimination

This principle is grounded in the knowledge that inclusive environments are ones where there is respect for all, where diversity is celebrated as a core feature of the institution, and where fairness and equality underpin decision making. Importantly, this principle focuses on removing diversity and inclusion barriers which can become ingrained in intercollege social and competitive interactions including chants, songs and heckling. Part of this move involves removing tribalism to focus on the connection between colleges and the broader campus community.

Principle 3: A lively, exciting and dynamic culture that also ensures the safety, dignity, health and well-being of students is critical to a thriving and progressive college

This principle is based on the premise that students should feel 'at home', being supported in university studies and ensuring that the cycle in the long entrenched and problematic areas associated with Orientation (O Week) and alcohol is broken. Orientation Weeks should be changed to a focus on welcome, induction and inclusion into the university environment and should not consist of a program where demeaning challenges and alcohol fuel the week. Importantly, it notes the importance of reducing the access, supply and demand for alcohol and on disassociating Student Clubs and discounts as a source of cheap alcohol.

Principle 4: Unacceptable and disrespectful attitudes and behaviours negatively impact on individuals, Colleges, and the college community

While most students feel respected and have a strong sense of safety, some students experience behaviours that make them feel uncomfortable and unsafe. This principle addresses the need for clear, accessible, and comprehensive policies to address sexual misconduct (including sexual harassment and sexual assault). The principle focuses on the need for a zero tolerance approach and a trauma informed victim/survivor focus that holds perpetrators to account. Included in this is the need to ensure that appropriate training on first response and support are provided.

The Broderick report concludes by noting that: "It takes courage for an organisation to closely examine its culture and to identify not only those areas that are strong, but those that need to change. But without understanding where the challenges lie, it is not possible to develop a plan for renewal."

Recommendations

Considering the current policies and practices at St Mark's in view of the Broderick Report Principles and the qualitative and quantitative data arising from focus groups, interviews, and the student survey leads this Review to make a number of recommendations.

1. **(a) It is recommended that the College's policies on Sexual Harassment and Sexual Assault be consolidated into a single policy covering sexual misconduct including Sexual Harassment and Sexual Assault, similar to that of The University of Sydney - Student Sexual Misconduct Policy 2018 (sydney.edu.au)**
 - (b) It is recommended that the policy and procedure are separated to make it clearer up front what constitutes sexual misconduct and to make it clearer what steps a complainant can choose to take.**
 - (c) It is recommended that the revised policy and procedures refer to the options for support and complaint which are available to students in the universities.**
 - (d) It is recommended that revised draft policy and procedures documents be reviewed by an external party with the appropriate expertise.**

The St Mark's Handbook contains two policies (the "Sexual Harassment and Sexual Assault Policies") with similar content across 20 pages. The policy is summarised on page 55 of the 2022 Handbook. While the policies are very comprehensive, there is an opportunity to consolidate and create a more accessible policy and procedure. This is not a criticism of the policies but is a recommendation that points to an opportunity to precis the policies in a way that will further impact and engagement.

The policies are commendable and carefully prepared documents, drawn up by an independent expert in 2018 and revised annually by the College. Moreover, the survey findings reported below suggests that students are confident in making reports and that the system for doing so is transparent and inspires confidence.

However, the College's policies on sexual harassment and sexual assault have many overlaps and collectively account for 20 pages.

While the policies align with the intent of many of the recommendations from Broderick's review, the format and style in which they are written do not always provide the clearest understanding of the process that complainants should follow. The policy could be written in a more user friendly, action-oriented approach making clear the steps a complainant (or victim/survivor) can choose to take. A short, plain English version, possibly with graphics to illustrate options, should also be produced.

Broderick highlights in her review that a Sexual Misconduct Policy should:

- Expressly prohibit sexual misconduct (including sexual harassment and sexual assault) and make clear the consequences of breaching the policy.
Review Assessment of the current St Mark's policies – with separated policies it is not clear what is prohibited unless both are read in full. A single page to define what sexual misconduct is should be included.
- Define key terms and concepts illustrated with relevant examples in order to clarify the meanings of and behaviours that constitute sexual harassment, sexual assault and consent.
Review Assessment – Restructuring, formatting and consolidating the policies would create a more usable and understandable policy.
- Articulate expectations that all members of the College community (including the College Council/Board, staff and students) have a role in creating a safe and respectful environment.
Review Assessment – the policy does this though it is our assessment that a more concise approach could be taken in this space.
- Provide clear details on processes for reporting and responding to sexual misconduct, including specific names and contact details, and details of how to support someone who has experienced sexual assault.
Review Assessment – The policy structure, while providing details of whom to contact, does not make it easy for the complainant to understand the process and ways to report. It is recommended that a review of the structure, order and formatting of the policy be made to improve the reader's ability to understand and follow clearly. We would recommend splitting the policy and procedures to help the reader navigate the approach.
- Provide clear guidance and a variety of options for survivors/victims experiencing sexual misconduct to disclose; to seek support, counselling and health services; and to identify procedures and timeframes for investigations.
Review Assessment – As per previous assessment, the policy structure does not make it easy for the complainant to understand the reporting process and support options available. It is recommended that a review of the structure, order and formatting of the policy are made to improve the reader's ability to understand and follow clearly. We would recommend splitting the policy and procedures out to help the reader navigate the approach. We also acknowledge in these recommendations that the College has already moved to appoint an independent expert support person who is available to support survivors and to whom they can make anonymous reports of sexual misconduct or harassment. We strongly endorse this.
- Ensure reports are dealt with sensitively and expeditiously and that the parties to a complaint are advised of progress and outcomes while ensuring confidentiality is maintained.
Review Assessment – the policy does this though it is our assessment that the structural changes recommended will make this area clearer and more accessible.

2. The College should give further consideration to appropriate ways to communicate to students that there are serious consequences for any sexual misconduct.

In focus groups and one-to-one discussions, a significant number of students raised concerns about whether there was transparency in communicating the consequences of sexual misconduct. This was echoed, to some extent, in the quantitative data secured via an anonymous survey (although 69% of respondents thought there were some clear consequences for sexual misconduct, including 43% who said very much so).

This Report makes clear that CLA has total confidence in the processes that St Mark's undertakes to manage allegations of sexual misconduct. There are clear legal reasons for not publicising why students are asked to leave the College. The processes for inquiry into allegations and the external advice structures ensure that due process is followed and that allegations are taken seriously.

The College should consider including in the revised Sexual Misconduct Policy an explanation of why it is unable to disclose disciplinary action against individuals for sexual misconduct. It should also consider other ways of reassuring students that there are serious consequences for sexual misconduct.

3. In its review of its sexual misconduct policy and procedures, the College should give careful consideration to what is said to complainants and respondents about confidentiality, and the appropriate sources of support available to them.

The need for this arises from analysis of the focus group and one-on-one discussions discussed below.

- 4. The College should ensure that its training of students appropriately covers**
- (a) what rape myth acceptance looks like in practice, why it is wrong, and how to respond to it;**
 - (b) an ongoing, explicit and carefully evaluated focus on developing communications skills in sexual encounters;**
 - (c) the role of social and online media in the way people become intimate;**
 - (d) the importance of understanding the various forms of sexual harassment; and**
 - (e) the damaging effects of cliquishness and gossip.**

The need for supporting this ongoing education emerges from analysis of the survey data reported below.

5. The College should continue with its existing No Hazing Policy

This policy which is due to be reviewed in January 2023 is clearly robust and effective.

There was broad agreement amongst students taking part in this Review that there was *not* a culture of 'hazing' at any point during the College year (including Welcome Week). The College should be commended for its success in having a 'no hazing' culture and such a robust No Hazing policy to support this culture. (Consideration could be given to changing the name of the policy to "Anti-Hazing Policy".)

6. The College should continue to review its Code of Conduct and Behaviour Management Policy on an annual basis with the input of the Board.

The importance and benefit of this Review process was highlighted in discussion with senior staff and Board members.

7. As part of the College's screening of prospective students for character, the College should, as part of their application, require applicants to reflect on the College's values and how they will uphold them.

Discussions with staff identified ways in which the College seeks to ensure that only students of good character are admitted to membership of St Mark's. It is suggested that these efforts be further strengthened by this requirement.

8. As part of the effort to increase diversity in its student body generally, the College should, continue to strive for gender balance/diversity in its staff and student leaders and the student body and give regular reports to the Board on progress.

Discussions with students, senior staff, and Board members highlighted the importance of working to increase diversity in the student body, and the need to work to ensure gender balance/diversity in the staff and student leaders, as well as in the student body as a whole.

9. The College should review its arrangements for staff training and support.

The Review has identified that the senior staff team at St Mark's College is very strong and highly qualified. The survey and other data show that students have a high degree of confidence in the staff, and that there is a robust and transparent culture of student support from the senior staff team.

While it is evident that key senior staff are well trained and well informed on relevant topics, it is also evident that a more systematic approach should be taken to ensuring that all staff are appropriately trained and aware of sexual misconduct policies and procedures.

During the completion of this report, legislation was introduced into Federal Parliament (arising from the Human Rights Commission's *Respect@Work* report) to create a positive duty on employers to take reasonable and proportionate measures to prevent sex discrimination and sexual harassment. It is clear from discussions at the College that taking such measures is seen as an important part of the College's responsibility for workplace health and safety, and that it wishes to intensify its efforts in this regard.

It is therefore recommended that the College review its arrangements for staff training and support, including:

- a. Ensuring that all staff are aware that the College's policies on sexual harassment and sexual assault apply to them;
- b. Ensuring that staff are made aware of the options available to them for disclosing sexual harassment and sexual assault, or for seeking advice;
- c. Ensuring that all staff have training appropriate to their roles, including that all new staff induction includes appropriate training;
- d. Providing appropriate counselling, leave, and/or other support for staff affected by sexual harassment or sexual assault, including by vicarious trauma for those involved with the handling of disclosures.

The College should also make best efforts to ensure that its external tutors and relevant contractors are fully aware of the relevant policies and options for disclosure and support.

An overview of some key aspects of the *Respect@Work* report, and some other aspects of best practice, are appended to this Report.

10. The College should produce an Implementation Strategy in response to this Review and report on progress at regular intervals over the next two years.

11. It is recommended that the College have an independent external review of what it does to prevent and respond to sexual harassment and sexual assault every three to five years in line with best practice evaluation.

Such external review after three to five years could use the survey prepared for this Review. This survey is also available to be used more often, perhaps even annually, as a benchmark to enable the College to "take the temperature" of its evolving student culture. (The frequency of surveys will need to take account of the risks of survey fatigue for students.)

Findings from interviews with students and student leaders (Qualitative research)

As set out earlier in this Report, Professor Catharine Lumby conducted extensive focus group and one-to-one discussions with students in June 2022 and at the student leadership retreat on July 2.

Overall, students and student leaders reported a strong allegiance to St Mark's College and a sense of pride in being part of the College community. (This was further evident in the survey results reported below.) In the interviews with students, students reported that they enjoyed College life and believed that it enhanced their academic and broader social experience at the universities they attended. There was also much positive feedback about Professor Markwell's leadership and about the expertise, empathy and commitment shown by the senior management team.

The following broader themes emerged from this section of the research:

Training/Education programs

The College undertakes an extensive and comprehensive program of relevant training of students. This is set out in the progress update report referred to at the outset of this report. Quality training is provided for new students, returning students, prospective student leaders, and student leaders. It is clear that the College's program of training is excellent. The recommendations above and discussion below point to ways in which it can be further improved.

Overall, there was agreement in the interviews with students that education and training were important to induct students into College life and to reinforce values. There was also broad agreement that the education and training offered was thoughtfully and engagingly delivered, although a number of students felt the online Consent Matters module was no substitute for an interactive discussion. While the online module Consent Matters is the requirement of the universities, it is impressive that St Mark's also requires all students to attend in-person training sessions each year on matters of consent, bystander intervention, and related matters.

A number of students commented that they did not think Welcome Week was the appropriate time to deliver training. They felt some students might be too distracted and fatigued to absorb the important messages due to the various social events. Some students also felt that Welcome Week was a time when adverse incidents were more likely to occur and believed that first year students needed the opportunity to reflect on what was considered appropriate behaviour. Principle 3 of the Broderick report, quoted earlier, states: "Orientation Weeks should be changed to a focus on welcome, induction and inclusion into the university environment". This supports the College's approach of running training at the outset – but of course this can be reinforced with further training later in the year, as the College has done this year.

Some student leaders however remarked that they experienced “training fatigue” when asked to reprise topics in subsequent training they felt had been previously covered. There was a general consensus that the more interactive training was, the more engaging they found it and that peer-based learning was important. The latter view is in line with a strong consensus among students who said that learning from senior peers was an effective method of receiving education.

It is important to note that, alongside the existing (and essential) training by external professionals and senior staff, the College has already begun using peer-based approaches in the delivery of education and training, including at the student leadership retreat held in July 2022, attended by Professor Catharine Lumby. The retreat included a highly focused series of talks and discussion groups in the format that students are suggesting works effectively here. The sessions for first-year students in Welcome Week led by student leaders (male student leaders meeting with male first-year students, and female student leaders meeting with female first years) were also thought to be particularly effective, alongside the sessions by external professionals and College senior staff for all first-year students together. There may be other ways in which student leaders can contribute to training – for example, facilitating small group discussions of topics covered by external professionals or College staff.

Importantly, student leaders at their retreat on July 2 initiated the idea of a student-written statement of values and behaviours that would make clear what is and what is not appropriate. This excellent initiative has been followed up by student leaders since then, and is to be warmly commended. Such a statement should form an excellent basis for student leaders to engage other students, including future first-year students, in understanding and upholding appropriate conduct.

There was a view expressed that a small group of male students perceived education workshops on sexual harassment and assault as being “anti-male”, with the focus more on male behaviour rather than female behaviour. It was observed that one way of increasing engagement is through making such training more interactive, for example, by breaking into small groups and having scenario-based discussions where there are grey areas, thereby opening up space for genuine, non-judgemental conversations.

In two of the student groups, interest was expressed in getting more training on managing social media use, including the use of group chats.

Sexual harassment

In one focus group of 2nd/3rd year female students there was a robust discussion of what one of the group termed “micro-aggressions”. This undefined term was used to describe behaviour which students did not perceive constituted sexual harassment but which they felt fell into a category of insensitive behaviour.

However, some behaviours arising from seemingly ‘insensitive behaviour’ may in fact constitute sexual harassment. Examples of such behaviours mentioned in focus groups included: a student sending too many text messages to another student, a student expressing low key sexist comments, and students rating other students of a different gender. These examples indicated that there is still a lack of clarity about what constitutes sexual harassment. Recommendations above suggest that, in reviewing the training, the College should seek to ensure that students better understand the various forms of sexual harassment.

Peer pressure

There was broad consensus across students and student leaders that first year College students, both male and female were most at risk of succumbing to peer pressure.

One student leader suggested that the desire to 'fit in' could equally be mobilised in a positive way. That 'fitting in' could be reframed as fitting in with the values of the College, enabling students to feel pride in belonging to a culture where bad behaviour wasn't tolerated. There was also the view that peer pressure was mostly confined to first year students and that it largely dissipated as students matured. One student felt that peer pressure could still be exerted by older students and stressed the importance of younger male students particularly not being influenced to adopt negative behaviours.

There was also discussion across most of the groups about the importance of encouraging ethical bystander behaviour. There was acknowledgment though that the role of ethical bystander can be a difficult one especially in a large group. On a positive note, in a group of 2nd/3rd/4th year men there was agreement that the focus on cultural renewal had had an impact, and that there was now a much clearer understanding of what constituted unacceptable behaviour with more students having heightened awareness of the role of ethical bystander.

There was also robust discussion in a small group of first year women about the need for women to work together and show solidarity to each other in the face of sexism. There was a strong view put by two young women that there should be an explicit workshop looking at how women could better support each other and move away from seeking male attention at the expense of supporting their female peers.

Alcohol

While there was broad discussion about the role alcohol plays in social events, there was a recognition amongst the students that attitudes - not alcohol - were the cause of inappropriate behaviour.

There was also broad agreement that there was *not* a culture of 'hazing' at any point in the College year (including Welcome Week) and that College events were largely managed responsibly and that anyone who had had too much to drink was normally taken care of by others.

Disclosure

An issue which was discussed in female student groups and by a number of female student leaders was the perception that women felt silenced following a disclosure about being affected by sexual misconduct. A lot of discussion focused on this potential dilemma that women faced. Could a woman talk to her supportive friends in the wake of making a complaint and still comply with confidentiality requirements? One student leader noted that allowing a survivor of sexual assault or harassment to talk to peers was part of a trauma-informed response. Another cited Australian of the Year Grace Tame's #letherspeak campaign as a model for how the College should treat female survivors.

This raises complex issues in the context of a residential college community, and it is suggested in the Recommendations above that the College give further consideration to what is said to complainants and respondents about confidentiality, and the appropriate sources of support available to them.

There was also little appreciation of the complex legal issues potentially attendant on making announcements about expulsions from the College. This is addressed further in the Recommendations, above.

There was general agreement that, on the whole, Residential Advisors and other members of the student Wellbeing Team were useful people with whom to talk over issues, including adverse incidents, and affirmed the decision of the Director of Wellbeing role being disarticulated from a disciplinary role (this was a structural change made by the College in early 2022 as part of the College's expansion of student support).

Survey Findings⁴

On July 27, 2022, an online survey was sent to all current students. The survey could be filled in anonymously - although students were given contact details if they wished to discuss any aspect of the survey, or issues it raised, further with someone. The survey closed on August 4.

83 students answered the survey which, in statistical terms, is considered a valid sample. Of those who answered the following can be observed:

- 52% were 1st Year students, 23% were 2nd Year students and 25% were 3rd Year or above.
- 55% of the students were aged 17-19
- 65% of the respondents were female, 34% male and the remainder preferred not to say
- 89% of the survey respondents identified as heterosexual, 1% as lesbian, 7.5% as bisexual and the rest preferred not to say
- The great majority of respondents were from regional areas in SA or interstate
- There were roughly equal numbers from private and public schools and very few boarders
- Half of the students were from Anglo/Celtic backgrounds, 5% were Indigenous and 6.7% from non-European backgrounds.

It appears that the respondents were, in these characteristics, broadly representative of the overall St Mark's student population. A brief summary of key survey results is below.

In two questions, students were asked to nominate the five words they most strongly associated with College life and the five words they most strongly did *not* associate with College life.

- The words the students **most** associated with College life were, in order - community, friendship, fun, inclusive and connection.
- The words they **least** associated with College life were, in order - unsafe, sexist, blokey, immaturity and diverse.

While these are encouraging results, particularly given that the majority of respondents were female, it is important not to lose sight of the fact that the results showed almost one third of students thought College life was cliquey. Continuing the efforts to embed the St Mark's culture of inclusion and connection will hopefully see this reduce over time.

⁴ Note that statistics have been rounded up or down in reporting

When asked how important interpersonal standards of behaviour (not bullying, showing respect, not gossiping) were, 98% of students responded that they mattered very much or somewhat. Students responded that standards could be effectively reinforced through peer influence, senior students having a quiet word, staff intervention and training.

Asked if they thought College social events were organised in a way that minimised risk, 85% said very much so or somewhat and only 1% said not really. In relation to whether alcohol was managed responsibly at these events 89% said very much so or somewhat.

Asked if there was a lack of clarity about what is acceptable when it comes to dating or hooking up, one third said very much so or somewhat while almost half said not really or not at all. Interestingly, equal numbers of male and female students answered very much so or somewhat.

Asked whether all men were being blamed for the bad behaviour, 38% said very much so or somewhat and 36% said not really or not at all. It is worth noting that while only 24% of women answered very much so or somewhat, 54% of men responded very much so or somewhat indicating a strong gender division in perceptions.

Asked if they thought men didn't intend to force sex on a woman but sometimes misread the signals, 53% said sometimes, 8.5% said frequently and 24% said occasionally. 61% of men said this happened sometimes and 11% said frequently. 50% of female respondents said it happened sometimes and 8% said it happened frequently. These statistics are concerning given that even one forced sexual encounter constitutes an assault. These results suggest there needs to be an ongoing, explicit and carefully evaluated focus on developing communications skills in sexual encounters. This is addressed in the Recommendations above.

In response to a question about why people misread signals when it comes to consent, 37% of students said poor communication was a factor, 29% nominated alcohol as a cause, 21% said lack of experience and 12% said flirtatious behaviour. This data is a cause for concern. It suggests a renewed focus in education and training to ensure students are engaged in understanding what rape myth acceptance looks like in practice and that they develop the communication skills to clearly and freely consent or refuse a sexual encounter. This too is addressed in the Recommendations earlier in this Report. While it is heartening that students did not nominate provocative clothing as a trigger for assault, blaming alcohol or flirtatious behaviour are signs that there is a residual reliance on myths about what causes sexual assault.

The follow up question asked whether women sometimes backtracked after giving consent to a sexual encounter also produced some concerning statistics. 58% of students agreed that they do very occasionally or sometimes. And 21% were unsure. These results demonstrate the enduring need for ongoing education and training about healthy and consenting relationships. Currently, St Mark's already conducts highly interactive training that engages students in this important area. The Recommendation above is to continue and if possible increase access to this type of education and training.

In response to a question about whether, in their experience at College, students had worried about a woman being treated badly during a sexual encounter 41% of students said they were concerned sometimes or very much so. This statistic does *not* refer to the frequency of alleged incidents but to the strength of the respondents' concern. Again, this statistic indicates that more work needs to be done to understand the root causes of this concern.

A question about whether the students were aware of a student being harassed or frightened by the persistence of another student asking them to hook up, only 17% of the respondents said never and 42% said sometimes or frequently. These statistics are concerning and once again suggest that this information needs to be addressed through the excellent and ongoing education and training programs the College provides students.

Asked about whether they had observed or were aware of fellow students sharing sexual material on social media, 92% said never or hardly ever. The statistic is not surprising given that most sharing is either one-to-one or in private group chats. Nonetheless, as discussed in the recommendations, it is critical to continue education and training in ways that engage and inform students about the role of social and online media in the way people become intimate.

A question about whether the respondent had been aware of another student being violent to a student resulted in a yes answer of 24%. This response needs further interrogation as the question is not specific enough in diagnostic cultural terms (it is possible that all yes responses refer to a single incident).

Asked if there was a sexist culture of ranking women on their sexual attractiveness in the College 30% said somewhat or very much so. This is a complex issue and it is important to acknowledge both men and women will evaluate sexual attractiveness in potential partners. There is, however, a difference between noticing attractiveness and publicly commenting on it in a way which makes the other person feel objectified and reduced to their appearance or sexual currency. The issue is how it is expressed, to whom and what language is used to communicate attraction. Again, this is an issue that is covered in education and training but that potentially requires more focus and provides participants with the opportunity to discuss the issue openly.

When it comes to how normal it was to call out bad behaviour, including sexual misconduct and violence, 51% nominated very much so or somewhat and 22% said not really or not at all. This finding indicates that ethical bystander training remains important but also suggests that the student culture is receptive to ethical bystander behaviour.

Asked if women did enough to support each other in standing up to or calling out disrespectful behaviour or sexual misconduct 66% of respondents said somewhat or very much so. This is a positive finding which indicates that there is a strong culture of peer support among female students which should be acknowledged and strengthened.

On the question of reporting bad behaviour, including sexual misconduct or violence, 41% of respondents said they would report the behaviour to a student leader, 17% said directly to a staff member and 39% said both. This is an extremely positive finding and it suggests that students are confident in making reports and that the system for doing so is transparent and inspires confidence. Asked why they said neither, the small number of students who chose the option gave varying reasons (summarised below), but it is important to note that they are a small sample of the larger cohort.

Another positive finding was that 63% of students said they had never or hardly ever witnessed homophobia and 29% said occasionally. This indicates that, while ongoing training is important, there is *not* a culture that routinely licenses homophobia, a form of discrimination which tends to flourish in hypermasculine cultures.

Another positive finding is that 83% of respondents said they had never or hardly ever witnessed bullying at College and only 14% said occasionally. This indicates that there is a robust anti-bullying culture given that the question specified a range of bullying behaviours.

Asked if there were clear and consistent consequences for sexual misconduct at College 18% said not at all or not really and 43% said very much so. The result indicates that a sizeable proportion of College students are unclear on whether there are clear and consistent consequences for sexual misconduct, a finding that was echoed in the qualitative data, and is addressed in the Recommendations above.

On the question of training it is clear that students find peer to peer training from senior students valuable with 63% saying they valued it somewhat or very much so. 87% said that training for returning students was very much or somewhat useful.

Asked if the College did enough to support students to be part of the solution to disrespectful or bad behaviour a resounding 82% of students said somewhat or very much so. This is a very positive result.

Asked if they were proud to be a member of the St Mark's College community a resounding 90% said very much so or somewhat. This is a very encouraging statistic which indicates that pride in the College is an asset which can be utilised to reward the attitudes and behaviours the College wants to instil and encourage in students.

Questioned on whether being part of the St Mark's community can leave students disconnected from broader university or outside life, an even number of students said not really or not at all, yet the same number of students said somewhat and very much so. Further analysis is needed.

Another positive finding is that 67% of students, when asked if they felt they could approach College staff for support with wellbeing or personal issues, said very much so or somewhat. Only 2% of students said not at all, indicating that there is strong awareness of avenues for pastoral care. A related and equally promising finding is that 57% of respondents said not at all or not really when asked if they worried they would get others into trouble by reporting bad behaviours with only 4% saying very much so. This finding confirms that there is a robust and transparent culture of student support from the senior staff team.

The survey also included seven open-ended questions and the following are the themes that emerged from those questions.

Sense of Community/Culture

Responding to a question about words that students most associate with the day-to-day culture of the College, 87% of respondents picked Community.

Cliquey

Although the words community and inclusive are in the top five words that students associate with the day-to-day culture of the College, the word 'Cliquey' did come in the top 10. However, 'cliquey' also appears as one of the words students would least associate with their day-to-day College experience.

Diversity

No students chose diversity as one of the top five words they would associate with the College and 30% disagreed strongly that diverse was a word to describe the college.

The Recommendations above refer to the need for the College to continue working towards increasing the diversity of its student body.

Safety

The survey appears to show a strong sense of safety among the students with 73% agreeing the word unsafe was *not* a word they associate with the College. 24% responded that they had been aware of a fellow College student being violent towards another College student in the context of an intimate relationship; it is quite possible that this refers to awareness of a single incident. Not one student chose "unsafe" as a word they associate with the day-to-day culture of the College.

Regarding social events at the College (whether run by students or staff) just over 50% felt strongly that the events were designed to minimise risk with 27% stating they somewhat agreed. There was a similar response to the question regarding events making people feel welcome and the responsible management of alcohol. Some students requested more events that did not include alcohol consumption.

Fun

Nearly 70% of students chose fun as a word they would ideally wish to associate with their day-to day college experience. Fun was closely followed by friendship. One student mentioned wanting a dog.

Drinking

Over half (59%) of the students felt there was a responsible management of alcohol at College events, with 30% feeling somewhat that way. 4% did not really believe a responsible service of alcohol policy was adhered to and their responses included a desire for more events that did not include alcohol. Some respondents also suggested more diversity in activities with fewer large dinners and pub crawls.

Communication

In response to a question about why people misread signals when it comes to consent, 37% of students said poor communication was a factor, 29% nominated alcohol as a cause, 21% said lack of experience and 12% said flirtatious behaviour. This data is a cause for concern. It suggests a need for renewed focus in education and training to ensure students are engaged in understanding what rape myth acceptance looks like in practice, and that students have the capacity/communication skills to freely consent or refuse a sexual encounter. This too is addressed in the Recommendations earlier in this Report. While it is heartening that students did not nominate provocative clothing as a trigger for assault, blaming alcohol or flirtatious behaviour are signs that there is a residual reliance on myths about what causes sexual assault – which is equally an issue in broader society.

Behaviour/Sexual Behaviour

Regarding whether there is a lack of clarity amongst university age students about what is acceptable when it comes to dating and hooking up, 23% felt there was somewhat a lack of clarity with 10% feeling there was very much a lack of clarity around the issue. When asked about whether men were unfairly blamed for the bad behaviour of a small number of men, 35% felt that all men are either somewhat or very much blamed for the behaviour of a small number of men.

Overall, 53% believe that men sometimes misread the signals around whether consent has been given. The figures change somewhat when we look at the data split between male and female, with 60% of males thinking men sometimes misread signals as opposed to 49% of women. Alcohol and poor communication were seen as the main contributors to misreading consent signals; this response was virtually the same when looking at the female and male data separately.

In relation to how respondents understand consequences for sexual misconduct, 43% believe there are very clear and consistent consequences for sexual misconduct, 26% believe there are some consequences, 13% believe there are not really any consequences and 5% of respondents felt there were no clear and consistent consequences.

It is recommended earlier in this report that the College give further consideration to appropriate ways to communicate to students that there are serious consequences for any sexual misconduct.

Conclusion

This review was undertaken at a time when Australia has been going through a cultural reckoning with issues of sexual misconduct, including sexual harassment and assault. With the Federal Government planning to introduce a positive duty to protect their employees from sexual harassment, all organisations and institutions are now on notice that they need to review their policies and protocols.

In this light, it is commendable that St Mark's College has already instituted best practice policies, education programs and procedures for dealing with complaints in relation to sexual misconduct. What is equally important is that the College has a demonstrated commitment to ongoing review and evaluation of those practices evidenced by the commissioning of this Review. Indeed, this Review was characterised by a deep and constructive engagement on the part of Professor Markwell, his team, students and the Board of St Mark's College with Professor Lumby and her team.

The findings of this review are overwhelmingly positive and it is clear that the College is well placed to continue to actively engage with best practice approaches to preventing and responding to sexual misconduct.

Appendix 1: Victim Centric and trauma-informed approaches

<https://noviolence.org.au/wp-content/uploads/2020/05/Trauma-Practice-Paper-FINAL-002.pdf>

A trauma-informed approach acknowledges and clearly articulates that no one understands the challenges of the recovery journey from trauma better than the person living it. This requires responses attuned to a person's experience and the dynamics of trauma and acknowledge, respect and validate that experience.

At the heart of trauma-informed approaches is empathetic listening.

Trauma-informed responses aim to respond to the individual needs of victims/survivors. Due to the diversity of sexual assault survivors' experiences, presentations and management of trauma, the needs of each survivor are unique and will vary across their social, cultural and economic backgrounds.

Ranjbar and Speer (2013) interviewed women survivors of sexual assault to understand their post-assault needs for recovery. Sexual assault survivors in their study identified that the recovery journey involved being believed and heard by others (professional and family), being freed from negative states (reduced feelings of fear, guilt, and shame), accepting the experience (overcoming denial and acknowledging the reality of the victimisation event/s) and regaining control and trust (regaining control of the physical body and sense of autonomy, as well as the ability to trust others). Similar views on recovery from sexual assault survivors were identified in an Australian study, where Powell and Cauchi (2013) found that the very act of being heard and taken seriously seemed more important to victims than the outcome of a sexual assault case (i.e. whether the case went to trial or not).

Following are considerations that have been identified as important for survivors of sexual assault regarding support and recovery. These needs are summarised from a number of relevant studies (Ranjbar and Speer 2013; Thorn 2015; MHCC 2013; Powell and Cauchi 2013; Hegarty, Tarzia, Fooks & Rees, 2017):

- Being heard and believed by all services involved in the reporting and recovery journey
- Control over support, service options and ultimately the recovery/healing journey (choice and empowerment)
- Accessing supportive counselling and group therapy
- Having the right support to help the recovery/healing process
- Needs being responded to in a timely manner

The needs of survivors have been explored with the intent to demonstrate that trauma-informed approaches are victim/survivor oriented, and involve sensitivity to survivors' particular needs, preferences, safety, vulnerabilities, and wellbeing as well as recognising the lived experience and ability of survivors to participate in decision making (Victorian Department of Health, 2011).

Steps to becoming trauma informed:

- Becoming trauma aware – staff being aware of the effects and individual adaptations of trauma in victims
- Becoming trauma-sensitive – the service operationalising the concept of trauma-informed practice and care
- Becoming trauma-responsive – both the service and individuals within the service understand and respond to trauma in ways that encourage and support victim behaviour change, resilience, and protective factors; and
- Becoming trauma-informed – the entire organisational culture, including all work practices and settings is underpinned by trauma-informed approaches and principles.

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