

Responding to Sexual Harm

Safer Community

La Trobe University
Victoria 3086

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**LA TROBE
UNIVERSITY**

About This Booklet

Sexual Harm

Sexual harm is any behaviour of a sexual nature including sexual assault, rape, sexual harassment, and other sexual behaviours which:

- Makes someone feel uncomfortable, frightened, intimidated, threatened, or coerced.
- Any kind of sexual activity that a person has not agreed to participate in, either in person or via online.
- Where a person has not clearly indicated 'affirmative consent' or is not capable of consenting.

Sexual harm occurs any time a person is coerced or manipulated into any unwanted sexual activity.

This Booklet:

- Is designed for La Trobe University students who have disclosed sexual harm to Safer Community.
- Provides information to help you make decisions both now and in the future.
- Explains your options for reporting, and the steps involved.
- Explains where you can get support and help.

Remember:

- Safer Community can provide expert advice and assistance to help you to consider your options and make a decision that feels right for you.
- We will be open and transparent around the process.
- You have the right to decide what information you report, what you would like to happen, including whether you want to participate in an investigation or process if one is progressed, and you can change your mind at any time.

Disclaimer: Every effort has been made to ensure the information contained in this publication is accurate and current at the date of printing.

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Key Contact Information



Your Safer Community Contact

Your contact person in Safer Community is:

.....
Their email address is:

.....
Their phone number is:

.....
Or contact Safer Community on 9479 8988, Monday to Friday, 9am to 5pm.

La Trobe University Services

Security 24/7	9479 2222
Safer Community	9479 8988
Counselling Service – All Campuses	9479 2956
Crisis Line - Out of Hours	1300 146 307 or text 0488 884 100
Mental Health and Wellbeing Support	

External Services

If you wish, a member of Safer Community can make a referral, accompany you, or arrange transport to any external service:

Triple Zero for **emergencies** – 000

Sexual Assault Crisis Line (weeknights 5pm to 9am the next day, and 24 hours weekends and public holidays) - 1800 806 292

Your local **Police Sexual Offences and Child abuse Investigation Team (SOCIT)** is:

Melbourne	8690 4056
Bendigo*	5444 6752
Mildura*	5023 5980
Shepparton	5820 5878
Wodonga	02 6049 2600

*MDC, collocated services, see page 7.

National Sexual Assault, Domestic Family Violence Counselling Service, 1800 Respect (24/7 phone support) - 1800 737 732

Your local sexual harm support, including **Centre's Against Sexual Assault (CASA)** is:

Northern CASA	9496 2240
Central Victoria CASA	5441 0430
Goulburn Valley CASA	5858 9300
Mallee Sexual Assault Unit	5025 5400
Centre Against Violence Ovens Murray District	5722 2203

Keeping You Safe

On Campus

Your safety and wellbeing is La Trobe University's priority. We will consider your needs and take steps to make sure you are safe.

In an **emergency** on or off campus, call 000 for Police and Ambulance.

If you feel in **immediate danger** on campus, call Police and then contact La Trobe Security on 9479 2222 for an immediate response.

If you are concerned about travelling around campus, you can arrange a La Trobe **security escort** at any time of day. Call 9479 2222. Security officers typically take 5 to 10 minutes to arrive.

It may also be possible to put other **protective measures** in place to ensure your safety on campus, including developing a safety plan with you, timetable changes or issuing a direction of no contact to the alleged perpetrator (if they are also a student). You can discuss all of these options and more with Safer Community.

Off Campus

If you feel unsafe, you can seek an **Intervention Order**. This is a court order, made by a Magistrate, to help protect you (and/or your family) from the alleged perpetrator.

An Intervention Order sets rules or conditions about how the alleged perpetrator must behave. The conditions may stop them from approaching, harassing, threatening, intimidating, or contacting you. It may also restrict them from attending any place you live, work or study.

You can apply for an Intervention Order yourself at any Magistrates Court or online here www.mcv.vic.gov.au/intervention-orders/family-violence/applying. Some courts require you to make an appointment before you go in, so it is best to call first. You can talk to the Registrar or the Applicant worker if you are unsure about how to fill out the application. Alternatively, Safer Community or the La Trobe Student Association legal service (see Help and Support, page 5) can assist you to complete it.

You can also ask the Police to apply for an Intervention Order on your behalf. There are guidelines around when they can/cannot apply for one on your behalf. If Police have serious concerns for your safety, they must apply for one on your behalf, whether you want one or not.

Seeking an Intervention Order is separate to deciding to report sexual harm to Police. You can apply for an Intervention Order without reporting the sexual harm. You can also choose to report the sexual harm, and then apply for an Intervention Order later, if needed.

Medical Care

If you have experienced a recent incident of sexual assault or rape, you should seek medical attention as soon as you can to take care of any injuries you may have. You can also speak with medical professionals about sexually transmitted infections or pregnancy if required. Safer Community can provide you with assistance to access local medical care.

Any immediate medical needs you may have can also be assessed and treated as part of a Forensic Medical Examination. This process is explained on page 12.

Help and Support

On Campus

Safer Community provides advice, assistance, and referrals for La Trobe University students who have witnessed, experienced, or received a disclosure of sexual harm. Safer Community will provide you with a case manager to assist you with your safety and support throughout your studies. They will talk with you about your options and help you decide what feels right for you.

You can contact Safer Community even if your experience happened off campus, happened a long time ago, or if you want to remain anonymous (using our online reporting form). An anonymous report can still help us promote a safe campus community. Any information you report is kept confidentially on our database. If your information must be shared, this will be in accordance with our policies, and will not be done without your knowledge. For more information see **page 8**.

Phone 9479 8988 (business hours)

Email SaferCommunity@latrobe.edu.au

Online report www.latrobe.edu.au/SaferCommunity

In person Bundoora PE level 2 or Bendigo SSC.

Academic Support: if your experience of sexual harm has impacted your ability to complete your studies, you can seek an extension from your Academics or apply for Special Consideration. For more information visit www.latrobe.edu.au/students/admin/forms/special-consideration.

If you need to, you can also withdraw or apply for a refund for a unit. For more information visit www.latrobe.edu.au/students/admin/fees-and-money/refunds.

Safer Community can assist you with these processes and provide you with a support letter.

The **La Trobe University Counselling** is a free and confidential service for all students. Counsellors are available at all campuses. The service has dedicated Queer, Indigenous and Men's counsellors. To organise an appointment, call 9479 2956 or submit an online request at www.latrobe.edu.au/counselling.

La Trobe University Crisis Line offers out of hours mental health and wellbeing support, call 1300 146 307 or text 0488 884 100 (5pm-9am weekdays, 24 hours weekends and public holidays).

La Trobe Student Association has an advocacy service, to assist you with general and academic issues, and a legal advice service, who can assist you with legal matters, including applying for an intervention order. For more information and contact details visit www.ltsa.com.au.

Off Campus

Centres Against Sexual Assault (CASA) provide free specialist counselling, support, and a range of other services for victims/survivors of sexual harm.

There are 14 CASAs in Victoria. Their services are free and include:

- Follow-up short, medium, and long-term counselling and support
- Information and support during the police investigation process
- Information and counselling for friends and family members
- Medical assistance and follow-up medical treatment
- Referrals for emergency housing and Victims of Crime Assistance Tribunal applications

Your local sexual harm support services is:

Bundoora	The Northern CASA	9496 2240
Bendigo	Central Victoria CASA	9496 2240
Mildura	Mallee Sexual Assault Unit	5025 5400
Shepparton	The Goulburn Valley CASA	5858 9300
Albury/Wodonga	Centre Against Violence (Ovens Murray)	5722 2203

A CASA counsellor may be available on campus. Safer Community can provide you with information about availability and assist you with a referral, or you can contact your local CASA and identify yourself as a La Trobe student.

For more information about CASA, you can access their booklet "What happens when you contact a CASA?" online at www.casa.org.au/survivors-and-friends/general-information.

Sexual Offences and Child Abuse Investigation Teams (SOCIT) provide specialist response and investigation of sexual offences by perpetrators known to the victim/survivor. If the perpetrator is not known to you, the SOCIT will refer your matter to the appropriate area of the Police for investigation and management. The SOCIT response prioritises the needs of victims. Any investigation is a victim-led process. They aim to ensure your safety and wellbeing; your ability to regain control of your circumstances; and to provide access to support, information, justice, and services appropriate to your need. Find your local SOCIT at www.police.vic.gov.au/sexual-offences-and-child-abuse-investigation-teams.

Multidisciplinary Centres (MDCs) collocate a range of agencies in the one building to provide a victim-centred, integrated, and holistic response to victim/survivors of sexual assault. These agencies include Victoria Police SOCITs, Child Protection staff from Department of Health and Human Services (DHHS), Counsellors and Advocates from CASA and Community Health Nurses. Some MDCs also have Forensic Medical Officers attend from the Victorian Institute of Forensic Medicine (VIFM) who may be able to provide expert forensic opinions or undertake forensic examinations on-site to support police investigations (see [page 10](#) for more information).

MDC buildings are deliberately located away from police stations and are carefully designed to provide a safe, welcoming, and confidential environment for victim/survivors and their support people. Find your local MDC at www.police.vic.gov.au/sexual-offences-and-child-abuse-investigation-teams.

The **Sexual Assault Crisis Line (SACL)** provides after-hours counselling and support service to all victim/survivors of sexual harm at any time in their lives. It also coordinates after-hours crisis care responses with CASA for recent victim/survivors of sexual harm. SACL operates from 5pm to 9am weeknights, and 24 hours on weekends and public holidays. Call 1800 806 292.

1800 RESPECT, also called the **National Sexual Assault, Domestic and Family Violence Counselling Service**, is a 24-hour nation-wide telephone and online counselling service for victims/survivors of both past and recent sexual harm and/or domestic and family violence. They offer an interpreting and sign language service. Call 1800 737 732.

The **Magistrates Court** can issue an intervention order, to protect yourself, your family, and property from another person. To find your local Magistrates Court and for more information on Intervention Orders and the associated court process, visit www.mcv.vic.gov.au/intervention-orders/personal-safety-intervention-orders-psio.

Online Resources

There are several online resources with information to help you with your decisions, and to understand the processes involved. Safer Community may also have hard-copies you can keep.

CASA have a series of information booklets about sexual harm, including:

- Counselling after sexual assault
- Crisis care after sexual assault
- Going to court
- Having a health check after sexual assault
- Making a statement to the police
- Money to help you after sexual assault
- Sexual assault and family violence: getting help
- Sexual assault: when sex is not ok

Available at www.casa.org.au/survivors-and-friends/easy-read

- Sexual assault, the law, your rights

Available at www.secasa.com.au/pages/sexual-assault-the-law-your-rights

1800 RESPECT has an information page that includes a video explaining your rights and options after you have experienced sexual harm. It is available on their website: www.1800respect.org.au/violence-and-abuse/sexual-assault-and-violence

The **Domestic Violence Resource Centre Victoria** has a range of information and resources for survivors of sexual harm, at www.dvrcv.org.au/help-advice

Victoria Police have several resources on their website, including:

- A 'Code of Practice for the Investigation of Sexual Crime'
- A handbook about 'Reporting Sexual Assault to Police'
- Information about reporting a sexual offence to police that can be downloaded in Easy English, Arabic, Bahasa Indonesian, Bosnian, Chinese (Simplified), Chinese (Traditional), Croatian, Dari, Dinka, Farsi, Greek, Hindi, Indonesian, Polish, Punjabi, Russian, Serbian, Somali, Spanish, Turkish, Vietnamese.

To access any of these Victoria Police resources, visit www.police.vic.gov.au and follow these links: Advice > Sexual Offences > Sexual Offences Publications.

Your Rights

- You have the right to decide what information to disclose or report and to where
- You have the right to consider your options and determine the course of action that best suits you
- You have the right to change your mind about what you want at any time
- If the University needs to investigate a matter, you have the right to choose whether or not you want to participate in the investigation

Your Reporting Options

You may have already told Safer Community something about your experience. This is called a **disclosure**. When you make a disclosure, Safer Community will give you advice to help you feel safe (see **page 5**) and talk to you about your support and safety options at the University and external agencies (see **page 6-8**).

You can also make a **report** of sexual harm to Safer Community. This is usually to commence a formal process at the University, such as an investigation under university policies (see **page 12**).

Whether you disclose or report your experience of sexual harm to Safer Community, the University may be required to investigate or take action to protect the health, safety, and wellbeing of yourself and/or the community (see **page 12**).

Safer Community can also help you connect with the Police, who will explain your reporting options. You may have already made some decisions about those options, or you may still be considering what to do. We understand it can be difficult to report your experience to Police. Deciding to report sexual harm is an important personal choice.

If you would like to talk about your reporting options or have questions about any of the information in this booklet, you can contact:

- Safer Community;
- Your local CASA; or
- Your local Victoria Police Sexual Offences and Child Abuse Investigation Team (SOCIT).

If you are in immediate danger, you should contact emergency services or crisis support first.

Key contact phone numbers are on the inside front cover (page 2) of this booklet.

If You Are Unsure Whether You Want to Report to Police

You can tell the Police about your experience and discuss your options with them, even if you have not yet decided to make an official report. Making a report does not mean the Police will automatically begin an investigation. They will discuss your reporting options with you, including the possibility of a formal investigation.

Even if an investigation does not progress, telling the Police about your experience helps them to evaluate and assist you with your safety, and to link you to support services.

Telling the police may also help them to solve previous cases of sexual harm, identify serial perpetrators, and protect other people from the alleged perpetrator.

If you are unsure about whether you want to make a report to police, you can have a **Just In Case (JIC)** medical examination. This is the same as a forensic medical examination (which is explained on page 12), but it happens without any police involvement. The forensic samples taken during the JIC examination are kept for six months while you decide if you want to involve the police. CASA can organise a JIC examination for you.

It is never too late to report sexual harm to Police. There is no time limit, and the Police often investigate cases of sexual harm reported a long time after they occurred. You can report sexual harm regardless of when it happened.

You have the right to
change your mind
about what you
want at any time

Reporting to Police

Deciding to report

You might choose to report sexual harm for a number of reasons:

- To protect yourself or other people from the alleged perpetrator
- To have the alleged perpetrator face consequences
- To make the community more aware of the problem
- Because your family or friends encourage you to report the sexual harm

Other things you may want to think about when deciding to report include:

- The sooner you report, the easier it will be for police to investigate
- The police may be able to investigate, and the alleged perpetrator may be charged, especially if there is other evidence or witnesses
- If you know the identity of the person who sexually harmed you, forensic evidence may confirm them as the perpetrator
- If you don't know who sexually harmed you, forensic evidence may help to identify the alleged perpetrator
- Making a report may help you to move on with your life
- Your report may help the police see a pattern in behaviour and the police may be able to charge them for other cases of sexual harm

You can report to Police and choose not to have the matter investigated. You can always change your mind later and ask them to investigate. The benefit is that you have already provided initial information closer to when the harm happened.

If you decide you want to report the sexual harm to police, Safer Community can help you, including calling SOCIT with you, arranging transport to a SOCIT or have SOCIT attend a location convenient for you (e.g., on campus, residence etc).

If you choose to attend a police station to make a report, the Police will gather some basic information and if they believe it meets the guidelines, they will refer you to a SOCIT. You can contact SOCIT directly, if they believe it is more appropriate that another Police unit investigate, they will refer you to them. Some crimes fall under multiple categories, such as stalking, so may need to be investigated by other police such as the Criminal Investigations Unit (CIU). You can discuss your experience with Safer Community and they can advise you of the correct police unit to report to.

Ultimately, you need to do what feels right for you. That may or may not involve formally reporting to the police. The decision is yours. Safer Community will support you regardless.

What is a SOCIT?

Victoria Police Sexual Offences and Child abuse Investigation Team (SOCIT) handles sexual harm cases. Cases are handled by specialised detectives trained in the investigation of sexual harm and interviewing victims/survivors. If you make a police report and SOCIT continue with the investigation, a SOCIT detective will become your main point of contact throughout the investigation. They can also help connect you with the CASA closest to you.

Forensic Medical Examination (FME)

Depending on the circumstances of your experience, e.g., if a sexual assault or rape occurred within the last 7 days, the Police can arrange for a forensic medical examination if you would like one.

The forensic medical examination can address any immediate medical needs you may have, including looking for and treating any injuries or sexually transmitted infections. The forensic examiner will collect forensic evidence for use in any police investigation. There are time limits for collecting useful evidence. The forensic examiner will decide what evidence can be collected.

If you are wearing the same clothes you were wearing when the sexual harm took place, the police may take them. You will be given a gown to wear, and new clothes after the examination. If you are not wearing the same clothes, you can bring them with you to hand-over to the examiner.

Forensic medical examinations are conducted by a trained medical professional – either a doctor or a nurse. They will explain everything that happens.

During the process, the forensic examiner will:

- Ask you to tell them what happened
- Check your body for marks and bruises, and take care of any injuries you may have
- Look for evidence on your body, like blood, saliva or semen
- Look for DNA which can help to confirm who the alleged perpetrator is
- Write a report and give DNA evidence to the police

If tests are needed, you will be told what they are, and you will be asked if you agree to each test.

You can have a support person of your choice with you during a forensic medical examination unless the police consider them to be a witness to the harm. This support person could be a friend, relative, a counsellor or someone from Safer Community.

CASA is present during all forensic medical examinations to provide you with personal support. You will also be invited to make an appointment with CASA for counselling following the examination if you would like this.

Stages of the Police investigation

There are several stages to a police investigation. The first stage involves collecting and examining available evidence – anything that may help the investigation, and which could be produced in court. The police will preserve evidence from the place where the sexual harm happened. It is important that you try not to destroy anything that might be evidence.

The police will take a statement from you early in the investigation. This will happen in private, usually in a police station. A statement is a written document that records in detail what you can remember of the incident. The process of collecting a statement can take several hours.

Police will also take statements from people who may have information about the incident, including any witnesses or police you first spoke to. If you have concerns about anyone the police might speak to, you can discuss this with the CASA counsellor or the SOCIT detective.

You can make a 'Statement of No Further Police Action' at any time when reporting to police, or during an investigation. This usually means the police will not take the case any further or continue an investigation. However, if they believe it is in the public's best interest for them to continue with the case, they may do so despite your statement. You will be informed if this happens.

What happens after the investigation?

While the investigation is going on, the police will look at the evidence with lawyers from the Office of Public Prosecutions (OPP). Before charging the alleged perpetrator with a crime, the police and OPP lawyers will decide if they have sufficient evidence, and a reasonable chance of getting a conviction at court. A decision will be made after carefully considering the available evidence and the rules of law. The SOCIT detective should keep you updated on this decision.

If there is enough evidence and therefore a reasonable chance of a conviction, then the matter will go to court. For more information on what happens during the court process, please speak with SOCIT, CASA or Safer Community. Your Safer Community case manager can attend court with you for support if you wish.

If it is considered that there is not enough evidence for a court case, the police may stop the investigation. This does not mean they do not believe you; it means that the evidence is not strong enough that a jury will find the defendant guilty beyond reasonable doubt at court. You can ask the police to write down their reasons and send this to you. If the OPP decides not to take the case to court, you can request reasons for the decision and ask to meet the OPP to discuss it. However, you have no formal right of appeal.

For more information on what will happen when you report sexual harm to Victoria Police, please see the CASA booklet 'Making a statement to Police' online www.casa.org.au/survivors-and-friends/easy-read.

Reporting to La Trobe University

You may have already told a member of the Safer Community team about what happened (a disclosure). The University will generally only commence a formal process if you decide to make a formal report. You can choose not to make a report or to request no action be taken on your report. You have the right not to be involved in a formal process, to protect your privacy, safety, and wellbeing. If you choose not to be involved, this may impact the University's ability to investigate and/or take action. However, there are some circumstances where the University may be obliged to take action, even if you don't make a formal report or request no action be taken. For example, where the risk is considered sufficiently serious, the University may be required to take action for health and safety reasons.

Information you provide is confidential and will be managed in accordance with our Privacy and Sexual Harm Prevention and Resolution policies. This means that:

- resolution processes will be conducted by as few people as possible;
- disclosure/report records may be shared confidentially with appropriate officers of the University or external authorities on a strict need to know basis, as part of the University's duty of care obligations, or as required by law;
- de-identified data may be used by the University for the purposes of reporting on the management of disclosures and reports of sexual harm;

If your information must be shared, this will not be done without your knowledge.

You will be informed if the University intends to act without a formal report or if you did not want any action taken, and all possible steps will be taken to protect your privacy and safety, and to respect your wishes. You will have the choice whether you want to participate in the process, and Safer Community will provide you with advice and support throughout.

In investigating and responding to a report of sexual harm, La Trobe University will refer to its *Sexual Assault Prevention and Response Policy*. You can request a copy from Safer Community, or you can download a copy on the University Policy Library <https://policies.latrobe.edu.au>.

Where La Trobe University may not be able to take any action

La Trobe University's internal disciplinary system may not apply if:

- The alleged perpetrator is not a current La Trobe University student or staff member; or
- There is not sufficient connection between La Trobe University and the circumstances of what happened (e.g., where the incident occurred off-campus, at a location or event that has no connection with the University).

In these cases, Safer Community will still be able to help you by discussing your safety and support options, including keeping you safe on campus – see **page 5**.

Where the harm has been, or will be reported to police, La Trobe University may postpone any investigation or action to avoid any risk of interference with the police investigation or court proceedings. Please note that if the investigation is postponed, there are still things the University can do to keep you safe – see **page 5**. Please also note that if the alleged perpetrator is no longer a current student or staff member by the time criminal justice processes have concluded, the university's internal processes may no longer apply.

Where the alleged perpetrator is a student

If the alleged perpetrator is a current La Trobe University student, Safer Community will talk to you about the option of a formal report and processes, such as an investigation under the University's General Misconduct Statute. If you choose to make a formal report to the University, Safer Community will refer the matter to the area responsible for investigating student misconduct. The process may involve meeting with an investigator and being interviewed or providing a detailed statement of what happened. Available evidence, such as CCTV footage, will be collected. This process does not investigate criminal acts but will investigate whether the alleged perpetrator has engaged in an act of general misconduct.

As part of the general misconduct process:

- The alleged perpetrator is required to be given an opportunity to respond to the allegations against them, this is called procedural fairness;
- The evidence gathered during the investigation, if sufficient, may be provided to the General Misconduct Officer who will decide whether general misconduct has occurred;
- The General Misconduct Officer may request more information from you about what happened, either in a meeting, hearing or written response.

The investigator will keep you updated about the general misconduct process and next steps. Safer Community will support you throughout, including attending meetings or an interview as a support person if you wish, discussing ongoing safety plans and options for support.

Where general misconduct is found to have occurred, the General Misconduct Officer can impose a penalty on the alleged perpetrator, such as suspension or exclusion from the University.

Where the alleged perpetrator is a staff member

If the alleged perpetrator is a current La Trobe University staff member, Safer Community will refer the matter to the Human Resources (HR) department to consider staff disciplinary action. HR may investigate the allegations.

If the matter is investigated, HR are required to give the alleged perpetrator an opportunity to respond to the allegations, this is called procedural fairness. After this, if HR considers there is enough evidence to act, they will determine how to proceed.

If you do not want any action taken or do not want to be identified to the alleged perpetrator, in most cases no action will be taken. If HR decide, for the safety of the University or general community, that action does need to be taken, you will be made aware of what is happening.

Safer Community will support you throughout the process, including attending meetings as a support person if you wish, discussing ongoing safety plans and options for support.

Withdrawing

At any time, you have the right to withdraw your report. The University may still be required to act, and you will be notified of this. You have the right to decide whether you wish to participate.

Retaliation

The University will take all reasonable measures to prevent victimisation of anyone who makes a disclosure or report of sexual harm, such as by protecting your privacy and maintaining the confidentiality of information provided as much as possible.

Retaliation directed towards anyone who has disclosed or reported sexual harm is not tolerated. Anyone who engages in such behaviour will be subject to disciplinary procedures.

If you experience any retaliation or unfavourable treatment because of your disclosure or report of sexual harm, you should contact Safer Community for assistance.

Dissatisfaction with the University response or process

If you are dissatisfied with the Universities response to your disclosure or report of sexual harm, you can contact the **University Ombudsman**.

Recovery and Healing

Take care of your physical and emotional wellbeing.

Sexual harm is never the fault of the victim/survivor, and you are not alone.

Some common reactions to trauma are:

- difficulty in thinking and making decisions
- seeing the event over and over
- sleep disturbance
- feelings of anxiety, fear, guilt, or shame
- feeling isolated
- physical responses like an upset stomach, sweating, rapid heartbeat, or laboured breathing

Let others help you through this. There is support available. Your healing and recovery will take time, but you do not have to deal with this alone.

You can seek advice and support from Safer Community, your counsellor and trusted friends and family.



Contact

Safer Community

La Trobe University
Victoria 3086

T 03 9479 8988

E safercommunity@latrobe.edu.au

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