



11 November 2009

Dr Michael Spence
Vice-Chancellor and Principal
The University of Sydney
NSW 2006 Australia

Via email: vice-chancellor@vcc.usyd.edu.au

Dear Dr Spence,

RE: Colleges and Harassment and Discrimination Policies

Following your suggestion, SUPRA and the SRC have had recent contact with the Director of the Staff and Student Equal Opportunity Unit (SSEOU), Ms Anne Scahill, in relation to proposed changes to harassment and discrimination policies. We had serious concerns about a recent draft of the new *Harassment and Discrimination Policy and Procedures*. Our concerns are outlined in a 18 September 2009 submission (attached). We expect to receive a written response to our submission shortly, and understand that there will be a considerable amount of progress towards accommodating concerns expressed by us. We would like to commend the SSEOU's willingness to work productively with us on these matters.

However, there are some particular issues we would like to raise, in the light of our own casework, and recent *Sydney Morning Herald* reports of sexual harassment and sexual assault of women by male students living in non-University owned residential colleges. The first issue concerns our call for the recommendations of the Anti-Discrimination Board of NSW (ADB) to be implemented, extending coverage of the University's harassment and discrimination policies to students living in residential colleges. An article in *The Australian* yesterday suggests that this may now occur. We extend our support to you for all reasonable efforts to negotiate such an outcome.

The second issue of concern is ensuring that harassment and discrimination policies themselves are accessible to students, and are robust enough to inspire confidence from the student population. There will be little point in extending policies to cover non-University owned residential colleges, if those policies are not perceived as strong enough to cope with the culture of sexual harassment and discrimination within some sectors of the college community. Specifically, we want to draw your attention to our call for the re-establishment of the role of independent *Manager, Harassment and Discrimination Resolution* to hear and resolve most concerns, with that position reporting directly to the Vice Chancellor. We would also argue that maintenance of strict timeframes for hearing and resolving matters will ensure that the policy is seen as one which ensures complaints are investigated in a timely manner.

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The draft policy creates the impression that there is no longer a commitment to maintaining an independent position to hear and resolve complaints, that there will no longer be the same level of oversight within the University in the event of dissatisfaction with an outcome, and that complaints could languish for lack of mandated response times. Your statements of the last several days make it clear that this was in no way your intention. We understand that Senior Executive Group (SEG) will be considering proposed harassment and discrimination policy changes within Committee discussions in the immediate future. We would therefore call for our concerns to be accommodated.

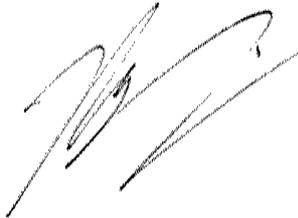
A final matter we would bring to your attention stems from the ADB's recommendation in 2000, to review the operation and effectiveness of the current policy. According to the ADB's recommendations, such a review should have been conducted more than six years ago. We believe that it would now be timely to review the effectiveness of the current procedures. We acknowledge the need to take swift and immediate action on issues such as bringing the colleges under University policies and do not at all want to delay that work. However, we suggest it may be prudent to get expert, external advice as to what further measures might be needed, in order to develop harassment and discrimination policy that is well suited to ridding our community of the abhorrent behaviour so clearly reported in the last week.

We want to formally thank you for your efforts in this important policy area to date. We look forward to your response to the issues raised above.

Yours sincerely,



Ms Rashmi Kumar
SUPRA Co – President



Mr Nicholas Irving
SUPRA Co – President



Mr Noah White
SRC President