

# Student Harassment and Sexual Misconduct

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Extract from The White Book

## 1. Harassment

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Harassment of any kind, whether on grounds of age, disability, race, nationality, sex or sexual orientation, political or religious conviction or otherwise, has no place in the College community.

In line with the University, the College defines harassment as single or repeated incidents involving unwanted or unwarranted conduct towards another person which it is reasonable to think would have the effect of (i) violating that person's dignity or (ii) creating an intimidating, hostile, degrading, humiliating, or offensive environment for that person.

Harassment may be verbal, psychological or physical, in person or via a virtual platform or through other methods of contact. Harassment may occur in the course of an academic, sporting, social, cultural or other activity either within the Precincts of the University, College, or elsewhere in the context of a person's membership of the University, or in circumstances where the victim of the harassment is a member, officer, or employee of the University or a College.

Unacceptable behaviour, whether intentional or not, can take a variety of different forms. The following descriptions are not exhaustive, but give an indication of the types of behaviour that the University and the College consider to be unacceptable:

- making sexually offensive comments about dress or appearance, the display or distribution of sexually explicit material, or demands for sexual favours;
- engaging in harassment on the grounds of a person's sexuality (or assumptions about a person's sexuality) including making derogatory homophobic, transphobic or biphobic remarks or jokes aimed at a particular person, offensive comments relating to a person's sexuality, refusal to acknowledge a person's gender or identity, or threats to disclose a person's sexuality to others;
- making offensive references to a person's race, ethnicity, skin colour, religion or nationality, dress, culture, background or customs;
- ignoring, disparaging or ridiculing a person because of assumptions about their capabilities, or making offensive reference to an individual's appearance, in the context of their disability;
- controlling or coercive behaviour, such as pressure to subscribe to a particular political or religious belief;
- intimidating, offensive or graphic posts on social media sites or chat rooms, or communications by email, text or instant messaging.

Any incident of harassment may result in disciplinary action, which may lead in serious cases to removal of the offending party from employment or office in the College or being sent down. Where the person responsible for the harassment is in a position of authority over or responsibility for the person harassed, that will be regarded as a serious aggravating feature of the case. Being under the influence of alcohol, drugs or other substances is also an aggravating factor.

Those who have been affected by such actions will find sympathetic support and advice from Tutors, the College Nurse, the College Mental Health and Wellbeing Adviser, the Fellow for Trinity Women, the Fellow for Ethnic Diversity, the Fellow for LGBT+, the Chaplains and the Dean of Chapel. Further information on sources of support may be found on the College website, and complaints can be brought under the Code of Practice for Student Complaints.

If at any stage students feel that they are being disadvantaged or are suffering reprisal from any member of the College, including the person they have made a complaint about, as a result of complaining about harassment, sexual misconduct or other unacceptable behaviour, they should seek guidance from their Tutor about reporting the matter to the Dean.

## 2. Sexual Misconduct

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The College will take very seriously any allegations of sexual misconduct. Allegations of serious sexual misconduct against a Junior Member will normally be referred to the University's Office of Student Conduct, Complaint and Appeals. Details of the University Procedure are available from the University website.

Students wishing to make a complaint against another student, for example under the College's Code of Practice for Student Complaints, are urged to discuss their various options and possible implications of such options with their Tutors.

Sexual misconduct includes the following, whether or not within a sexual or romantic relationship, including where consent to some form of sexual activity has been given and then withdrawn, or even where consent has been given on previous occasions:

- sexual intercourse or engaging in a sexual act without consent;
- attempting to engage in sexual intercourse or engaging in a sexual act without consent;
- sharing private sexual materials of another person without consent;
- kissing without consent;
- touching inappropriately through clothes without consent;
- inappropriately showing sexual organs to another person;
- repeatedly following another person without good reason.

Students should note that a person who is incapacitated through drink or for any other reason is unable to give consent.

Members of the College's welfare team can offer advice and support to students who have been victims of such actions. They will find sympathetic support from Tutors, the Fellow for Trinity Women, the Chaplains, the Dean of Chapel, the College Nurse and the Mental Health and Wellbeing Adviser. Further information on these and other sources of support may be found on the Student Services Hub.

Sexual assault and rape are criminal offences, and students will be supported to come to an informed decision as to whether to report such an incident to the Police. However, if students decide not to report the incident to the Police, the College will not require them to do so. No inferences will be drawn from a student's decision not to report the incident to the Police.