

Curtin Student Guild's response to the consultation on the Draft Action Plan addressing gender-based violence in higher education

The Curtin Student Guild was established in 1969 to provide essential services, represent the interests, and advocate on behalf of students at Curtin University. We believe that students are the key and most important stakeholders in tertiary education. The Guild appreciates the opportunity to respond to the consultation on the Australian government's draft Action Plan addressing gender-based violence in higher education, including the introduction of a National Student Ombudsman.

A. The National Action Plan

1. What do you see as the opportunities or challenges to implementing the proposed whole-of-institution approach?

While universities and student accommodation providers may resist increased regulation, it is crucial to address the historical failure of handling sexual assault cases internally. The separation of consultation processes is vital, with a strong emphasis on prioritising victim-survivor input and working with tertiary education institutions to ensure they are empowered to navigate and follow increased regulations easily. We must not forget the results of the senate inquiry in September of 2023, which found that, generally, universities could not be trusted to handle sexual violence on their campuses themselves.

A huge challenge to implementing a whole-of-institution approach is student accommodation, particularly when dealing with accommodation managed by private/third-party service providers who are often poorly, or not at all regulated to report incidents of sexual violence to universities. For a long time, student accommodation providers have been allowed to exploit and disregard students in so many ways; we see this action plan as an opportunity to finally combat crack-down on the lack of transparency, care and prevention that student accommodation providers are guilty of.

We do, in part, echo the sentiment from Universities Australia's response to the draft action plan that we will never get rid of gender-based violence in tertiary education if primary and secondary education providers are not also being pushed to combat gender-based power dynamics and fallacies more seriously. We also echo the sentiment that gender-based violence should not be taken lightly in any setting. Thus, for this plan to be truly whole-of-institution, we also urge vocational education to be included.

Universities Australia's response highlights that it is "critical to educate students about their rights and responsibilities when participating in workplace learning experiences and as professionals entering the workforce." We welcome the opportunity for universities to upskill students to combat gender-based violence in their workplaces proactively. Gender-based

violence is a Work Health and Safety issue, one that everyone should be empowered and supported to address if they are failed by their managers/workplaces. It is important to acknowledge the success of unionism in combatting sexism, racism and all forms of discrimination in the workplace, noting that [lower rates of union membership in workplaces can make it more challenging when it comes to making sexual violence complaints](#). As part of this plan, we should be making students aware of the unions that can represent them in their future careers.

2. Are there additional considerations a new National Higher Education Code to Prevent and Respond to Gender-based Violence could include?

The national code should consider setting the standard that tenancy agreements between universities and accommodation providers need to clearly outline transparent ways for the accommodation provider to monitor, report and mitigate gender-based violence. These agreements must contain information on how students can raise concerns and find support. The code needs to ensure that third-party accommodation providers are aligned with (robust) university policies and actively manage reports of sexual violence.

3. How could we ensure the Code addresses the needs of different student and staff cohorts

As the draft action plan states, “gender-based violence is deeply rooted in gender-based power inequalities”, but it is also rooted in other intersectional power inequalities. Racism, queerphobia and ableism also enable violence to be more perverse in our communities. Primary prevention activities and respectful relationships education must not just challenge gender norms; they also need to provide visibility for the lives of other marginalised people and challenge the harmful prejudices and essentialist views of these groups that staff and students live, learn and work amongst.

The code should include guidelines for staff in tertiary institutions (including student accommodation) who are most likely to be dealing with disclosures of gender-based violence to be ally-trained for international, First Nations, Disability and LGBTQIA+ cultural competency. Ally programs should be available for all staff, student assistance services, counsellors, and students who want to upskill in this area. Generally, it should be promoted across the board and reflect best practices.

4. How could student accommodation and higher education providers effectively partner to prevent gender-based violence and improve clearly on how they support victim-survivors?

We answer this partly in our response to question two; however, it is important to prepare for the challenge of getting accommodation providers, who have historically exploited and failed students, on board and be a part of seriously addressing gender-based violence.

There is an opportunity here to limit the power of these organisations going forward and explore keeping future student housing developments out of privatisation. Having a mostly privatised student accommodation system in Australia has failed students in so many ways. We should limit private, third-party student housing and promote student accommodation controlled by universities and student unions/associations. This will wholly prevent the problem of universities and their contracted student housing providers of greying and palming off their responsibility for gender-based violence that occurs in student accommodation.

At the Curtin Student Guild, we are horrified to hear about the violent culture that many colleges are rife within other parts of Australia. Hazing, assault and harassment culture in these student accommodations need massive reform to address the failure of the organisations that manage them. Student accommodation providers need to be enforced with mandatory data collection processes and easy-to-navigate, trauma-informed reporting procedures. These reports also need to be transparent to the government and the university, if not the public.

B. The National Student Ombudsman

1. A proposed National Student Ombudsman is described in Action One of the Action Plan on Addressing Gender-based Violence in Higher Education. Are there additional considerations that would be critical to the role of a National Student Ombudsman?

The student ombudsman should be prepared to support students who experience gender-based violence on placements. Students who experience violence while in a workplace completing their university placement, especially when the perpetrator is a staff member of that workforce, are vulnerable to being failed by the university and the workplace facilitating the placement to take responsibility. There is a serious need for universities to improve their policies surrounding sexual violence while participating in external placements. The ombudsman should be prepared to address this and support universities and students with this challenge.

Another important consideration for the Ombudsman is that Student Unions, other representative student groups and the National Tertiary Education Union should be able to bring representative complaints to the Ombudsman.

2. If a National Student Ombudsman is developed, it is proposed to be centred on student voices and needs, and be effective, accessible, and transparent through the full complaints cycle. How can we ensure the Ombudsman is student-centric?

To ensure the Ombudsman is student-centric, provisions should be made to allow for anonymous complaints where feasible. An online portal for accessing the Ombudsman should highlight to students their rights as tertiary education students, and the complaints mechanism should aim to be as user-friendly as possible while also adhering to robust accessibility standards. Relevant mental health and wellbeing services should also be integrated into the complaints cycle.

3. How should the Ombudsman consider the needs of different student cohorts?

The Ombudsman should provide various voice options for written text submissions/complaints and minimise gender bias when consulting with individuals. The Ombudsman should be easy to engage with in different languages, and there should be individuals who work with the Ombudsman who have lived experiences of diverse student cohorts.

4. Are there any other issues that should be considered in exploring the role and scope of a National Student Ombudsman?

We believe the NSO should have a well-defined scope of power to enforce safety in tertiary education; if this does not happen, then the body should be able to transparently report scorecards of Australian tertiary education providers and student accommodation providers so that students and staff can feel empowered to make choices about where they would like to work and study, as well as put pressure on these institutions to not just comply, but to excel in promoting safety and combatting gender-based violence.