Power in the academy: staff sexual misconduct in UK higher education



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Foreword – Hareem Ghani, NUS Women's Officer

When I was first elected to my role in 2016, the NUS Women's Campaign had mobilised students from across the country to support the #StandByMe campaign, and successfully lobbied Universities UK (UUK) to repeal the Zellick Guidelines.

Indeed, the publication of the "Changing the Culture" report in November 2016 signified a much-needed shift in how universities responded to instances of sexual harassment on campus. It also marked a significant victory for student activists who had campaigned tirelessly to ensure universities were prioritising student welfare and the fight against sexual violence.

However, it soon became clear that the report had fallen short in a number of ways. For one, it failed to explore instances of staff-student misconduct, and so, failed to address policies and practices for cases surrounding abuse perpetrated by staff. In the wake of Sara Ahmed's resignation from Goldsmiths University and the case of Allison Smith from Sussex University, it became increasingly transparent that something needed to be done. A lack of research in the area, combined with a lack of understanding meant that many universities did not (and do not) have basic guidelines on this issue. Certainly, many institutions are ill-equipped to deal with instances of staff-student harassment.

In early 2017, the NUS Women's Campaign paired up with The 1752 Group to work together on research into staff-student sexual misconduct in higher education. In November last year, we launched our survey, hosted a series of focus groups with students from across the country and begun examining the data of over 1839 respondents.

As such, it gives me great pleasure to announce the publication of this ground-breaking report. I hope it will highlight the pervasiveness of sexual misconduct in higher education and the need for university administration to implement an institution-wide approach to tackling harassment on campus.

Four in ten of all respondents, for example, reported at least one experience of sexualised behaviour from staff, while one in eight respondents who are current students reported being touched by a staff member in a way that made them uncomfortable. Given the scale of misconduct in higher education, we hope this research will allow for UUK to introduce specific guidance on student-staff relationships and highlight the power imbalance that exists in these relationships.

There is a still a long way for us to go, but I am proud that the Women's Campaign and The 1752 Group are taking a lead on this pertinent issue. For too long, these problems have been at best side-lined and at worst silenced by institutions. We need to talk about the open secrets that plague academia, to challenge cultures of entitlement and stop

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abuses of power wherever they happen. In the coming months, we look forward to working with other sector bodies to ensure that the recommendations of the report are implemented.

In solidarity,

Hareem Ghani, NUS Women's Officer 2016-18

Foreword - The 1752 Group

We are proud to have advised the NUS Women's campaign on this ground-breaking research, which draws on our years of experience as activists and researchers. This report provides a first look at the patterns and behaviours involved in staff-to-student sexual misconduct in UK higher education, and students' experiences of reporting to their institution. The results paint a picture of a highly sexualised higher education environment, where a spectrum of behaviours and responses enable sexism, harassment and other forms of discrimination to embed themselves within this culture.

This study supports previous research by NUS that shows higher education is not a safe place for women.¹ It should be of great concern to sector bodies and institutions that there are such clear gendered patterns to this data, with women more likely to experience misconduct while also reporting serious impacts on their studies and their lives. However, the findings from this study shed light on power imbalances between staff and students in higher education more widely. Around 80% of all current student respondents stated they were uncomfortable with staff having romantic or sexual relationships with students. This data shows that institutions have to take seriously the gendered impacts of staff sexual misconduct, and the need for enforceable professional boundaries between staff and students that recognise the power imbalance between their positions, as already exists in medical and therapeutic professions.

It should be a wake-up call to the sector that the majority of perpetrators of staff sexual misconduct are academic staff, who, by the nature of their role, have power over students' academic success, wellbeing and career. Finally, this research draws attention to the poor response of UK institutions to the sexual misconduct of their employees. The majority of respondents who reported staff sexual misconduct to their institution had a negative response, showing that higher education institutions can do further harm to students after reporting occurs. This includes the institutional denial of students' experiences; the establishment of gendered barriers to being an active and contributing member of that institution; and the experience of being punished for reporting the misconduct of staff.

We are aware that this report is one of the first pieces in the puzzle towards understanding this issue, and it needs to be followed by further research to test and explore the patterns that have emerged here. For example, data suggests LGBT+ students proportionally face higher levels of staff sexual misconduct. More research is needed on the specific experiences of students of colour and students with disabilities. As we work with others towards producing broad guidelines for the sector, it is the responsibility of sector bodies and higher education institutions to address this issue directly, by defining the acceptable behaviour of all staff within higher education learning relationships and developing robust policies and procedures. Given the severe impacts on women and LGBT+ students' participation in higher education which result in students dropping out, changing degree courses, or even changing careers, the sector must take seriously its duties under the Equality Act (2010) and recognise staff sexual misconduct as an urgent equality issue.

We offer our sincere thanks to all those who participated in the survey and focus groups, as well as those who supported the development of this research and the analysis of the results. This report is truly a collaborative endeavour.

Dr Anna Bull, Dr Emma Chapman and Dr Tiffany Page (The 1752 Group)

Acknowledgements

We would like to sincerely thank all of the students and former students who filled out the survey, and especially those who also participated in focus groups. We dedicate this report to all the current and former students within higher education who are unable to speak out about their experiences. We know you are there, and we hear you. This is the beginning of the end of the betrayal of scores of students by their higher education institutions.

We would like to thank the following people, without whom this work would not have been possible:

- First and foremost, The 1752 Group for encouraging NUS to write this report, for advising throughout every stage of the research process. Their expertise and insight were central to this project and their contribution was invaluable in seeing this work through to completion
- Dr Ava Kanyeredzi (University of East London) who advised on the research design, survey instrument, data analysis and final report
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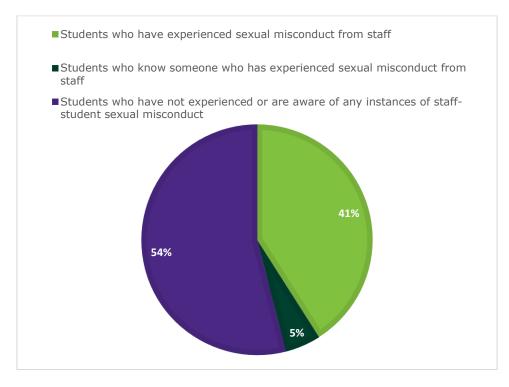
Executive summary

This study collates responses from an online survey of 1839 current and former students in UK higher education, and data from four focus groups with a total of 15 students discussing professional boundaries between staff and students in higher education. This is not a prevalence study but a descriptive one, and the report does not make claims about the general level of staff sexual misconduct across students in the UK in general. Instead, this study captures the patterns of experiences of students who responded. This report uses the term 'sexual misconduct' to define a continuum of sexualised and predatory behaviours of staff towards students. The concept of misconduct moves beyond sexual harassment as 'unwanted behaviour' to address the specific nature of the power imbalance between staff and students in higher education. As well as highlighting more complex notions of consent, the term 'sexual misconduct' enables this study to draw attention to seemingly lower level, boundary-blurring behaviours by staff. For more information on this definition, please see p.11.

Experiences of misconduct

- Four in ten respondents who were current students (585 out of 1535) had experienced at least one experience of sexualised behaviour from staff, with a further five percent (74) indicating that they were aware of instances of sexualised behaviours happening to someone they know.
- Out of all 1839 respondents, 752 (41%) had experienced at least one instance of sexualised behaviour from staff, while a further 94 (5%) were aware of someone they know experiencing this (see figure 1).

Figure 1: respondents' experiences of staff-student sexual misconduct



- 1 in 8 current student respondents had experienced being touched by a staff member in a way that made them uncomfortable.
- 35 (2.3%) current student respondents had experienced non-consensual sexual contact by a staff member, while 9 had experienced sexual assault or rape.
- 30 (12%) former student respondents had experienced non-consensual sexual contact and 6 (2.4%) had experienced sexual assault or rape by a staff member.
- While it is not possible to conclusively extrapolate from this study to the wider UK student population, the data shows large and consistent inequalities around gender and sexual identity in the experience of sexual misconduct from staff in higher education:
 - Women respondents were more likely than men respondents to have experienced sexual misconduct from university staff, sometimes more than twice as likely. For example, 15.6% of women reported being touched by a staff member in a way that made them uncomfortable, compared to 7% of men.
 - This was even more so the case among gay, queer and bisexual women respondents - 22.9% of gay, queer and bisexual women had experienced being touched in a way that made them uncomfortable.
 - Postgraduate students were more likely to have experienced misconduct than undergraduate students. For example, more than twice the proportion of postgraduates than undergraduates reported a staff member attempting to draw them into a discussion about sex (14.9% of postgraduates vs 6.4% of undergraduates).

The impact of sexual misconduct

- Women respondents were around three times more likely than men to experience negative impacts because of misconduct, and much more likely to experience severe negative impacts, such as dropping out of their course or university.
- Women respondents were also three to four times likely to report changing their behaviour, for example, skipping lectures, tutorials or supervisions, as a result of misconduct.
- Of those who experienced sexual misconduct, a fifth of women reported losing confidence in themselves; just under a fifth experienced mental health problems, 15.5% reported avoiding going to certain parts of campus, and 13.2% felt unable to fulfil work roles at their institution.
- The impact of staff sexual misconduct on academic engagement, progression and careers is also high, affecting relationships with supervisors, choice of modules, or even leading to some participants changing their careers

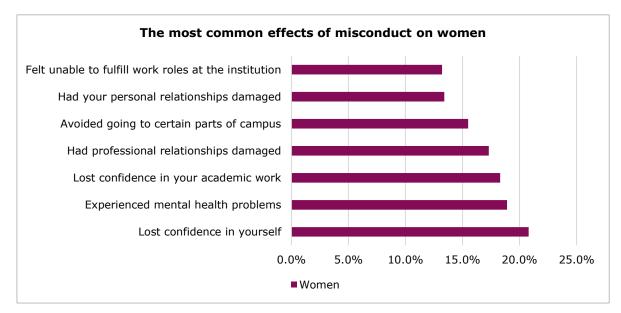


Figure 2: The most common impacts on women who experienced staff sexual misconduct

Patterns of perpetrators

- The vast majority of reported perpetrators were academics rather than other university staff.
- Overall, 60.1% of the 846 respondents who reported experiencing sexual misconduct stated that the perpetrator(s) of staff-student misconduct were men, while 13.5% of respondents reported a female perpetrator.
- The mix of female as well as male perpetrators points to the power imbalance between students and staff, as well as gender, as a factor that facilitated sexual misconduct.

Male Female Non-binary Prefer not to say

Figure 3: Gender of perpetrators

Reporting to their institution

- Fewer than one in ten respondents (9.6%) who experienced staff sexual misconduct reported this to their institution.
- 81% of respondents who experienced or were aware of misconduct did not report an incident, or they did not know if they had reported.
- The most common reason, provided by almost one in three respondents (31.5%), was that they were unsure if the behaviour was serious enough to report.
- The experiences of those who did make a complaint to their institution indicates that institutions are failing students in multiple ways. 90% of this group of respondents reported at least one way in which their institution failed them:
 - Over half of respondents believed that their institution did not respond adequately to their complaint.
 - Half of respondents believed that the institution had denied their experience or made reporting difficult.
 - Only one in four respondents who had reported their experience to their institution thought that their institution had taken proactive steps to prevent this type of experience.

Professional boundaries

- The data from the survey and focus groups shows a lack of clarity around appropriate professional boundaries between staff and students in higher education.
- However, an overwhelming 80% of respondents indicated that they were very uncomfortable or somewhat uncomfortable with staff having sexual relationships with students, while just under 80% of respondents would be uncomfortable with staff having romantic relationships with students.
- While women were more likely than men to report that they were 'very uncomfortable' for both questions, the vast majority of both men and women indicated they would be uncomfortable with staff-student sexual or romantic relationships.
- 43% of respondents reported being uncomfortable or very uncomfortable with a member of staff getting drunk with themselves or other students.
- There were mixed responses from respondents as to whether they were comfortable with staff adding them or communicating with them on social media, but women were more likely than men to report being uncomfortable with this.

Introduction

This report outlines the findings from research carried out by the National Union of Students into staff to student sexual misconduct in higher education. It includes data on students' experiences of sexual misconduct, coercion and assault at the hands of staff members; the occupations of perpetrators; the demographics of students experiencing misconduct; and the impact of these experiences on students' mental health, academic career, relationships with other people and with their institution. It also explores students' perceptions of acceptable behaviours within the staff-student relationship. This research comprised of a survey distributed to both current and former UK higher education students, and focus groups conducted with current students².

Background

It has long been anecdotally known that harassment and gendered violence is a reality for many in academia but research data is sparse; the most recent study of staff-student sexual misconduct in the UK dates from 1995³. In the past few years, a number of high profile cases have surfaced to draw attention to the prevalence of sexual violence in universities in general, and these questions have gained international coverage.

In the UK, NUS' research report *Hidden Marks*, released in 2010, was particularly influential in uncovering the scope of these experiences for women students, kick-starting national actions in its aftermath.⁴ A further NUS report in 2014 on lad culture found that 37% of women and 12% of men surveyed had faced unwanted sexual advances at university,⁵ while a survey by Alison Phipps and Isabel Young found that two-thirds of student respondents considered sexual violence to be a normal part of university life.⁶

The issue of staff-student sexual misconduct has been less well researched, although particular cases of gendered violence perpetrated by faculty against students have also come to light in the last few years. In the US, high profile cases have included numerous allegations against star philosophy professors at UC Berkeley and Yale, with historical allegations exposing institutional failure to take action.⁷ In the UK, the experience of Allison Smith, a student at the University of Sussex who suffered domestic abuse from a member of staff, highlighted the inadequacy of university action, after the perpetrator was allowed to remain in post.⁸ The surfacing of multiple historic and recent allegations at Goldsmiths, University of London also threw light on a culture of sexual harassment.⁹ These are far from isolated instances; an investigation by The Guardian reported 'epidemic levels' of sexual misconduct, harassment and gendered violence by university staff.¹⁰

We want to find out the patterns of students' experiences of sexual misconduct from staff in our universities, and which students are experiencing it. We also want to know the consequences of this behaviour for those affected by it. We want a better sense of how students view their relationship with staff, and what an appropriate relationship looks like. We want to know how institutions respond, and how they should respond. And above all, we want to prevent abuses of power in the academy, wherever they might occur.

Defining misconduct

This report uses the term sexual misconduct to define a continuum of sexualised and predatory behaviours of staff towards students. This term is used by The 1752 Group to move beyond more narrow definitions of sexual harassment as 'unwanted behaviour' to address the specific nature of the power imbalance between staff and students in higher education. As Page, Bull and Chapman note, 'in the context of the unequal power relationships that exist between staff and students, notions of wanted behaviour and consensual relations are complex' and the term sexual harassment 'relies on the person to which the sexualised acts and behaviours are being directed to state that these are 'unwanted' and requires the student to make a judgement on what is appropriate'.¹¹

As well as highlighting these complex notions of consent, the term sexual misconduct enables this study to draw attention to seemingly lower level, boundary-blurring behaviours of staff. These can be included within wider patterns of grooming by academic staff to exploit their position of power to gain sexual access to students, which The 1752 Group detail in forthcoming work.¹² This draws on research from Celia Brackenridge on coach-athlete abuse in sport education, which describes grooming as 'the process by which a perpetrator isolates and prepares an intended victim'.¹³ Grooming behaviours 'can be at one and the same time both innocent and *also* the start of the grooming process' so that perpetrators may test out the suitability of a potential victim, while '[i]ncremental shifts in the boundary between coach and athlete go unnoticed, unrecognised or unreported by the athlete until the point where she has become completely entrapped'¹⁴. Similarly, students may not always be immediately aware of subtle and escalating patterns of sexualised behaviour from staff. As Stark (2007) describes, patterns of control and entrapment can be misread as romance, care or concern¹⁵. More widely, the normalisation of sexualised behaviours can contribute towards creating an atmosphere where students feel unsafe and uncertain: they can be unsure about whether such behaviours are acceptable, how to respond, and who to tell, and fearful of possible academic penalties. These risks are further exacerbated for international students.

This report therefore draws on Liz Kelly's work to define sexual misconduct as a continuum of behaviours that includes but is not limited to sexualised comments, sexual harassment, grooming, sexual assault, sexual coercion and control, and sexual violence.¹⁶ This expansive definition better allows us to understand these specific effects in the context of gender inequality in higher education, participation and retention, and the sliding scale of students' experiences. It includes consensual sexual relationships that may subsequently lead to negative outcomes for the student, which can result from staff members' power over student grades, references, visa applications, and access to teaching, technical resources and career networks.

Locating misconduct

Staff-student sexual misconduct needs to be located as part of such a continuum of sexual violence in universities and in society more widely, but the dynamics of the unique relationship between staff and students in higher education means that the nature of sexual misconduct has aspects that are specific to this setting.¹⁷ Students under 18 are protected by statutory safeguarding legislation. However, students aged 18 and over do

not have any such statutory protections, despite the fact that their particular circumstances, such as having recently left home, can increase vulnerabilities that those in positions of power, such as university staff, may exploit. In higher education, therefore, students are uniquely positioned as adults, but also as dependents, in learning relationships within their institution. The patterns of gender and power that, as this report explores, characterise staff sexual misconduct demonstrate how these vulnerabilities appear to be experienced in different ways by different students.

While this study encompasses all university staff, as detailed below, the findings here focus attention on academic staff as perpetrators of sexual misconduct. In the university, academic staff are the gatekeepers to knowledge, as well as sometimes providing pastoral support and care. They are uniquely placed to be trusted on both an intellectual and emotional level. Characterising this relation as one of equals, between two consenting adults, is a dangerous misjudgement of the situation, which, by making invisible this power relation, opens it up for abuse.

Indeed, as part of the power relation in the academy, students are structurally positioned to trust those that teach them.¹⁸ Their progression and development rely on the assumption that academic staff are disinterested intellectuals who are able to provide objective analysis and feedback, independently of social relations or character judgements. For graduate students, this is exacerbated by the narrow focus of their work; for PhD students there may be only one supervisor in their research area within a university department.

Moreover, despite the ideal of higher education as a space that rewards intellect, societal patterns of gendered power deeply pervade the culture of the academy. In the 1990s, Carter and Jeffs' research into sexual exploitation in higher education asserted that vulnerability to misconduct arises purely from being a woman student, and they note how cultural support for a specific kind of predatory masculinity enables the positional power of men in academia.¹⁹ While this report finds that the perpetrators of misconduct are both women and men, sexual misconduct within the academy needs to be contextualised within the higher levels of sexual violence that affect women across society.

Cultures of misconduct

Following Kelly's concept of the continuum of sexual violence against women, gendered violence is not exceptional and episodic, but continuous and normative, forming the context of women's lives.²⁰ Women's experiences of harassment, abuse and violence are complex and interlinked, and impossible to understand in isolation. As such, women's experiences of misconduct and relationships of unequal power, and the impact of such misconduct, must be contextualised within the whole history of a women's experiences. Even seemingly minor forms of sexual misconduct can be triggers for wider patterns of experiences. For those who are marginalised, for example, gay, queer, or trans students, or students of colour, there are further, distinctive risks associated with such relationships of unequal power.

Some of the subtler forms of sexual misconduct discussed in this report might not normally factor in discussions of sexual violence. But it is imperative to examine the ways in which the culture of higher education is sexualised in sexist ways in order to

understand the cumulative impacts. More subtle forms of sexual misconduct play a role in contributing to the sexualisation of learning spaces that are shared by students and staff. Precisely in their everyday nature, such sexualised behaviours create a culture which opens these spaces to sexual relationships, blurred boundaries, controlling behaviours, and the exploitation of academics' positions of power for sexual access to students - as well as enabling more extreme forms of sexual violence and abuse.

Similar to other competitive high pressure environments that are policed by a few gatekeepers, sexual misconduct often remains unspoken, and the failure of witnesses to object has a normalising effect. In the academic environment, when the fate of student and supervisor can be so intertwined, the costs of reporting may outweigh the incentives. Furthermore, women are at an epistemic disadvantage; they are constantly judged as unable to make sense of their own experiences, both by others and themselves, also causing them to question their own judgement of situations.²¹ Silence inevitably contributes to the normalisation of misconduct, which ceases to be recognised as such.

This report hopes to increase understanding and call attention to this silence. The findings here are by no means a complete or comprehensive story, but we hope will continue the invaluable work of challenging and transforming gendered violence within our universities.

The study

The survey was open to both current and former students, and students of all genders. Of the 1839 survey responses received, 1528 came from current students, with 311 responses from former students. The survey was hosted online and after piloting was distributed via email to members of the NUS Extra cardholder database. A link to the survey was also shared online via social media to attract former students. In the absence of existing survey instruments that are appropriate to examine staff-student sexual misconduct in higher education, a new survey instrument was developed and piloted, drawing on existing surveys of a similar nature, covering questions on sexual experiences, professional boundaries, reporting, and institutional betrayal.²².

While the survey was designed to provide a snapshot of the experiences of current students, former students were included in order to gain a wider picture of patterns of staff sexual misconduct and its impact on students, and because we felt it was important give all those who wanted to share their experiences in this area the chance to respond. Therefore, the sample of former students is much more likely to include those who have experienced staff sexual misconduct. The differences between these two samples were taken into account throughout the analysis and is indicated at the start of each section. This is not a prevalence study but a descriptive one, and the report does not make claims about the general level of staff sexual misconduct across students in the UK in general. Instead, this study captures the patterns of experiences of students who responded. We hope that this research will convince the higher education sector to carry out a properly funded prevalence study across higher education in the UK, following the example of studies by the Association of American Universities and Universities Australia.²³

Four focus groups, with 3 – 5 participants each, were conducted on the subject of staffstudent professional boundaries. These were held with the intention of fleshing out our understanding of students' conceptions of professional boundaries, with the specific

intention of focusing on students who are marginalised on the basis of identity, or whom previous research had shown were more vulnerable to misconduct. These focus groups were conducted with current students who identified as women, LGBT+, black, and postgraduate students respectively. These are reported on in the section on professional boundaries.

For a full description of the study methods, please see the appendix.

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Experiences of misconduct¹

Sexualising the higher education environment

This section describes behaviours by staff that sexualise or blur personal boundaries, in a way that can lead to the exploitation of the power relationship between staff and students. The most common experiences of sexual misconduct related to the sexualisation of spaces and relationships in higher education, both online and offline, by staff.

As described below, this sexualisation is experienced in different ways by men and women, and therefore such sexualisation constitutes a form of sexism in its patterns and impacts. The ways in which students experience higher education as a sexist and/or sexualised space show clear patterns: women, as well as students who defined as gay, queer or lesbian were far more likely than men and heterosexual students to indicate experiencing an incident of this type. In addition, among the 26 students who identified as non-binary, the percentage reporting these experiences was much higher across most of the questions.²

- Out of all 1839 respondents, 752 (41%) reported at least one experience of sexualised behaviour from staff, while a further 94 (5%) were aware of someone they know experiencing sexualised behaviour from staff.
- Thirty percent of all current student respondents reported a staff member making sexualised remarks or jokes, with eight percent reporting this happening three or more times. While 30% of women reported this in our survey, only 22% of men did. Gay, queer and bisexual women were **twice as likely** to report this as heterosexual men.

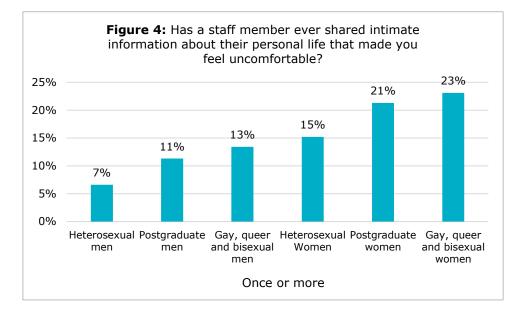
This pattern persists across this category of experience. Figure 4 shows the level of response to the question of whether a staff member had ever shared intimate information about their personal life that made the respondent feel uncomfortable. This question was asked because such sharing of information can be a way in which the boundaries between personal and professional start to blur and can be a first step towards a more sexualised relationship.

- One in eight current students had been touched in a way that made them feel uncomfortable.
 - Women, regardless of sexual identity, were more than twice as likely as men to have experienced this (see figure 6).
- One in ten (9.9%) current students said that a staff member had attempted to draw them into a discussion about sex.

¹ Higher education staff refers to any academic or non-academic staff member who a student met through being a student at any UK higher education institution, either at their current institution or at any previous institution that they have attended or visited in the UK. This includes academic staff (lecturer, tutor, supervisor or other staff member involved in academic teaching or research) and non-academic staff (library staff, sports coach, residential staff, security staff, IT support staff, or others). The survey included behaviour that took place on campus as well as off campus, including at conferences or on university trips or fieldwork.

² Due to the small sample of non-binary students in the survey, further research is needed to explore the patterns of experience among non-binary students.

Figure 4: Has a staff member ever shared intimate information about their personal life that made you feel uncomfortable?





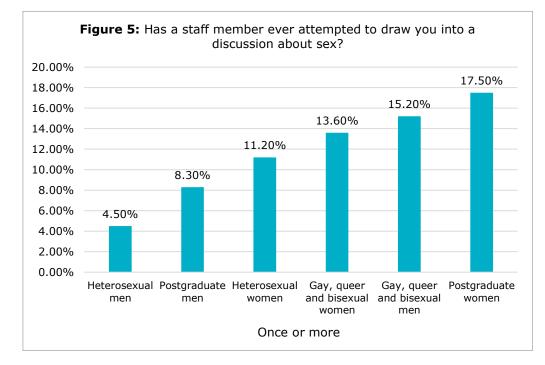
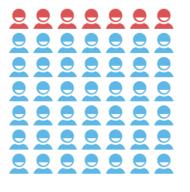


Figure 6: Has a staff member ever touched you in a way that made you feel uncomfortable?

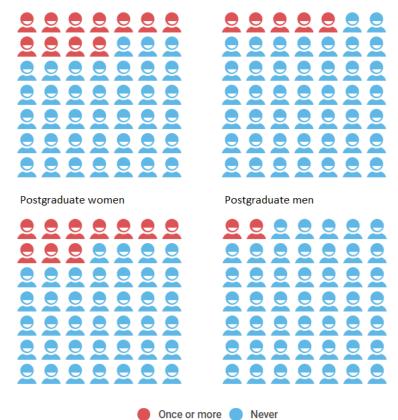
Heterosexual men

Gay, queer and bisexual men

Heterosexual women



Gay, queer and bisexual women



These behaviours should not be seen as occurring in isolation, but instead as forming part of a continuum of experiences of sexual misconduct and sexual violence. For some students, they may be part of patterns of grooming, control and sexual exploitation by one individual member of staff over time.²⁴ Furthermore, forthcoming research from The 1752 Group shows how students may not recognise grooming behaviour by staff while it is occurring.²⁵ The sexualised behaviours described above can become normalised.

However, as the staff-student relationship is an unequal one, even if students are extremely uncomfortable, they may be unable to say this to staff who have control over many aspects of their studies, their career, or their lives. Once these boundaries have been blurred, the student may feel complicit in abuse that subsequently occurs, because they have not objected to the earlier, less serious behaviours.

As well as blurring the boundaries to allow staff to exploit their power over students for sexual access, these sexualised behaviours matter because they exclude those who do not feel safe or comfortable from learning in a sexualised space. For those students who have experienced sexual abuse or violence elsewhere in their lives, this may be a sign that higher education is not a safe space.²⁶ Furthermore, as explored below, women and students with marginalised identities are more likely to experience multiple forms of misconduct and to be negatively affected by their experiences.

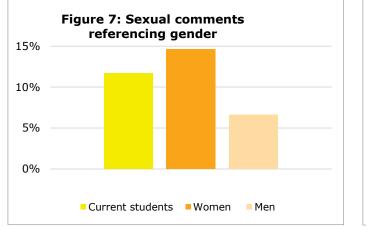
"You come into this place to be judged as an academic, as a person seeking knowledge. The way you dress and the way you look shouldn't have anything to do with that" – Postgraduate students' focus group participant

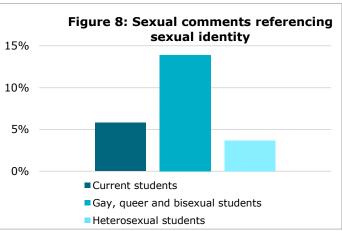
Regardless of the intention, the prevalence of sexual misconduct turns what should be a space within which academic qualities predominate, into one where students' social, sexual and gendered identities are foregrounded.

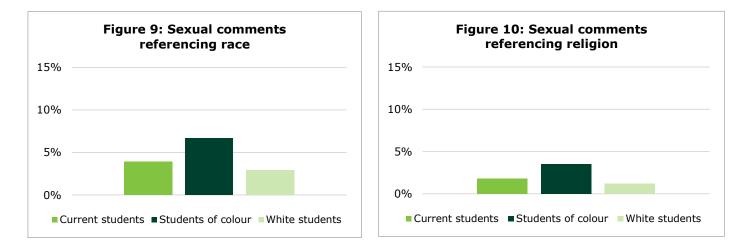
Patterns of sexual misconduct across different identities

While it is not possible to make definitive claims from the survey sample, it is notable that current student respondents with oppressed or marginalised identities were more likely to report that they had experienced sexual comments from staff that referenced those aspects of their identity. In particular, the survey showed a clear correlation between being a woman and/or being gay, queer or bisexual, and experiencing misconduct. Consistently, the proportions of heterosexual men experiencing sexualised comments referencing their identity were lowest, whilst the proportions of gay, queer and bisexual women were highest.









- 1% of students had experienced sexualised comments referencing their trans or non-binary identity
 - There was a very small sample of trans and non-binary students. 22 respondents indicated that their gender did not match their gender assigned at birth, while 26 students identified as non-binary.

The persistence of gendered differences shows in women and gay, queer and bisexual students experiencing more instances of sexualised behaviours than their male and heterosexual counterparts. Postgraduate students also reported higher levels of sexualised behaviours than undergraduate respondents, with particularly high numbers of postgraduate women reporting at least one incidence of sexualised behaviour from staff.

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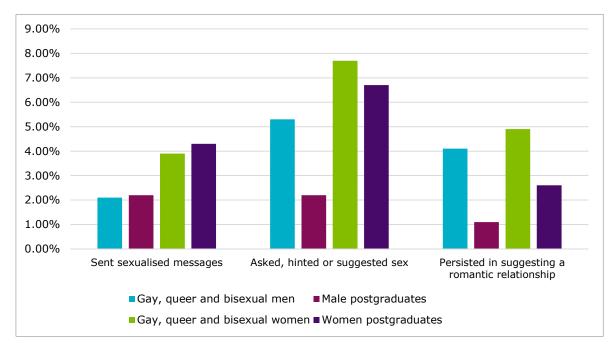


Figure 11: percentage of respondents who experienced sexualised behaviours from staff (current students)

It is important to draw out the context in which such suggestions are being made. Having sexual suggestions made by someone who is in a position of power over a student's career, learning, and access to networks and job opportunities is not a neutral suggestion. As the focus group data below indicates, the imbalance of power between staff and students in higher education means that it is very complicated, if not impossible, to negotiate sexualised behaviours from staff while still retaining access to teaching and other forms of support.

"I don't really welcome uninvited sexual innuendo in my Facebook messages, not from academics, let alone from academics with power over my career" – Women students' focus group participant

Even if students welcome such sexual attention, there are much greater risks involved in sexual contact for students than for staff. The data above needs to be read in this light.

The data on sexual coercion and controlling behaviour shows that threats or rewards were sometimes made explicit, revealing that there are staff in higher education who are consciously using their position of power to attempt to sexually exploit their students. Gay, queer and bisexual men were up to four times as likely to have an experience of this category than heterosexual men; they were also more likely to have experienced being asked for sex than heterosexual women.

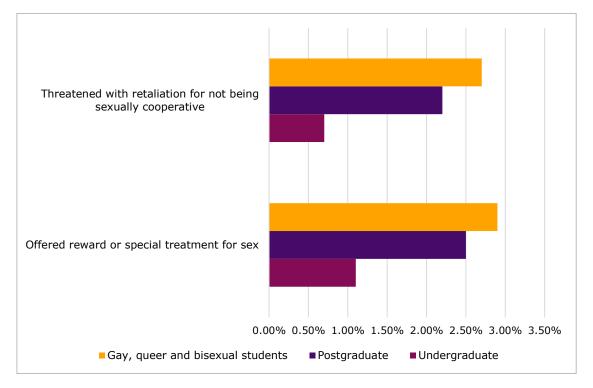
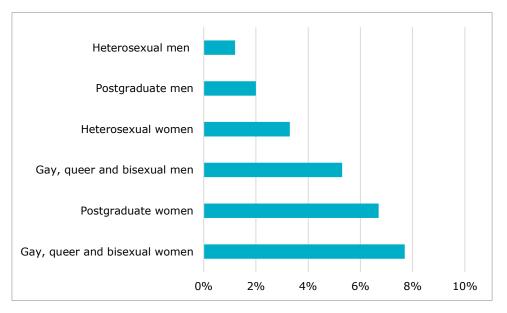


Figure 12: percentage of respondents who experienced sexually coercive or controlling behaviour from staff (current students)

Figure 13: percentage of respondents who experienced a staff member ask, hint or suggest sex with them (current students)



There were also some differences in the experiences of international students from home students. Non-EU international respondents were less likely to have experienced a staff member making sexual remarks or jokes, or drawing them into a discussion about sex, than their EU and home student peers. However, 8.3% of non-EU international respondents had experienced sexualised comments referencing their race, and 5.3% had experienced comments referencing their religion, more than double the amount of home students.

While the survey did not find differences in experiences of sexual misconduct on the basis of race, disability, or a student being first in their family to go to university, 6.7% of students of colour, as noted above, said they had experienced sexualised comments referencing their race.³ This discrepancy, along with the discrepancy in international student data, shows that further research is needed to understand how racism intersects with staff sexual misconduct in higher education.

When broken down by gender, sexuality and student level, women postgraduate respondents were much more likely to indicate that they had experienced sexualised behaviours than undergraduate women, and the most likely to say that they had been sent sexualised messages by a member of staff.

"I think it's always really difficult with things like sexual harassment and sexual innuendo in particular, because we have an ability to minimise that, hugely. And [...] it's very difficult to think about what you want done about this, and what you think is a fair, proportional response." - Postgraduate students' focus group participant

When postgraduate respondents were broken down into masters and PhD students, it was clear that more sexual misconduct was reported by women PhD students. This pattern recurred across a range of questions, such as staff members attempting to draw students into discussions about sex, which was reported by 29.9% of women PhD students, 7.9% of women master's students and 7.1% of women undergraduates. There were similar patterns for unwanted touching, sexualised jokes, and being asked for sex. As noted below, postgraduate students in general also reported more misconduct at the extreme end of the continuum.

There are notable differences between the relationship academic staff have with postgraduate, particularly PhD students, and undergraduate students. The nature of postgraduate study means that these students generally spend more time with academic staff, work more closely together, and be part of a smaller cohort than their undergraduate counterparts. This can often lead to a closer relationship between staff and students – with even less clear boundaries.

Sexual assault

In the 1528 responses from current students, there were 35 reported cases of nonconsensual sexual contact by a staff member (2.3%), and 9 cases of sexual assault or rape.

- 10 (5.3%) gay, queer and bisexual women said they had experienced sexual contact without consent from a staff member once or more, along with 15 (3.5%) of postgraduate women.
- Of the 9 students who reported sexual assault or rape by a staff member, four were men, three were women, and one was non-binary. This was also more likely

 $^{^3}$ There were low numbers of students with disabilities in the survey. 40 respondents (2.2%) reported a disability, which is a far lower proportion than the 12% of students in UK HE with a known disability (see appendix). More research is therefore needed in order to understand the experience of disabled students.

to be reported by postgraduate students (five postgraduates and three undergraduates).

• Out of respondents who were former students, 12% (30) reported non-consensual sexual contact, and 2.4% (6) reported sexual assault or rape by a staff member.

The incidents of sexual assault and non-consensual sexual contact reported by respondents show the extreme end of staff-student misconduct. This cannot be seen as disconnected from the continuum of behaviours described above that enable these forms of sexual violence to take place.

Impacts of misconduct⁴

Not only did women report experiencing higher levels of staff-student misconduct, but women who experienced misconduct were much more likely than men who experienced misconduct to report suffering negative impacts. Women were also more likely than men to change their behaviour as a result of misconduct.

There were statistically significant differences in gender and reported impacts of sexual misconduct (ANOVA (F(4, 788)=4.95, p=.001)). Post hoc comparisons using the Bonferroni test revealed women more likely than men to report multiple impacts (p=.001). Women's aggregated score (mean=8.02 SD=2.32 n=533) for impacts as a consequence of sexual misconduct, was .65 greater than that for men (mean=7.37 SD=1.04 n=233). A similar and significant difference was found between former and current undergraduate students, with former undergraduate students reporting more impacts (p=.003).

⁴ This section was answered by 846 participants who reported experience of misconduct or it happening to someone they know. The percentages given in this section are the percentage of these 846 participants. This includes both current and former students. We wanted to know how people who experienced misconduct were affected by it, which is largely independent of when the misconduct was experienced.

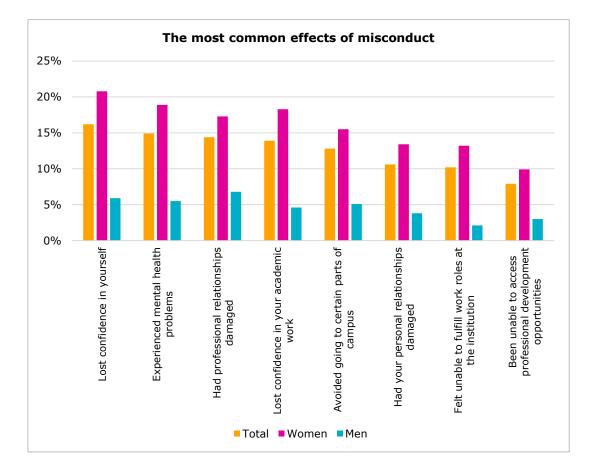


Figure 14: the most common impacts of misconduct

For the most commonly reported impacts, 1 in 5 (20%) women reported that they lost confidence in themselves, as opposed to 1 in 17 (5.9%) men. The relatively less common impacts suffered by students were also disproportionately suffered by women. Women were far more likely to say that they avoided going on fieldwork or conferences and made up the vast majority of participants who reported obtaining lower grades, requesting academic deadline extensions, and suffering physical health problems. Though the greatest demographic disparity was along gendered lines, amongst women, gay, queer and bisexual women were also more likely than heterosexual women to report suffering most of these impacts.

"I feel a tremendous amount of guilt and blame that I cannot shift, I am scared to see this person ever again even though they no longer work at the university, I'm worried about being unable to pursue PhD research in my desired field because this member of staff works within this specific field of research and attends conferences that I want and need to go to in order to progress and enjoy studying." – survey open text box response

Another stark distinction was the gulf between the number of respondents who indicated that they had suffered mental health problems as a result of their experiences, and the number who had accessed counselling or support services. While 14.9% of this group of respondents had mental health problems as a result of staff sexual misconduct, only 8% had accessed help. This may reflect a growing demand for higher education counselling

services, and points to a situation where students may be unable to gain support from their institution to deal with the impact of sexual misconduct perpetrated within the institution.

Impacts of misconduct on academic engagement and career

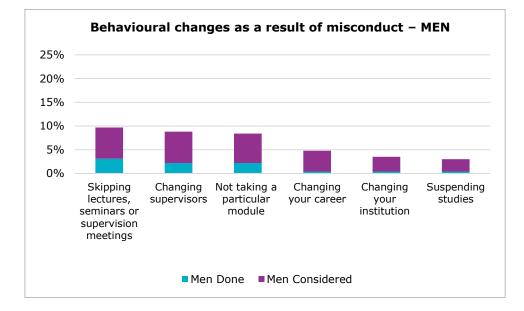


Figure 15: percentages of men who changed their behaviour as a result of misconduct

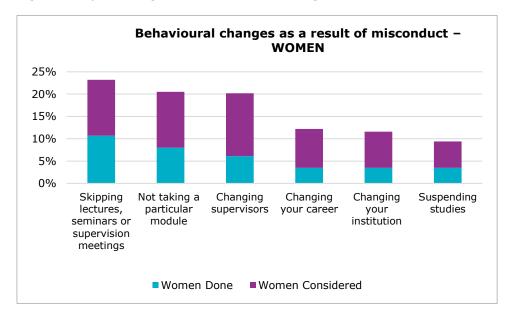


Figure 16: percentages of women who changed their behaviour as a result of misconduct

Women were up to three times as likely as men to have changed their behaviour or academic trajectory as a result of misconduct experienced, while a very high proportion of non-binary students also reported negative consequences.

The most common change in behaviour was skipping lectures, seminars or supervision meetings, which 8% of respondents reported doing: 3% of men, 10% of women, and 17.4% of non-binary students (4 out of 23). While these changes can have a detrimental

effect on the student and their studies, they can be taken without notifying the institution and will be largely invisible to the university. Other changes that are more difficult to bring about were also taken. 4.6% of students had changed supervisors as a result of staff sexual misconduct but 11.9% of respondents had considered doing this, showing that there are students who feel obliged to remain within supervisory relationships where they are experiencing sexual misconduct.

"I avoid any meetings, other than absolutely necessary, with certain members of staff, even though further meetings might have been beneficial for my academic development/network" – survey open text box

"I found it impossible to feel safe at the campus as I had to encounter the lecturer who was asked not to talk to me but was still around" – survey open text box

"I had to change my theme of study to avoid him, fear of campus for bumping into him, unable to participate in academic or social events within the department for fear of contact with him" – survey open text box

"I have lost half a year of studying towards my PhD as I had to change projects and therefore had to start from the beginning again." – survey open text box

The impact of staff sexual misconduct cannot be underestimated. These responses show 1 in 50 respondents to the survey making serious changes to their lives and studies as a result of their experiences at the hands of staff, while a further large proportion of respondents, particularly women, reported changing their behaviour in some way. However, it is impossible to know the full impacts on their lives or studies, and no student should be compelled to mould their behaviour or studies around their experiences of sexual misconduct. Moreover, the gendered nature of these effects continues to reinforce gendered inequalities in higher education, on top of the existing barriers to success faced by women.

"It just ruined my plans - I had hopes of continuing an academic career" – survey open text box

Gender and occupation of perpetrators

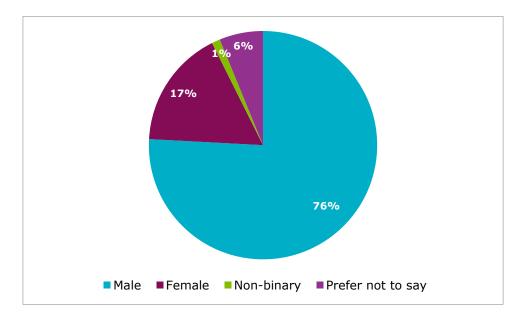
Gender

Of the 846 respondents who experienced or were aware of staff sexual misconduct, 80% responded to the question of the gender of the perpetrator. The remainder did not record a response.

Of this 80% that reported, the gender of perpetrators is shown in figure 17.

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Figure 17: reported gender of perpetrators



60% of male respondents reported a male perpetrator, and 30% of male respondents reported a female perpetrator.

80.8% of female respondents reported a male perpetrator, and 12.3% of female respondents reported a female perpetrator.

"I have made conscious decisions to work with women, and men I trust, because of information I have heard about other staff members/fields. I have avoided or left networking events because I have felt uncomfortable about the

atmosphere/conversations taking place around me" - survey open text box Whilst it is important to understand that women are also perpetrators of sexual misconduct, a large majority of cases involved a male perpetrator, mirroring wider patterns of gender-based violence; although women do perpetrate violence, men are the primary perpetrators. This indicates that staff-student misconduct must be understood as part of a wider societal pattern of patriarchal and gendered violence.

Occupation

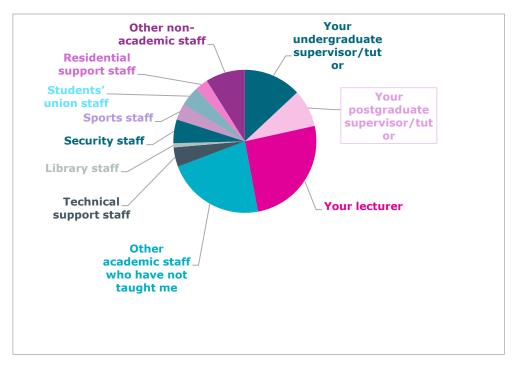


Figure 18: Occupation of perpetrators. The pie represents the total number of reported perpetrators.

The majority of respondents reported that misconduct came from academic staff. 28.8% of respondents reported that the perpetrator was a lecturer, 14.7% reported their undergraduate tutor, and 9.6% their postgraduate tutor.⁵ Across all demographics of students, 'lecturer' was the most commonly chosen staff member.

"I felt uncomfortable and still do whenever I see members of that particular nonacademic staff" (survey open text box)

Women were around 50% more likely than men to experience academic staff as the perpetrator of misconduct. For non-academic staff, there was no clear demographic pattern across the categories, with each type of staff having different reporting patterns.

This data suggests that not only are there clear gendered patterns of perpetrators of staff-student misconduct, but also that the majority of perpetrators are academic staff. Furthermore, women are more likely to experience academic staff as perpetrators than are men. This calls for further attention to the ways in which the learning environment in higher education is sexualised in unequal ways and the ways that societal patterns of gendered violence are exacerbated by power structures within the academy.

⁵ 'Lecturer' cannot be taken as an official position or title, as the survey did not differentiate between junior or senior academics – it simply means an academic who taught the student.

Reporting.

The vast majority of respondents who had experienced or witnessed staff sexual misconduct did not report it. 81% of respondents (689) who experienced or were aware of misconduct indicated that they did not report an incident, or they did not know if they had reported. Only 9.6% of participants indicated that they had reported staff-student sexual misconduct.

Reasons for not reporting

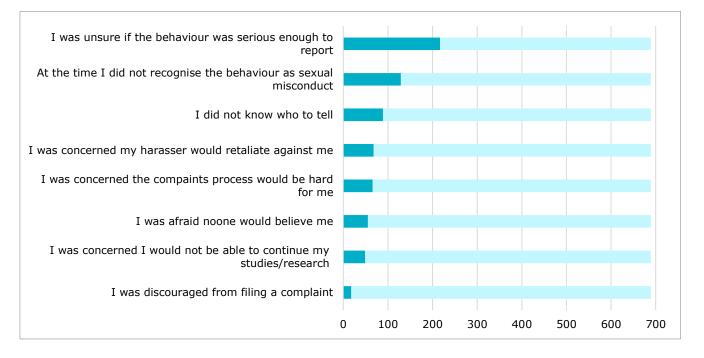


Figure 19: the most common reasons for not reporting, by number of respondents

The most common response for not reporting sexual misconduct was that the respondent was unsure if the behaviour was serious enough to report (31%), and the second most common reason was that at the time they did not recognise the behaviour as sexual misconduct (19%). This indicates that awareness of staff-student sexual misconduct is low among students who are experiencing or witnessing it, and that sexualised behaviours are normalised and accepted within higher education spaces.

A number of participants also emphasised, using the open text boxes provided in the survey, that they did not believe what they experienced was sexual misconduct, or that they did not feel the need to report it. Some made it clear that they were not negatively affected in any way by what had happened, and that the incidents were not untoward.

``I felt uncomfortable about it but didn't think it was worth reporting. It was not a very big deal" - survey open text box

⁶ Reporting does not necessarily refer to making a formal complaint to the institution; we asked whether participants had ever disclosed to anyone within the institution.

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"I didn't feel threatened, just awkward, so didn't feel it necessary" - survey open text box

"It did not make me feel uncomfortable as we were joking so I did not need to report it" - survey open text box

These comments further demonstrate the sexualisation of spaces and relationships in higher education, which can create a space where professional boundaries become blurred. While such 'humorous' incidents may not be received negatively by individuals, they can also contribute to a wider culture of sexism that normalises more severe transgressions. It is important not to take individual incidents in isolation, but to understand their impacts on a wider level.

As the data in this report shows, the ways in which these behaviours are experienced and the impacts that they have are gendered. Heterosexual men report the least impact from sexualised behaviours, suggesting that they may be behaviours that affirm certain kinds of heterosexual male identities while undermining women. Therefore, while some students may be entirely comfortable with sexualised 'banter', as one respondent called it, it is incumbent upon the higher education sector to clarify to what extent such an environment is appropriate for pedagogic relationships.

Other respondents used the text boxes to indicate taking informal action, instead of reporting.

"It wasn't that serious, a sharp no sufficed" - survey open text box

"I dealt with it myself at the time" - survey open text box

While these students were confident with saying 'a sharp no' to higher education staff, such a response may not always be possible, particularly where gendered power imbalances are exacerbated by the staff member's control over a student's academic progression or other resources.

It is also clear that institutions bear responsibility for not enabling reporting, and in some cases actively making reporting harder. Some respondents who considered making a report came up against institutional blockages. The third most common reason for not reporting was being unclear of reporting procedures, with respondents indicating that they did not report because they did not know who to tell (13%).

"This behaviour was carried out in full view of other students. No one did anything" - survey open text box

Barriers to reporting go far beyond a lack of signposting. Many respondents were afraid of the consequences should they make a report, with 1 in 10 citing concern that their harasser would retaliate against them, and 1 in 14 afraid that they would not be able to continue their studies. Some respondents also indicated fear of other consequences.

"I was concerned that the reporting may affect family" - survey open text box

.....

"It will hurt my job chances" - survey open text box

"I didn't want 'that' reputation" - survey open text box "I was concerned it would exacerbate untrue rumours being spread" - survey open text box

On top of this, some participants were afraid of not being believed. This speaks to how external conditions, challenges and behaviours, are internalised, and the how the interrelation between perception and reality are mutually reinforcing. A small number of participants also indicated that they were discouraged from filing a complaint – showing how some institutions are actively silencing those who would come forward.

"No faith in institutional processes" - survey open text box

"The whole culture of the place was poisonous - it was really clear it would be painful and pointless" - survey open text box

Institutional betrayal

As noted above, the term 'institutional betrayal' refers to 'institutional action and inaction that exacerbate[s] the impact of traumatic experiences'.²⁷ To explore this concept, we adapted Smith and Freyd's institutional betrayal questionnaire.²⁸ This was answered by those who said that they had reported misconduct to their institution. There were 81 responses to this section of the questionnaire.

It is clear from these responses that institutions are letting down students who report in a myriad of ways. The majority of respondents to this section reported at least one way in which their institution failed them or other students. Out of 81 responses, 8 respondents (10%) reported good behaviour by their institution in every category, while for 73 respondents (90%), there was at least one category in which their institution did not respond well.

"Because of my awareness of certain staff's behaviours, I have felt obligated to report informally as far as possible. The realisation that everyone knew he was grooming his students for sexual relationships made me highly aware of how unreliable the entire institution was. There is nowhere we can report this. The institution is hostile to our wellbeing." – survey open text box

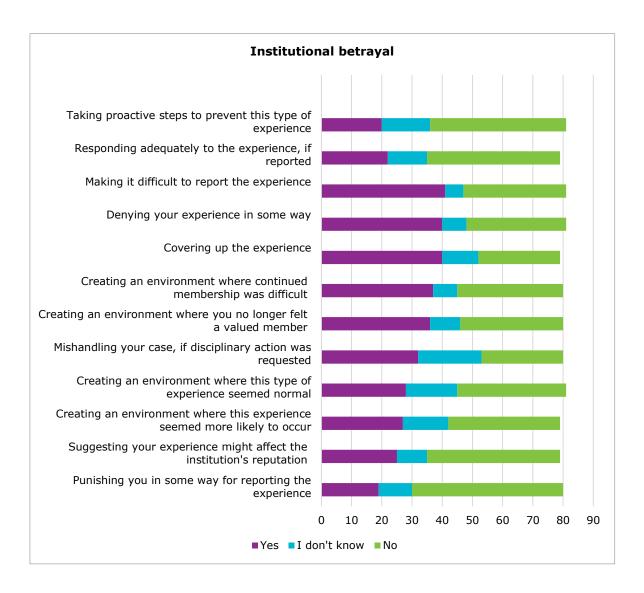


Figure 20: participants' perceptions of institutional betrayal, by number of respondents

In many cases, the responses received suggest that institutions are wilfully failing to respond to reports of staff misconduct. Half of respondents believed that their institution had denied their experience, while 30.9% of respondents said that their institution had suggested that their experience might affect the reputation of the institution.

"I cannot express how utterly cowardly staff's behaviour has been. They have not protected those to whom they have a duty of care" - survey open text box

"The process of reporting was incredibly traumatic and made me severely suicidal, both due to my harrasser's behaviour and how my institution responded and treated me" - survey open text box

"I reported harassment by a staff member following a consensual relationship - I knew that he confessed and was put on "paid leave" for a week. Myself, and another staff member tried to follow up numerous times as to whether he faced

any further disciplinary action. These requests were ignored - three years later I'm still unaware as to the outcome of my complaint. A dedicated staff member who is meant to deal with women facing problems on campus refused to help me claiming she wasn't prepared to get a colleague she liked into any trouble." - survey open text box

More positively, a quarter of respondents thought that their institution had taken proactive steps to prevent this type of experience. One respondent wrote that

"I was incredibly lucky with the amount of support I received when I first talked about my experience to a member of staff. Every effort was made to help me feel comfortable, safe and supported through this horrible experience" - survey open text box

However, 54% believed the response of their institution to their experience was not adequate, while 39.5% believed that their case had been mishandled.

"HR "lost" the notes from a meeting about my experience so, therefore, technically "it didn't happen". I was told, by HR "he's not a looker is he?" And "it's a generation thing". To keep quiet "put up & shut up or else you'll lose your job" and "don't go up against him, he has friends in high places" - survey open text box

"Me and several other students complained about a professor regarding several serious offences and were told by university management that it was not their responsibility but a matter for the police" - survey open text box

"After I made a detailed complaint about the events, the institution forwarded my complaint to the person in question, who forwarded it with a very detailed and aggressive 'defence' of his behaviour, to an email list which contained people both within and without the institution." – survey open text box

Half of all respondents reported their university making reporting difficult. Not only this, but a quarter reported that their institution had punished them for reporting.

"I was kicked off the course after refusing to have sex with my tutor. This happened after we had a meeting where we discussed some personal issues I was having at home. He seemed to view this as an opportunity as he was then aware that I had no family support" - survey open text box

These responses suggest that there is a serious problem in how higher education institutions respond to reports of staff-student misconduct, and that the experiences described in this report are part of a wider institutional pattern. Urgent action is needed by higher education institutions to improve reporting and disciplinary processes. It is necessary to scrutinise existing policies and processes in order to understand how they may be protecting staff perpetrators and institutional reputation over students' safety and wellbeing.

Professional boundaries

In the survey, students were asked, on a scale of 1-5, with 1 being "completely comfortable", and 5 being "very uncomfortable", to indicate how comfortable they were with a member of staff engaging in a range of behaviours, such as asking them on a date, contacting them on social media, or getting drunk with themselves or other students. As well as the survey, this research involved four focus groups with different types of students within higher education: postgraduate students; black students; LGBT+ students, and female students (see further discussion of the methods in the appendix). In the focus groups, scenarios relating to professional boundaries between staff and students were discussed.

While it was clear from these focus groups that there are many different ways of having successful relationships with staff and that there is no definitive rule as to the kinds of relationships each student determines to be acceptable, the survey data revealed that women expressed higher levels of discomfort than men in response to most of the types of sexualised behaviour described.⁷ There were also significant differences in scoring based on whether students were current or former students. Current students scored significantly lower on items about professional boundaries than former students, with former postgraduate students scoring higher on items than current postgraduate students and comments more negatively, especially if they have suffered from consequences.

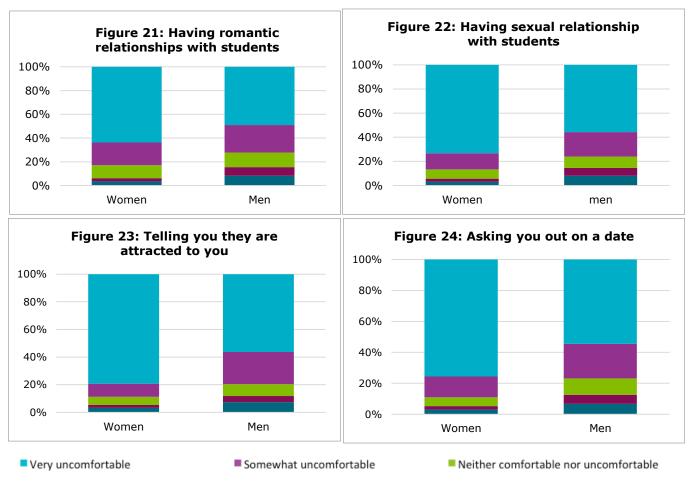
Staff-student relationships

The figures below show that 80% of respondents indicated that they would be very or somewhat uncomfortable with staff having sexual or romantic relationships with students. Whilst the vast majority of both men and women would be uncomfortable with these behaviours, women were more likely than men to answer 'very uncomfortable' for both questions. The pattern across other types of sexual behaviour was similar. As can be seen in these figures, the overwhelming majority of respondents would be uncomfortable with being asked out on a date by a staff member and with a staff member telling them that they were attracted to them – and women were more likely than men to indicate discomfort.

As with many of the other situations we asked about, most participants who took part in the focus groups had mixed feelings about academic staff having relationships with students, and there was no consensus on where the boundaries should lie. However, the common theme of power, and how to prevent the abuse of power, was pronounced across all the focus groups.

 $^{^7}$ T-tests revealed significant differences in gender and scoring on professional boundary items. Women (mean= 44.12, SD=8.25, N=1116) scored significantly higher than men (mean=38.38, SD10.30, N=618), t(1060)=11.91, p<0.001. This is from the survey responses from current students, but the same pattern is found in the data from former students.

⁸ Current students scored significantly lower on items about professional boundaries than former students (mean= 43.81, SD=9.18, N=254), t(1759)= 3.18, p=0.001 with former postgraduate students scoring higher on items than current postgraduate students (p=0.039).



Somewhat comfortable

Completely comfortable

Most participants were wary of the dynamics of staff-student relationships and the potential for damage to the student. While none of the participants saw staff-student relationships as purely negative, and by default exploitative, most commented that the potential for exploitation – regardless of whether the relationship was originally consenting – was worrying.

A recurring theme in the focus groups was the interplay between power and consent. Participants emphasised the dangers of the power imbalance between staff and students and how this impacted upon understandings of consent. Given that the primary relationship between staff and students is pedagogical in nature, a common view was that the pattern of staff dating students was predatory.

"I just think dating a student, even if the student is consenting at that time, they don't understand how vulnerable they are to that person until years after sometimes." - Postgraduate students' focus group participant

By contrast, a minority of participants framed the staff-student relationship as "fine"; positioning this as a relationship between two consenting adults. One student emphasised the consensual aspect of staff-student relationships and saw these relationships as existing purely in the private sphere, able to be free of any professional entanglement. However, most students emphasised that there must be necessary conditions to protect students in relationships with staff. "If there's absolutely no way that the more senior person could leverage their authority or power to do that person harm if they so choose, then I think that would be acceptable, but I think it's very difficult to actually think of situations where that would be the case." - LGBT+ students' focus group participant

Many participants also felt that the university had a responsibility to protect students, and the onus should be on the institution to create a safe environment. As such, some participants relied on the guidelines of the university to make these protections clear and to enforce mechanisms that would protect students in relationships with staff. Some felt that, as long as a relationship was disclosed and followed the proper channels, this would mitigate the risks of the relationship and thus that university guidelines could function to protect students.

However, others felt that university rules and guidelines would only serve to work against vulnerable, junior members of staff, while the staff with real power would not be affected. Many believed that any potential new legislation or policies could be used by university administration against precarious staff who are not permanent members of the institution and teach those who teach on zero hour contracts. Some argued that the scale of this problem could not be legislated away; instead, the necessity for wide scale cultural change was paired, for them, with a distrust in the university higher administration who would do the legislating.

"I don't think it's transgressive for old, grey professors to prey on younger women. It's normal, it's normalised. For that reason, rules don't seem to touch them." – Women students' focus group participant

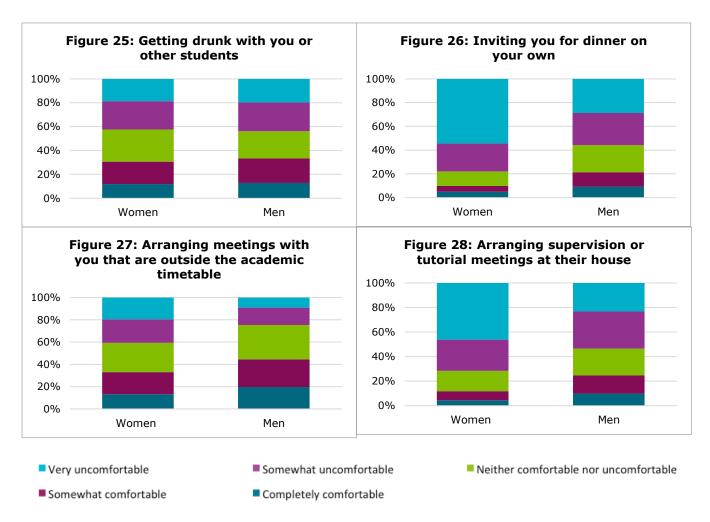
Socialising with staff and meeting off campus

The survey included questions about staff socialising with students, alone or in a group. The responses to these were much more mixed than to questions about explicitly sexual behaviours.

As can be seen in figure 25, the only question for which there were no marked gendered differences was that of whether participants would be comfortable with a member of staff getting drunk with themselves or other students.

For other socialising behaviours, however, a much higher proportion of women than men indicated discomfort. This was true for being invited for dinner alone by a staff member, a staff member arranging meetings outside of the academic timetable, and staff members arranging supervisions at their house.

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The students who took part in the focus groups were comfortable with a wide range of friendly relationships with staff, although they were also cognisant of the nuances and potential difficulties of these relationships. Some participants expressed a preference for a purely professional relationship with the academic staff who teach them, seeing the primary function of the relationship as pedagogical. Some were concerned that socialising could not only become inappropriate, but also distract from this function. This was more pronounced for taught students, who tended to view the position of academic staff as being one that is professional rather than friendly.

"A lecturer is not my friend and should not be telling me their personal information." - Black students focus group participant

PhD students, meanwhile, described a variety of different supervisory relationships, but most saw the function of these relationships as less structured and more open to intimacy.⁹

"I have at times really enjoyed having a relationship with my supervisory team" – Postgraduate students' focus group participant

⁹ There were PhD students participating in three of the four focus groups.

Some participants emphasised the uniqueness of every student-supervisor relationship, noting that the nature of research work meant that shared academic interests could naturally lead to friendships. This did not, in their view, diminish the responsibility of staff members to moderate their relationships and conduct. One student commented that it was perfectly possible to have a friendship with a supervisor which did not stray into the personal, noting that "it's not an inevitable consequence of being close to someone that you tell them everything about your life."

While most participants were comfortable with knowing something about the personal lives of staff, it was generally thought that staff sharing excessively personal information was uncomfortable, or could be a form of grooming behaviour. However, what constituted an appropriate personal relationship varied for participants and seemed to be intuitive for each person, based on their unique situation.

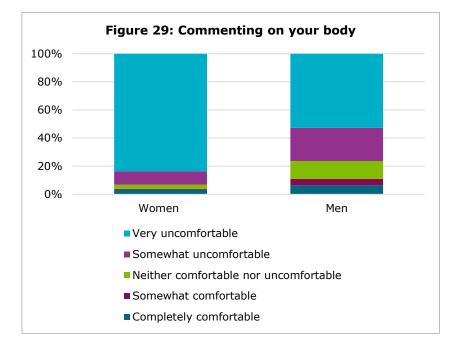
A further area of discussion was socialising and drinking between staff and students, on both formal and informal occasions. This provoked a variety of responses. From the views of some students, particularly Muslim participants, it was clear that a strong drinking culture was not inclusive for all students. Despite the fact that other participants expressed a preference for a more informal learning environment that could include alcohol, a sizable minority of students found teaching in this type of environment hugely inappropriate.

"If [the lecturer] suggested the pub, I would suggest somewhere else because for me, it's not just appropriate or not, it's that I can't be around alcohol at all... If [the lecturer] wants to go to the pub it shouldn't be made compulsory." Black students' focus group participant

There is a further way in which alcohol was felt to exacerbate existing patterns of gendered inequality. In a scenario asking about being touched in a way that made them feel uncomfortable, participants commented on how many women warned each other about spaces involving socialising and alcohol, and ended up avoiding them.

"There will always be the wine thing and I really wish there wasn't because things always happen in those spaces that are so hard to come down from, and they seem to lay the ground for what happens elsewhere." Women students' focus group participant

Commenting on students' bodies or appearance



The behaviour that would make the most survey participants feel uncomfortable was a staff member commenting on their body.

Participants in focus groups remarked that comments about appearance, regardless of intention, create the possibility for sexual associations within the staff-student relationship, even if it were unclear whether there were intended sexual undertones.

"I think it's really hard to tell whether there are sexual undertones, and actually I think I would doubt myself even if there weren't, I would ask myself the question at least, and that would make me uncomfortable as well." Women students' focus group participant

Whilst a minority of participants indicated that they would not be bothered by comments on their clothing and appearance, even if they were sustained, many felt that it undermined their purpose as a student. Comments drawing attention to appearance were felt to be inherently gendered and as having the potential to undercut the value of a student's academic credentials. This was especially a pronounced concern for women postgraduates. Multiple women postgraduate participants indicated a fear of not being taken seriously in their field and how gendered comments that referenced their appearance reinforced this.

"In the public context, they [could be] undermining you in some way, by drawing attention to your appearance, when you were trying to be taken seriously doing something" -Women students' focus group participant

Another dynamic commented upon was the power relationship between staff and students, and the importance of contextualising comments made about a student's appearance within this. It is also important to contextualise students' identities in

understanding their experiences. In particular, a main concern for some LGBT+ students was the fear of being singled out for treatment by someone in a position of power. One participant commented that having prescriptive comments directed at them about how they should or shouldn't look was "an order of magnitude worse" than other comments about their appearance.

"I have had those kind of comments made to me before, 'you should do this because then you'd look more feminine', and I just find those comments really inappropriate because it's not within their remit to comment on how I dress." – LGBT+ students' focus group participant

On the subject of academic staff engaging in explicitly sexual conversation or making comments about sex, participants were unanimous in saying that this was always inappropriate and uncomfortable. Again, several brought up the power relationship in academic relationships, and how this can place pressure on a response from the student. One student commented that "probably the biggest difference [between being approached by a lecturer and a peer] is your ability to say 'fuck off'".

Another factor that was important for participants was the disparities of power held across different levels of teaching staff. This was especially pronounced for the PhD students, many of whom were also employed to teach. Many felt that the role of precarious, short term and contracted teaching staff in academia could not be compared to that of established, permanent staff due to differences in power and the need to maintain relationships in order keep teaching contracts.

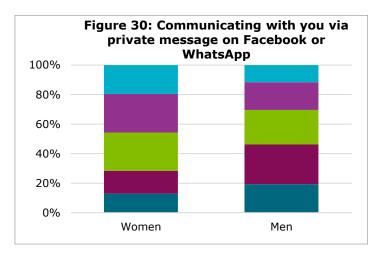
These differences between teaching staff were also emphasised when discussing how learned behaviours are passed down throughout departments. One participant commented that the sheer lack of training or guidelines creates a minefield for new staff, and that the only guidance was in the form of learning behaviours from older tutors.

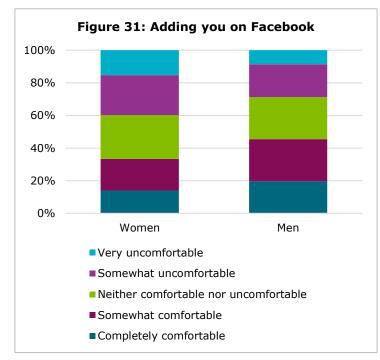
"There is no information [for tutors] on how to interact with students, on what they considered appropriate or inappropriate... it's very difficult to know what is and isn't seen as appropriate with your students when you're not told." – Postgraduate students' focus group participant

This leaves no way to break the cycle of reproducing cultural norms whereby staff may be unaware of appropriate boundaries nor of the effects of their power in relationships with students.

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Interactions on social media





Most survey respondents were comfortable or ambivalent towards behaviours involving social media usage or communication, although a significant percentage still indicated discomfort. The figures below show how, again, women were more likely to report discomfort than men.

Focus group participants had mixed opinions on communicating with staff via social media and used social media in very different ways and amounts. A few participants were comfortable with using social media to talk to staff and expressed that they took an integrated approach to social media in every aspect of their life. However, many saw the appropriateness of this as contextually dependent on the nature of the existing relationship between staff and student. Within the establishment of a teaching dynamic, it was then seen to be the responsibility of the person in the position of power to make sure that they did not exploit their power and position through the communication channels

used.

"I've been a lecturer and a student, and that has established how we come into contact on social media. I think for me, I try and create quite strictly set rules because of the very slight, but still present, power differentials that we have." Women students' focus group participant

But while social media communications between staff and students were not seen as inherently problematic, many participants referred to the split between work and personal life, and the comfort of compartmentalising work in communications. Keeping university affairs to a university email was a way of containing work and allowing social media to be purely for their personal and social life.

Drawing conclusions about professional boundaries

It is crucial to understand the findings in this section through comparison with the data presented in the rest of the report, in particular the gendered patterns. Women were more likely to experience sexual misconduct from higher education staff and reported much more severe impacts following these experiences. The higher levels of discomfort at boundary-blurring behaviours that women also reported can therefore be explained by the fact that women are both more at risk and also more affected when these boundaries are breached. The discomfort reported by respondents is about sensing potentially dangerous situations. It is therefore crucial for the sector to take these findings seriously in order to help to create higher education as a space where students feel safe.

This data draws out the ways in which behaviours that, to some, may seem unproblematic – such as inviting a student for dinner on their own – are highlighted by the majority of respondents as something that would make them feel very uncomfortable. However, it is crucial to emphasise that regardless of whether a student explicitly identifies this as something that makes them uncomfortable, the power differential creates a dynamic where the student is vulnerable. As the focus group data shows, students are very aware of the power imbalance between staff and students and the potential for abuse of this power. To draw on the words of one student, their ability to say "fuck off" to academic staff is very limited. It should not be up to students to decipher where these boundaries are and to enforce them.

A hugely important finding from this section is that around 80% of respondents are uncomfortable with staff having sexual or romantic relationships with students, asking them out on a date or a staff member telling them they were attracted to them. This suggests that the vast majority of students surveyed *do* have very clear ideas about what professional boundaries they would like upheld by their institutions. However, as The Guardian reported recently, a third of British universities have no staff-students relationships policy.²⁹ This suggests that many universities are not concerned with staff upholding the professional boundaries in their work that the majority of students deem important. As the recommendations, below, suggest, this is an urgent point of action for the sector.

Our findings show that many students have strong ideas and opinions on what kinds of behaviours they would be comfortable with from staff, and it is important to listen to their

experiences. However, staff misconduct is an institutional issue that cannot be reduced to individual, interpersonal relations. The power differential, often gendered, between students and staff exists even if it is not perceived, and these kinds of behaviours, even if students are not uncomfortable with them, reinforce structural inequalities. It is important to remember the systemic nature of abuse as arising from actually existing power structures, as well from as students' perceptions of this power.

Conclusion and recommendations

This report shows that higher education in the UK is not currently a safe environment for many students. It reveals higher education as an environment where sexualised touching, comments, or even threats may be experienced by students from staff members. It shows an environment where women, postgraduates and gay, queer and bisexual students are disproportionately likely to experience sexual misconduct, and where women experience a range of negative consequences to this misconduct including very severe consequences for their academic studies and career progression. Finally, it shows an environment where reporting sexual misconduct is dealt with inappropriately and inadequately at the institutional level, and where participants describe predatory behaviour from academic staff.

The findings in this report are of great concern in relation to safeguarding of students within higher education as well as equal access to education for people of all genders and sexualities. Higher education institutions have duties under the Equality Act (2010), as well as statutory safeguarding responsibilities towards vulnerable adults. Rather than taking these duties seriously, this report shows the higher education sector reinforcing and deepening gendered discrimination in academic institutions through staff-student misconduct and its consequences.

A knee-jerk response would not be helpful here and would risk endangering students even more. Higher education institutions need to ensure that they have adequate policies and procedures for dealing with reports of staff sexual misconduct before they start encouraging students to report. It is therefore a matter of great urgency for institutions to overhaul complaints procedures and support for students who disclose. Only once this is in place should they encourage students to come forward. Reports about sexual misconduct will contribute to creating a safe environment not just for students who report, but for all other students who come into contact with these staff members.

However, a punitive approach cannot be used to gloss over need for wider change in understanding and behaviours, particularly around the types of behaviours that this study has revealed that students are uncomfortable with. A nuanced conversation around power and consent in sexual relationships between staff and students in higher education is needed. Given that 80% of students are uncomfortable with staff-student sexual or romantic relationships, it may be that the easiest solution is to prohibit them. However, such a move may only serve to drive such relationships underground, and would not preclude the need to ensure protection for students who find themselves in such relationships. We suggest that it is not for us to recommend whether or not such relationships are inappropriate, but that the question of what sexual consent means in a relationship of unequal power should be discussed in higher education institutions across the country.

It is with these points in mind that we make the following recommendations.

Recommendations

- Leadership
 - A member of senior management should take responsibility for making sure that the university is following their duties in this area under the Equality Act. They need to be a named, public figure, so that everyone in the institution is aware that this issue is being taken seriously.
- Data reporting
 - The Office for Students, due to their responsibilities for safeguarding and equalities in higher education, should lead on formulating more detailed guidelines as to what data universities should centrally collect in relation to reports, investigations, and outcomes of reports in this area, in consultation with third sector organisations and academic experts. Such data should be gathered and reported on annually and publicly across the sector.
- Staff-student relationships policies
 - The vast majority of respondents to this survey were uncomfortable with staff having sexual or romantic relationships with students, and among focus group participants, a common view was that the pattern of staff dating students was predatory. More clarity is therefore needed on what constitutes appropriate behaviour by staff.
 - One way to do this is through detailing in policies what relationships are appropriate within higher education institutions. Towards this end, institutions that do not have staff-student relationships policies should implement these, and existing policies should be revised where necessary.
 - Such policies should outline the expected standards of professional behaviour between a staff member and student and a clear pathway for disclosure of problems or relationships to ensure the student is protected as much as possible.
 - Supervisory elements in a staff-student relationship should be transferred or minimised if possible.
 - Policies need to take into account the power imbalance between staff and students and make clear that students will never be punished or retaliated against for reporting a sexual or romantic relationship with a staff member.
 - One recently revised model policy comes from the University of Sussex³⁰.
 Policies should also follow Professor Nicole Westmarland's recommendations to the University of Sussex³¹.
- Reporting and investigations
 - Current reporting processes and disciplinary processes need urgent review. These need to balance the rights of the student with those of staff members, streamlining the time taken for the process to complete and increasing the transparency of the outcome.
 - Higher education institutions should implement a single point of contact, trained in responding to disclosures and investigations processes, for reporting staff sexual misconduct. All staff who might receive disclosures, including graduate teaching staff, should be aware of a clear reporting pathway within the institution.
 - Institutions should clarify their policies, reporting and investigation processes. These should be publicly available and easily accessible, to bring transparency and build trust in those mechanisms.

- A bank of trained, experienced independent investigators should be overseen by the Office for Students to carry out investigations within universities into staff sexual misconduct. It is crucial to avoid using members of academic staff who may have conflicts of interest and may not have the skills required. Any internal contact who handles the complaints process should not know either complainant or accused¹⁰.
- Institutions should implement better support systems for students who report, including counselling support as well as advocacy to support students who are afraid of retaliation or the negative impacts on their studies of reporting.
- Considering the power imbalance in reporting and challenging staff behaviour, students' unions should provide third party support. This could be a designated staff member as a caseworker to advocate for and support the complainant both through the process and emotionally. This staff member should be fully trained and knowledgeable of the complaints process.
- New guidance should be provided by the Office for Students and Universities UK to prevent the use of non-disclosure agreements in future settlements between universities and students, to allow greater transparency and trust to build between students and the sector.
- Professional boundaries
 - Consultation and discussion, both within universities and across the sector, should be led by sector bodies about acceptable professional boundaries/behaviour, especially in light of power differentials discussed by students and the high levels of discomfort reported.
- Training and awareness-raising
 - This research suggests that the vast majority of perpetrators are academic staff. This indicates that any intervention must start here.
 - Awareness-raising activities should take place only after policies and training have been implemented, in order to be sure that it is safe to encourage students to report.
 - Higher education institutions should implement workshops on gender, power and consent for all faculty and students, in order to raise awareness of the damaging and gendered impacts of everyday misconduct and to change the culture around this.
 - Further consultation should be held with postgraduate students, particularly postgraduate students who teach, to understand their unique and precarious position in relation to undergraduates and more senior department staff.
 - All students who teach, and all new academic staff, should also receive training on the staff-student relationship policy, reporting pathways, and guidance on professional boundaries with students as part of their induction.
 - Student's Unions should revisit their sexual harassment campaigns to expand strategy to include staff-student sexual misconduct, and work together with their FemSocs and Women's Officers in doing so. They should

¹⁰ Further recommendations on investigations will be made in The 1752 Group's forthcoming research, drawing on interview data from students who have been through the reporting process.

- Public/visible information both online and offline should be made available, including in induction packs, on what behaviours will and will not be should not be tolerated
- Further research
 - The higher education sector, via the Office for Students and Universities UK, should provide funding for a prevalence study across all higher education institutions.
 - There also needs to be further research to understand higher patterns of misconduct among LGBT+ and students from minority groups.

 Member institutions of Universities UK should collaborate to fund further research to understand why students are having such negative experiences of reporting to their institutions.

Appendix: Methodology and scope of research

This research is the product of a year and a half long partnership between the NUS Women's Campaign and The 1752 Group.

The research was carried out between May 2017 and January 2018. An initial literature review explored the resources collated by The 1752 Group on existing work on staff-sexual misconduct; data on staff-student misconduct from prevalence surveys in the US and Australia; and wider literature on gendered violence, workplace harassment and professional boundaries.

Survey

In the absence of existing survey instruments that are appropriate to staff-student sexual misconduct in higher education, this survey was developed through extensive research and consultation with questionnaires of a similar nature, covering questions on sexual experiences, professional boundaries, reporting, and institutional betrayal. In designing this survey we have predominantly adapted existing survey instruments. These include Fitzgerald et al.'s (1995) survey instrument on sexual harassment; the commonly-used Sexual Experiences Survey (Koss et al., 2006); and the short-form version of Smith and Freyd's (2015)'s 'Institutional Betrayal Questionnaire'. Finally, to ascertain appropriate and inappropriate professional misconduct, we have drawn on Auweele et al.'s (2008) study of unwanted sexual experiences among Flemish female student-athletes.³²

The survey included questions on:

- Professional boundaries
- Experiences of misconduct
- Gender and occupation of perpetrators
- Effects of misconduct
- Responses to misconduct
- Reporting
 - Reasons for not reporting
 - Institutional response to reporting
- Demographic questions

The survey was hosted online and after piloting was distributed through email to members of the NUS Extra cardholder database. An incentive of being entered into a prize draw of five lots of £100 was offered. A link to the survey was also shared online via social media. The survey was open to both current and former students, and students of all genders. Of the 1839 survey responses received, 1528 came from current students, with 311 responses from former students. While the survey was designed to provide a snapshot of the experiences of current students, former students were included in order to gain a wider picture of patterns of staff sexual misconduct and effects on students who experienced this, and because we felt it was important give those who wanted to share

their past experiences as students the chance to respond. Therefore, the sample of former students is much more likely to include those who have experienced staff sexual misconduct. The differences between these two samples were taken into account throughout the analysis. In the sections on professional boundaries and experiences of sexual misconduct, the data from current and former students was analysed separately, to give us a sense of the current situation. In the sections on the demographic of perpetrators, effects of misconduct, and reporting, the whole dataset from respondents who answered these sections was used. This is because, while on the topic of professional boundaries and experiences, it is important to gain a picture of the current culture and attitudes within higher education. In subsequent sections we were specifically concerned with capturing the experiences of all those who have experienced misconduct from a staff member as a student.

We received 1839 valid responses, out of a total number of 1946 who began the survey. 4 were under 16 and 103 stated they wanted their data deleting from the research. This was following best practice in consent for online surveys of sexual misconduct, where we included the following question on the final page: 'If for any reason you **do not** want the data you have entered to be used in this research please tick here and your responses will be destroyed.'

Partial responses were accepted. All respondents were given the opportunity to answer sections professional boundaries, experiences of misconduct, and demographic questions. Respondents who answered 'never' to all questions on experiences of misconduct were routed directly to the demographic questions. All other respondents answered additional sections on the demographic of perpetrators, the effects of misconduct, and whether or not they reported their experience. Those who did report were directed to the section on institutional response, while those who did not report were asked for the reasons they did not report.

Out of 1839 responses received, there were:

- 1535 current students, 261 former students and 50 unspecified.
- 872 undergraduate respondents (47%) and 677 postgraduates (37%). Out of the postgraduate respondents, there were 351 taught postgraduates (19%) and 326 (18%) PhD students.
 - The sample was deliberately weighted towards postgraduate students by targeting postgraduates who hold NUS extra cards, as previous research has shown that postgraduate students are particularly at risk of staff sexual misconduct.
 - In comparison, 77% of HE students are undergraduates, 5% are research postgraduates, and 19% are taught postgraduates.³³
- 631 respondents (34%) identified as male, 1134 respondents (61%) identified as female and 35 respondents (0.02%) identified as non-binary
 - $_{\odot}~$ In comparison, the demographic for HE students in the UK is 43% male and 57% female. 34
- 1391 respondents (76%) identified as white and 437 respondents (24%) identified as non-white. There were 209 Asian respondents (11%), 108 mixed race respondents (6%), 54 Afro-Caribbean respondents (3%) and 22 Arab respondents (1%)
 - $_{\odot}~$ In comparison, the demographic for HE students in the UK is 77% white, 7% black, 10% Asian, 5% other (including mixed). 35

- 1376 (75%) identified as heterosexual and 384 (21%) identified as gay, queer or bisexual
 - In comparison, 88% of HE students identify as heterosexual and 6% identify as either bisexual, gay man or gay woman.³⁶
- 40 respondents (2.2%) reported a disability
 - This is a far lower proportion than the 12% of students in UK HE with a known disability.³⁷
- 29 students (1.6%) identified as trans
 - In comparison, 3% of HE students identify as a different gender identity to that assigned at birth.³⁸
- 1360 respondents (74%) were UK residents, 224 (12%) were international students from within the EU, and 210 (11%) were non-EU international students.
 - In comparison, 81% of HE students are from the UK, 6% are international students from the EU, and 13% are non-EU international students.

Due to lack of resources, it was not possible to make the sample representative. Therefore, this is not a prevalence study but a descriptive one, and this report does not make claims about the level of misconduct across students in the UK in general. Instead, this study captures the patterns of experiences of students. We hope that this survey will convince the higher education sector to carry out a properly funded prevalence study across higher education in the UK, following the example of studies by the Association of American Universities and Universities Australia.

Quantitative survey data was analysed using SPSS, while qualitative survey data from open text boxes were coded by researchers from NUS.

Focus groups

Four focus groups, with 3 – 5 participants in each group, were conducted specifically on the subject of staff-student professional boundaries. These were held with the intention of fleshing out our understanding of students' conceptions of professional boundaries, with the specific intention of focusing on students who are marginalised on the basis of identity, or whom previous research had shown were more vulnerable to misconduct. These focus groups were conducted with current students who identified as women, LGBT+, black, and postgraduate students respectively. We had originally intended to conduct two further focus groups, of disabled students and students from specialist music and drama institutions, but time and resource constraints did not allow this to happen. However, a number of our final focus group participants identified as disabled.

The sessions were structured around pre-prepared scenarios covering an aspect of staffstudent professional boundaries. Participants were asked to respond to the situations, whether they thought the described behaviour was appropriate, and why. Each focus group was between an hour and ninety minutes in length, depending on the number of participants, and facilitated by one researcher and a member of NUS staff.

The focus groups were recorded, with the permission of participants, and transcribed. Focus group data was hand coded and subject to a thematic analysis.

Endnotes

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² See the appendix for further details on the research methodology.

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¹² The 1752 Group will release a public report in May 2018 based on our research detailing students' experiences of staff sexual misconduct and mapping these onto existing higher education policies in this area. This research is funded by HEFCE and supported by The University of Portsmouth.

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¹⁶ Kelly, L., *Surviving Sexual Violence*, University of Minnesota Press, 1988

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¹⁹Carter and Jeffs, 1995

²⁰ Kelly, 1988..

²¹ Whitley and Page, 2015, p.38

²² Drawing on Smith and Freyd (2014, 577), the term institutional betrayal refers to 'institutional action and inaction that exacerbate[s] the impact of traumatic experiences". See Smith, Carly Parnitzke, and Jennifer J. Freyd. 2014. "Institutional Betrayal." *American Psychologist* 69 (6): 575–87..

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²⁴ This term was used by one participant in the focus groups, and is also used by students and former students interviewed as part of The 1752 Group's forthcoming research. See definition above.

²⁵ This report is due to be released in May 2018.

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