

Statement on the Handling of Sexual Misconduct Allegations

Fitzwilliam JCR 23.02.2020

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Fitzwilliam JCR wishes to make known its deep concern regarding the reported mishandling of sexual misconduct allegations at Trinity Hall. We see it necessary that Fitzwilliam College as an institution and community learns from these events, and does not fall foul to the same failures.

Fitzwilliam JCR maintains a zero-tolerance approach to sexual harassment and assault, and condemns any action to undermine the handling of sexual misconduct allegations.

Fitzwilliam JCR supports the Cambridge Women's Campaign recommendations to use an independent investigative body (the Office of Student Conduct, Complaints and Appeals) for sexual misconduct allegations. Fitzwilliam College should have adequate procedures, however, for cases where using the OSCCA is not available, and for cases where the complainant does not wish to refer to the OSCCA.

Fitzwilliam JCR views the safety and welfare of the Student Body as one of its major concerns and priorities. As such, it notes that the College's Sexual Misconduct policies are not easily understood, and should be made more robust.

Required Actions

1. It is the responsibility of all within the College community, including students, Fellows and staff, to hold authority to account, and ensure all allegations are investigated fully by correct College procedures.
2. In the event that **anyone** raises concerns regarding the handling of a complaint (formal or informal) or allegation, these concerns should be taken seriously and all necessary action be taken to address these concerns.
3. The investigation procedure for complaints against staff must be made clear, with all options and steps outlined.
 - a. The procedure for handling **informal** complaints must also be published. Informal complaints should remain adaptable.
 - b. A procedure for handling cases involving senior College members and Tutors must be published. This procedure must involve an independent investigator, such as OSCCA.
 - c. A procedure for handling cases where a conflict of interest arises with an individual involved with investigating and considering the case must be published. This procedure must include the removal of the individual from position of influence with this case and any other new and ongoing cases.
 - d. If the complainant is a student, it is the role of the Tutorial system to offer support.
 - e. The above procedures must be incorporated into College Regulation, by Michaelmas 2020. These revisions should involve the Student Body.

4. Improvements to existing policies must be made to make the **formal** complaints procedure more straightforward.
5. Allegations must be decided on the basis of balance of probabilities, in line with Cambridge University's disciplinary procedures.

Support Available to Students

1. The Fitz JCR Welfare team are able to provide impartial support to any student who is considering raising, or is involved in an ongoing complaint. This can involve:
 - a. Attending relevant meetings as a supporter.
 - b. Assisting with filling in paperwork and contacting relevant bodies.
 - c. Helping to understand the process.
2. A complaint **to College** about another **student** can be raised by a letter to the Senior Tutor (senior.tutor@fitz.cam.ac.uk). Your Tutor can help with this.
3. A complaint **to the University** about another **student** can be raised in three ways:
 - a. **Anonymously** - There is no further action and the report is purely for statistics.
<https://www.studentcomplaints.admin.cam.ac.uk/anonymous-reporting>
 - b. **To limit contact with the respondent** - This is via the Procedure for Student Harassment and Sexual Misconduct, as prescribed by OSCCA.
Send this form
([studentcomplaints.admin.cam.ac.uk/files/hsm_report_form.docx](https://www.studentcomplaints.admin.cam.ac.uk/files/hsm_report_form.docx)) to
OSCCA@admin.cam.ac.uk.
 - c. **To pursue disciplinary action** - This is via the Student Disciplinary Procedure, as prescribed by OSCCA.
Send this form
([studentcomplaints.admin.cam.ac.uk/files/concern_form_-_oct_19.docx](https://www.studentcomplaints.admin.cam.ac.uk/files/concern_form_-_oct_19.docx)) to
OSCCA@admin.cam.ac.uk.

For further information on these options -

<https://www.studentcomplaints.admin.cam.ac.uk/harassment-sexual-misconduct/reporting-harassment-bullying-discrimination-or-sexual-misconduct>

4. A complaint **to College** against a **member of staff** can be raised with the Senior Tutor (senior.tutor@fitz.cam.ac.uk) or the Bursar (bursar@fitz.cam.ac.uk).
5. A complaint **to the University** against a **member of academic staff** can be raised by sending the *Harassment and Sexual Misconduct* form ([studentcomplaints.admin.cam.ac.uk/files/hsm_report_form.docx](https://www.studentcomplaints.admin.cam.ac.uk/files/hsm_report_form.docx)) and sending it to OSCCA@admin.cam.ac.uk.
6. Note that you can only report to College or the University, not both at the same time. College may refer a complaint to the University, however. If you need advice deciding where and how to file a complaint, speak to your Tutor or the JCR Welfare team.
7. Remember that complaints involving a criminal offence may also be filed to the Police. The Police do not have to be involved for College and the University to investigate and take action.

Other Resources

1. Fitzwilliam College's policy on Sexual Harassment and Misconduct committed by students is available here

fitz.cam.ac.uk/sites/www.fitz.cam.ac.uk/files/Harassment%20and%20Sexual%20Misc%20Policy%20Approved.pdf.

2. The University Counselling Service has a Sexual Assault and Harrassment Advisor, Amy O'Leary (sexual.assault.advisor@admin.cam.ac.uk). See here for more details counselling.cam.ac.uk/sexual-assault-and-harassment-advisor.

3. The Students' Union Advice Service has a webpage of advice, including information on the Sexual Assault Referral centres <https://www.studentadvice.cam.ac.uk/welfare/crime/>.

The Elms Sexual Assault referral centre (SARC) offers free support and practical help to anyone in Cambridgeshire who has experienced sexual violence and/or sexual abuse.

Their service is completely confidential and you do not have to give any personal information in order to get help.

The closest SARC is:

The Elms SARC
Hinchingsbrooke Hospital
Hinchingsbrooke Park
Huntingdon
Cambridgeshire
PE29 6NT

4. The Cambridge Rape Crisis Centre helpline is 01223 245888 (support@cambridgerapecrisis.co.uk).