

Gender-based Violence Investigations

Information for Respondents

All investigations are undertaken in a trauma-informed manner and support the principles of natural justice and procedural fairness. UniSQ will consider the views of the complainant before progressing to an investigation.

At UniSQ, disclosures and formal reports of gender-based violence, including sexual harassment, sexual assault, domestic and family violence, stalking, technology-facilitated abuse, and other intimidating and threatening behaviours are treated seriously, and managed in accordance with our **Policy** and **Procedure**.

You will be kept informed throughout the investigation process and can ask questions and raise concerns at any time. You are entitled to **support** during an investigation and can access free and confidential counselling from **UniSQ Counselling services**.

Free external support services include:

Lifeline - 24/7 crisis and mental health support (13 11 14 or **online chat**)

BeyondBlue - 24/7 mental health support (1300 22 46 36 or **online chat**)

MensLine - 24/7 counselling service for men (1300 78 99 78 or **online chat**)

During a gender-based violence investigation, you are known as the **Respondent** in the process (being that you are responding to the complaint that has been made about you).

The person who made the complaint is known as the **Complainant**.

Confidentiality is strictly upheld during and after an investigation into complaints of gender-based violence. During the investigation, the complainant, the respondent, and any witnesses are required to keep their involvement confidential.

Victimisation (retaliation or intimidation for making a complaint) will not be tolerated, and penalties apply, according to the **Student General Misconduct Procedure**.

A University investigation is not a criminal investigation - we cannot determine if someone has broken the law. A University investigation can only determine if someone has breached University policies. If a report is made to police, UniSQ will comply with police requests and may be required to pause any internal investigations.

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What happens during an investigation?



Complainant Provides Information

Prior to contacting you, the investigator will receive complaint information from the complainant.

Respondent Meeting

As the Respondent, you will be informed that a complaint has been made against you. You will be provided with details of the complaint, in line with natural justice and procedural fairness.

You will be invited to respond to the complaint, whether in writing, or in a meeting with the investigator of the complaint. This provides you with an opportunity to respond to questions and provide your perspective on what happened.

You can bring a **support person** to any meetings with the investigator. This could be a trusted friend, family member, or counsellor. The support person cannot have any involvement in the case (i.e. as a witness). Their role is to be your emotional support - they can monitor you and ask if you need to take a break. They cannot provide responses on your behalf - you should answer the questions for yourself.

Supporting Evidence

You can provide supporting evidence, such as screenshots, supporting documents or other relevant evidence, though there is no requirement to do so.

You can request an additional meeting if you recall more information you would like to share.

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What are Interim Protective Measures?

In some circumstances, the Associate Provost (or nominee) may implement protective measures to minimise further trauma, and to promote the safety and wellbeing of the UniSQ community. These may include temporary restrictions or requirements for the Respondent. For example, restricting access to campus or changing a tutorial. These measures do not signal or anticipate the outcome of the investigation process. More information is located in Section 4.3.3 of the **Procedure**.

What outcomes can I expect from the investigation?

Once the investigator has collected sufficient evidence, they will write a report to the Associate Provost (or nominee). They will determine, on the balance of probabilities, if the complaint can be substantiated, and if there has been a breach of a relevant conduct policy. You will be informed of this decision.

If the Respondent is found to have breached the relevant conduct policy, a range of penalties may be imposed. This may include the Respondent being required to undertake further training to educate them on the inappropriateness of the behaviour, restrictions on their access to certain facilities, restricting contact with certain students or staff, conditions on their enrolment, or suspension of enrolment, as is proportionate to the nature of the misconduct. The matter may also be referred to police if it is criminal in nature. More information on possible penalties can be found **here**.

How can I appeal the outcome or process of an investigation?

In accordance with Section 4.10 of the **Student General Misconduct Procedure**, if it is relevant to lodge an appeal, this can be done according to the **Student Appeals Process**. If you remain dissatisfied with the University's response to the complaint, or the process to address it, you can connect with **Student Guild** for independent advice. External appeal options are also available through **TEQSA** and the **National Student Ombudsman**.