

SOAS Sexual and Gender-Based Violence Policy

November 2020

Approved by the Executive Board

This policy brings together existing policies, procedures and guidelines designed to tackle Sexual and Gender-Based Violence (henceforth referred to in this document as SGBV). It sets out expectations of staff, students and visitors to the School and how SOAS will respond and prevent incidents of SGBV. There is also a detailed view on definitions on different forms of SGBV. This policy is accompanied by 2 handbooks, one for survivors of SGBV and the other for staff who support them, where more detailed information about case management and support pathways can be found.

1. Policy Statement

SOAS believes that that all students and staff have the right to study and work in an environment in which they are respected for the contributions they make, free from any form of sexual and gender-based violence, abuse or harassment.

SOAS recognises that sexual and gender-based violence is a problem that affects all of society, including the higher education sector, and we are committed to being at the forefront of the campaign to address this.

SOAS stands committed to addressing these issues as part of our broader commitment to our values.

SOAS maintains that there should be accountability for the perpetrators of sexual and gender-based violence, and support for those who are subjected to this violence, experienced on campus and beyond campus.

2. Aims and Principles

This policy aims to provide a framework for an institutional response to sexual and gender-based violence at SOAS. It seeks to enable everyone in the SOAS community to have a role in safeguarding our community, through the provision of clear information on how to act when we witness or are made aware of incidents of SGBV. It will be used alongside other relevant institutional policies, including but not limited to the [Staff Disciplinary](#), [Student Discipline](#), [Staff Grievance](#), [Personal Relationships](#), [Safeguarding](#) and [Dignity and Respect](#) policies. It will be accessible on our website and on [SOAS Report and Support](#).

The principles on which this policy is based are as follows:

- **Survivor Centered** - We centre our approach on the rights and experiences of survivors.
- **Trauma Informed** - We prioritise consent, safety, trust and choice wherever possible. We work to allow survivors to make empowered choices about their experience and healing.
- **Community Accountability** - Within the SOAS community, members are mutually responsible to and accountable for one another.
- **Impact Over Intent** - Harm is best defined by the individual who has experienced it.

3. Scope

This policy applies to all members of the SOAS community, including staff, students, contractors, partners and alumni. This policy also acknowledges our obligation, as an employer, to endeavour to prevent the harassment of SOAS employees by third parties over whom SOAS does not have direct control.

4. Context

SOAS exists in a world in which oppression and marginalization on the basis of gender produces inequalities that are sustained through abuse. Gender-based violence is violence that is directed against a person because of their gender. Sexual violence is a phenomenon deeply rooted in gender inequality. Tackling sexual and gender-based violence (SGBV) is necessary to change the structural inequality that exists within the academy and society.

SOAS recognises the intersectional nature of abuse and acknowledges that sexuality, disability, racial and gender identity can compound these oppressions. Experiences of SGBV often intersect with other forms of discrimination and harassment. SOAS is committed to creating and maintaining a School-wide culture of respect as part of its commitment to Equality, Diversity and Inclusion. As SGBV is so closely related to power a decolonial consideration is central to this, we have included measures to identify and combat colonial power dynamics and build in systems that deal with this.

5. Expectations of the SOAS community and visitors to SOAS

Members of the SOAS community and visitors to SOAS are expected to respect the dignity of others. Any acts of sexual violence, sexual harassment or sexual misconduct, whether in person or online – including in email communication, text messages and via other forms of social media – will be taken seriously and dealt with under the appropriate internal disciplinary procedures.

The complainant, the Responding Party and any Witnesses should expect to be treated fairly, with dignity and confidentiality throughout any process and may access relevant support services on campus as detailed in the Guidance accompanying this policy.

When safe to do so, we encourage those within the SOAS community to be an active bystander. An active bystander is someone who not only witnesses a situation but takes steps to speak up or step in to keep a situation from escalating or to disrupt a problematic situation when it is safe to do so.

Possible ways of intervening include:

- Direct action – telling the perpetrator that their behaviour is unacceptable;
- Distraction – distract either the perpetrator or the target to defuse the situation;
- Delay – it is always worth checking in with the target of the behaviour after it has

- taken place. It is validating for them to know that another person believes what has happened is not acceptable.
- Report – reporting what happened after the incident has occurred can be done anonymously through Report and Support.

6. Commitments from SOAS in order to better prevent and respond to SGBV

6.1 Initiatives to raise awareness and reduce the likelihood of incidents

6.2 Challenging Complicit Cultures

SOAS recognises the need to challenge any tacit or explicit acceptance of sexual and gender-based violence. It is, therefore, committed to raising awareness and to empowering students and staff to recognise abuse and intervene. This includes running regular training on topics that include but are not limited to, receiving disclosure, understanding trauma and bystander intervention

6.3 Training for students

As part of the commitment to preventing sexual and gender-based violence, SOAS will facilitate “Enough is Enough” workshops for all students as part of their induction process and will provide tailored training materials for the Student Society officers. Training commitments are cyclical as SOAS recognise the limitations of one of training programmes. These resources will ensure an understanding of what is appropriate behaviour and help to prevent sexual coercion in a university setting.

6.4 Training for staff

Diversity and Inclusion training delivered on a mandatory basis as part of staff induction will include preventing and responding to SGBV and ensuring that all staff are aware of the School’s policies on harassment and relationships. In addition, key staff such as Academic Advisors, Anti-Harassment contacts and staff in Student Advice and Well-being, will receive training on handling disclosures of sexual and gender-based violence, and on the best ways to support students and staff. Internal publicity will help to ensure that all existing staff are aware of the School’s approach as set out in this Guidance.

6.5 Working with the Students’ Union and the Campus Trades Unions

SOAS recognises that it must work closely with the Students’ Union and campus trade unions in order to ensure all students and staff understand what acceptable behaviour is at the School. Joint working on this issue will also help promote a better understanding of the causes and initiatives to reduce incidents of sexual harassment, sexual assault and sexual violence.

6.6 Monitoring

SOAS will monitor reports of SGBV occurring on campus and in campus residences and regularly report on this as part of the annual Equality and Diversity report to the Board of Trustees. This data will be used to inform a review of the effectiveness of procedures and practices as set out in this document. An anonymous reporting system, Report and Support, will be used to monitor incidence as well as to provide a mechanism for students and staff to seek support.

7. Definitions

7.1 The SOAS Community

Describes all individuals working, visiting or volunteering with SOAS. This includes individuals involved in students, employees, leadership, contracted workers, academic faculty and teaching fellows and those visiting events associated with SOAS.

7.2 Intersectionality

The interconnected nature of social categorisations such as class, disability race and gender, regarded as creating overlapping and interdependent systems of discrimination or disadvantage.

7.3 Sexual and Gender-Based Violence (SGBV)

For the purposes of this policy, 'sexual and gender-based violence' (referred to in this document as SGBV) includes incidents of sexual assault and rape, domestic violence including physical and psychological violence in family relationships, and intimate partner relationships, sexual harassment and stalking. SOAS recognises that people of all genders experience SGBV and that this is an issue that disproportionately affects women, queer and gender non-conforming people.

7.4 Sexual Violence

Sexual violence is any unwanted sexual act or activity. There are many different kinds of sexual violence, including but not restricted to: rape, sexual assault, child sexual abuse, sexual harassment, coercion, gaslighting, rape and assault within marriage / relationships, sexual exploitation, forced marriage and so-called honour-based violence and ritual abuse, which can also be forms of domestic violence. Sexual violence can be psychological and/or physical. The following terms are given their legal definition within the UK.

- **Rape:** When a person intentionally penetrates another's vagina, anus or mouth with a penis, without the other person's consent. Sexual consent is when we have the freedom and capacity to agree by choice. Being asleep, being very drunk or under the influence of drugs or being scared renders someone unable to give consent.
- **Assault by penetration:** When a person penetrates another person's vagina or anus with any part of the body other than a penis, or by using an object, without the person's consent. In law, penetration of another person's vagina or anus with any part of the body other than the penis, or with any object, without their consent is defined as 'sexual assault by penetration'. SOAS know that some people experience sexual violence that included penetration by something other than a penis. For these people, legal definitions can feel dismissive and limiting. It's important to note that sexual assault by penetration carries the same sentence as rape.
- **Sexual assault:** An act of physical, psychological and emotional violation in the form of a sexual act inflicted on someone without their consent. It can involve forcing or manipulating someone to witness or participate in any sexual acts. While it is often associated with strangers, sexual assault can also occur within marriage and intimate relationships.
- **Child Sexual Abuse:** When an adult or adolescent uses a child (person under 18) for sexual stimulation. Forcing or inciting a child to take part in sexual activity.
- **Forced marriage** Where one or both people do not or cannot consent to the marriage due to being pressured, or the use of abuse to force them to do so.
- **So-called honour-based violence** is a term used to describe violence committed against a woman or a girl (or sometimes men) who a family or a community feels has not followed what they believe is acceptable behaviour and has brought dishonour or shame to the family.
- **Ritual Abuse** refers to abuse committed through the use of a belief system. Ritual abuse usually involves repeated abuse over an extended period of time involving ritual indoctrination. Sexual, physical and psychological abuse are used intended as a means of

gaining dominance over the victim.

- **Grooming** is a term used to describe when someone builds a relationship, trust and emotional connection with another child or young person, so they can manipulate, exploit and abuse them. Grooming can happen between adults and power imbalances can aid the predator in their grooming process

7.5 Sexual Misconduct

For the purposes of this policy, sexual misconduct refers to behaviour, acts and conduct of a sexual nature which can involve abuse or misuse of power. Sexual misconduct can include harassment, assault, grooming, bullying, sexual invitations, comments and non-verbal communication with sexual content or overtones, creation of atmospheres of discomfort, and promised resources in exchange for sexual access. The term 'sexual harassment' captures only some of the possible abuses of power that may occur. In the context of the power relations within SOAS and for the purposes of this policy, sexual misconduct more specifically raises issues of unequal relationships, consent, and the prevention of equal access to education, opportunities and career progression. For this reason, SOAS has sought to regulate intimate relationships between staff and students as detailed in the [SOAS Personal Relationships Policy](#).

7.6 Harassment

Sexual harassment is any unwanted behaviour of a sexual nature that makes you feel intimidated, humiliated, distressed or degraded. It can take lots of different forms. It can include or be called sexualised bullying. Its effects may include creating an intimidating, hostile, degrading, humiliating, embarrassing, uncomfortable or offensive environment.

Occurrence: This can apply to a single incident, or repeated behaviour. You don't have to have objected to a certain kind of behaviour in the past for it to be unwanted and constitute harassment.

'Of a sexual nature': Verbal, non-verbal or physical conduct including:

- unwelcome sexual advances/propositions, flirtations, continuing to make advances after the recipient indicates not being interested
- inappropriate touching,
- your body being stared or leered at
- forms of sexual assault,
- sexual jokes, derogatory comments or gestures,
- making someone feel uncomfortable through displaying or sharing sexual material, pornographic photographs, drawings or videos,
- sending direct/instant messages, texts, emails with material of a sexual nature
- catcalling, wolf-whistling, leering, – uninvited comments and noises relating to someone's appearance, sexual availability, body, clothing,
- unwelcome personal gifts
- offers of rewards in return for sexual favours
- asking unwelcome personal questions about someone's sexuality, sex life,
- 'revenge porn' – making recordings of sexual activity without permission, sharing images of sexual contact beyond agreed recipients
- 'upskirting' – taking photographs without the knowledge or permission of an individual, particularly of people's bodies in places they are covering.

Sexual Harassment exists in a range of forms from behaviour which seems obvious to more subtle conduct, and the impact is not always realised immediately. It is not only the direct recipient that can be affected by sexual harassment, it can also have an impact on people who see or hear the

behaviour or who offer support.

For the purpose of this policy, it is not relevant as to whether or not the harasser intended the effect of their conduct or intended offence. The boundaries of acceptable behaviour in relation to this policy is for the person on the receiving end to determine. See the [SOAS Dignity and Respect Policy](#), which addresses all forms of harassment.

7.7 Stalking

Stalking is persistent, unwanted attention and/or controlling behaviours that make someone distressed or scared. This can be actions such as physically following someone, and can also occur online, through repeatedly accessing someone's social media, their private accounts or sending threatening messages. Stalking is most likely to be perpetrated by someone the recipient already knows well such as an ex-partner. It is a crime that can leave the survivor feeling pestered, scared, anxious or harassed.

7.8 Domestic Abuse

Domestic abuse is an incident or pattern of incidents of controlling, coercive, threatening, degrading and/or violent behaviour, including sexual violence between those aged 16 or over. In the majority of cases this is done by a partner or ex-partner (this includes marital partners, cohabiting partners, someone you've been dating or a sexual partner) but can also be perpetrated by a family member or carer. Domestic abuse can include physical, psychological, emotional, sexual and financial abuse, and controlling or coercive behaviour. Domestic abuse can be experienced by anyone, no matter their gender identity.

7.9 Controlling and coercive behaviour

Coercive control is an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.

This controlling behaviour is designed to make a person dependent by isolating them from support, exploiting them, depriving them of independence and regulating their everyday behaviour.

7.10 Online abuse

Online Abuse is a catch-all term for various tactics and malicious behaviours online. This ranges from sharing embarrassing or cruel content about a person, impersonating, doxing and stalking, to the nonconsensual use of photography and violent threats. The purpose of harassment differs with every incidence, but usually includes wanting to embarrass, humiliate, scare, threaten, silence, extort or, in some instances, encourage mob attacks or malevolent engagements. Some of these tactics are defined below.

7.11 Online gender-based violence

Online Gender-Based Violence (OGBV) is generally defined as harmful action by one or more people directed at others based on their sexual or gender identity or by enforcing harmful gender norms. These harmful acts of violence are committed, assisted or aggravated in part or fully by the use of Information and Communications Technology (ICT), such as mobile phones, the internet, social media platforms or email. Examples of this include but is not limited to sending unwanted sexualised images or messages and the majority of victims are women, queer and gender non-conforming people.

7.12 Consent

This policy defines **consent** as defined in the Sexual Offences Act 2003 which is agreeing by choice

and having the freedom and capacity to make that choice.

7.12.1 Freedom to Consent:

A person is free to make a choice if no harm would happen to them if they said no. For example, a person is not free to choose if:

- If someone says "no" to any type of sexual activity, they do not consent. But if someone doesn't say "no" out loud, that doesn't automatically mean that they have consented to sex.
- they are being threatened with violence or harm (both by the perpetrator and/or by someone else)
- they fear discontinuation of studies or employment, or a negative impact on their assessment or progression if they refused
- they are being blackmailed using images or a threat to their social reputation
- they are dependent on the other, for care or financial support in cases of domestic abuse
- there is an imbalance of power where trust could or has been abused
- Similarly, someone may not feel free to make a choice if there is a power imbalance; this could be due to age, status/position and/or authority or some kind of dependency (e.g. drug/alcohol use, financial control).
- If someone seems unsure, stays quiet, moves away or doesn't respond – this is not consent. Many people who have experienced sexual violence find that they were unable to move or speak - this is a common reaction.

7.12.2 Capacity to Consent

Having capacity to consent means that someone is physically and/or mentally able to make a choice and to understand the consequences of that choice. For example, a person does not have the capacity to give consent if:

- they are very drunk or under the influence of drugs - this means someone may still be physically able to have sex but they may not be able to consent
- they are asleep or unconscious
- they have a medical problem that limits their ability to communicate that they consent
- a person's capacity to give consent is affected by a disability or impairment, including learning difficulty, physical disability or mental health condition.

8. Acknowledgements

This policy was produced by the Sexual and Gender Based Violence Steering Group. We would like to acknowledge the specialist support of Empowered Campus in shaping the policy framework. We would also like to acknowledge the labour of survivors and activities of the Account for This Campaign whose experiences, research and tireless campaigning has informed the development of this policy. We are indebted to them and the SOAS community for their work of building a safe and harassment free campus.

Review of the policy should be on a regular basis and informed by prevalence and reporting data. Minor changes to the policy can be made through the SGBV Steering Group. Major changes must be approved by the Academic Board. Membership of the SGBV Steering Group must include a member of the SOAS Senior Management team, Chair of the EDI Committee, Director of Student and Academic Services, a SOAS SU Co-President, the SOAS SU General Manager, a senior

manager from HR, a senior manager from Legal and Governance, Casework Manager, and representation from staff and student community.

9. Other Associated Policies

- [Dignity and Respect Policy](#)
- [SOAS Code of Conduct: Unacceptable Behaviour](#)
- [Student complaint procedure](#)
- [Student disciplinary procedure](#)
- [Data Protection at SOAS](#)
- [Staff Grievance](#)
- [Staff Disciplinary](#)