



# Mannix College

## Gender-Based Violence, Sexual Harm, Discrimination, Harassment, Hazing and Bullying Policy

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## 1. About

- 1.1. Mannix College is committed to fostering an environment that is free from gender-based violence, discrimination, harassment, sexual harassment, victimisation, hazing, bullying and intimidation.
- 1.2. All persons associated with Mannix College are responsible for maintaining an environment where such unlawful conduct does not occur.
- 1.3. This Policy is to be read in conjunction with other College policies, including but not limited to the Conditions of Residency.

## 2. Jurisdiction

- 2.1. This Policy applies to all persons associated with Mannix College, including residents, non-resident program participants, guests, staff, contractors, volunteers and visitors.
- 2.2. The Policy applies to behaviour that occurs:
  - Whilst on Mannix College or Monash University property;
  - Whilst attending events sanctioned or organised by Mannix College or the Mannix College Student Society (MCSS);
  - Where their personal property or conduct seriously impacts the safety or well being of another Resident or Monash University student;
  - Where their conduct materially harms the reputation of Mannix College or Monash University; and/or
  - On digital media (including social media), where Resident behaviour and impact can be clearly linked to the Mannix Community.

## 3. Alignment with the Code

- 3.1. This Policy is aligned with the [National Higher Education Code to Prevent and Respond to Gender-Based Violence \(the Code\)](#) and the Mannix College Whole of Organisation Plan to Prevent and Respond to Gender-Based Violence (the Plan)
- 3.2. In accordance with the Code and Plan, Mannix College:
  - Prioritises the safety, dignity, autonomy and choice of victim-survivors
  - Provides clear, accessible and well-understood disclosure and reporting pathways
  - Responds promptly to identified risk, including through interim safety and support planning
  - Ensures procedural fairness for all parties
  - Coordinates with Monash University and relevant external agencies where required

- Collects and uses de-identified data to support governance, monitoring, reporting and prevention
- 3.3. Allegations of gender-based violence and sexual harm are treated as serious matters. Where substantiated, they are likely to constitute Category 1 or Category 2 Allegations under the Conditions of Residency, reflecting the potential impact on safety, wellbeing and the residential community.

## 4. Definitions

### 4.1. *Bullying*

Bullying is repeated unreasonable behaviour directed towards a person or a group of persons, that causes a risk to health and safety. Examples include but are not limited to:

- physical violence, pushing or shoving;
- unfairly picking on someone or making them the subject of practical jokes;
- swearing, shouting at, or abusing a person;
- intimidation;
- making hurtful comments about a person verbally or in writing, including posting comments/messages on social media, including Facebook, Instagram, Snapchat and TikTok;
- damaging a person's personal property;
- continually ignoring or dismissing someone's contribution in a meeting or discussion;
- deliberately refusing to speak to someone, ignoring them or not including them in social activities;
- spreading gossip or false, malicious rumours; and
- staring and glaring at a person.

Behaviour that amounts to bullying will not be tolerated and may result in disciplinary action, other penalties or legal action.

### 4.2. *Disclosure*

A disclosure is when a person chooses to tell a trusted person at Mannix College about an incident or experience, such as gender-based violence, sexual harm, bullying, harassment or discrimination, without asking for formal action to be taken. A disclosure:

- Is about being heard, supported and believed
- Does not automatically trigger an investigation or disciplinary process
- Allows access to support, information and options
- Can be made even if the person is unsure what they want to do next

In limited circumstances, the College may need to act on a disclosure to meet legal obligations or to manage a serious and ongoing risk to safety. Where possible, this will be discussed with the person who made the disclosure.

### **4.3. *Discloser***

A discloser is a person who makes a disclosure or report under this Policy. This may include a person who has experienced harm themselves or someone raising concerns about harm experienced by another person.

Disclosers are entitled to be treated with respect and dignity, provided with clear information about their options, and protected from victimisation for speaking up.

### **4.4. *Discrimination***

Discrimination occurs when one party treats an individual or group less favourably because of an attribute protected by law, including:

- Gender
- Sexuality
- Age
- Race (including colour, nationality, ethnic or ethno-religious origin)
- Lawful sexual activity
- Marital or relationship status
- Pregnancy and breastfeeding
- Family and carer responsibilities
- Disability
- Religious belief or activity
- Political belief or activity
- Trade union activity
- An association with someone who has, or is assumed to have a protected attribute.

Discrimination does not have to be intentional to be unlawful.

Discriminatory behaviour will not be tolerated at the College and may result in disciplinary action, other penalties or legal action.

### **4.5. *Gender-Based Violence***

Gender-based violence is violence, abuse, harassment or other harmful behaviour directed at a person because of their gender, sex, sexual orientation, gender identity or expression, or behaviour that disproportionately affects people of a particular gender.

Gender-based violence includes, but is not limited to, sexual harm, intimate partner violence, coercive control, stalking, image-based abuse, emotional or psychological abuse, and related conduct.

### **4.6. *Harassment***

Harassment refers to a single incident or repeated behaviour towards an individual or group that offends, insults or humiliates a person because of their disability, their association with someone with a disability, or their race, colour or national or ethnic origin.

Examples include:

- Imitating or mimicking someone's accent or disability
- Telling insulting jokes or making derogatory comments about someone's race or disability

Harassment will not be tolerated at the College and may result in disciplinary action, other penalties or legal action.

#### **4.7. *Hazing***

Hazing includes any action or situation with or without the consent of participants (e.g. initiation ceremony, ritual, challenge or other activity), for the purpose of admission into, affiliation with, or as a condition for, continued membership or acceptance into a group (e.g. a club, team, hall, society).

Hazing may include:

- singing songs or chants that denigrate, are abusive, use obscene language or are sexist, contravenes state and federal laws
- being forced to participate in drinking games or to consume large amounts of alcohol
- being forced to sit on the floor, while others in the group sit on chairs
- being forcibly woken up at an early hour
- being forced to wear embarrassing clothes

Hazing will not be tolerated at the College and may result in disciplinary action and/or other penalties.

#### **4.8. *Racism and Racial Vilification***

Racism is the process by which systems, policies, actions, attitudes and behaviours create inequitable outcomes for people based on race. Racial vilification is a public act that incites hatred based on the race, colour, nationality or ethnic origin of a person or group which is likely to offend, insult, humiliate or intimidate.

Racial vilification may include:

- Non-verbal threats, verbal remarks or non-verbal contact relating to race
- Jokes or comments denigrating a racial group
- Displays of racist graphic material, including posters, pinups, cartoons, graffiti or messages left on notice boards, desks or common areas or computer screens
- Racially offensive comments, insults, taunts, teasing or name-calling; offensive phone calls or letters
- Threatening violence against an individual or group because of their race
- Racist gestures made in public
- Mimicking a person's accent
- People wearing racist symbols (such as badges) or clothing with racist slogans in public

- Racially offensive material in a publication, on the internet, in emails or computer screensavers.

Racism and Racial Vilification will not be tolerated at the College and may result in disciplinary action, other penalties or legal action.

#### **4.9. Report**

A report is when a person provides information to the College to request a formal response. This may include a risk assessment, investigation and outcomes under the Conditions of Residency or other applicable processes.

Making a report means the College may investigate what occurred, take steps to manage risk, and impose outcomes or sanctions where a breach is substantiated. A person may choose to make a report at any time, including after first making a disclosure.

#### **4.10. Respondent**

A respondent is a person who is alleged to have engaged in behaviour that may breach this Policy or the Residential Community Standards.

Being named as a respondent does not mean that a finding has been made. Respondents are entitled to procedural fairness, including being informed of allegations and given an opportunity to respond.

#### **4.11. Sexual Consent**

Sexual consent is an ongoing, voluntary and freely given agreement to engage in sexual activity. Consent must be communicated through words or actions and may be withdrawn at any time.

A person does not freely agree to sexual activity where they:

- Submit because of force, fear, intimidation or coercion
- Fear harm to themselves or another person
- Are unlawfully detained
- Are asleep, unconscious or incapacitated by alcohol or drugs
- Are incapable of understanding the sexual nature of the act
- Are mistaken about the sexual nature of the act or the identity of the person
- Believe the act is for medical or professional purposes
- Are assumed to consent based on past conduct

Mannix College endorses affirmative consent. Each participant has a responsibility to actively check for and maintain consent.

#### **4.12. Sexual Harm**

Sexual harm includes sexual assault, sexual harassment, and any other form of unwanted contact of a sexual nature.

**Sexual assault** - Sexual assault is any contact of a sexual nature made without the other person's consent. It includes threatening, intimidating, or compelling another person to have such contact, and can involve anything from sexual touching through to rape.

'Sexual assault' may be referred to as sexual abuse, rape, indecent behaviour, indecent assault, sexual molestation, incest, child sexual abuse, child sexual assault, touching, 'feeling up' and/or sexual harassment. The legal term for all these kinds of offences is 'sexual assault'.

**Sexual touching** - Sexual touching is touching another person with any part of the body, or with anything else considered sexual. This includes touching through another person's clothing.

**Rape** - Rape is forced sexual penetration (by a body part or object) of the vagina, anus or mouth without consent. Rape is a form of sexual assault, but not all sexual assault is rape.

**Sexual harassment** - Sexual harassment is any unwelcome conduct of a sexual nature that may offend, intimidate, insult or humiliate a person. A single incident can amount to sexual harassment. It could be physical, verbal or written. A person can be sexually harassed by being exposed to or witnessing this kind of behaviour.

Examples of sexual harassment include:

- Unwelcome and unnecessary physical contact
- Requests for sexual favours
- Dirty jokes
- Intrusive questions or remarks about a person's private life or appearance
- Discussing your own or others' sexual behaviour
- Sexually suggestive jokes, comments, phone calls, emails or messages
- Sexually suggestive behaviour, such as staring or leering
- Brushing up against someone, touching, fondling or hugging
- Displays of sexually graphic or derogatory material, including posters, screensavers, photos and calendars
- Unwanted repeated requests to go out
- Sexually explicit emails, posters, text messages or social media posts.

Sexual harassment is different from an interaction that's consensual, welcome or reciprocated.

## 5. Standards of Behaviour

5.1. All members of the Mannix community are expected to:

- Treat others with dignity and respect
- Take reasonable steps to prevent harm
- Intervene safely where appropriate
- Comply with College directions and interim measures

## 6. Support-First, Trauma-Informed Response

6.1. Mannix College adopts a support-first approach. A person who discloses or reports an incident will be:

- Treated with respect and belief
- Given clear information about options
- Supported regardless of whether they choose to report
- Able to access internal and external support services
- Responses will be trauma-informed, culturally safe and responsive to individual needs.

## 7. Disclosure and Reporting Options

7.1. Individuals may choose to disclose or report an incident and may do so in different ways depending on their comfort, safety and preferences.

7.2. Disclosures and reports may be made:

- **Fully identified**, where the person shares their name and details
- **De-identified**, where identifying details are removed or limited
- **Anonymously**, where no identifying information is provided

The College will respect a person's preferences regarding identification as far as possible. However, anonymity or de-identification may limit the College's ability to investigate, take action or provide ongoing support.

7.3. **Disclosure** - A disclosure is about seeking support, information and options. Disclosures do not automatically trigger an investigation or disciplinary process unless required by law or where there is a serious and ongoing risk to the safety of the individual or others. In such cases, the College will take reasonable steps to discuss this with the person who made the disclosure where it is safe and appropriate to do so.

7.4. **Reports** - A report is a request for a formal College response. Reports may be made on an identified, de-identified or anonymous basis, noting that identified reports enable the College to respond more fully. Where a report proceeds, it may lead to a formal response under the Conditions of Residency or other applicable College or University processes. A person may choose to make a report at any time, including after first making a disclosure.

7.5. Disclosures or reports may be made to:

- Trained student leaders, including Resident Advisors, MCSS Committee members or Welcome Team Members
- Trained staff, including the Dean of Students, Student Life Coordinator, Director of Academics or Principal
- Via the College's online reporting form

7.6. Individuals may also report directly to the [Monash University Safer Community Unit](#), the Police or external specialist services at any time.



## **8. Risk Assessment, Interim Safety Measures and Support Planning**

- 8.1. Where a report is made, Mannix College will undertake a timely and proportionate assessment of risk.
- 8.2. Consistent with the Code, where risk is identified the College will ordinarily:
  - Conduct initial triage and risk assessment as soon as practicable
  - Put interim safety and support measures in place
  - Develop and review support and safety plans as required
- 8.3. Interim measures may include accommodation changes, behavioural directions, access restrictions, academic or work adjustments or other actions necessary to reduce risk.

## **9. Investigation and Outcomes**

- 9.1. Investigations will be conducted fairly, impartially and in accordance with procedural fairness and natural justice.
- 9.2. This includes:
  - Clear communication of allegations and processes
  - A reasonable opportunity for response
  - Decisions based on evidence and relevant information
- 9.3. Outcomes may include education, behavioural requirements, restorative processes, formal sanctions, termination of residency or referral to external authorities. Mannix College may take action to manage risk even where a person chooses not to participate.

## **10. Information Sharing and Coordination with Monash University**

- 10.1. Where required, Mannix College may notify or refer matters to Monash University, including the Safer Community Unit, in accordance with the Conditions of Residency and the College's Affiliation Agreement with Monash University.
- 10.2. Mannix College will coordinate with the Monash University Safer Community Unit as appropriate and share information lawfully to manage risk and support safety.

## **11. Confidentiality, Privacy and Record-Keeping**

- 11.1. Information will be handled sensitively and shared only on a need-to-know basis, consistent with privacy law, safety obligations and the Code

## **12. Protection from Victimisation**

- 12.1. Victimisation of a person who discloses, reports or participates in a process under this Policy is prohibited.

### 13. Roles, Responsibilities and Accountability

- 13.1. The Principal and Dean are accountable for implementation of this Policy and compliance with the Code.
- 13.2. Staff and student leaders must respond appropriately to disclosures, prioritise safety and complete required training.
- 13.3. All members of the Mannix community share responsibility for preventing harm and upholding behavioural standards.

### 14. General

- 14.1. Mannix College may amend this Policy by publishing updates on its website.
- 14.2. Mannix College is committed to being a vibrant living and learning community grounded in excellence, respect, community, resilience and integrity.

*Mannix is committed to being a vibrant living and learning community with core values of excellence, respect, community, resilience and integrity. Please go to <https://mannix.monash.edu/handbook-policies/> to view all of our policies.*

*Last updated: 15 December 2025*