

SEXUAL MISCONDUCT REPORT FORM

This Sexual Misconduct Report form can be completed by any person who has been subjected to sexual harassment or sexual assault, or by any first responder, bystander, staff or student of the University.

The form will be used to track incidents of sexual harassment and sexual assault impacting on JCU staff and students – and, if identifying and contact details of the person subjected to the harassment or assault are provided, to facilitate information provision and support.

Complete section A if you are using this form to report an incident that you have been subjected to. You are able to, but do not have to, identify yourself or the other people involved in the incident. You are able to provide as much or as little information as you feel comfortable to share.

Complete section B if you are using this form to report an incident that someone has confidentially disclosed to you, (that is, you are a first responder). You should advise the person who disclosed to you that you will be providing a de-identified report, and **only** provide identifying details if you have the consent of the person making the disclosure.

Complete section C if you using this form to report an incident that you are aware of through other means, for example, you were a bystander, or have been made aware of indirectly, (such as sexual harassment that happened to someone else in a lecture that you attended, or a sexual assault being shared on social media) you can provide details in this form without approaching or contacting the people who are directly impacted or involved.

The University will act in line with the wishes of the person who has been subjected to sexual harassment or sexual assault (if identified), except in exceptional and very limited circumstances, for example, where there is an immediate and serious risk to others. Please note, if the person who is the victim/survivor is under 18 years of age, JCU has legal mandatory reporting obligations, please contact a Sexual Misconduct Officer for immediate advice.

Using this Sexual Misconduct Report Form is not the same as making a Complaint to JCU. A Complaint is a different process where further details will be required. A Complaint may involve an investigation, and University disciplinary processes may be taken against a Respondent. See the [Sexual Assault Procedure](#) or [Sexual Harassment Procedure](#) on how to make a Complaint.

Sexual Misconduct Officers

This Report will only be accessed by the Sexual Misconduct Officers.

The Sexual Misconduct Officers are Manager, Student Equity and Wellbeing (students), Manager Staff Equity and Diversity (staff) **and** JCU's Chief of Staff. Information provided in this form will be confidentially managed, stored and archived in accordance with JCU's Discrimination, Bullying and Harassment Policy, Record Management and Information Privacy Policies.

Submitting this form

Submit the completed Sexual Misconduct Report Form to a JCU Sexual Misconduct Officer by emailing it to smo@jcu.edu.au. Please mark email as Private and Confidential. Alternatively, to ensure anonymity, it may be posted to Chief of Staff, James Cook University, 1 James Cook Drive, Townsville QLD 4810. A web based form to allow anonymous reporting is being developed.

Details on the Person making this Report

I am reporting an incident that I was subjected to { } Please complete section A

I am reporting an incident that happened to someone else and was disclosed to me as a first responder { } Please complete section B

I am reporting an incident that I am indirectly aware of as a third party/bystander { } Please complete section C

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SECTION A: REPORTING AN INCIDENT THAT YOU HAVE BEEN SUBJECTED TO:

Complete this section if you are Reporting on an incident that you have been subjected to. Remember you can provide as much or as little information as you feel comfortable.

Your name: _____ or Anonymous Report { }

Date this Report is being made: _____

Are you a JCU student { } JCU staff member { } Other { }. If other please specify _____

Type of incident (please refer to definitions provided on back of form if needed)

Sexual Harassment { }

Sexual Assault { }

Do you want to provide any information about the incident _____

When did the incident occur? Date: _____ Time (approx if known): _____

Where did the incident occur? On campus { } Specify location: _____

Off campus { } Specify location: _____

Prefer not to disclose { }

Was the alleged perpetrator: JCU student { } JCU staff member { }

Not JCU affiliated { } Unknown { }

Name of alleged perpetrator (if known): _____ Prefer not to disclose { }

If you are a student living on-campus, have you reported the incident to Hall/College staff? Yes/ No

Have you disclosed to other JCU staff, ie Equity Contact Officer, JCU Security, Counselling? Yes/ No

If Yes, to whom? _____

Have you Reported to Police, if applicable? Yes { } No { }

Have you connected with the Sexual Assault Service, if applicable? Yes { } No { }

Have you received medical support, if applicable, from the hospital/doctor? Yes { } No { }

Do you want to be contacted by a Sexual Misconduct Officer, or by JCU Student Equity and Wellbeing for support/follow up? Yes { } No { }. If yes, please provide best contact number _____

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SECTION B: REPORTING AN INCIDENT THAT HAS BEEN CONFIDENTIALLY DISCLOSED TO YOU BY THE PERSON WHO WAS SUBJECTED TO THE HARASSMENT / ASSAULT

That is, you are a first responder. You should advise the person who disclosed to you that you will be providing a de-identified report, and **only** provide identifying details if you have the consent of the person making the disclosure.

Your name: _____ Anonymous Report { } Date: _____

Are you a JCU student { } JCU staff member { } Other { } if other, please specify _____

The name of the person who has been subjected to sexual harassment or sexual assault
_____ (**ONLY** provide this if you have consent).

Is the person who has been subjected to sexual harassment or sexual assault a:

JCU student { } JCU staff { } Other { } if other please specify _____

Type of incident (please refer to definitions provided on back of form if needed)

Sexual Harassment { } Sexual Assault { }

Do you want to provide any information about the incident? _____

When did the incident occur? Date: _____ Time (approx if known): _____

Where did the incident occur? On campus { } Specify location: _____

Off campus { } Specify location: _____

Chose not to disclose { }

Was the alleged perpetrator: JCU student { } JCU staff member { }

Not JCU affiliated { } Unknown { }

Name of alleged perpetrator _____ (**ONLY** provide if you have consent) Not disclosed { }

If the person subjected to sexual harassment/sexual assault is a student living on-campus, has the incident been reported to Hall/College staff? Yes { } No { } Unknown { }

Has the person subjected to sexual harassment /sexual assault disclosed to other JCU staff, ie Equity Contact Officer, JCU Security, Counselling? Yes { } No { } Unknown { }. If Yes, to whom? _____

Has the person subjected to sexual harassment/sexual assault reported the incident to the Police, if applicable? Yes { } No { } Unknown { }

Has the person subjected to sexual harassment/sexual assault connected with the Sexual Assault Service, if applicable? Yes { } No { } Unknown { }

Has the person subjected to sexual harassment/sexual assault received medical support, if needed, from the hospital/doctor? Yes { } No { } Unknown { }

Do you know if the person who has been subjected to sexual harassment/sexual assault would like to be contacted by Sexual Misconduct Officer, or by JCU Student Equity and Wellbeing for support/follow up?

Yes } No { } If yes please provide best contact number for that person _____

Would you, as the first responder, like to be contacted by a Sexual Misconduct Officer for support/follow up. If yes, please provide your best contact number _____

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SECTION C: REPORTING AN INCIDENT THAT YOU ARE INDIRECTLY AWARE OF (THIRD PARTY/BYSTANDER)

Complete this section if you are Reporting an incident that you are indirectly aware of. (Third party reporting where you have not had direct contact with the person who was subjected to the harassment or assault) You can only provide identifying details with consent of the person making the disclosure.

Your name: _____ Anonymous Report { } Date: _____

Are you a JCU student { } JCU staff member { } Other { } if other, please specify _____

The name of the person who has been subjected to sexual harassment or sexual assault
_____ (ONLY provide this if you have consent).

Is the person who has been subjected to sexual harassment or sexual assault a:

JCU student { } JCU staff { } Other { } if other please specify _____

Type of incident (please refer to definitions provided on back of form if needed)

Sexual Harassment { } Sexual Assault { }

Please provide any information you have about the incident? _____

When did the incident occur? Date: _____ Time (approx if known): _____

Where did the incident occur? On campus { } Specify location: _____

Off campus { } Specify location: _____

Chose not to disclose { }

Was the alleged perpetrator: JCU student { } JCU staff member { }

Not JCU affiliated { } Unknown { }

Name of alleged perpetrator _____ (ONLY provide if you have consent) Unknown { }

Would you like to be contacted by a Sexual Misconduct Officer for support/follow up. If yes, please provide your best contact number _____

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Definitions:

Equity Contact Officer(s)	Equity Contact Officers can provide information and referral options for both students and staff regarding the Discrimination, Bullying, Harassment and Sexual Misconduct Policy, and related procedures.
First Responder	Any member of the University community may be a First Responder. A First Responder is a person who is confided in by another person who has experienced or is currently experiencing an incident/s of sexual harassment or sexual assault.
Report	<p>A Report is information provided to JCU about an incident or suspected wrongdoing that the person making the report believes to be Sexual Misconduct. A Report can be anonymous, and the person reporting is able to, but does not have to, identify the other person/people involved.</p> <p>The University can provide support to a person making the Report (if they have identified themselves) including Accommodations and Precautionary Measures, and advice about making a Complaint.</p> <p>Reports are processed through the completion of a Sexual Misconduct Report Form, and are recorded on the Incident Register.</p>
Sexual Assault	<p>Sexual assault is any unwanted or forced sexual activity without his or her consent. Assault occurs when a person:</p> <ul style="list-style-type: none"> • touches another person inappropriately without their consent – groping is a form of sexual assault; • forces another person against their will to commit an act of gross indecency - a sexual act that does not involve penetration, for example a person forces another person to touch their genitals; • forces another person to see an act of gross indecency, for example the person masturbates in front of the other person. <p>Rape is the most serious form of sexual assault, forcing someone to have sexual intercourse without his or her consent. Rape includes: (1) forcing someone to perform oral sex, digital penetration, and (2) inserting any object into the vulva, vagina or anus of another person without their consent.</p>
Sexual Harassment	<p>Sexual harassment is an unwelcome sexual advance, unwelcome request for sexual favours or other unwelcome conduct of a sexual nature which makes a person feel offended, humiliated or intimidated, and where that reaction is reasonable in the circumstances.</p> <p>It may include:</p> <ul style="list-style-type: none"> • displays of sexually graphic materials including posters, cartoons or messages left on noticeboards, desks or common areas; • repeated invitations to go out after prior refusal; • unwelcome and uncalled for remarks or insinuations about a person's sex or private life; • suggestive comments about a person's appearance or body; • sexually offensive phone calls; • offensive e-mails and text messages; • unwanted sexual attention using internet, social networking sites and mobile phones; • sexually offensive screensavers or posters; • a publication such as sexually offensive emails or graphics; • threats online; • revenge porn; • physical contact such as patting, pinching or touching in a sexual way; • unnecessary familiarity such as deliberately brushing against a person; • sexual propositions; • indecent exposure; • stalking; • pressuring a student to engage in sexual behaviour for some educational or employment benefit; or • making a real or perceived threat that rejecting sexual behaviour will carry a negative consequence for the student in education, on-campus residence, or University program or activity. <p>Sexual harassment is unlawful when it falls within the relevant statutory definition under the <i>Anti-Discrimination Act 1991</i> (Qld) and/or the <i>Sex Discrimination Act 1984</i> (Cth). Indecent exposure and stalking are criminal behaviours.</p>
Sexual Misconduct Officers	A Sexual Misconduct Officer will provide a single point of contact for a person who has made a Report or Formal Complaint. These University officers can facilitate Accommodations and Precautionary Measures. Designated Sexual Misconduct Officers at the University are the Chief of Staff, Manager Student Equity and Wellbeing (for students), the Manager of Staff Equity and Diversity (for staff).