

Sexual assault

The school has a very clear policy on what to do if someone has been sexually assaulted. This is to make sure that the student is cared for properly and protected from any further harm. This applies to both boys and girls and whether the assault has come from another student or an adult at school, and also from someone outside the school. It applies whether it has occurred at school or off campus.

What is meant by sexual assault and rape?

- Sexual assault is any physical act or verbal harassment of a sexual nature that is unwanted or may cause emotional or physical harm or damage to social relationships.
- In addition to penetrative sex, it includes unwanted touching or kissing, genital exposure, being forced to view pornography, as well as sexual teasing or verbal and cyber harassment by MSN, texting Email or photographs.
- Even sexual behaviour which starts off with mutual acceptance and pleasure, but goes too far and exceeds what one or other partner had wanted, or if it goes on after one partner wants to stop, could be regarded as sexual assault or rape.
- Any sexual activity involving someone who is under the age of 18 and the other is either more than two years younger or two years older is regarded in law as rape by the older person, even if it was by mutual consent.
- Sexual activity when a victim is drunk or on drugs may be regarded as rape or sexual assault, even if the person seems to have agreed to it at the time.
- Spiking drinks for any reason, and especially for sexual reasons, is a very serious crime.

What can you do if you have been assaulted (or even if you think you may have been assaulted)?

- You should not feel ashamed or guilty.
- You must tell someone about it as soon as possible. The longer you leave it the harder it will be to tell someone or do something about it.
- You should tell someone you trust. Perhaps the first person you feel comfortable to talk to would be a friend, but you really need to talk to an adult and don't forget you can talk to any staff member. A friend may help you to talk to an adult who is in the best position to respond.

- If there has been sexual penetration (e.g. mouth or genital) you may need to have tests for infection. These should be done as soon as possible: then you won't need to worry about this. If there is any possibility of getting pregnant, see a nurse at the medical centre without any delay. A nurse or a doctor can be very helpful and understanding. They would respect your confidentiality.
- When you have told a responsible staff member, they will make sure you are looked after and tell you what needs to be done to help you.
- The school wants to make sure you are alright and well cared for. It wants to make sure you are safe. Any action against the person who abused you, depending on whether you are at further risk, is secondary to this.

What could you do if you are worried that you may have assaulted someone?

- You should talk to someone you trust, especially a counsellor or nurse or doctor. They would treat this as confidential. They may be able to reassure you or suggest the best way to resolve the situation.
- You may be able to talk to the person you feel you may have abused. This may make you both feel better about the incident.
- You may learn from this how to treat others with care and respect in future.

What should you do if you suspect or know someone who may have been assaulted?

- It is everyone's responsibility to help each other at school, especially if they are in trouble. This is so, whether you are friends or not.
- You should encourage the person who may have been assaulted to talk a member of staff about it.
- You may be able to help them to do so by going with them to support them.
- If they don't go, you should discuss your concerns with a responsible member of staff.
- You don't have to say who was responsible for the assault.
- This is not dobbing, it is supporting a member of the school community.
- If you suspect something has happened but cannot approach the student about it, you could discuss this with a responsible member of staff.
- If you do see a member of staff, your name can be kept confidential.

What will a member of staff do when they are told about someone who has been sexually assaulted or abused?

- Any staff member who becomes aware that a student may have been sexually assaulted will take the matter very seriously and listen when the student tells them about it. This will occur whether the incident took place at school or off campus. It will be followed up promptly.
- If the information is given by another student, their name would remain confidential if the student requested this.
- If a student who has been assaulted would prefer to speak to a different person (e.g. a female staff member or nurse) then they will be given this opportunity.
- It is usually best if there are two staff members present during the discussion, if not at the first disclosure, then when it is discussed further. The school takes this very seriously and wants to provide the best help possible
- The question of confidentiality will be discussed with the student, including the fact that the staff member is obliged to discuss the information with an appropriate experienced senior staff member (e.g. the Head of House, or Head of Student Welfare and Head of Campus) who would also respect the student's confidentiality.
- The question of whether parents should be informed will be discussed with the student. If there has been a serious incident, then it is school policy that parents be informed so they can help and support their daughter or son.
- At all times the safety and comfort of the student who has been assaulted is the primary consideration. If there is any possibility of injury or sexual penetration, the student will need to have a medical examination as soon as possible, including when appropriate, tests for sexually transmitted infection. This can be done at Kennedy or by a doctor the student or family choose outside the school.
- The possible legal consequences of the assault would be discussed with the student.
- If the assault has occurred within the family or the family hasn't acted to protect their child, the school may be required by law to report the matter to the Department of Human Services. This would be discussed with the student.
- If the person who has made the assault is a student at the school, he or she would be interviewed as soon as possible and given the opportunity to discuss this in confidence. The student's Head of House and Head of Campus would be informed.
- Both the victim of assault and the person accused of the assault would be offered counselling.

Documentation in school files.

Documentation about the alleged assault, including information about the person accused of the assault, will be kept in a separate secure file, not in their medical or school record. The students, including the student accused of making the assault, would be informed of this and given the opportunity to read what is recorded in their file and discuss any information they think is wrong or inaccurate.

Do parents have to be told?

Your parents will want to help you, so they would expect to be told about this. If you have difficulty telling your parents, a member of the staff could help you. The school must inform parents about any serious matter that concerns their child.

Older students do have the right of confidentiality and in some cases parents may not need to be informed

What about the person accused of sexually assaulting someone?

If the person is a student or someone else connected with the school, they would be interviewed by a senior member of the school staff as soon as possible. What follows this depends on a number of things. Very occasionally a student is accused in error or acted foolishly but did not intend to cause harm, and would need counselling. The student who was assaulted may not want any action to be taken against the person assaulting them, and their wishes would be taken into account.

If the person who assaulted the student is an adult, including a family member, adult friend or anyone connected with the school, the school may need to inform the police or take action to protect the student.

For students at the school there are serious consequences for sexual assault, including expulsion.

The Principal