

24 October 2024

By email: fyi-request-28458-2fea84d3@requests.fyi.org.nz

Tēnā koe RC

I refer to your information request dated 20 September 2024 made under the Official Information Act 1982 (the Act):

Sexual misconduct is a serious issue within the university. The Sexual Misconduct Policy implemented in 2019 made a number of changes to how the university handles sexual misconduct. Please provide the following information on the University of Otago's response to sexual violence and misconduct within the university community.

Our *Sexual Misconduct Policy* confirms that the University of Otago is committed to creating an environment in which no form of sexual misconduct is tolerated and to having processes in place that reduce the likelihood of sexual misconduct. Where incidents of sexual misconduct are disclosed, the University will support those making disclosures while recognising the importance of fair process (including the right to be heard) for those alleged to have committed acts of sexual misconduct.

Our responses to each specific part of your request follow (please note we have retained the numbering in your original request, which omitted any question numbered 2.).

1. How many protective measures were imposed by the Proctor or agreed to since the university implemented this policy? (Protective measures in this case being the total number of pairs of people with protective measures between them.)

The Proctor has put in place protective measures in 17 cases involving sexual matters since the Sexual Misconduct Policy commenced in May 2019.

3. Has the University of Otago ever refused to implement protective measures, if so for what reason?

The Proctor is not aware of any case in which protective measures were requested but refused.

4. How many sexual misconduct investigations did the University of Otago carry out since this policy was implemented, how many did it carry out in the preceding 5 years?

The Proctor has formally investigated 23 matters involving students under the Sexual Misconduct Policy in the five calendar years from 1 January 2019 to present.

Prior to the commencement of the Sexual Misconduct Policy in May 2019, investigations into sexual misconduct could be carried out by the Proctor or by the wardens of residential colleges, including those residential colleges affiliated to, but independent of, the University. Any figures for the years prior to 2019 held by the Proctor will not represent all formal sexual misconduct investigations in relation to students. We therefore decline to respond to this request under section 18(g) of the Act, as the information requested is not held by the University.

5. Of the respondents, how many had multiple protective measure agreements with multiple different complainants.

5A. Of the complainants, how many had multiple protective measure agreements with multiple different respondents.

5B. Please provide a statistical breakdown of both respondents and complainants with multiple protective measure agreements.

The Proctor is not aware of any case under the Sexual Misconduct Policy where protective measures were put in place involving multiple respondents or complainants.

6. Of the complainants and respondents, how many were male? How many were female?

The Proctor advises that in all cases where the Proctor put in place protective measures under the Sexual Misconduct Policy, the complainants were female and the respondents were male.

7. Of the complainants and respondents, how many were Māori? How many were Pacifica? How many were Pākehā?

We decline to respond to this request under section 18(g) of the Act, as the information requested is not held by the University of Otago.

We hope this information is useful.

If you are not satisfied with our response to your information request, section 28(3) of the Act provides you with the right to ask an Ombudsman to investigate and review this response. However, we would welcome the opportunity to discuss any concerns with you first.

Yours sincerely



Bill Frewen
Manager Policy and Compliance