

# Sexual violence and harassment

A Union of Students' guide

Your Union of Students'  
independent advice service

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Talk to





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# What is Sexual Harassment and Sexual Violence?

## Definitions

### Consent

Consent is giving permission for something to happen. A person consents to sexual activity if he/she “agrees by choice, and has the freedom and capacity to make that choice.” (Sexual Offences Act 2003)

You won't have consented to sexual activity if at the time:

- you were under the age of 13
- you were threatened or coerced
- you were subjected to violence or threats of violence
- violence or threats of violence were made against someone else to force you to consent
- you were asleep, unconscious, drugged or incapacitated by alcohol
- your disability meant you were not able to communicate your lack of consent

It's important to remember that:

- you can withdraw consent to sexual activity at any point, even during sexual activity
- consenting to one sexual activity does not mean you consent to any other sexual activity
- being in a relationship does not mean that you give consent

### Harassment

Harassment occurs when someone behaves in a way which makes you feel distressed, humiliated or threatened. It could be someone you know or it could be a stranger.

According to the Equality Act 2010, a person harasses another person if they engage in unwanted conduct which violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment.

Examples of harassment include:

- unwanted phone calls, letters, emails or visits
- abuse and bullying online
- verbal abuse and threats
- stalking (which can include following a person, monitoring a person's internet or email use, watching or spying on a person and interfering with any property in the possession of a person)

Sexual harassment is harassment that is of a sexual nature. It is defined in the Equality Act 2010 as unwanted conduct of a sexual nature which violates the recipient's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.

Examples of sexual harassment include:

- unwanted phone calls, letters or emails of a sexual nature
- sending someone unwanted texts or “sexts” (texting sexual photos or messages)
- verbal abuse and threats of a sexual nature

### Revenge Porn

Revenge Porn is the sharing of private, sexual materials, either photos or videos, of another person, without their consent and with the purpose of causing embarrassment or distress.

The offence applies both online and offline, and to images which are shared electronically or in a more traditional way so it includes the uploading of images on the internet, sharing by text and email, or showing someone a physical or electronic image.

According to the Criminal Justice and Courts Act 2015, those found guilty of disclosing private sexual photographs and films with intent to cause distress can be sentenced to up to 2 years in prison and/or receive a fine.

**Note:** If the sexual images are of a person who is under the age of 18 then this would legally be considered as an indecent photograph of a child, even if the photographs are of yourself.

According to the Protection of Children Act 1978, those found guilty of taking or distributing indecent images of children can be sentenced to up to 10 years in prison and/or receive a fine.



According to the Criminal Justice Act 1988, those found guilty of having indecent images of children can be sentenced to up to 5 years in prison and/or receive a fine.

### **Stealthing**

Stealthing is where a condom is removed without the other person's knowledge or consent. This is also referred to as 'non-consensual condom removal'.

### **Voyeurism**

Voyeurism is when someone watches and/or records private sexual acts without consent.

According to the Sexual Offences Act 2003, those found guilty of voyeurism can be sentenced to up to 2 years in prison and/or receive a fine.

### **Exposure**

Exposure occurs when a person intentionally exposes their genitals, and intends that someone will see them without having given their consent and be caused alarm or distress.

According to the Sexual Offences Act 2003, those found guilty of exposure can be sentenced to up to 2 years in prison and/or receive a fine.

Nudity in public in can be punished as "disorderly behaviour" under the Public Order Act 1986 if there is intent to cause alarm. Those found guilty can be sentenced to up to 6 months in prison and/or receive a fine.

### **Sexual Assault**

According to the Sexual Offences Act 2003 sexual assault occurs when a person intentionally touches another person, the touching is sexual, and they do not have the consent of the person they are touching.

Sexual assault can happen through physical force or threats of force or if the attacker gave the victim drugs or alcohol as part of the assault. Not all cases of sexual assault involve violence, cause physical injury or leave visible marks.

Examples of Sexual assault include:

- sexual contact with someone who does not consent
- attempted rape
- sexual coercion
- unwanted, inappropriate touching above or under clothes

According to the Sexual Offences Act 2003, those found guilty of sexual assault can be sentenced to up to 10 years in prison and/or receive a fine.

### **Rape**

According to the Sexual Offences Act 2003, rape occurs when a person intentionally penetrates another's vagina, anus or mouth with their penis without the consent of the person being penetrated.

Assault by penetration is 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.

If the victim is forcefully made to penetrate another, the act can be prosecuted as "causing a person to engage in sexual activity without consent".

According to the Sexual Offences Act 2003, those found guilty of rape can be sentenced to life in prison.

### **Sexual Violence**

Sexual violence is a non-legal umbrella term used to describe any sexual act committed against an individual who has not freely given their consent. This includes sexual assault, sexual harassment and rape.



## If you experience sexual harassment

If you're experiencing harassment your options include:

- **Report the incident**  
You can do this anonymously through Report and Support or you can report it to a member of staff. The issue will be treated confidentially unless there are safeguarding concerns.
- **Contact the police**  
Emergency number: 999  
Non-emergency number: 101
- **Contact University Security**  
01332 591109  
[security@derby.ac.uk](mailto:security@derby.ac.uk)  
07771833091 (emergency and out of hours)

### For support and information:

- The Union Advice Service  
01332 591507 [advice@derbyunion.co.uk](mailto:advice@derbyunion.co.uk)
- The University Student Wellbeing Service  
01332 593000 [studentwellbeing@derby.ac.uk](mailto:studentwellbeing@derby.ac.uk)
- SV2  
[help@sv2.org.uk](mailto:help@sv2.org.uk)  
01773 746 115

Where possible **try to keep any evidence of the harassment** (messages, call logs etc.)

## If you experience sexual violence

If the offence has recently happened try to:

- keep the clothes you were wearing and don't wash them - the police may need them as
- evidence for the investigation
- keep any bedding (if it occurred in a bed) and don't wash it - the police may need it as evidence for the investigation
- avoid showering as there may be evidence which the police can use

If an incident occurs at University you can contact University Security at: 01332 597777

**If you are in danger dial 999 and ask for an ambulance and/or the police.**

If you don't want to report an incident to the police you might still consider seeking medical help as soon as possible because of risk of pregnancy, STIs.

You can contact a Sexual Assault Referral Centre (SARC) where they can offer you medical support and collect evidence that can be used if you choose to report the incident at a later date. They will keep any forensic evidence for 2 years so you will have time to decide if you would like to report or not.

The SARC for Derby City and Derbyshire is run by SV2.

SV2  
Millfield House  
85 Mill Lane  
Codnor  
Derbyshire  
DE5 9QC

Email: [help@sv2.org.uk](mailto:help@sv2.org.uk)

Advice Line: 01773 746 115 - option 1 (7 days a week 8.00am to 5.00pm)

Website: [www.sv2.org.uk](http://www.sv2.org.uk)

The police or SARC staff will:

- arrange for you to have a forensic medical examination (within 7 days of vaginal rape, 48 hours for oral rape, 48 hours for anal rape and 12 hours for digital penetration). You don't have to have an examination if you don't want to
- arrange treatment for any injuries you have
- give you support and advice
- explain what happens next



The police have specialist teams who are trained to deal with rape and sexual assault. You can ask to speak to an officer or staff member who's the same sex as you.

If you're under 17, the Child Protection Unit of your local police station will deal with your case.

### **Internal Support**

- [Student Wellbeing Service](#)
- [Union Advice Service](#)
- [Multi Faith Centre](#)

### **External Support**

- [Rape Crisis](#)
- [SV2](#)
- [Sexual Assault Referral Centres \(SARCs\)](#)
- [Independent Sexual Violence Advisers \(ISVAs\)](#)
- [Derbyshire Police](#)
- [GP](#)
- [GUM clinic \(Genito-Urinary Medicine\) - for screening and treatment of STIs](#)
- [Victim Support](#)
- [The Survivors Trust](#)
- [Survivors UK - Male Rape and Sexual Abuse Support](#)
- [Women's Aid](#)
- [Samaritans](#)
- [Crime Stoppers UK](#)
- [Citizens Advice](#)



## Guidance for handling disclosures of sexual violence

A disclosure is where someone tells you that they have experienced sexual violence. This does not mean that they necessarily want to report the incident, or speak about it with anyone else.

When someone discloses their experiences to you it's important to:

- Stay calm
- Listen without judgement
- Try not to direct or change the conversation
- Be empathetic and show your concern
- Allow the individual to stay in control of the conversation and of their decisions
- Take time for self-care after the conversation or seek support if you need it
- Acknowledge their courage in disclosing the incident
- Keep the disclosure to yourself, unless the person disclosing asks you to share, or you have a concern that there is a risk to others
- Ask them what they would like to happen next; whether they are wanting to make a report, or simply wanting to access support
- Advise them to explore the different support options available to them as outlined above
- Sensitively establish when the incident took place to ensure they do not miss the chance to have forensic evidence captured if they wish

## Reporting an incident

You can report something to the Union of Students if you're concerned for yourself or somebody else. There is no pressure to report incidents if you don't want to and all reports will be confidential. Union Staff will not share any information with the police without your consent unless it is believed that there is a greater risk to others.

Many people worry about reporting rape and sexual assault to the police because they:

- had been drinking alcohol or taking drugs at the time
- were in a relationship with or know the person who attacked them
- have had a sexual relationship with that person before
- had been kissing or touching that person before the attack
- were with someone of the same sex
- didn't say 'no' or fight back
- can't remember exactly what happened

If you've been raped or assaulted, **it is never your fault** – no matter the circumstances.

### Other ways to report

You can report an incident to anyone you feel safe with. This may include Halls of Residence Staff, Student Wellbeing Staff or any other member of staff you feel you can trust.

You can also report an incident through the following services:

- University of Derby Report and Support via UDO\* - a university based, confidential service that can offer a personal response to students who have been the victim of an incident.
- Police (In an emergency 999, in a non-emergency call 101)
- [Crime Stoppers UK](#)\*

\*offer an anonymous reporting option

A student can also formally accuse another student of harassment or sexual assault which can be investigated as part of the Union's or the University's Grievance and Disciplinary procedures.

Where there is an investigation into harassment or sexual violence at the university, both the accuser and the accused may be asked to sign an agreement in order to manage any further risks. For example, students may be asked to agree not to contact any other students involved.



## **If you're accused harassment or sexual violence**

### **Find out about the processes**

The Union of Students Disciplinary Procedure can be found on the website.

Anyone asking questions about procedures will not be assumed to have been involved in any wrongdoing.

Where there is an investigation into harassment or sexual violence at the university, both the accuser and the accused may be asked to sign an agreement in order to manage any further risks. For example, students may be asked to agree not to contact any other students involved.

### **Internal Support**

- [Student Wellbeing Service](#)
- [Union Advice Service](#)
- [Multi Faith Centre](#)

### **External support**

- [Citizens Advice](#)



## The impact of sexual violence

### The impact on victims and survivors

The impact of sexual violence is different for every victim and survivor. However, consequences can include:

- Sexually Transmitted Infections (STIs)
- Pregnancy
- Posttraumatic Stress Disorder - including flashbacks, nightmares, intrusive thoughts, hypervigilance, dissociation, issues with memory
- Avoidance of any reminders such as places or people
- Anxiety and fear
- Depression
- Self-blame
- Guilt
- Anger
- Difficulty concentrating
- Substance misuse
- Self-harm
- Eating-disorders
- Suicidal thoughts / behaviour

You may find the following services useful:

- [Rape Crisis](#)
- [Sexual Assault Referral Centres \(SARCs\)](#)
- [Independent Sexual Violence Advisers \(ISVAs\)](#)
- [SV2](#)
- [Citizens Advice](#)
- Counselling services
- [Crime Stoppers UK](#)
- GP
- [GUM clinic \(Genito-Urinary Medicine\) - for screening and treatment of STIs](#)
- [Mind](#)
- [Samaritans](#)
- [Survivors UK - Male Rape and Sexual Abuse Support](#)
- [The Survivors Trust](#)
- [Victim Support](#)
- [Women's Aid](#)

### The impact on perpetrators

Consequences of being found guilty of a sexual offence can include:

- Time in prison (up to life imprisonment depending on the offence)
- Fines
- Offences appearing on Disclosure and Barring Service (DBS) checks - restricting job and volunteer opportunities
- Receiving a Sexual Harm Prevention Order
- Being on the Sex Offenders Register
- Having to keep the police informed of your address
- Restricted travel outside the UK
- Restrictions on certain activities and areas frequented by children

You may find the following services useful:

- [StopSo](#)
- [Circles UK](#)
- [Unlock](#)
- [Nacro](#)

If you have any questions or concerns about anything you've read in this guidance please contact the Union of Students Advice Service:

[advice@derbyunion.co.uk](mailto:advice@derbyunion.co.uk)

01332 591507

[derbyunion.co.uk/advice/](http://derbyunion.co.uk/advice/)