

Rape and Sexual Assault Disclosure: Information for tutors and staff

University of Plymouth is committed to providing a safe environment for students, and to responding appropriately to any incidents. This guidance has been produced for front line staff to whom students may report an incident. It gives guidance on how to provide a safe space for the student and the opportunity for them to make an informed choice about what action to choose to take. It is worth noting that at the moment, reported incidents of rape or sexual assault to staff are rare.

As a matter of course, staff should not go against the student wishes and report the incident to the Police without their consent. Only in cases where there is an immediate and serious risk to the safety of others should the Police be informed before discussing this with the student and obtaining their consent.

Confidential and sensitive information should be recorded and shared only with the knowledge and, in most cases, the agreement of the student involved in the incident.

Please see below the checklist of steps to be taken in case of sexual assault disclosure from students:

1.
 - Assess the immediate risk to the student or others
2.
 - Create a safe environment
3.
 - Advise the student about the preservation of forensic evidence
4.
 - Allow the individual time to talk, but make only a brief record of the student's account and ask the student to confirm that they agree with what is written
5.
 - Give the student a **Sexual Assault: Information for students** sheet, and allow them time to read it or read it with them to ensure they have enough information to make a decision.
6.
 - Ask the student what they want to do next re: making a report to the Police or seeking further help and support
7.
 - Check whether alternative accommodation is required – for immediate safety/risk and/or to alleviate shock and trauma.

1. Assess the immediate risk to the student or others

If a student presents in distress following a very recent reported incident of sexual violence, it is important immediately to assess whether the alleged assailant is still in the vicinity and an imminent risk to either the student or to others, and whether the student has any injury serious enough to require immediate medical attention.

If the assailant is still in the vicinity and an imminent risk to others, and you consider the situation to be an emergency, call the Police on 999. Similarly, if the student has any serious injury, call an ambulance on 999. The operator will ask for your name, address and details of what has happened, so they can make an appropriate response. For incidents in University premises call the University Security Office on 01752 588400 or ext 3333

You do not need the student's consent in these exceptionally risky circumstances.

2. Create a safe environment

If the situation is not an emergency requiring the immediate attention of either the Police or an ambulance, invite the student to a warm, quiet area where you will not be overheard or interrupted.

If you are alone with a student who is distressed and possibly feeling vulnerable, it is best to inform a colleague what you are doing. If you are at all unhappy about dealing with the incident, remain with the student until alternative support can be found.

Check if the student would prefer to talk to someone of a different gender.

If the student is accompanied, check that this person's presence is welcomed and if not, tactfully explain that you think it best she/he leaves to allow the student time to regain some privacy.

If the student is not accompanied, check whether they would like a friend to be contacted for support.

Remember – at all times - ask the student what they want to do. Do not make assumptions and do not act without their consent.

Allow time to talk. Do not anticipate what this incident is about and do not put words into the person's head. Each person's experience of sexual violence will differ as will the effect that it has. Some individuals may appear calm despite a serious assault. Your role is to provide immediate, non-judgmental, safety and support.

The Police advise that any questioning should stop as soon as a student says that they wish to report the incident to the Police, however, if a student is in full flow and needs to talk about what they have experienced it is best not to stop them but keep all questions to a minimum. It is important that the police are called as soon as possible after this decision is made.

- **If the disclosure is immediately after the incident, call 999; the perpetrator may still be within the area and there could be a better chance of arresting them.** Where possible the Sexual Offences & Domestic Abuse Investigation Team will respond but in emergencies it could be a uniformed officer in the first instance.
- **If some time has lapsed after the incident, you can contact the Devon & Cornwall Police on 101.** The line is staffed 24 hours a day by trained operators. Where possible the Sexual Offences and Domestic Abuse Investigation Team will respond.

- The officer allocated to the case will remain with the victim throughout the investigation as will the ISVA (Independent Sexual Violence Advocate irrespective of the length of time it takes to close the case.

3. Advise the student about the preservation of forensic evidence

This is only relevant if the assault has only just happened or has occurred within the previous 7-10 days and the student wants to report the incident to the Police either now or possibly in the future. As technological advancements are forever changing please do not hesitate to report if it has been over this time frame. If a victim wants a medical they will be given one even if it is after 7 days. The Police may capture something they can later use in evidence.

To obtain forensic evidence, swabs are taken from any part of the body or place that the assailant came into contact with. Forensic evidence may be collected for up to 7 days after the incident, so it is important that the student is aware of the following (if relevant) if she/he wants to inform the Police now or at a later date.

The student is advised **not** to:

- wash any part of the body including the hair
- brush teeth
- smoke
- eat or drink – including any non-essential medication
- go to the toilet or discard any tampons or sanitary towels.
- remove or wash any clothing worn at the time of the incident or afterwards
- tidy up, remove any items that the assailant touched or clean the area where the assault occurred

If they have done any of these things, it is often still possible to get some forensic evidence, so this **should not stop them reporting**.

Time limits to be aware of:

- If there a suspicion that drugs were given, it is best to be tested within 24 hours
- For emergency contraception, the medication should be started ASAP and within 72 hours.
- For HIV prophylaxis, the medication should be started within 36 hours.
- For evidence to be collected this should be done **ASAP, any evidence collected can be stored whilst the student decides what to do next.**

The student should be advised not to change clothes but, if they already have, the clothes they were wearing at the time of the incident should be collected and placed in a clean plastic bag with the time, date and location where they were taken off, recorded and attached to the bag. Any bedding or a used condom, if relevant, should be placed in separate bags.

If there are signs of a disturbance at the scene, it would be useful for photographs to be taken - especially if the student is unsure at this stage whether or not to report the incident to the Police.

If the student thinks they may have been drugged they should produce a urine sample at the Sexual Assault Referral Centre (SARC) in Plymouth <https://sarchelp.co.uk/plymouth-sarc/> Help line 0300 3034626. (Truro <https://sarchelp.co.uk/truro-sarc/> Help line 0300 3034626) However, although this is best practice, due to how quick date rape drugs leave the system and potential delays of getting to the SARC, Police suggest the victim gives a sample in a sealed unit (say food-

bag or small clean jar) and stores it in a fridge. This way they would at least have a sample that could be considered for forensic examination.

The student should also be advised to preserve any other possible evidence such as mobile phone lists, texts and voicemails; photos; and emails.

However difficult it may be for the student, she/he needs to be aware of all this, as it will help them decide what action they want to take.

4. Allow the individual time to talk, but make only a brief record of the student's account and ask the student to confirm that they agree with what is written

Focus on what is being said not on what you are going to say or do. Do not lead the conversation by asking questions: *you are not investigating or gathering evidence.*

Do not make assumptions about what the student wants, feels or felt. If you allow your own feelings and reactions to surface, this might discourage the student from feeling that it is acceptable to speak about how she/he actually feels about the experience. You should always accept what the student says regardless of any private reservations you may have.

Save your reactions and feelings for a debriefing session.

Make a note of the student's name, alleged assailant's name if known, time and date of incident only. In addition, you may want to record what help/support you offered the student as part of your duty of care. If you write anything down, it must be brief and factual without recording opinions. Any notes taken by a "first responder" are known as a "first report" and can be used by the Police or in court. Memories of an incident may be fragmented at this stage and you may unwittingly reinterpret what is said to you.

You can show the student anything you write down and ask them to confirm what you have written by signing it.

Any member of staff who has spoken to the student may be what the police call an 'early complaint witness' and you may be required to provide a statement at some point. Any notes you make at the time as well as your experience of the student's emotional state/demeanour may be used in evidence.

The Police advise that discussion should stop as soon as they can after a student says that they wish to report the incident to the Police and that they are called as soon as possible after this decision is made. However, if the student is in full flow it may be damaging to interrupt them, so compassionate listening rather than questioning would be acceptable.

5. Give the student a 'Sexual Assault: Information for Students' leaflet.

Allow them time to read it or read it with them to ensure they have enough information to make a decision.

6. Ask the student what she/he wants to do next re: making a report to the Police or seeking further help and support

The student will need to consider whether they wish to report the assault to the Police either immediately or possibly in the future. It is the right of each individual to define their own needs and to choose what to do. Reporting doesn't always mean taken formally.

You may feel the Police 'should' be called, particularly if you feel the student has been harmed: *this is not your choice, unless there is immediate and serious cause to be concerned for the safety of the student or for others in the vicinity.*

The student also seriously needs to consider seeking medical help as they could be injured or be at risk of pregnancy or contracting a sexually transmitted infection (STI). However, it is not appropriate to call an ambulance against the student's will if there is no evidence to suggest that the student requires urgent medical attention. You can offer to do this or to arrange for the

student to go to Accident and Emergency at Derriford, but you should not enforce it. You could also suggest that the student could call for advice on an injury by making contact with their own GP or the "Out of hours" GP service on 111.

Make a note of any help that you have offered to provide in your brief report.

See section 8 for information about reporting to the Police.

7. Check whether alternative accommodation is required

You should check whether the student needs to be found alternative accommodation for their immediate safety or to alleviate shock and trauma. This could be relevant regardless of where the student lives – in Halls or in private accommodation.

The student may require support in getting home. This will need to be treated with great sensitivity due to the nature of the alleged incident and therefore risk assessed both in terms of the alleged victim and the person seeking to support them. The student may want support in contacting friends or family at this time but this needs to remain their decision.

8. Options for reporting the incident:

a) The student wishes to disclose incident to Police

If the student wishes to report the incident to the Police, it is preferable for them to make the initial call to the Police themselves. Taking control of what happens next is important in helping them process and deal with the trauma. If they don't feel able to do this confirm you have her/his permission to do this for them.

If the perpetrator is still at the scene or nearby, call 999. The police operator will ask for the student's name, address and details of what has happened, so they can make an appropriate response.

Otherwise contact Devon & Cornwall Police on 101. The line is staffed 24 hours a day by trained operators.

Specially trained officers usually attend at this point, but in emergency cases, especially if there is likelihood of apprehending the perpetrator, rapid response officers may be the first to arrive.

The Police can take the student to the Sexual Assault Referral Centre (SARC) in Plymouth, Hawthorne House, Darklake View, Estover, Plymouth, PL6 7TL where he/she can have a forensic medical examination and immediate medical and emotional support.

The Police aim to take a "victim focused" approach to allegations of sexual assault and will always commence an investigation on this basis. The student should be encouraged to be honest and open about any drugs or alcohol they have taken, it may help to demonstrate their inability to fully consent.

The Police will take a statement first - either on site or at the Police station – and that is usually a video statement in order to achieve best evidence (ABE). They will then decide whether to take the student to a Sexual Assault Referral Centre to which the Police have 24 hour access.

Students may want to take a friend for support and will need a change of clothes if they haven't already changed. They should take any other potential evidence such as changed clothes, bedding and used condoms in clean plastic bags - if relevant.

You should make the student aware that they can opt out of the Police reporting process at any point without losing any sources of support.

b) The student does not wish to contact the Police, but would like to preserve forensic evidence so that they can retain this option for the future

Ideally the student should report the incident and visit Hawthorn House (SARC) without delay; however, this is their choice. Many people do not wish to report immediately, but decide after a

while that they want to do so. This is perfectly acceptable and there are steps you can take to make this easier.

If the student is not sure what to do, they can still go to the SARC, without reporting the incident to the Police, for medical and emotional help. Students can self-refer by calling the helpline 0300 3034626. Forensic evidence (depending on the part of the body) can be preserved up to seven days after the incident. Mouth and urine tests need to be done very quickly before eating and drinking etc. Anal forensic evidence lasts up to three days, vaginal up to seven days and digital up to 48 hours. The SARC can store forensic evidence until the student makes up their mind about reporting. If the student agrees, the SARC can also keep DNA results on record and compare with results held on record from other reported assaults, still with no obligation to report. Students should be aware of this when deciding whether to wait or not.

c) The student is completely sure that they do not want to report the assault to the Police at any time.

Another option is to report anonymously. This can be done by contacting **Crimestoppers on 0800 555 111**. It can put the assailant on the police radar. They might not be arrested, but it can help make another reported case stronger. Alternatively you can give information as intelligence to the Police on the **non-emergency number 101**. The police are then able to act on this information which could include a visit to an alleged assailant.

If the student is sure that she/he does not want to report the incident to the Police at any time, then she/he can still access the Sexual Assault Referral Centre. She/he can choose not to provide forensic evidence but can still receive specialist medical support and be referred for counselling.

Alternatively, or first of all - especially at the weekend or evenings, the student can get 24 hour access to the Accident and Emergency Department at Derriford for the treatment of any injuries. (Severe injuries would of course warrant calling an ambulance with or without the consent of the student). Access to "out of hours" medical advice and GP Service can be accessed through the 111 service.

In general, doctors respect the confidences of their patients, but occasionally e.g. if it is in the public interest or if the patient is without the mental capacity to make a decision, they may contact the Police. Students should be aware that this does not mean that they need make a statement or co-operate with any investigation if they do not wish to.

Be aware that although the SARC is located in Plymouth some students may need help in getting there; if necessary arrange for a taxi to be paid for by the university.

d) Historical incidents of Sexual Violence

There is no time limit for investigating and prosecuting incidents of sexual violence. If a student discloses details of an assault which happened previous to seven days earlier or even years before, they can still be referred to the SARC or the Rape & Sexual Abuse Line.

Please see the police website for further information on reporting:

<https://www.devon-cornwall.police.uk/advice/crimes-against-the-individual/rape-sexual-assault/reporting-a-rape-or-sexual-assault/>

9. Sources of help

Student can talk to people in the University:

- GP
- Tutor
- Senior Tutor
- Student Wellbeing Services
- Chaplain
- Student Welfare Service

For expert advice on these issues:

Sexual Assault

<https://sarchelp.co.uk/>

<https://sarchelp.co.uk/information-sexual-assault/>

Sexual Assault Referral Centre (SARC) - Plymouth

Hawthorne House, Darklake View, Estover, Plymouth, PL6 7TL

Sexual Assault Referral Centre (SARC) – Truro

The Willows, Truro Health Park, Infirmary Hill, Truro, TR1 2JA

Independent Sexual Violence Advocacy (ISVA)

<https://sarchelp.co.uk/information-sexual-assault/what-is-an-isva/>

Plymouth: Hawthorne House, Darklake View, Estover, Plymouth, PL6 7TL

Truro: The Willows, Truro Health Park, Infirmary Hill, Truro, TR1 2JA

Helpline: 0300 3034626

Safer Futures – Cornwall and Isles of Scilly Domestic Abuse & Sexual Violence Service

Helpline: 0300 777 4 777

Secure Email: saferfutures@firstlight.org.uk

Non-secure Email: saferfutures@firstlight.cjsm.net

First Light - Plymouth Therapy & Counselling Service counselling support for rape and sexual assault

<https://www.firstlight.org.uk/get-help/>

Helpline: 03458 121212

Email: info@firstlight.org.uk

Cornwall Rape & Sexual Abuse Centre CRASAC - counselling support for men and women

<http://www.crasaccornwall.co.uk/>

Truro Health Park, Infirmary Hill, Truro TR1 2JA. Helpline 01872 262100

Women's Rape & Sexual Abuse Centre WRASAC

<http://www.wrsac.org.uk/>

01208 77099 10am-1pm Mon-Thurs & 7.30pm-10pm Mondays

Survivors UK – support for male survivors. Helpline: 0845 1221201, Mon, Tues and Thurs 7-10pm <http://www.survivorsuk.org/>

M-Power – for male survivors
Helpline: 0808 8084231 Thurs 8-10pm

Rape & Sexual Abuse Line
<http://www.therapeandsexualabusehelpline.co.uk/>
Devon Helpline: 0808 800 0188

Operation Emotion Support for male survivors.
www.operationemotion.com
Helpline 07539 810096.

Domestic Abuse/physical violence

Plymouth Domestic Abuse Service -provide support for men, women and children who need advice and protection from domestic abuse. Help includes refuge and one-to-one support and confidential advice.

Plymouth Domestic Abuse Services can be reached on: 01752 252 033 or pdas@sanctuary-housing.co.uk

The number for Plymouth refuge is: 01752 562 286

Cornwall and Isles of Scilly Domestic Abuse Service IDVA

Helpline: 0300 777 4777

Email: reach.support@firstlight.org.uk

Cornwall and Isles of Scilly Sexual Violence and Assault Service

Helpline: 01872 272 059

Email: willow.support@firstlight.org.uk

<http://safercornwall.co.uk/what-we-do/dasv-hub/>

Domestic Violence and Abuse Service (South and West Devon)

<http://www.charitychoice.co.uk/dvaas>

Broken Rainbow – for LGBT (lesbian, gay, bisexual and trans) people, experiencing domestic abuse <http://www.brokenrainbow.org.uk/>

National Women's Aid <http://www.womensaid.org.uk/>

Southall Black Sisters – for black and Asian women and children experiencing domestic and sexual violence, including forced marriage and honour crimes.

Helpline: 020 85710800 10am-5pm Mon-Fri (closed Weds 12.30-1.30). Languages: English, Hindi, Punjabi, Gujarati and Urdu.

Rights of Women - a women's voluntary sector organisation which provides free legal advice and information to women affected by sexual violence. They publish a range of free information on areas of sexual violence law to support women through the criminal justice process, including From Report to Court: a handbook for adult survivors of sexual violence. www.rightsofwomen.org.uk/legal.php

Sexual Harassment

Advice Place

<https://www.eusa.ed.ac.uk/adviceplace/healthandwellbeing/harassment/sexualharassment/>

Stalking

Stalking Helpline <http://www.stalkinghelpline.org/>

Network for surviving stalking <http://www.nss.org.uk/>

University Support Services

Student Counselling and Personal Development Service <https://www.plymouth.ac.uk/student-life/services/learning-gateway/counselling>

Sexual Offences Support & Advice <https://www.plymouth.ac.uk/whats-on/sexual-offences-support-and-advice-drop-in>

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Devon and Cornwall Police, Sexual Offences & Domestic Abuse Investigation Team

Sexual Offences Liaison Officer

Plymouth SARC