Working paper: Online sexual harassment in UK universities and performing arts institutions: are we doing enough? (April 2022)

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Key points:

- Despite an increased focus on online harassment in higher education (HE) in recent years, online *sexual* harassment tends to get lost within this broader focus
- Our research and activism has found that online sexual harassment in HE takes various forms including 'grooming' and boundary-blurring behaviours by staff, and abusive messages, gaslighting, stalking, threats and image-based sexual abuse
- We analysed sexual harassment and social media policies and reporting information at 14 universities and 9 performing arts institutions (conservatoires and drama schools) to see whether these behaviours were visible in policies
- Across the performing arts' institutions, out of nine institutions, only two (LAMDA and Guildhall) had bullying and harassment policies that mentioned online harassment but neither of these included clear definitions of online sexual harassment
- Across the 14 universities investigated, none had clear definitions of online sexual harassment in their social media policies, and in their harassment policies, online sexual harassment was subsumed under other forms of bullying/abuse
- The use of the word "repeatedly" came up in some definitions of online harassment. This is incorrect; behaviour does not have to be repeated to constitute sexual harassment
- HE institutions need to pay more attention to online sexual harassment. Online sexual harassment and violence must not be trivialised as 'less serious' than offline violence/harassment

Introduction

During the Covid-19 pandemic, higher education moved online, leading to a renewed focus on online harassment. It became clear that – as with many aspects of the higher education sector's response to sexual harassment and abuse – shared standards and appropriate policies and procedures for ensuring online safety were lacking.

Prior to the pandemic, cases of online sexual harassment had already hit the headlines in the Warwick University and Durham University 'rape chat' scandals in which young men shared group messages objectifying women, sharing rape jokes and glorifying non-consensual sex. Despite this public scrutiny, there exists a gap in both academic literature and sector data regarding the nature and extent of online sexual harassment in the higher education sector. In August 2019, Universities UK (UUK) published a report and toolkit, *Tackling Online Harassment and Promoting Online Welfare* (2019)*,* focusing on online harassment more generally. This report provides a helpful step forward, but we were concerned that sexual harassment in particular could be lost in a generalised approach to online harassment. Sexual harassment is a unique abuse of power which needs to be understood on its own terms, separate to (also very serious) issues of racism or other forms of discrimination. Clear definitions are essential for survivors to recognise their experiences, which are frequently confusing and overwhelming. Online sexual harassment must be defined clearly in light of an increasingly digital academic world, in order that staff and students understand what it constitutes, and how to recognise and report it.

18 months on from the UUK report being published, and against the backdrop of the higher education world moving online during the pandemic, we wanted to see what progress was being made in universities – on paper at least – in tackling online sexual harassment.

What do we already know?

Based on the existing research in this field as well as relevant scholarship on cyberbullying, sexual harassment and trolling, it is clear that online sexual harassment leads to equally severe consequences and fears for safety as offline sexual harassment. This is echoed in the UUK *Tackling Online Harassment and Promoting Online Welfare* report as well stating that online harassment faced by students in universities can have severe long term repercussions on their physical and mental health affecting their academic achievements and future career prospects. It also highlights that for many young people, online sexual harassment has become a part of their digital lives and to some extent it is normalised and expected. Understanding this is essential for universities while developing policies, strategies and interventions to challenge such behaviour.

One of the key points highlighted in the research on online versus off-line spaces and sexual harassment, is the blurred boundaries between the two spheres. Societal power hierarchies are mirrored in virtual spaces, meaning that virtual spaces cannot be viewed as separate but rather a continuum of physical spaces (Herring 1999; Lindsay and Krysik 2012). Lumsden & Morgan (2017), similarly argue that online sexual harassment targeted at women online, including death and rape threats, is simply an extension of the re-emergence of the wider rape culture prevalent in society. Filipovic (2007) analyses about the relationship between online misogyny and real-world harassment and argues sexualised insults online are an attempt to put women in their place and relegate them to the domestic sphere (Filipovic 2007, 302). Lesbian, gay, bisexual, and/or transgender, and/or non-binary people (LGBTQ+) are also more likely to experience online harassment (Universities UK 2019, 6).

One of the most common ways in which online sexual harassment occurs is through image-based sexual abuse (Henry et al. 2021). This refers to the non-consensual taking or sharing of nude or sexual images, as well as threats to share such images (2021, 4). They argue that the colloquial term for this form of abuse, 'revenge porn' is inaccurate and unhelpful for several reasons, for example, it implies that it only happens within the context of an intimate partner relationship – which is not true – and that it suggests a parallel with commercial pornography, which fails to recognise the harms involved in this type of abuse (2021, 4). While Henry et al. suggest the word 'abuse' to describe this phenomenon, we argue that it comes under a definition of 'online sexual harassment' as outlined below. Higher education institutions need to be aware of this issue as it is very common among young people in their study (the UK, Australia and New Zealand).

Recent reports and government proposals have started to address online harassment, broadly speaking, in promising ways. The UUK report identifies seven key principles to support higher education institutions in addressing online harassment and promoting online welfare. These are to sustain commitment and accountability from senior leaders, to implement a whole-institution approach, to engage students in a shared understanding of online harassment and in the development, delivery and evaluation of interventions, to develop and evaluate prevention strategies, to develop and evaluate response strategies, to promote online safety and welfare, and, to share knowledge and good practice. These principles are ones that we support, however, as we outline below, within this work, attention needs to be paid to the specifics of sexual harassment and abuse in an online context.

The UK government are also proposing to tackle this issue. The Online Harms White Paper sets up the government's ambition for a new legislative framework to tackle online harassment, establishing a duty of care on companies to improve the safety of their users online, overseen and enforced by an independent regulator. In the same way, higher education institutions also have a duty of care towards its students and to ensure that students and staff have a safe living and working conditions both online and off-line.

There is no consensus on terminology for online sexual harassment in scholarship (Henry and Powell 2018). As we outline below, this lack of clarity is also reflected in university policies. Universities UK's report defines online harassment 'as the use of information and communication technologies by an individual or group to repeatedly cause harm to another person with relatively less power to defend themselves.' (2019, 5). However, online sexual harassment does not have to occur 'repeatedly' to be harmful (Henry et al. 2021), so this generalised definition fails to account for the harms that sexual harassment/abuse might incur and the gender-specific nature of these harms; as Henry et al (2021) note, women and minoritized people are more likely to experience harms as a result of image-based sexual abuse (2021, 47). Furthermore, this definition does not cover sexual harassment under the Equality Act (2010): 'unwanted conduct of a sexual nature which has the purpose or effect of violating the recipient's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment' (Equality and Human Rights Commission 2010, 22). Nor is harassment related to sex/gender[1], such as unwanted sexist comments, covered in UUK's definition.

Therefore, we argue that gender-neutral definitions are inadequate for online sexual harassment and should instead draw on the Equality Act definitions of sexual harassment and harassment related to sex. The Equality Act definition of sexual harassment is often mentioned in policies but in the ways it is discussed in these policies, as we outline below, it is poorly operationalised and does not make clear the links with sexual violence and sexualised threats. In particular, what is often overlooked is the fact that sexual harassment and online sexual harassment may also be 'on the continuum of sexual violence because [they] share common characteristics with other forms of sexual violence' (McGlynn et al. 2017, 36). For example, in image-based sexual abuse, 'the abuse is sexualised, sexual imagery is the focus of the abuse, and women experience these phenomena as a form of sexual assault' (McGlynn et al, 2017, p. 36). The harms experienced include those identified by Kelly (1988, 76) in describing the continuum of sexual violence including 'abuse, intimidation, coercion, intrusion, threat and force'' (McGlynn et al, 2017, p. 27). Higher education institutions therefore need to supplement the Equality Act definition of sexual harassment with examples that make it clear that this includes sexual violence and abuse. Therefore we propose instead the following definition of online sexual harassment:

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[1] We include the term 'sex' here as this is the term used in the Equality Act, however it is more appropriate to refer to harassment related to gender. 'Gender reassignment' is included as a separate protected characteristic under the Equality Act.

Online sexual harassment is unwanted[2] conduct of sexual nature online, which has the purpose or effect of violating the recipient's dignity or creating an intimidating environment because of their gender or sexuality. Online sexual harassment exists on a continuum with other forms of sexual and gender-based violence and at the intersection with other protected characteristics and forms of minoritized positionality.

There exists some evidence showing that higher education institutions still have a long way to go in this area. Universities UK (2019) notes that 'evidence of institutional policies […] in this area is largely undocumented' (2019, 36). More recently, Phippen and Bond carried out FOI requests to 135 UK universities asking for their 'polic(ies) addressing how the institution tackles online abuse (including image-based abuse and online harassment) or hate speech online in the student body' (2020, 3) and found that 'the UK Higher Education sector pays scant regard to online harassment and abuse at a policy level' (2020, 11). Our analysis below builds on this study to explore what detail is included in policies at an institutional level, in order to make suggestions for how to improve policies.

What types of online sexual harassment are occurring in universities?

Our activism and research supports the picture painted in previous research, as outlined below.

Student-student online sexual harassment: Account for This was a campaign that was formed in 2017 as the response and outcome of an ongoing struggle by a group of students at SOAS, University of London to address the institution's inefficient and indifferent responses to complaints of sexual and gender based violence. During their campaigning, students repeatedly asked for support with online sexual harassment. The types of online sexual harassment they were experiencing included abusive messages, gaslighting, stalking, threats and image-based sexual abuse. In many cases encountered by Account for This, offline physical violence that students experienced continued online in the form of chats and message. Hence, while filing complaints or writing public testimonials, survivors used screenshots of Whatsapp chats or messages on social media such as Facebook or Instagram as a proof of violence However, some survivors were extremely wary of disclosing screenshots due to fear of being victim blamed. Further, survivors who have shared online testimonies or students who are vocal online about rape culture and patriarchy found that the victim blaming and slut shaming they face online is similar to and a continuation of the abuse they face in real life. Online harassment could also include perpetrators contacting or threatening to contact mutual friends, parents, relatives, or partners of survivors on social media with the purpose of shaming survivors or as a blackmailing tactic. This can

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[2] Elsewhere, we have argued that defining conduct as 'unwanted' may overlook consensual acts that are nevertheless harmful to the person targeted and that 'in the context of the unequal power relationships that exist between staff and students, notions of […] consensual relations must be examined critically' (Page et al., 2019: 1312). The Equality and Human Rights Commission has now clarified its use of the term unwanted, noting that 'the word 'unwanted' means essentially the same as 'unwelcome' or 'uninvited'' and note that 'it is not necessary for the worker to say that they object to the conduct for it to be unwanted'. While this clarification still leaves some unanswered questions, we retain it here in order to be able to draw on terminology in line with the Equality Act. See: Equality and Human Rights Commission (2020) *Sexual harassment and harassment at work: Technical guidance*. January. Equality and Human Rights Commission. https://equalityhumanrights.com/en/publication-download/sexual-harassment-and-harassment-work-technical-guidance p.18

be especially dangerous for students coming from conservative families or cultural backgrounds where pre-marital sexual relationships are considered to be taboo.

Along similar lines, research carried out by Dr Adrija Dey with students on sexual harassment in UK universities during 2020 found that students were being coerced to send nude photos or receiving unwanted sexualised images and that led to feeling violated and unsafe. In a discussion group, women and queer students spoke about their trauma of receiving unwanted private pictures from men. Most women in the discussion group agreed that they had received unwanted images or been pressurised to send images. They also described using safety strategies such as never showing their face in the images or removing identifiable markers to avoid being recognised if the photographs were leaked. However, men in the discussion group had very different experiences to the women. While they seldom received such images, nor did they feel like these images were unwanted or violating. Indeed, some mentioned that they even liked receiving them. These gendered differences show that any understanding or definition of online sexual harassment must include an intersectional gendered analysis.

Staff-to-student sexual harassment. Dr Anna Bull and Dr Tiffany Page's research shows one of the distinctive ways in which online sexual harassment occurs between staff and students is in 'grooming' and boundary-blurring behaviours by staff (Bull and Page, 2021) . Both online and offline grooming involve a pattern of behaviour over time in which a staff member breaks down professional boundaries while also making the student feel complicit in the escalating abuse. In our research, these behaviours could take place on a variety of platforms including Instagram, Twitter direct message, Facebook messages, and email. In some cases, the harassment was primarily or solely online, and it could continue for months or even years. Students who were targeted felt that they had to reply to messages from their lecturers, even when replying made them feel complicit in the harassment and too ashamed to report it.

In some ways, however, online grooming is distinct from offline harassment. First, it means that perpetrators can target even more people; one interviewee in our ongoing research described the lecturer who sexually harassed her online as also targeting at least 30 other women. A second distinctive characteristic is that this harassment leaves a written record. This is a double-edged sword – it can make it easier to report as there is clear evidence. But students may also feel reluctant to report as they are ashamed of sharing the messages that they have written and they may feel complicit in the harassment.

These examples shows that online sexual harassment takes a variety of forms and may not be simple to recognise for those who are targeted. There is an urgent need to recognise the nature, extent and nuances of violence perpetuated online. So, what are higher education institutions doing about this?

Review of online harassment/sexual harassment policies of HE institutions

We decided to focus on two contexts: universities and performing arts higher education institutions – music conservatoires and drama schools. The inclusion of performing arts institutions is in recognition that there are specific factors in performing arts education that create a 'conducive context' for sexual harassment and abuse. Between January and May 2021 we analysed policies and online resources at 14 universities and 9 performing arts institutions (conservatoires and drama schools)[3]. We searched university websites for two types of policies: sexual harassment/student misconduct policies and reporting information, and social media policies, to see whether either addressed the issue of online or digital sexual harassment. We also explored whether or not the university had any clear procedure for reporting online sexual harassment.

Analysis of universities' online sexual harassment policies

Our first observation was that many universities did not have a stand-alone sexual harassment policy and it was often clubbed together with Bullying and Harassment, Dignity and Respect or other similar policies. It was common for sexual harassment to be included as an umbrella category along with other forms of 'discrimination' such as racism, ableism and homophobia or relation to the Equalities Act. Though we strongly advocate for an intersectional approach to understanding sexual and gender-based violence, the trend of grouping sexual harassment (online or physical) within other policies is concerning. These multiple and overlapping policies are extremely difficult to navigate. This would be even more challenging or even triggering for survivors who have to look for and read through multiple documents to get relevant information.

Even where universities had standalone sexual harassment policies, clear definitions of online sexual harassment were generally missing. Some policies, such as Aberystwyth's, mentioned cyber-bullying but not online sexual harassment. Across the board, convoluted language was often used around online sexual harassment, both in definitions and in reporting process.

Some universities including Bath, Manchester and LSE mentioned online sexual harassment in their sexual harassment policies but lacked clear definitions and examples. We also encountered the use of the word 'repeatedly' in some definitions of online sexual harassment, such as in Leicester's policy documents. This should be avoided as it could lead a survivor to believe a one-off experience of harassment was not worth addressing or reporting.

We found a lack of consistency in the information given by universities between their policies and other online information. For example, LSE and Nottingham Trent mention online sexual harassment in their policies but not in their Report and Support or other online reporting tools. Similarly, King's College London's Bullying and Harassment Policy addresses cyberbullying but not online sexual harassment

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[3] The performing arts institutions comprised 9 Conservatoires and Drama Schools in the UK and one governing body: The Royal Academy of Dramatic Art (RADA), Trinity Laban (Laban), Rose Bruford, Mountview, The London Academy of Music and Dramatic Art (LAMDA), The Liverpool Institute of Performing Arts (LIPA), Guildhall, Royal Conservatoire Scotland (RCS) and the Federation of Drama Schools Guidelines (FDS). The universities were Aberystwyth, Bangor, Bath, Queen's University Belfast, Oxford, Durham, Edinburgh, Goldsmiths, Nottingham Trent, Manchester, Leicester, King's, SOAS and LSE. These were chosen to match the sample from the policy analysis in the Silencing Students report. Bull, A., & Rye, R. (2018). *Silencing students: Institutional responses to staff sexual misconduct in higher education*. The 1752 Group/University of Portsmouth. https://1752group.files.wordpress.com/2018/09/silencing-students_the-1752-group.pdf

, but their FAQs on Bullying, Harassment, Sexual Misconduct and Hate Crime does include this, stating that 'bullying and harassment do not necessarily occur face to face; they may occur in the form of written communications (including email, visual images, social media, telephone and SMS)'. We recommend that universities rectify such discrepancies as they can make the process of reporting more complicated for survivors.

Good practice was visible in some sexual harassment policies, such as SOAS' and Goldsmiths' policies which discussed different types of online sexual harassment. For example, The Goldsmiths' policy stated that 'the behaviour listed in this policy can be perpetrated in person or online' and their definition of sexual harassment was relatively comprehensive and included examples, stating that sexual harassment 'does not necessarily occur face to face and can be in the form of emails, visual images (such as sexually explicit pictures on walls in a shared environment), social media, telephone, text messages and image based sexual abuse such as revenge porn and upskirting'. It is important to note, however, that these policies reflect the long-term work of activism by student, staff and survivors at Goldsmiths and at SOAS.

Social media policies did not generally contain this kind of comprehensive detail about online sexual harassment, or indeed any information on it; one of the universities investigated had clear definitions of online sexual harassment in their social media policies. However, universities such as King's, Leicester, Durham, Manchester, Edinburgh, Bangor and Queens University Belfast all mentioned 'harassment' without specifying online sexual harassment.

Analysis of conservatoires' and drama schools' online sexual harassment policies

In 2017, The #MeToo movement took flight in light of allegations against Hollywood Director, Harvey Weinstein. To better understand abuses of power in the performing arts, we must pay attention to training institutions and the precedents they set.

Similarly to the findings from the sample of universities, policies were usually scattered and fragmented and information was not always coherent. Of the nine institutions, just two (LAMDA and Guildhall) had bullying and harassment policies that mentioned online sexual harassment and only one institution (LAMDA) had sufficient, easily accessible information regarding the reporting process for such harassment available on their website. Five out of the nine institutions had social media or IT policies that mentioned online harassment.

Some institutions in the sample included good practice, notably a dedicated section of their website on which all the relevant information pertaining to harassment policy and reporting could be found. For example, Trinity Laban have a dedicated page on their website titled 'Consent and Sexual Violence'. The page includes information about consent and sexual violence, explaining that Laban use the USVReact funded First Responders to Sexual Violence scheme. The web page includes links to external support services but we were not able to find any information about how a student would go about making a complaint and it did not mention online harassment. In terms of policies, good practice included those which comprehensively outline the kinds of online behaviours that constitute sexual harassment. For example, RCS' policy states that 'Creating, transmitting, downloading, browsing, viewing, sharing, reproducing or accessing, any image, material or other data of any kind which contains unacceptable content, and LAMDA's specifically stated that sexual misconduct includes 'sharing private sexual materials of another person without consent'.

Poor practice was unfortunately more widespread across the sample. Firstly, online harassment or online sexual harassment only appeared in a minority of institutional policies in the sample. Even in cases where institutions provided a 'Covid teaching note', e.g. the Guildhall, this did not include a discussion of online harassment in its new teaching and learning recommendations. Further, there existed a strong emphasis on 'informal' resolutions e.g. mediations, and formal reporting procedures were suggested to be a 'last resort' for students. In fact, mediation is almost always inappropriate in cases of sexual harassment and abuse, as it implies there has been a misunderstanding rather than wrongdoing. While informal, restorative justice approaches may be used these should be done by trained professionals and only on the request of the survivor.

The widespread abuse of power in the entertainment industry was not born in a vacuum; it is sedimented through institutions' failure to recognise and challenge these behaviours. If we are serious about disrupting the deeply ingrained culture of power abuse across the entertainment industry, we must be willing to disrupt these norms when they appear in training environments.

Conclusion

While there are some instances of good practice across the sample of 23 institutions, the majority are still not defining or describing online sexual harassment in ways that will allow students and staff to recognise their experiences and understand their options for reporting or getting support. There is a high level of variation between institutions in terms of how much, and what kinds of information they provide. One of the most pervasive forms of online sexual harassment, image-based sexual abuse, is barely present in policy documents.

Overall, the types of online sexual harassment that we have encountered in our research and activism are, for the most part, not reflected in the policies that we have analysed. This suggests that there is still a gap between what students (and staff) are experiencing, and what is being recognised by institutions themselves. Therefore we have made the following recommendations for policies in this area:

Recommendations

- All higher educational institutions should have a stand-alone policy to address sexual and gender- based violence. It should not be embedded in other policy documents such as Dignity and Respect, Equality and Diversity, or Bullying and Harassment.
- Policies should be written in a way that helps people to recognise and label their experiences. This means that sexual and gender-based violence policies must explicitly define online sexual harassment . They should explain that harassment can be offline or online and the two can form a continuum. Policies should also provide specific examples such as, but not limited to, grooming, online chat rooms, image- based sexual abuse, rape threats and blackmail
- Policies should not require login details to access, but should be accessible to prospective students, alumni, and the public.
- The social media policy, the sexual harassment policy and Report and Support (or similar tools) of any institution must clearly link to one another. Both social media and sexual harassment policies must address online sexual harassment. Consistent information should be given across all platforms.
- The use of the word "repeatedly" in policies should be avoided so that students are able to recognise that a one-off incident will be taken seriously by their university.
- Consciousness- raising programmes and training are needed for both staff and students around sexual harassment and violence that include online sexual harassment.

- We further recommend drawing on the Universities UK (2019) report *Tackling Online Harassment and Promoting Online Welfare- Case Studies* for best practices and examples of initiatives from the UK higher education sector, specifically around anonymous reporting

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