Dear

Freedom of Information Response (Our Ref: K/20/113)

Thank you for your Freedom of Information (FOI) request dated 2 March 2020, reference K/20/113.

Your request read:

"Under the Freedom of Information Act 2000, or the Freedom of Information (Scotland) Act 2002, please provide me with the following information about how the university handles internal complaints of sexual misconduct and sexual violence, and responds to criminal charges and convictions for sexual offences.

1. Would a student charged with any of the following sexual offences be suspended from the university until the trial verdict/sentencing or the charges were dropped? Please specify whether a suspension would be imposed for:
   1.1 Rape?
   1.2 Sexual assault?
   1.3 Controlling or coercive behaviour? (A crime since Dec 2015.)
   1.4 Stalking?
   1.5 Production, possession and/or distribution of extreme pornography? (Under UK law, this is sexual material containing violence, cruelty or degradation.)
   1.6 Revenge porn (the non-consensual distribution of sexually explicit images or videos of individuals)?
   1.7 Indecent exposure?
   1.8 Voyeurism?

N.B. For each of the above offence, please specify whether suspension would always happen or normally happen.

2. If the charges concern an alleged victim who is a student at the university, would a no-contact order be imposed for any of the sex offences listed above? Please specify for which offence/s, and whether this would always happen or normally happen.

2.1 Would both the alleged perpetrator and the alleged victim be required to agree to/sign the no-contact order?

3. Would a student convicted of any of the following sexual offences be expelled/deregistered from the university? Please specify whether expulsion/deregistration would be imposed for:

3.1 Rape?
3.2 Sexual assault?
3.3 Controlling or coercive behaviour?
3.4 Stalking?
3.5 Production, possession and/or distribution of extreme pornography?
3.6 Revenge porn (the non-consensual distribution of sexually explicit images or videos of individuals)?
3.7 Indecent exposure?
3.8 Voyeurism?"
N.B. For each of the above offences, please specify whether expulsion/deregistration would always happen or normally happen.

4. Have any students been expelled/deregistered for any of the above offences in the past five years?
4.1 If yes, please specify for which offence/s.

5. In the past five years, have any students been on the sex offenders register while studying at the university?

6. Have any students convicted of the following offences in the past five years been allowed to continue their studies? If yes, please specify which offence/s they were convicted of:
   4.1 Rape?
   4.2 Sexual assault?
   4.3 Controlling or coercive behaviour?
   4.4 Stalking?
   4.5 Production, possession and/or distribution of extreme pornography?
   4.6 Revenge porn (the non-consensual distribution of sexually explicit images or videos of individuals)?
   4.7 Indecent exposure?
   4.8 Voyeurism?

5.1 Does the university normally put in place precautionary and/or safeguarding measures related to a student charged with sex offences only after conducting its own risk assessment?
5.2 Does the university normally impose sanctions on students convicted of sex offences only after conducting its own risk assessment?
5.3 Who carries out this risk assessment for the university?
5.4 What specialist training have they had on assessing the risk posed by sex offenders?
5.5 What external agencies or other experts are involved in these risk assessments?

6.1 Does the university normally impose sanctions on students convicted of sex offences only after those students have also gone through a student disciplinary hearing?
6.2 If so, is the victim required to give evidence in the student disciplinary hearing related to offences previously proved in a court of law?

7. When a student makes a complaint of sexual misconduct via the university's formal complaints procedures, but does not report the incident to the police, what kinds of precautionary and safeguarding measures does the university put in place while the case is being investigated?
7.1 If the internal complaint is upheld, what kinds of precautionary and safeguarding measures would the university put in place?
7.2 Is it standard practice to impose one or more of the following if such an internal complaint is upheld (please specify):
   • Expulsion
   • Suspension
   • No contact order
7.3 In such cases (i.e. those only subject to internal complaints) would the university conduct a risk assessment? Please specify if this is always done, or normally done.

7.4 How would this risk assessment differ from those conducted in cases subject to police action and/or criminal proceedings/verdicts?"

The University of Leeds holds some of this information. For your convenience we have provided some background information first, which underpins each of the individual responses we have set out to each of your questions in turn below. We note that some of your numbering is repeated/out of sequence. We have corrected this in our answers below.

**Explanatory information**

Whenever a complaint regarding sexual assault, violence or misconduct is made to the University of Leeds, we take a three-pronged approach. First and foremost, we establish what support the student raising the complaint may require, and act to put this in place as soon as possible. This may include no-contact agreements, provision of wellbeing services (such as counselling) and/or signposting the individual to other appropriate services (e.g. NHS services) as required. A risk assessment would then be carried out, to establish any current and/or future risk to both the student who made the complaint and any other individuals (including the alleged perpetrator). Where there is deemed to be a high risk to any individual(s) (for instance, in very serious cases), we may take the decision to immediately suspend the accused party, pending further investigations. Disciplinary investigations and proceedings would then commence; examining whether the accused had breached the General University Disciplinary Regulations. It is important to note at this stage that University Disciplinary proceedings are not designed or intended to establish whether an individual is legally guilty of an offence. Instead, consideration is made as to whether the student can continue with their studies in a manner which is conducive to learning without putting others at risk. If it is determined that continuation of study is not appropriate, the student may be suspended for a fixed period of time, or permanently excluded from the University. Alternatively, it may be decided that study can continue. In some cases, students may be permitted to continue study, but with specific support measures in place.

These steps are taken in all cases, regardless of whether there is police involvement. As stated above, it is the role of the University to support students at risk, and to make decisions regarding whether continuation of study is appropriate. Although we may take into account whether there has been police involvement in a particular case, this is unlikely to be the only factor considered.

We hope this explanation, which underpins each of the following answers, is helpful.

1. Would a student charged with any of the following sexual offences be suspended from the university until the trial verdict/sentencing or the charges were dropped? Please specify whether a suspension would be imposed for:
   1.1 Rape?
   1.2 Sexual assault?
   1.3 Controlling or coercive behaviour? (A crime since Dec 2015.)
1.4 Stalking?
1.5 Production, possession and/or distribution of extreme pornography? (Under UK law, this is sexual material containing violence, cruelty or degradation.)
1.6 Revenge porn (the non-consensual distribution of sexually explicit images or videos of individuals)?
1.7 Indecent exposure?
1.8 Voyeurism?

N.B. For each of the above offence, please specify whether suspension would always happen or normally happen.

Please refer to our explanatory information paragraph provided at the beginning of this response. This would be determined on a case-by-case basis, taking into account all relevant information available to the University, and considering the relevant University policies (Criminal Offences duty to report, the policy on applications from students with criminal records and the General University Disciplinary Regulations).

2. If the charges concern an alleged victim who is a student at the university, would a no-contact order be imposed for any of the sex offences listed above? Please specify for which offence/s, and whether this would always happen or normally happen.

2.1 Would both the alleged perpetrator and the alleged victim be required to agree to/sign the no-contact order?

The University has previously employed both no-contact agreements, which all parties (alleged victim(s) and alleged perpetrator(s)) sign, and no-contact orders (which apply only to the alleged perpetrator). Whether or not a no-contact agreement or order is required/appropriate is determined on a case-by-case basis.

3. Would a student convicted of any of the following sexual offences be expelled/deregistered from the university? Please specify whether expulsion/deregistration would be imposed for:

3.1 Rape?
3.2 Sexual assault?
3.3 Controlling or coercive behaviour?
3.4 Stalking?
3.5 Production, possession and/or distribution of extreme pornography?
3.6 Revenge porn (the non-consensual distribution of sexually explicit images or videos of individuals)?
3.7 Indecent exposure?
3.8 Voyeurism?

N.B. For each of the above offences, please specify whether expulsion/deregistration would always happen or normally happen.

Please refer to our explanatory information paragraph provided at the beginning of this response. We have previously immediately expelled students in such cases, where there was no mitigation possible. However, this is determined on a case-by-case basis, taking into account all relevant information available to the University,
and considering the relevant University policies (Criminal Offences duty to report, the policy on applications from students with criminal records and the General University Disciplinary Regulations).

4. Have any students been expelled/deregistered for any of the above offences in the past five years?
   4.1 If yes, please specify for which offence/s.

There was one exclusion in 2017/18 (allegations of sexual assault; physical aggression; inappropriate sexual behaviour; bullying; and illegal activity).

5. In the past five years, have any students been on the sex offenders register while studying at the university?

Yes; the University has a rigorous admissions process which takes into consideration any risks while recognising rehabilitation of offenders.

6. Have any students convicted of the following offences in the past five years been allowed to continue their studies? If yes, please specify which offence/s they were convicted of:
   6.1 Rape?
   6.2 Sexual assault?
   6.3 Controlling or coercive behaviour?
   6.4 Stalking?
   6.5 Production, possession and/or distribution of extreme pornography?
   6.6 Revenge porn (the non-consensual distribution of sexually explicit images or videos of individuals)?
   6.7 Indecent exposure?
   6.8 Voyeurism?

No students have been convicted of any of these offences. As such, we hold no information relevant to this part of your request.

7. Does the university normally put in place precautionary and/or safeguarding measures related to a student charged with sex offences only after conducting its own risk assessment?
   7.1 Does the university normally impose sanctions on students convicted of sex offences only after conducting its own risk assessment?
   7.2 Who carries out this risk assessment for the university?
   7.3 What specialist training have they had on assessing the risk posed by sex offenders?
   7.4 What external agencies or other experts are involved in these risk assessments?

Please refer to our explanatory information paragraph provided at the beginning of this response. This would be determined on a case-by-case basis.
8. Does the university normally impose sanctions on students convicted of sex offences only after those students have also gone through a student disciplinary hearing?

Please refer to our explanatory information paragraph provided at the beginning of this response. This would be determined on a case-by-case basis.

8.1 If so, is the victim required to give evidence in the student disciplinary hearing related to offences previously proved in a court of law?

It is possible that we would ask the individual to provide us with additional information; however, this would not be referred to as ‘evidence’. As outlined in our explanatory information paragraph above, the aim of disciplinary proceedings is to establish whether continuation of study is possible and/or appropriate. It is therefore likely that the victim in a proven case would have information which is relevant to the proceedings, but which varies from information they may have given in a legal/court setting. The necessity of hearing from the victim would be determined on a case-by-case basis.

9. When a student makes a complaint of sexual misconduct via the university’s formal complaints procedures, but does not report the incident to the police, what kinds of precautionary and safeguarding measures does the university put in place while the case is being investigated?

9.1 If the internal complaint is upheld, what kinds of precautionary and safeguarding measures would the university put in place?

9.2 Is it standard practice to impose one or more of the following if such an internal complaint is upheld (please specify):
  • Expulsion
  • Suspension
  • No contact order

9.3 In such cases (i.e. those only subject to internal complaints) would the university conduct a risk assessment? Please specify if this is always done, or normally done.

9.4 How would this risk assessment differ from those conducted in cases subject to police action and/or criminal proceedings/verdicts?

Please refer to our explanatory information paragraph provided at the beginning of this response. When the police proceed against a student, the University will not initiate disciplinary proceedings pending the outcome of the judicial process, other than to immediately suspend a student.

We hope this information is helpful. If you have any questions about this email, however, please do not hesitate to contact us on foi@leeds.ac.uk

If you are unhappy with the service you have received in relation to your request and wish to make a complaint or request a review of our decision, you can request an
Internal Review. Requests for Internal Review should be made in writing using the following contact information:

Post: Mr D Wardle  
Deputy Secretary  
The University of Leeds  
Leeds  
LS2 9JT

Email: foi@leeds.ac.uk

Requests for Internal Review should be submitted within 40 working days of receiving the University’s response to your request. Further information about how the University manages Freedom of Information requests and about our complaints procedure is also available on our website (www.leeds.ac.uk).

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. Generally, the ICO cannot make a decision unless you have exhausted the review/complaints procedure provided by the University. The Information Commissioner can be contacted at: Information Commissioner’s Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Kind regards

Chloe Wilkins  
Freedom of Information Officer

Secretariat  
University of Leeds