

# campus sex

The following text was released as a discussion document in December 1993 to increase awareness of sexual relationships on campus, and was produced by the EEO Sexual Harassment Subcommittee. The text has been reprinted with the permission of Faye Franklin, of the University EEO Unit.

## The Problem

Some sexual relationships between members of the university may involve an abuse of trust and/or a conflict of interest. Such relationships are inappropriate. The responsibility for avoiding them should rest with the person in a position of greater power and authority.

A conflict of interest arises when the professional responsibilities of a member of staff towards a student or subordinate are affected, or seen to be affected, by a special personal relationship with the student or subordinate. Sexual relationships can cause a conflict of interest, for example when a teacher or supervisor shows favouritism to a student or subordinate due to ongoing sexual involvement with them, or hostility due to previous involvement. Other students and staff can also be disadvantaged by this conflict of interest. Even if there is no favouritism associated with a sexual relationship, there may be an appearance of bias in the eyes of others.

An abuse of trust occurs when the trust associated with a professional relationship is destroyed through actions, or requests for actions, of a non-professional nature. Teachers are in a position of authority and trust to foster the intellectual development of their students. When they engage in sexual relations with a student, they violate that trust implicit in a professional teacher-student relationship. Similarly, supervisors are in a position of authority and trust to foster the career development of subordinates.

## Case Studies

Cases of exploitative sexual relationships occur at every university. There are, for example, cases in which traumatised female students have withdrawn from their studies as a result of such relationships, cases of academics supervising their lovers, and cases of academics who have not withdrawn from selection committees when a lover of theirs was a short-listed candidate. Here are some other types of cases:

\* Dr J is a lecturer who has had a series of "serious" relationships with undergraduate women taking his second-year class. Each relationship lasted just one year, typically terminating in a terrible break-up, with devastating effects on the student.

\* Professor K expects - and often achieves - some level of sexual intimacy with every new PhD student. Some refuse and worry about their scholarships and supervision; those who acquiesce are afraid to protest about the professor's casual treatment of their feelings and are unable to find a way to withdraw from the relationship.

\* Mr L is a charismatic tutor who is always available to discuss issues with his students in informal settings - such as his house. Many young students are attracted by his intelligence and sophistication and eager for a closer relationship. He is willing to oblige. He maintains concurrent sexual relationships with a number of them - at

least for the first part of each academic year.

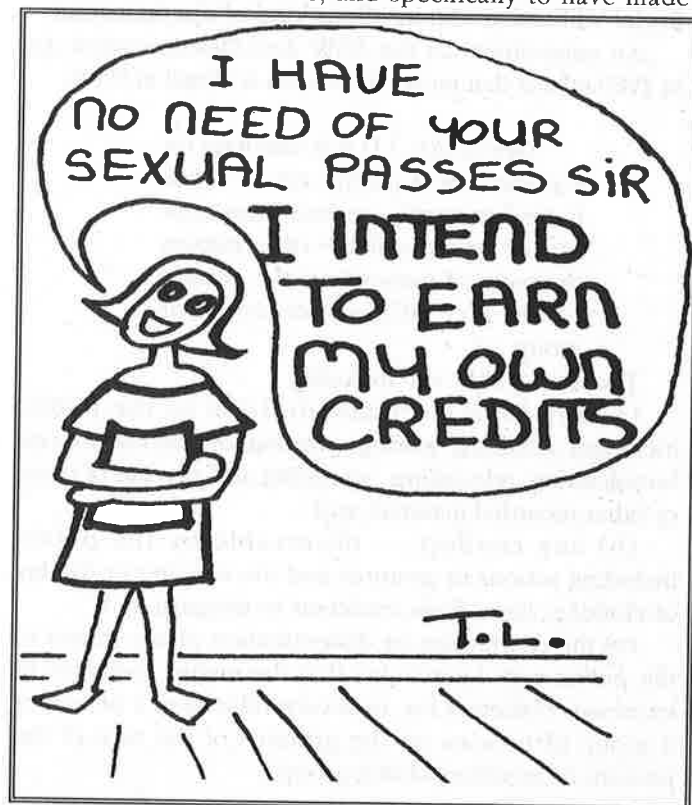
## Voluntary consent?

Even when both parties believe a sexual relationship to be consensual, a student may be influenced by reasons other than sexual attraction, affection or love. The same applies to a subordinate and supervisor when a significant power difference exists between the individuals. Power differences between teachers and students and between supervisors and subordinates are often reinforced by differences in age, gender, culture, income, knowledge and experience.

## Background to the Issue of Campus Sex

Concern about campus sex grew out of the issue of sexual harassment, named as a problem in the late 1970s. Sexual harassment involves behaviours such as leering, touching and grabbing, offers of better marks for sexual favours, and rape. Sexual behaviour in a university context is harassment when it is unsolicited, unwelcome and unreciprocated. A number of governments have legislated against sexual harassment, and most Australian universities have policies against it.

Campus sex raises a number of concerns about conflict of interest and abuse of trust that is not officially covered by typical sexual harassment policies. This issue was taken up by the UoW Sexual Harassment sub-committee in 1992. Although no formal policy has been adopted, the debate on campus seems to have had a positive effect in sensitising staff and students to the issue, and specifically to have made



students more aware of their right to resist unwelcome advances.

### **How Should You Respond?**

Students often feel powerless when confronted by sexual invitations from staff, or when drawn into a compromising relationship. What can you do? The first thing to remember is that it is the academic who has breached professional ethics. Don't feel guilty. Do something so that others are not hurt.

Reporting the problem is crucial. Contact a student counsellor, a women's officer in the students' association, an equal opportunity officer or a worker at the local women's centre. If other students have also reported problems with the same academic, your information helps put together a stronger case. The person you contact can help you decide whether or not you wish to confront the academic personally or take other action.

Getting student representatives to make complaints at departmental meetings or even at university council can be most effective. No names need be mentioned; the message will soon get through.

Academics and administrators need to acknowledge this problem does occur and support the continuing maintenance of effective procedures. When everyone has confidence in the procedures then everyone benefits.

No academic should be able to make the excuse that he or she "didn't know".

### **Policies**

Guidelines on sexual relationships should not be aimed at prohibiting love or sexual attraction, but at stopping the serious problems of conflict of interest and abuse of trust. If a relationship involves both love and a conflict of interest, what is the resolution? Sensible guidelines discourage relationships which are exploitative or destructive without inhibiting or interfering with those that are not. The choice is not between regulation and no regulation, but over what sorts of behaviour are appropriate in an educational setting.

Does love erase power? The fact that people say and believe they are in love does not mean that other considerations no longer play a role or may be overridden with impunity. This especially applies to the person with greater power in the academic context, who may attempt to rationalise or justify a conflict of interest or abuse of trust through reference to love.

Many people, once aware of the issues, will do their best to avoid causing a conflict of interest or abuse of trust. But to handle complaints about problems that persist, grievance procedures are necessary. The challenge is to develop procedures that target the serious problems and do not seriously restrict people whose relationships cause no problems.

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