Gender-based Violence Prevention Policy

Section 1 - Preamble

(1) The University ('CDU', 'The University') is committed to providing a safe and respectful environment that supports the rights of all persons within the University community to work and study safely and free from gender-based violence. Gender-based violence at CDU is unacceptable and will not be tolerated under any circumstances.

(2) Gender-based violence means any form of physical or nonphysical violence, harassment, abuse or threats, based on gender, which results in, or is likely to result in, harm, coercion, control, fear or deprivation of liberty or autonomy. Sexual assault and sexual harassment are recognised internationally as forms of gender-based violence, as a common behaviour that is used against someone because of their gender, gender expression or sexual orientation.

(3) All members of the University community share the responsibility for appropriate conduct and to maintain a safe working and learning environment free from gender-based violence.

Section 2 - Purpose

(4) This policy outlines the prevention, preparation, response and recovery principles the University has adopted regarding gender-based violence within the CDU community in alignment with the National Higher Education Code to Prevent and Respond to Gender-based Violence.

(5) The policy should be read in conjunction with the Gender-Based Violence Response Procedure, the Code of Conduct - Employees and the Code of Conduct – Students.

Section 3 - Scope

(6) This policy applies to all members of the University community, including, but not limited to, employees, students, committee members, honorary appointees, volunteers, contractors, consultants, visitors and third party providers.

(7) The policy applies:

a. at all times when persons are working, studying, representing or travelling with or for CDU, including, but not limited to, attending and engaging in CDU events both on-and off-campus, functions and activities (e.g. end-of-year functions, sporting events, cultural events, competitions, placements, conferences, taking place nationally and internationally); and
b. to all CDU locations, including but not limited to CDU campuses, premises and facilities, premises where CDU business or activities take place, CDU owned, operated or CDU controlled or managed student accommodation, and CDU owned or operated virtual spaces. It also applies to affiliated CDU organisations and organisations who lease CDU land and its facilities.

(8) This policy applies where the University becomes aware of an instance of gender-based violence and the alleged person of concern (the 'respondent') is a student or employee, regardless of the context.

Section 4 - Policy

(9) The University does not tolerate violence of any kind. Any member of the University community who experiences violence will be provided with support and the option to initiate an investigative process if they choose to make a disclosure or formal report.

(10) CDU works to actively address the range of drivers for gender-based violence. Individuals who are women, are gender diverse, of First Nations descent, have a disability, people from culturally diverse backgrounds, young people, and/or people who are members of the LGBTQIA+ community experience gender-based violence at higher rates than others. The factors that drive gender-based violence may include:

a. condoning, justifying or trivialising of violence against women, unintentionally or intentionally;
b. male dominated decision-making as it relates to women in public and private;
c. rigid gender stereotyping and dominant forms of masculinity; and
d. male peer relations and cultures of masculinity that emphasise aggression, dominance and control.

(11) Gender-based violence can be constituted by a single act, omission or circumstance, or a combination or pattern of acts, omissions or circumstances over a period of time. Gender-based violence can be physical, verbal, sexual, emotional or psychological, socio-cultural, spiritual, financial or economic. It can be facilitated through technology, such as social media, apps and personal devices.

(12) Gender-based violence can negatively impact a victim survivor's mental health, physical health, and overall wellbeing. Gender-based violence may also affect a person's ability to engage effectively in work or study.

Policy Principles

Prevention

(13) The University will:

a. undertake a positive duty to prevent and eliminate gender-based violence to the greatest extent possible, and foster an environment where all members of the University community are treated with dignity, courtesy and respect.
b. implement prevention of gender-based violence training and awareness raising strategies to ensure that all persons know their rights and responsibilities, including the consequences for those persons who fail to take appropriate action to prevent incidents from occurring or continuing; and
c. actively promote appropriate standards of conduct at all times in accordance with the University Code of Conduct - Employees and the Code of Conduct – Students.

Preparedness

(14) The University will:

a. maintain effective complaints procedures based on the principles of procedural fairness;
b. provide written procedures that provide clarity and transparency for the management of gender-based violence disclosures in a timely and sensitive manner; and
c. create a safe environment for disclosure through training employees to manage disclosures of gender-based violence, including where these lead to formal reports.

Response

(15) The University will:

a. encourage members of the University community who are aware of or experience any incidences of gender-based violence to disclose the matter. Disclosures may be made in the ways outlined in the Gender-based Violence Response Procedure;
b. respond with care and compassion to disclosures of gender-based violence, prioritising the needs of the victim survivor and focusing on their health, safety and wellbeing through safety first, trauma-informed support;
c. ensure that the victim survivor is kept informed about subsequent action to be taken, respecting their right to decide whether to proceed with an internal complaint, and/or proceed with a police report, unless mandatory reporting is required by legislation;
d. ensure disclosers of gender-based violence are provided with culturally appropriate and accessible support resources and services, both within the University and within their local community, including access to free and confidential counselling services, provided by a qualified professional;
e. treat all disclosures of gender-based violence seriously, including conducting prompt, impartial and confidential investigations where appropriate, noting that:
    i. the University may take action in relation to a disclosure, even if the discloser does not want to make a formal report or have any further action taken. This may occur where there is a serious or imminent risk to the safety of another person or persons, or to meet CDU's legal obligations. This includes but is not limited to Child Protection and Domestic Family Violence mandatory reporting requirements, and disclosures of misconduct made under the Whistleblower Reporting (Improper Conduct) Procedure in accordance with the Independent Commissioner Against Corruption Act 2017 and other state and territory mandatory reporting obligations; and
    ii. referral of a case to the Police does not preclude the University from dealing with the matter through its internal disciplinary procedures.
f. act to protect any person making a gender-based violence disclosure or complaint against victimisation and reprisals;
g. act in accordance with the Privacy and Confidentiality Policy; and
h. prohibit the use of a non-disclosure agreement (NDA) in relation to an allegation of or investigation into gender-based violence, unless a victim survivor requests this. If a victim survivor requests an NDA, the University will ensure that:
    i. the NDA does not stop the victim survivor from sharing their experience for the purpose of seeking support and advice or prevent the University from complying with their reporting obligations under the Code; and
    ii. any settlement terms agreed between the victim survivor and the University does not contain a non-disparagement clause that could have the effect of requiring the victim survivor to keep their experience of gender-based violence confidential.

(16) Gender-based violence disclosures and complaints can also be made to the relevant external organisation:

a. National Student Ombudsman;
b. the Police;
c. Anti-Discrimination Commissioner – NT/QLD/NSW;
d. Equal Opportunity Commissioner – TAS/VIC/WA;
e. Human Rights Commissioner – ACT;
f. Australian Human Rights Commissioner; and/or
g. Fair Work Australia Ombudsman.

(17) Support is also available through external sources including online counselling services. A list of supports for students are on the Student Support Services webpage and at the Respect. Now. Always. webpage for employees.

Recovery

(18) The University will:

a. support the victim survivor in a person-centred and trauma-informed way, and also support the person to continue to meet their work or study goals, making the necessary arrangements for changes to deadlines or schedules as required;
b. ensure that first responders and bystanders are provided with information on a range of options designed to minimise further disruption to study or work goals, support their wellbeing and assist in increasing personal safety;
c. ensure that the disclosure of incidents of gender-based violence will be considered as grounds for special circumstances or special consideration in academic matters, academic and workplace adjustments, facilitated by the University to minimise the need for further disclosure; and
d. regularly consider de-identified reports of gender-based violence disclosures, including any trends or patterns noted in the data, to ensure that the University continues to improve its efforts to prevent, prepare for or respond to such matters.

Section 5 - Non-Compliance

(19) Non-compliance with governance documents is considered a breach of the Code of Conduct - Employees or the Code of Conduct – Students, as applicable, and is treated seriously by the University. Reports of concerns about non-compliance will be managed in accordance with the applicable disciplinary procedures outlined in the Charles Darwin University and Union Enterprise Agreement 2025 and the Code of Conduct – Students.

(20) Complaints may be raised in accordance with the Complaints and Grievance Policy and Procedure - Employees and Complaints Policy – Students.

(21) All employees have an individual responsibility to raise any suspicion, allegation or report of fraud or corruption in accordance with the Fraud and Corruption Control Policy and Whistleblower Reporting (Improper Conduct) Procedure.

Status and Details

Status	Current
Effective Date	16th December 2025
Review Date	16th December 2026
Approval Authority	Vice-Chancellor
Approval Date	15th December 2025
Expiry Date	Not Applicable
Responsible Executive	Louise King Provost
Implementation Officer	Louise King Provost
Enquiries Contact	Louise King Provost

Glossary Terms and Definitions

"University community" - Officials and individuals carrying out University business. This includes, but is not limited to, all employees, researchers, peer reviewers, adjuncts, students, volunteers, consultants, agents and contractors.

"Procedural fairness" - Procedural fairness (also called natural justice) is a principle applied by CDU when making decisions about complaints, appeals, and conduct. Essential elements include: • Giving the respondent a reasonable opportunity to be heard. If the matter involves misconduct, the respondent should know what the allegation against them is in sufficient detail so that they can answer it; • Giving the respondent reasonable opportunity to respond before the decision is made; • Genuinely considering all the evidence without bias; and • Basing the decision on evidence that supports it.

"University" - Charles Darwin University, a body corporate established under section 4 of the Charles Darwin University Act 2003. The University is comprised of the various faculties, CDU TAFE, organisational units, and formal committees, including the governing University Council and Academic Board.

"Governance document" - means policy or procedure published in the Governance Document Library. Policies and procedures are collectively called ‘governance documents’ and are often referred to as ‘policy’ or ‘University policy’.

"Gender-based violence" - Gender-based violence means any form of physical or non-physical violence, harassment, abuse or threats, based on gender, that results in, or is likely to result in, harm, coercion, control, fear or deprivation of liberty or autonomy. Gender-based violence includes many acts of violence that are based on gender, and might include physical violence or abuse; sexual violence, abuse or harassment; sex-based harassment; emotional or psychological abuse; verbal abuse or threats; economic or financial abuse; stalking or monitoring; intimate partner violence; family and domestic violence; technology-facilitated abuse; coercive control; sexual trafficking; reproductive coercion; female genital mutilation; forced medical interventions; forced marriage; and/or a pattern or patterns of abusive behaviour. Intimate relationships where one person has supervisory, oversight, academic, or other decision-making responsibilities in relation to the other person can amplify or give rise to gender-based violence, including relationships that are or appear to be consensual.

"Victim survivor" - Victim survivor is a term used to describe a person against whom violence has been perpetrated including a child or young person. The term is often used to recognise a victim survivor’s agency and individual capacity (Domestic, Family and Sexual Violence Action Plan 2, NT Gov).

"Trauma-informed" - Trauma-informed means an approach that applies the core principles of safety (physical, psychological and emotional), trust, choice, collaboration and empowerment. It should minimise the risk of re-traumatisation and promote recovery and healing to the greatest extent possible.

"Respondent" - Respondent means a person against whom there is a complaint or an allegation of misconduct.