



# Whatdo I do now?

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## A Guide for those who have been sexually assaulted.

Updated August 2023

Dignity & Respect Policy 2023 and Sexual Misconduct Policy 2023 will update this document further upon publishing Autumn 2023.

The TCD Together  
Consent Education  
Team

Trinity College  
Dublin

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# DEFINITION OF SEXUAL HARASSMENT

FROM THE TRINITY COLLEGE DUBLIN DIGNITY AND RESPECT POLICY 2016, PAGE 12

- Sexual harassment includes acts of physical intimacy or requests for sexual favours or any act or conduct by a harasser, including spoken words, gestures, or the production, display or circulation of written words, pictures or other material that is unwelcome, to the recipient and could reasonably be regarded as sexually offensive, humiliating, or intimidating to the recipient.
- The unwanted nature of sexual harassment distinguishes itself from flirtatious or sexual behaviour, which is entered into freely and mutually. It is the damaging impact of the unwanted behaviour on the recipient, not the intention of the harasser, which counts. **The *impact of sexual harassment* is taken into account when cases of sexual harassment are investigated.**

## EXAMPLES OF SEXUAL HARASSMENT:

- **VERBAL:**
  - Unwelcome sexual advances
  - Suggestive jokes and innuendo
  - Requests for sexual favours
  - Threats.
- **NON-VERBAL OR INDIRECT:**
  - Sexually suggestive pictures or written material
  - Leering or gestures
  - Spreading rumours about a person's sexual behaviour or orientation.
- **ELECTRONIC:**
  - Sexually suggestive messages or images transmitted by computer/ electronic means.
- **PHYSICAL:**
  - Unwelcome physical contact, up to and including assault and stalking.

# TCD MODEL OF CONSENT

Consent is **F.R.I.E.S.** :

- **F**reely given. Doing something sexual with someone is a decision that should be made without pressure, force, manipulation, or while drunk or high.
- **R**eversible. Anyone can change their mind about what they want to do, at any time. Even if you've done it before or are in the middle of having sex.
- **I**nformed. Be honest. For example, if someone says they'll use a condom and then they don't, that's not consent.
- **E**nthusiastic. If someone isn't excited, or really into it, that's not consent.
- **S**pecific. Saying yes to one thing (like going to the bedroom to make out) doesn't mean they've said yes to others (like oral sex).

# HOW COMMON IS ASSAULT?

- **SEXUAL EXPERIENCES SURVEY 2020**
  - 29% of females, 10% of males, and 28% of non-binary students surveyed reported non-consensual penetration by incapacitation, force, or threat of force.
- **HEA REPORT ON THE NATIONAL SURVEY OF STUDENT EXPERIENCES OF SEXUAL VIOLENCE AND HARASSMENT IN IRISH HIGHER EDUCATION INSTITUTIONS 2021**
  - 6 in 10 students experienced sexualised comments that included reference to their gender identity. Non-binary students were more likely than other groups to experience sexualised comments referencing their trans/non-binary identity.
  - Females experienced 30% more sexist hostility than males. An equally high level of sexist hostility was described by gender non-binary students as among female students.
- **Central Statistics Office (CSO) Sexual Violence Survey 2022**
  - 52% of women reported experiencing sexual violence in their lifetime. 28% of men reported experiencing sexual violence in their lifetime. 22% of those aged 18-24 reported experiencing sexual violence both as an adult and as a child. 8% of those aged 65 & over reported experiencing sexual violence both as an adult and as a child.

# IMPACT OF SEXUAL TRAUMA

- Typical responses to a traumatic event are one or more of the following:
  - Fear responses to reminders of the event, leading to avoidance
  - Feeling like you are losing control of your life or your mind
  - Re-experiencing the event through flashbacks
  - Problems concentrating and staying focused on the task at hand
  - Feelings of guilt, shame, and self-blame
  - Developing a negative self-image
  - Depression
  - Disruptions in close relationships

- All of these reactions are normal responses to the traumatic event you have experienced. There is, however, no “typical” response.
- *The impact of an act of sexual violence will have is completely dependent on the individual, and not dependant on any objective “scale” of severity.*
- IBSA can also lead to a trauma response, with victims of IBSA suffering from serious mental and physical impacts, as well as possible inhibition of sexual freedom, threat of re-sharing of the images, and possible cultural harm.

# I'VE BEEN SEXUALLY HARASSED, ASSAULTED, OR RAPED

## WHAT DO I DO?

*Remember you are not at fault*

- Make a written record of what you can remember, date it, and then take a photo of this record.
- Put yourself in a safe environment and remove yourself from contact with the person or people who assaulted you.
- Get support and help - a trustworthy friend or family member, or one of the supports listed below. We recommend seeking support from one of the college welfare services, you can use the contacts we have listed below to confidentially contact them.
- Consider making a disclosure of the assault to one of the supports listed below. These supports are confidential, and you do not have to make a report of the incident if you do not wish to.
- If you have been physically assaulted, or raped, consider attending one of the clinics listed on [www.hse.ie/satu](http://www.hse.ie/satu), so that evidence can be taken.
- Do not shower before attending the clinic, and preserve any clothing you were wearing before, during or after the physical assault. This will help to preserve physical evidence.
- If physical evidence is taken, you still do not have to make a report, and the unit will keep your evidence should the situation arise later that you wish to make a report.

## WHAT IS IBSA?

- Image Based Sexual Abuse (or IBSA) is a form of sexual abuse which is defined as the non-consensual creation and/or distribution of private sexual images. This could mean, for example, the distribution, or sharing, of private images between people without the consent of the person photographed, or the sharing of images non-consensually downloaded from a site like OnlyFans.
- This form of sexual abuse often takes the form of 'leaking nudes' to group chats or others and is commonly referred to as 'revenge porn', but this name doesn't reflect the abusive and damaging nature of IBSA.

## IBSA IN IRELAND

- In November 2020, up to 140,000 intimate and sexual photographs of women and underage girls were published without consent (it is important to remember that someone under the age of 17 cannot legally give consent or consent to sexual images being published of them). Some of those targeted by this assault were Trinity students.
- In September 2021, following on from the commencement of Coco's Law—the Harassment, Harmful Communications and Related Offences Act 2020—the Department of Justice launched the first phase of a Serious Consequences campaign to raise awareness of intimate image abuse and to inform people of the legislation in place to combat it. The first phase focused on the sharing of intimate images without consent and highlighted that this is a criminal offence regardless of the motivation for doing so. Phase two of the

campaign focuses on raising awareness that it is illegal to threaten to share an intimate image of another person.

## I'M A VICTIM OF IBSA

### WHAT DO I DO?

*Remember that you are not at fault.*

This is a breach of your privacy, and a possible criminal offence. You have the right to take sexual images or videos of yourself and share them with your consent. *No-one else has the right to take, or share, such images, or videos without your consent.*

- Put yourself in a safe environment and get support and help - a trustworthy friend or family member, or one of the supports listed below. We recommend seeking support from one of the college welfare services, you can use the contacts we have listed below to confidentially contact them.
- If you have been threatened with IBSA, then you should:
  - Write down as much information as you can about the threat or multiple threats. If they have threatened you over text, make sure to take screenshots as evidence.
  - If someone overheard or saw the person threatening you, take note of their name and contact details. They could be a witness if you decide to take legal action.
- If you are a victim of IBSA:
  - **Make sure to make a record (screenshot, or screen record of all images and videos) and keep these in a safe, private location.**
  - Untag yourself if tagged on social media if possible and get someone to contact the person who has posted it and request they take it down, and/or report it to the website in question and request they remove it.
  - You may want to deactivate your social media accounts. If you don't it is a good idea to take a step back from your accounts.
  - Create social media profiles for your name. This will push the bad search results off the first pages of Google. There are professional privacy companies who can help you to do this.

## IBSA AND THE LAW IN IRELAND

- Following the passing of *The Harassment, Harmful Communications and Related Offences Bill* (2021), it is now illegal to distribute intimate images of someone without their consent, and to threaten to do so. 'Distribute' means the sharing, sending, taking, or publishing images or videos of someone.
- This new law means that the taking, distribution, publication, or threat to distribute intimate images without consent, and with intent to cause harm to the victim, carries a maximum penalty of an unlimited fine and/or seven years' imprisonment. Without the intent to cause harm, there is a maximum penalty of a €5,000 fine and/or 12 months' imprisonment.



- It doesn't matter if the person consented to the taking of an image if it is subsequently published or distributed without their consent.
- If you have been a victim of IBSA, and you would like to take action against this, you can:
  - Contact the Gardai to report the incident and get help on what to do next.
  - Contact a legal professional to engage their assistance in removing it and demanding the person who shared it to surrender all copies they possess.
- Before doing so, you can contact either a SU welfare officer, counsellor, or other advisor that you feel comfortable with so they can help you through the process. Remember, IBSA is a crime, and sexual harassment, and if you are a victim of this, there is help available to you.

## What is stalking?

Stalking is a pattern of fixated, obsessive, unwanted and repeated behaviour that causes you to feel distressed or scared. Stalking can happen with or without a fear of violence. Stalking can be perpetrated by anyone.

There are a number of behaviours which may constitute stalking. Sometimes, stalking is confused with harassment - but they are significantly different. Many elements of harassment may amount to stalking if they are fixated, obsessive, unwanted and repeated.

If you or someone you care for is in danger, call 999 or 112.

## What are the signs of stalking?

Stalking behaviours can typically be broken up into the following categories: unwanted behaviours, threats and abuse, malicious communications, and reputational damage.

Stalking behaviour tends to be F.O.U.R - **fixated, obsessive, unwanted and repeated.**

If you are experiencing one or more of the following behaviours, you may be a victim of stalking. Remember - stalking happens with and without the fear of violence. If you are concerned for your safety, we advise you to call 999 or 112.

### Unwanted behaviours

- Loitering around your home
- Spying or tracking your movements (online, using technology or in person)
- Following
- Making unwanted approaches to you (at home, work, in public)
- Making unwanted approaches to friends, family or colleagues
- Interfering with or damaging your property, breaking into your home

### Threats or abuse

- Threats to harm you or those close to you
- Threats to harm themselves around you
- Physical attacks or attempted physical attacks

- Sexual violence or attempted sexual violence

### **Malicious communication**

- Sending inappropriate letters, faxes, texts, WhatsApp's, emails, or social media messages
- Making inappropriate or malicious telephone calls to you
- Sending unwanted gifts

### **Reputational damage**

- Distributing malicious material about you (e.g. flyers, websites, posters, newspaper ads)
- Engaging in inappropriate or malicious social media contacts (e.g. Twitter, Facebook, Instagram)
- Initiating false legal action against you
- Making false complaints to agencies
- Taking pictures/recordings of you without your consent
- Sharing private images of you that are of a very personal nature (e.g. nude images, sexual images)

## **What are the laws around stalking in Ireland?**

In July 2023, stalking became a standalone criminal offence in Ireland with the introduction of the Criminal Justice (Miscellaneous Provisions) Act 2023.

For further information, please refer to the full Miscellaneous Provisions Act 2023 [pdf \(irishstatutebook.ie\)](https://www.irishstatutebook.ie/eli/2023/act/12/section/1)

If you think that you are being stalked, you can take our stalking assessment - '[Am I being stalked?](#)' which will provide you with more information. In an emergency, please call 999 or 112.

### **Tell somebody you trust**

Talk to a friend or trusted family member. Encourage them to read up about stalking - we have included a list of resources on our [support](#) page. You may need to inform the people you live with or your employer too. Again, you can direct them towards resources to help them understand.

There is currently no dedicated support service for stalking in Ireland. Sexual Violence Centre Cork are offering their services until such a service becomes available - to get in touch, visit their website [www.sexualviolence.ie](http://www.sexualviolence.ie)

## **2. Assess your safety**

You may not feel threatened, but stalking behaviour can escalate rapidly. You should consider making a safety plan, which could include steps like varying your routine or changing your shifts at work.

The Gardaí can help you assess your safety. We recommend that you ask your local Garda station to put you in touch with your local Protective Services Unit where possible. Protective Service Units are special Garda units set up to deal with crimes such as sexual violence and domestic abuse. There are 27 of these units across the country.

For more information on safety planning, visit the following links.

[Bow Valley Victim Safety Planning](#)

[Stalking Prevention, Awareness and Resource Centre: Safety Strategies](#)

### **3. Keep evidence**

Document the stalking behaviours and keep evidence. If you go to the Gardaí, documenting the stalking can help highlight the pattern of behaviour, and show that the behaviour is deliberate and intentional.

It is helpful to keep a log or diary about the stalking. The Suzy Lamplugh Trust have put together helpful guidance on keeping evidence and logs - you can find out more here: <https://www.suzylamplugh.org/FAQs/collecting-evidence>

### **4. Report**

Stalking behaviour can escalate quickly and we recommend that you take all threats seriously. Report the stalking to your local Gardaí and ask for assistance from the nearest Protective Services Unit.

In an emergency, please call 999 or 112.

## **MAKING A REPORT**

Some students may wish to report incidences of sexual violence.

If you wish to report your sexual harassment within Trinity, the first step you should take is to contact one of the services below that is based within the college.

You will then be directed to the services that are available to help you make a report through:

- An informal process
- A formal report

**A disclosure or informal report** is when an incident of harassment, abuse, rape, or other forms of behavior which may violate the code of conduct of the Institution, or another policy, is made to a person within an Institution.

- This person could be a staff member or a student leader or another person [friend or colleague] within the institution, and this could happen in any context.
- Informal disclosures are **NOT** recorded, in any form: this includes social media references (WhatsApp texts, email, Snapchat, etc.) and should not be recorded unless there is consent from the individual making the disclosure. Signposting to a designated person (see supports below), if someone wishes to make a report that is recorded.

### **FORMAL REPORT/COMPLAINT:**

Before making a formal report, you should contact one of the supports below

When you make a formal complaint, you will be required to set out the details of your complaint in writing to your tutor/post grad advisor, head of department/school and/or Junior Dean depending on the context.

- You should be as specific as possible when doing this, including dates and times of incidences, and the names of any witnesses to each incidence.

Your written account will be forwarded to the other person(s) involved in the complaint, to give them the right to reply. Likewise, you will receive a copy of any responses to their complaint. Further written correspondence may be exchanged, and the issue may be resolved with this correspondence.

If the issue isn't resolved, an investigator, a Trinity staff member, will be appointed. You will receive a letter setting out the terms of reference and the process for the investigation.

The investigator will communicate their decision to all parties, which can include disciplinary repercussions for the harasser.

**AFTER A COLLEGE INVESTIGATION**, a number of actions may be suggested by the investigator. These include, but are not limited to,

- The offer of mediation
- An agreement that the respondent does not enter certain buildings or not approach the complainant.
- A confidential meeting with an independent specialist professional to provide the respondent with support around their sexual behaviour.
- Intermission - time off books
- Referral to the discipline procedure for further consideration
- No further action.

**Sexual assault and rape** are serious crimes and not dealt with under the dignity and respect policy in the college. Students who have experienced sexual assault and/or rape can contact the Junior Dean or na Gardaí Síochána. You can also contact any of the supports above for emotional support where appropriate.

### **TO MAKE A REPORT TO THE GARDAÍ**

Call your local Garda station or go in in person.

Bring a support person or contact victim support groups ([www.cosc.ie](http://www.cosc.ie)) to accompany you.

**OR**

Contact your local Rape Crisis Centre

**OR**

Sexual assault treatment units ([www.hse.ie/satu](http://www.hse.ie/satu))

Only if you have been the victim of sexual assault in the last 7 days.

Comprehensive medical, psychological, and forensic care will be available.

If you wish, this evidence can be retained for a year while you consider whether or not you wish to report a crime.

You can also avail of medical and psychological care without evidence being taken in the sexual assault treatment units Monday-Friday 09:00-17:00

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# IF YOU HAVE BEEN ACCUSED OF SEXUAL HARASSMENT OR MISCONDUCT

- Don't panic or take action that you might regret later.
  - Take advice first and act second.
- Find out about the process that will take place.
  - If a formal report is being placed, you will receive written confirmation about this
- Get advice during the investigation, it is important that you consider getting support for your wellbeing, to be supported is not an admission of guilt, it is a request for advice and or support.
  - You can speak to your College Tutor, Doctor, Nurse, Senior Tutor, Chaplin, Student Counsellor, or Students' Union officers.
- There are limited circumstances where the college is obliged to share information with the Gardaí.
  - If you want to discuss anything confidential with staff, ensure you have understood the limits of confidentiality (see reporting above) and how the information you are providing might be used later on.
- If you are reported to the Gardaí, then normally any connected university investigation or procedure will be paused.
  - Following the Garda investigation or criminal proceedings, the college will consider the most suitable action to take.

## SUPPORT SERVICES - COLLEGE AND EXTERNAL

**YOU CAN FIND CONFIDENTIAL HELP ON REPORTING ASSAULT IN ANY OF THESE PLACES:**

In Trinity (internal support):

- Trinity College Dublin Students' Union Welfare Officer
  - [welfare@tcdsu.org](mailto:welfare@tcdsu.org)

- JCR (Trinity Hall) Welfare officer
  - [welfare@trinityhalljcr.com](mailto:welfare@trinityhalljcr.com)
- Student Counselling Services
  - (01) 896 1407
  - [student-counselling@tcd.ie](mailto:student-counselling@tcd.ie)
- S2S Peer Support
  - (01) 896 1407
  - [www.student2student.ie](http://www.student2student.ie)
- Chaplaincy
  - [chaplaincy@tcd.ie](mailto:chaplaincy@tcd.ie)
- Senior Tutors Office
  - [Senior.tutor@tcd.ie](mailto:Senior.tutor@tcd.ie)
- Senior Tutors Undergrads
  - [Undergrad.support@tcd.ie](mailto:Undergrad.support@tcd.ie)
- Senior Tutors Postgrads & PhD
  - [Phd.suupport@tcd.ie](mailto:Phd.suupport@tcd.ie)
- Assistant Wardens (Trinity Hall)
  - (01) 497 1772
  - [www.tcdlife.ie/wardentcdhall/contact/](http://www.tcdlife.ie/wardentcdhall/contact/)
- The Junior Dean
  - [cdeans@tcd.ie](mailto:cdeans@tcd.ie)
- Assistant Junior Deans (On Campus)
  - (01) 896 1317
- On-Campus Security
  - (01) 896 1999
  - (01) 896 1317

Outside of Trinity (external support):

**See above hyperlinks also**

- Niteline
  - 1800 793 793
- Rape Crisis Network Ireland
  - [www.rcni.ie](http://www.rcni.ie)
  - 1800 778 8888
- Dublin Rape Crisis Centre
  - <https://www.drcc.ie/>
  - 1800 778 8888
- Women's Aid
  - <https://www.womensaid.ie/>
  - 1800 341 900
  - [helpline@womensaid.ie](mailto:helpline@womensaid.ie)

- Samaritans
  - 116123
  - [www.samaritans.org](http://www.samaritans.org)
- Sexual Assault Treatment Unit (if within 7 days)
  - [www.hse.ie/satu](http://www.hse.ie/satu)
- Crime Victims Helpline
  - 116006
- An Garda Siochana- Pearse Street
  - (01) 6669000
  - <https://garda.ie/en/contact-us/station-directory/>