

17 September 2018

Teri Marie Brown

By email: fyi-request-8537-56108b45@requests.fyi.org.nz

Dear Teri Marie Brown

Official Information Act Request - response

We refer to your message dated 9 February 2018, addressed to Victoria University of Wellington (**the University**), in which you requested the following information under the Official Information Act 1982 (**the Act**):

"Could you please confirm what the restorative justice process was that Victoria University undertook in the recent sexual harassment complaint. The story circulating around campus is that the youngest victim of this complaint had to go for a coffee with the tutor who had been harassing her. [First Request]

Was this tutor considered a permanent employee who was able to access this help via the Employee Assistance Program.

If the tutor was not a permanent employee then:

- 1. What was the total cost the VUW spend on counselling sessions for the tutor who was harassing the students.*
- 2. Who was the Provider who VUW paid for these counselling sessions. [Second Request]*

VUW representatives recently attended a science conference in Japan. ICC2018. Please provide a list of all attendees at this conference. For each attendee the est. cost of them attending the conference. [Third Request]

Regards S. T. Brown"

Response to the First Request

You have not provided any details to identify a particular complaint to which you are referring. In the absence of specific details, we have proceeded on the basis that you are referring to the formal complaint that was investigated and addressed by the University earlier this year. The complaint concerned inappropriate conduct of a sexual nature by a student in the School of Chemical and Physical Sciences. This was the matter that was the subject of a report by the Stuff media outlet on 6 August 2018.

The University confirms that a restorative process was unable to be undertaken in this case. A restorative process requires the voluntary participation of all parties involved. In this case, not all of the parties wished to be involved in such a process, so it did not take place.

The University Disciplinary Committee which considered the complaint and ordered measures to be taken against the person who was the subject of the complaint complained about made no direction or suggestion that the victim of the complaint had to go for coffee with the person who was complained about. To the best of the University's knowledge, no such direction or suggestion was made by anyone else at the University.

Response to the Second Request

At the times that the events complained about occurred and were considered by the Disciplinary Committee, the person who was the subject of the complaint was a student at the University, and not a tutor. As such, the person was not (and is not) a permanent employee of the University.

The University cannot comment publicly on whether specific staff or students have undergone counselling. However, in general terms, where a student needs to access counselling, and the University is involved, this is provided by the University's Student Counselling Service. There is no additional cost to the University beyond the cost of operating that service.

Response to the Third Request

In relation to your third request, the University is refusing to provide a list of attendees at the conference you have referred to under section 9(2)(a) of the Act, on the ground that withholding this information is necessary to protect the privacy of natural persons. Before reaching this view, the University has considered whether, in the circumstances of this particular case, the withholding of information is outweighed by other considerations which rendered it desirable, in the public interest, to make that information available, and has determined that it is not.

In terms of the estimated cost to attend the conference, please refer to the registration information via the following link:

<http://www.iccc2018.jp/custom5.html>

Under section 28(3) of that Act you have the right, by way of complaint to an Ombudsman, to seek investigation and review of Victoria's refusal to provide some of the information you have requested.

To avoid doubt, this letter should not be interpreted as acceptance by Victoria of, or its agreement with, any of the allegations or assertions made in your communications to me dated 9 February 2018 or your communication to Professor Hickford, dated 13 February 2018.

Yours sincerely,



Pam Thorburn
Director, Student Academic Services
Victoria University of Wellington