

## Appendix 4: What to do following rape or sexual assault

### Information for students and staff

**If you have experienced sexual violence, you can access immediate information and support at the following link: <https://rapecrisis.org.uk/get-help/>**

If you have experienced sexual violence, including having been sexually assaulted or raped, this guidance provides information on the things that you might want to consider to help you make an informed choice about what to do, both in the near future and perhaps later on.

### Definitions

**Rape** is often described as unwanted, forced or non-consensual 'sex'. But sex and rape are two very different things. If there is no consent, then it's not sex, it's rape – no matter the circumstances.

The legal definition of rape in England and Wales is when someone intentionally penetrates another person's vagina, anus or mouth with their penis, without that person's consent.

The [Sexual Offences Act 2003](#) says that someone commits rape if all of the following happens:

- They intentionally penetrate the vagina, anus or mouth of another person with their penis.
- The other person does not consent to the penetration.
- They do not reasonably believe that the other person consents.

This includes if:

- The two people are married or in a relationship.
- The other person consented to one type of penetration (e.g. vaginal or oral sex), but not another (e.g. anal sex).
- Someone removes a condom without the other person's permission – or lies about putting one on. This is commonly known as '[stealthing](#)'.

**Sexual assault** happens when someone either touches another person in a sexual manner without consent or makes another person touch them in a sexual manner without consent. It includes unwanted kissing and the touching of someone's genitals, breasts or bottom.

The [Sexual Offences Act 2003](#) says that someone commits sexual assault if all of the following happens:

- They intentionally touch another person.
- The touching is sexual.
- The other person does not consent to the touching.
- They do not reasonably believe that the other person consents.
- The touching can be with **any part of the body** or with **anything else**.

It could include:

- Kissing.
- Touching someone's genitals, breasts or bottom – including through clothing.
- Touching any other part of the body for sexual pleasure or in a sexual manner – for example, stroking someone's thigh or rubbing their back.
- Pressing up against another person for sexual pleasure or in a sexual manner.
- The perpetrator making someone else touch them in a sexual manner.
- Touching someone's clothing if done for sexual pleasure or in a sexual manner – for example, lifting up someone's skirt.

In law, **sexual consent** is when we agree by choice, and have the **freedom** and **capacity** to make that choice.

This means that someone **doesn't** consent to sex or other sexual activity if they:

- Say 'no'.
- Seem unsure or upset, stay quiet, move away or don't respond.
- Are asleep, unconscious, drunk, drugged or on drugs.
- Are pressured, manipulated, tricked or scared into saying 'yes'.
- Are too young or vulnerable to have the freedom and capacity to make that choice.

Many of the **myths** surrounding consent and sexual violence can make victims and survivors feel as though they are somehow to blame. It can also make them feel that what happened to them wasn't 'real' sexual violence. You can read more about that [here](#).

## Checklist of initial steps to consider

The following guidance has been produced for students who have experienced sexual misconduct, which includes rape. It provides information that you might want to consider when deciding about what to do next. Whilst the guidance is aimed at recent misconduct, it also includes information about sources of support which may be useful for any student who is a survivor of sexual misconduct.

If you have recently experienced sexual misconduct, you may be feeling many things. Some people report that they feel numb or shocked, confused, or frightened or fragile or angry. There is no right or wrong way to feel.

However you are feeling, remember that this is not your fault, you are not to blame, and you are not alone. You should not feel under any pressure to act in any specific way. Any decisions made will be yours alone and will be respected.

The list below provides some steps for you to consider.

### 1. Are you in a safe environment?

If the assault has just occurred, you might want to consider whether you feel safe where you are. If you or others feel at risk or consider the situation to be an emergency, you can call the police or an ambulance on 999.

### 2. Time limits to be aware of

Please remember it is your choice what support you access and if you choose to report the assault to the police. You may even choose to take some time to think about your options, and that is a perfectly valid decision. Before you make a decision regarding the support you may want or need, there are a few time limits you need to be aware of.

If you:

- suspect you were given any type of drug, it is best to be tested within 24 hours.
- want emergency contraception, the medication should be started within 72 hours.
  - to find your nearest emergency contraception provider, use this [NHS site](#) and insert your postcode.
  - [the Havens](#) have three specialist centres in London for people who have been raped or sexually assaulted, and can offer emergency contraception.
- would like HIV prophylaxis (PEPSE - a combination of drugs that can prevent HIV infection), the medication should ideally be started within 12 hours. It must be taken within 72 hours.

**Preserving Forensic Evidence:**

- [The Havens](#) also offer a service to collect and store any forensic evidence while you decide whether or not to report the incident to the police. If you want forensic evidence to be collected you should attend the Havens as soon as you can, advisably within 72 hours of the sexual assault.

To preserve any evidence as best as you can, try to take the following steps when possible:

- Do not wash.
- Do not brush your teeth.
- Do not have a cigarette.
- Do not eat or drink.
- Do not change your clothes.
- If you do change your clothes, do not wash them and put them in a clean paper bag.
- Try not to go to the toilet.
- Do not clear anything away or let other people or animals enter the area where the incident took place.

However, do not worry if you have already done some of these things, as it is still possible that there will be forensic evidence to collect.

**3. Do you want to take some time to talk or think things through?**

If the situation is not an emergency, you may want to take some time to think things through or to talk to someone you trust, such as a friend, family member or your Personal Tutor.

Although VCF staff are not specifically trained to provide specialist support for survivors of sexual abuse, they can provide initial support and signpost you to specialist services.

College Student Counsellor Sarah Fysh can offer support for a wide range of issues, and you can contact her at [sfysh@voguecollege.com](mailto:sfysh@voguecollege.com). Counselling is private and confidential, unless, in exceptional circumstances, where it is deemed there is a life-threatening risk to yourself or to others, or if there is a legal duty to report.

You may prefer to speak to someone outside of the school, such as a specialist support service for survivors of sexual assault, and there are details about these organisations in Appendix 3.

## 4. Reporting

### Reporting immediately

If you have just been attacked you can call **999**, alternatively you can call **101** for a less urgent response.

If you have been sexually assaulted in the last seven days and would like advice about forensic examination or about reporting to the police, you can call the Havens on **020 3299 6900**.

### Police

- When you give your statement to the police try not to leave anything out, however embarrassing or painful it may be. If you can't remember something, it is okay to say so.
- Don't be afraid to tell the truth about things like how much you had to drink, or using recreational drugs as this may harm the chances of prosecution if the police have been misinformed.
- You may choose to report the incident anonymously, to get the perpetrator on the police radar. As this may not lead to their arrest it could help build a fuller picture and make another reported case stronger.

### Reporting later

- Some people choose to take time to think about what they want to do, which may lead to you reporting the incident later.
- If you are not sure what to do, you can go to a Haven centre as they can talk you through the different options available to you. They can store forensic evidence for you for up to two years while you decide what you want, and they also provide assistance and support which you can access without reporting to the police.

### Reporting to VCF

- Even if you choose not to report the incident to the police, you can still report it to VCF if it involves a student or staff member. VCF will take your report very seriously and have a team of staff to support you, as well as staff who can investigate the incident if that is what you want to do.
- In order to report another student or a staff member to VCF, please complete the Disclosure of Misconduct Form (Appendix 2) and email it to one of the contacts

provided, as appropriate. Alternatively, you can also report anonymously by completing an online form [at this link](#); however, please bear in mind that anonymous disclosure will inevitably limit both the scope of any investigation and also the scope of any subsequent outcome.

## 5. External agencies

For expert advice on these issues, you can contact **Rape Crisis UK**, who have lots of information and support that might help. You can contact their 24/7 Rape & Sexual Abuse Support Line and speak to one of their specialists – at any time of the day or night. Call free on [0808 500 2222](tel:08085002222) or go to the website to start a [free online chat](#).

For a full list of other external agencies who would also be able to offer advice and support following rape or sexual abuse, please see Appendix 3.