Making power visible: 'Slow activism' to address staff sexual misconduct in Higher Education

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Abstract

This article examines activism to address staff-to-student sexual misconduct in higher education in the UK from our perspective as founders and members of the research and lobby organisation The 1752 Group. We argue that in order to tackle staff sexual misconduct in higher education, the problem has first to be made visible. We theorise this as 'slow activism' and outline the activities that we and others have been engaged in towards this end: conducting research; using complaints processes within institutions; naming the experiences of staff sexual misconduct and/or institutions and perpetrators; and carrying out discipline-led and sector-level initiatives.

Key words

Sexual misconduct, sexual harassment, gender-based violence, sexual violence, higher education, gender equality, feminist activism, slow activism

Introduction

The 1752 Group was established in 2016 as the first UK-based research and lobby organisation focused on addressing staff-student sexual misconduct[1]. The group was borne from the activism of a group of PhD students at Goldsmiths, University of London who reported incidents of sexual harassment, sexual misconduct and sexualised behaviour from academic staff within their department. Over many years, students and staff had reported or attempted to report this sexual misconduct to the head of department and senior management. Despite these actions, the staff members carrying out sexual misconduct behaviours remained in the institution, and the misconduct did not abate.

Within this climate, a small number of staff and students spent four years – from 2012-2016 - making formal complaints and lobbying the university to address this issue. When several members of this student group organised, in late 2015, the first national conference in over twenty years that explicitly

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[1] We use the UK terminology here, referring to academic as well as professional employees of universities as 'staff'. In the US, academic staff are termed 'faculty'.

addressed staff sexual misconduct, "Sexual Harassment in Higher Education."[2] the budget that Goldsmiths provided for the conference was £1752, a figure taken from an institutional budget allocated for equality and diversity. The university stated that it was not promising any further money on this issue, and if they did provide funding, it would have to come from that existing budget. We named our organisation after the amount that was budgeted as a reminder of the low value placed upon the experiences of students within universities, and a reminder that small investments of time or money will be inadequate to address institutionalised, entrenched cultures of sexual misconduct.

It took all of these efforts, along with the high profile resignation of one of those staff, Professor Sara Ahmed, for this issue to become institutionally visible. In 2016 Goldsmiths finally acknowledged publicly that there were "cases" of "sexual harassment, and sexually abusive, or other forms of sexually inappropriate behaviour," within the institution, which involved their staff behaving "in ways which are at odds not only with our policies and regulations but with our prevailing ethos" (Goldsmiths, 2016a).

This article takes this starting point to examine the activism that we have undertaken to address staff-to-student sexual misconduct in UK higher education, focusing on the problem of initiating and sustaining social and institutional change when the problem remains largely invisible and when those experiencing these forms of violence fear speaking out. We argue that making visible the problem of gender-based and sexual violence in higher education is a crucial element of our activism, and we outline ways in which this has been done. This article therefore contributes to a body of literature on campus sexual violence (Cobb & Godden-Rasul, 2017; Germain, 2016; National Union of Students, 2010, 2015; Phipps, 2017; Phipps & Young, 2015a; Phipps & Young 2015b; Universities UK, 2016; Valls, Puigvert, Melgar, & Garcia-Yeste, 2016) by focusing specifically on activism to address sexual misconduct perpetrated by staff employed by higher education institutions. We focus primarily on the current situation in the UK, and particularly on England, where the distinctive ecology of higher

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[2] The conference was organised by Anna, Bull, Tiffany Page and Leila Whitley. Page and Whitley were part of the PhD student group. The Sexual Harassment in Higher Education conference website can be found at: http://shhegoldsmiths.wordpress.com.

education as well as the wider legal and political context shapes our work. In order to describe our activism, we draw on existing research and public documentation on this topic, including public reports, legal cases, and media reporting, but primarily we draw on our experience as activists working on this topic. For two of us, this involves first-hand knowledge of the lengthy, difficult process of making complaints of staff sexual misconduct to institutions in which we were enrolled as students. We also utilise knowledge gained from conducting research in this area (as described below) and from carrying out casework on behalf of students who have contacted us while in the process of making, and attempting to make, complaints to their institutions. Finally, this article draws on our experience of working to bring about change within individual institutions and across the higher education sector as a whole. In documenting our experience, we follow in a long line of feminist researcher-activists whose "path to activist research opens when we enter the field as participants personally affected by the issue that is the focus of our work" (Naples, 2012, 10). As Naples goes on to describe, many feminist activists do not "begin the work with a research agenda in mind, but rather redefined their engagement as activist research projects during the process" (2012, 11). We began as activists, some of whom were also researchers in related fields, and have been obliged to become researchers in this field in order to carry out our activism once we recognised the lack of up-to-date UK-based research on experiences and impacts of staff sexual misconduct. The tensions between these two roles are part of what we explore below.

The article proceeds as follows. First, we briefly introduce the term 'sexual misconduct'. Second, we discuss the absence of research evidence in relation to staff sexual misconduct in the UK as one of the factors that has contributed to making this issue invisible. We go on to discuss further mechanisms through which staff sexual misconduct is silenced within higher education, and the difficulties this creates in doing activism around it. Finally, we introduce the types of 'slow' activism that we and others have been carrying out on this issue. We propose that both institutionalised forms of activism and professional lobbying (Maier, 2011), as well as direct action and community-based strategies for social change (Baker & Bevacqua, 2017) are needed in order to gain momentum on this issue to

create change and to counter-balance the reluctance and at times acute unwillingness of higher education institutions to address and prevent these forms of violence.

What is staff sexual misconduct?

We use the term 'sexual misconduct' to describe a range of behaviours including sexual harassment, assault, grooming, sexual coercion, invitations, and promised resources in return for sexual access towards students (for a discussion of grooming see Brackenridge & Fasting, 2005; Bull and Rye, 2018).[3] We view staff sexual misconduct to be forms of sexual violence and gender-based violence. Sexual misconduct by staff towards students affects students of all gender identities and sexualities, with women students and LGBTQ students having specific vulnerability (National Union of Students, 2018; Cantor et al., 2015). By 'staff' we refer to all employees within higher education institutions including short-term or outsourced contractors[4], which may also include students who are employed as staff during their studies. We use the term misconduct to signal that this is a matter of professional behaviour in the workplace, and to ensure that the focus remains on the responsibility of the staff member, and their employer, for maintaining professional conduct in their dealings with students. This is in line with recent moves to consider sexual harassment as part of research misconduct (Marín-Spiotta, 2018; Chapman, 2018).

A further reason for using the term 'sexual misconduct' rather than 'sexual harassment' is in order to avoid the limited definition that describes harassment as 'unwanted' behaviour. The Equalities Act 2010 defines sexual harassment as involving the "unwanted conduct" of another person, in relation to relevant protected characteristics, conduct of a sexual nature, or related to gender reassignment or sex.[5] The term sexual harassment therefore requires the person to which the sexualised acts and behaviours are being directed to make a judgement on what is appropriate, rather than this being a matter of professional conduct. We argue that in the context of the unequal power relationships that

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[3] National Society for the Protection of Cruelty to Children (NSPCC) website definition of grooming. Retrieved from: https://www.nspcc.org.uk/preventing-abuse/child-abuse-and-neglect/grooming/

[4] Sexual misconduct is also a problem between staff at different levels of the academic hierarchy and much of our work is also relevant to this issue.

[5] Legislation.gov.uk. Equalities Act 2010. Retrieved from https://www.legislation.gov.uk/ukpga/2010/15/section/26

exist between staff and students, notions of wanted behaviour and consensual relations must be examined critically. Fiona Vera-Grey's argument about women's experiences of being intruded upon by men in public spaces is illuminating in this context:

> The assumptions underlying the use of the terms 'unwanted' or 'unwelcome' are that intrusive practices that are not experienced in this way are unproblematic or at least do not 'count'. It moves focus away from the practices of men, who in practicing intrusion are unaware of whether particular practices are wanted by individual women. Their motivations are left unexamined, as is the possibility of negative impact for the women who may experience such intrusions as wanted or desired (Vera-Gray 2016, 7).

Similarly, for students, sexual attention may be wanted and desired from academic staff, and they may only later (after a break-up; after they have lost access to teaching or other resources; or after they realise that the power imbalance has negatively affected their ability to consent) realise that it has been damaging for them personally or academically. Moving away from using the category 'unwanted' in a definition of sexual misconduct therefore opens up a theorisation of power-based sexualised behaviour that does not have to be recognised by the student at the time as harmful.

The invisibility of staff sexual misconduct in research

Despite the relatively high incidence of staff sexual misconduct (Cantor et al., 2015; AHRC, 2017), it is only recently that it has been formulated as a policy problem at national level in the UK. While other authors have documented the ways in which shame, self-blame, and social norms of femininity contribute to silencing sexual violence (Campbell, Adams, Wasco, Ahrens, & Sefl, 2009; Kelly, 1988), here we focus on mechanisms specific to staff sexual misconduct in higher education. These mechanisms work together with discourses of shame and self-blame to entrench the invisibility of this problem. For these reasons and others, survivors of sexual violence and sexual harassment rarely report their experiences to the police or to their institutions (NUS 2010; AHRC 2017; Ministry of

Justice 2013; NUS/The 1752 Group 2018). As Sara Ahmed succinctly argues, "silence about violence is violence" (2017, 260).

One of the ways in which staff sexual misconduct is rendered invisible in the UK has been, until recently, through the paucity of research into this issue. While in the 1980s and 1990s there was a wave of research and activism in the US and UK (Bagilhole & Woodward, 1995; Carter & Jeffs, 1995; Dziech & Weiner, 1990; Eyre, 2000; Stanko, 1995), since then, with a few exceptions (Beebee & Saul, 2011; Lee 2010; Page & Whitley, 2015; Ahmed 2017), there appears to have been a long hiatus in research in the UK. One of these exceptions is the work of Sara Ahmed, who has written extensively on sexual harassment in higher education during her employment at Goldsmiths on her feminist killjoy blog[6] and in her subsequent book (2017). However, other than Ahmed's work, recent research on sexual harassment and sexual violence in higher education has focused predominately on student-to-student gender-based and sexual violence, including the need to tackle so-called "lad cultures" or the performance of particular masculinities in UK higher education (for example, Jackson and Sundaram 2018; Phipps, Ringrose and Jackson 2017; Jackson & Sundaram, 2015; National Union of Students, 2010, 2015; Phipps & Young, 2015a; Phipps & Young, 2015b). This work has both involved and followed activism from students and staff, and, among others, the National Union of Students (NUS), a voluntary membership organisation comprised of 600 student unions in higher and further education in the UK. In response to this ongoing lobbying and campaigning across the sector, Universities UK (UUK), a membership and advocacy organisation comprising vice-chancellors and principals of universities in the UK, released a report in 2016 with recommendations for how universities should effectively address harassment, violence and hate crime directed at women (Universities UK, 2016). However, the remit of the UUK report was confined to student-student harassment, with the misconduct of staff employed or contracted to universities deemed to be outside of its scope. More broadly the recent edited collection by Anitha and Lewis (2018) calls out UK

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[6] See Sara Ahmed's https://feministkilljoys.com/ blog for many articles on the complexities of sexual harassment in higher education.

higher education's failure to recognise and act on gender-based violence, and its authors provide guidelines for research, practice and institutional policy change.

This lack of recent research has hampered our activism specifically on staff sexual misconduct as there is little up-to-date data from which to build a compelling case to persuade the higher education sector to act on this issue. There is tension in the fact that although universities specialise in carrying out research, we have not been putting our collective expertise to bear on this issue in our own sector. While many academics seem aware of sexual harassers among our peers and may have developed strategies for negotiating this problem, this knowledge has not translated into formal research nor has it (with a few exceptions) informed institutional practices and policies. This may be due in part to both the absence of institutional policy which makes clear expected behaviours and professional boundaries (see Bull and Rye 2018), and the difficulties of carrying out critical research in such a sensitive area within one's own profession, and within one's own institution. For example, there may be career risks and also a range of personal risks associated in speaking out about this problem within a department or university, especially when on precarious contracts or in junior positions (Stanko, 1996; Whitley and Page 2015; see below). In the absence of a substantive body of academic research, until recently much of what is currently known about this issue within the UK higher education sector has been through journalistic investigations rather than academic research (see for example, Weale & Batty, 2017; Batty, Weale, & Bannock, 2017).

As a result, two of the authors have turned to research as a form of activism, with two recent studies by The 1752 Group addressing this lacuna. The first was carried out in partnership with the NUS Women's Campaign and produced a public report, "Power in the Academy: Staff sexual misconduct in UK higher education" (National Union of Students, 2018). Based on non-representative national survey of student members of the NUS, out of all 1839 respondents, 41% had experienced at least one instance of sexualised behaviour from staff, while a further 5% were aware of instances of sexualised behaviours happening to someone they know. Fewer than one in ten of these respondents had reported this to their institutions. Out of those who had reported or tried to report, just over a fifth thought their

institution had responded adequately. This study also asked about professional boundaries between staff and students and included focus groups exploring this question. 80% of respondents were uncomfortable with staff having sexual or romantic relationships with students, and focus groups revealed varying experiences of the professional relationship with staff across students with different identities.

A second study conducted by The 1752 Group "Silencing Students: Institutional Responses to Staff Sexual Misconduct in UK Higher Education" (Bull and Rye 2018) comprised analysis of existing institutional policies in this area, and qualitative interviews with sixteen students and early career researchers who had experienced staff sexual misconduct and attempted to report this to their institution or the police. The study found that institutional responses to staff sexual misconduct tended to involve 'making it up as they go along' (2018, 27), i.e. when interviewees attempted to report this experience, there was no clear process to follow which led to inadequate, improvised responses. This led to severe impacts for many interviewees, as well as a lack of justice; only one staff member lost his job as a result of the investigation, despite the fact that most appeared to be serial perpetrators. The policy analysis found a wide range of institutional responses in university policies, from prohibiting staff-student relationships, to 'don't ask, don't tell' policies that included variations on the phrase: "The University does not wish to prevent liaisons between staff and students and it relies upon the integrity of both parties to ensure that abuses of power do not occur" (2018, 24). This research has been crucial in beginning to give visibility to institutional inaction and student experiences of staff sexual misconduct in higher education.

The silencing of experiences of staff sexual misconduct within institutions

One of the key means by which staff sexual misconduct is concealed and students' experiences silenced within UK higher education institutions is through confidentiality processes. These can protect the perpetrator and allow them to move with impunity to a new institution (Whitley and Page 2015, 50-51). Such confidentiality processes also mean that students are not made aware how their

complaints are dealt with. Even after a complaint has been investigated, current disciplinary processes do not require the complainant to be informed of the outcome of an investigation (Bull and Rye, 2018, 21-2). This denies the victim-survivor any recognition that her or his complaint was justified and raises questions around how the institution is ensuring the safety of other students who are being taught by the staff member. Furthermore, little attention is given to the impact upon colleagues within the same department, school or institution, who must continue to work alongside that staff member.

A recent legal challenge has called into question these confidentiality processes around investigations, following an employment tribunal claim by a previous student/employee of University College London and Emma Chapman, third author of this paper. At Chapman's request, UCL entered into a legal settlement waiving the confidentiality previously placed on the vast majority of emails and documents relating to a case of sexual misconduct in which she was a complainant, to better enable Chapman to try to protect herself from retaliation and reveal the outcome of the investigation as well as the sanctions that were in place against the staff member. In addition, Chapman's claim that UCL's handling of the case was discriminatory and constituted harassment it its own right was upheld. This legal challenge, carried out by discrimination law firm McAllister Olivarius, suggests that there is no legal reason to keep universities from disclosing the outcome of disciplinary investigations. This case therefore has the potential to bring about greater accountability for universities and perpetrators through a new culture of openness around investigations of sexual misconduct.[7]

A further way in which higher education institutions in the UK have been complicit in silencing those who report sexual misconduct is through non-disclosure agreements (NDAs). *The Guardian* has reported on universities requiring students to sign NDAs in order to receive compensation after experiencing staff sexual misconduct (Weale & Batty, 2016); Goldsmiths is reported to have paid out £192,146 to students between 2011/12-16/17 (Batty, Weale, et al., 2017). NDAs are signed by the

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[7] For more see de Peyer, R. (2018, July 3). University College London tried to gag me over two-year 'harassment' fight, scientist claims. *The Evening Standard*. Retrieved from https://www.standard.co.uk/news/uk/university-college-london-tried-to-gag-me-over-twoyear-harassment-fight-scientist-claims-a3877756.html

complainants, the staff member accused of the inappropriate behaviour, and the university. The agreements are legally binding and prevent the signing parties from speaking about the terms of any settlement that may have occurred. The university is also prevented from disclosing the sexual misconduct of the former employer. Such agreements inhibit public knowledge and media reporting of such incidents, and rather than protecting employees or students or fulfilling legal data protection requirements, NDAs appear to be used to protect an institution's reputation. However, recently University College London has announced it is ending its use of NDAs in sexual harassment cases (Gibbons 2018), and The 1752 Group's *End NDAs* campaign provides resources for activists to pressure their institutions to do the same[8].

Knowledge of sexual misconduct as a public concern in the UK is also suppressed through legal means. This occurs through the threat of libel proceedings against individuals or media outlets who publicly name perpetrators. Drawing attention to sexual misconduct and the failings of institutions therefore places students and staff at risk of legal action. An illustrative example is that of Professor Carole Mundell (Bode vs Mundell, 2016; Weale 2017) who was sued for libel for drawing attention to a letter of recommendation provided for a member of staff which failed to mention an investigation of sexual misconduct. While the libel suit against Professor Mundell by the letter writer was unsuccessful, with the judge ruling that the complainant had not suffered reputational damage, it nevertheless highlights the risks (personal, career-related and financial) that people take by speaking out, and the very real dangers involved in researching and doing activism in this area, as also highlighted by Elizabeth Stanko in her account of similar experiences in the US (1996).

The mechanisms by which higher education institutions may fail to pay attention to students' testimony and experiences were further highlighted in an inquiry led by Professor Nicole Westmarland into the University of Sussex. Lee Salter, a senior lecturer at the university, was convicted of domestic violence offences against a student, Allison Smith, but at the time of his

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[8] See further details at https://1752group.com/end-ndas-campaign/ [accessed 30 September 2018]

conviction no disciplinary proceedings had been taken against him by the university. Westmarland was engaged by the University of Sussex to carry out an independent review of the case, which found that the University failed "to follow and/or operationalise its own policies and procedures" (Westmarland, 2017, 5). The university also carried out an "inadequate risk assessment," basing this "solely on what the senior lecturer chose to tell the university with no external verification" (2017, 5-6). Westmarland's report is a rare public record of the ways that, in our experience, higher education institutions often manage reports of staff sexual misconduct, whereby the institution is protected at the expense of the safety of its members, including those most vulnerable to abuse or exploitation. The pattern that this case shows – taking the staff member's word at face value; failing to prioritise student safety; failing to communicate with the student; and failing to follow its own policies and procedures – helps to explain why survivors of staff sexual misconduct tend to have little faith in their institution's procedures (see also Bull and Rye 2018).

Given these barriers, as well as the paucity of academic research, as noted above, there are significant challenges to doing activism and research in this area. In this next section we introduce our concept of 'slow activism' as our approach to reconciling the difficulties of being researchers and activists within the very institutions that we are investigating, and we explore three different levels on which we are carrying out this activism.

'Slow activism' within the higher education system

We suggest that this culture of silence surrounding staff-to-student sexual misconduct has, until now, played a critical role in preventing sustained campaigning for social change in this area. In this section we outline three levels on which our activism, and that of others, is currently working to overcome this culture of silencing. These activities operate within different temporalities. Some involve lobbying for rapid change while others require the development of solutions and changes to culture and practices over time. To this end we label our approach as 'slow activism', a term we utilise to get

at the varying levels of speed required (and the ensuing frustration at the slow pace at which change occurs) when attempting to work at different levels of the sector to enact change (see also Robins 2014). For example, it describes the need to engage in grassroots activism within institutions on localised campaigns by students and student unions who have intimate knowledge of their own campus environment. It also describes engagement with senior management of institutions and national sector bodies, where producing briefing documents, scheduling meetings, and enacting policy, procedural and cultural change can take months but more often takes years.

Our approach as a group has been to balance, often somewhat precariously, the need for fast visibility with the slowing down of the ensuing rush to propose solutions and 'fix the problem'. Nowhere in the world are there adequate solutions to address this issue, and while there is immediate need, this demand for change has to be tempered with understandings of institutional speed as well as the fixity of institutional processes: once a solution is put in place, regardless of its appropriateness and capacity to address the problem, it becomes very difficult to modify or change it. For example, institutions that have implemented particular campaigns and solutions (often accompanied by high profile launches) to address sexual violence on campus may then refuse to engage with critique of their programme or to invest further. The presence of an 'institutional solution' can, in this way, have the impact of *closing down* discussion. By contrast, we are aiming for sector guidelines and policy that are informed by research and by the survivor experience, and this takes time. Solutions will also need to change *over* time, and this might mean, for example, that policy needs to be updated on a yearly basis, or that complaints procedures should be regularly audited to identify blockages to reporting.

In contrast to such an approach, it is often the case that institutions act only when forced, for example through media attention or legal challenges, or when incentivised by funding and leadership from sector organisations. In the UK, institutional change in this area tends to occur not through regulation but through sector-wide membership organisations such as Universities UK. For example, institutions were incentivised to adopt recommendations from the 2016 Universities UK 'Changing the Culture' Taskforce via a £4.4 million investment in student safeguarding from the Higher Education Funding

Council for England (Office for Students, 2018). At the point of receiving funding, the institution often wants to speed things up, and can rush to enact solutions without understanding the institutional and departmental cultures into which these solutions will be implemented; for example, we are routinely emailed by HR staff asking for documentation that they can implement. This lack of attention to existing cultures of inequality within institutions is telling from those tasked to safeguard students and staff.[9] The need for institutional action to be visible, while the details of sexual misconduct and how it occurs remain largely invisible, should be of concern. By contrast, it has been student unions and self-organised feminist groups that have been at the forefront of local and national activism in the UK to make gender-based and sexual violence in higher education visible, with campaigns, discussions and talks (for feminist actions in UK and US activism to resist sexism and lad culture, see Lewis, Marine and Kenney 2016).

In the following sections we address some of the methods, and their associated temporalities, that activists, including ourselves, have used to increase visibility of staff sexual misconduct. First, the use of new and existing institutional mechanisms to report and complain on an individual level; second, the direct action work of survivors speaking of their experiences on their own terms; and third, discipline-level exposure of the specific cultures and environments that enable sexual misconduct as well as national, sector-wide level work of using research to reform higher education culture and policies.

Using complaints processes within institutions

Going through the complaints process at an institution constitutes a form of activism against staff sexual misconduct. Rather than being seen as the standard response to experiencing staff sexual misconduct, few students ever report sexual misconduct (National Union of Students 2018), and when they do, the accounts reported in Bull and Rye (2018) of students who attempted to report to their

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[9] An organisation tackling the resistance of universities to examine and address their institutional culture is Changing University Cultures. See https://chucl.com

university show that this formalised route can take a huge toll on those pursuing it, requiring extraordinary courage and persistence over a period of months or years. In addition, the enacting and completion of complaints procedures can occur at varying speeds across different institutions. For example, there may be informal steps that students are obliged to take (which may be invisible in policies) before they are able to make a formal complaint, such as the student attempting to informally resolve the issue with the staff member. Students and staff who pursue staff sexual misconduct cases through their institutional processes are, then, often pioneers who are working towards change within their institutions. Indeed, activist sentiments were expressed by most of the interviewees for Bull and Rye's study, who indicated that they were pursuing this route in order to protect other women and improve conditions in their discipline (Bull and Rye, 2018, 19).

However, there can be consequences for those who carry it out this form of activism (Chen and Gorski 2015; Lloro-Bidart and Semenko 2017; Whitley and Page 2015). It is fear-inducing, it is exhausting, and it is potentially damaging to a complainant's chance of pursuing a career within that institution or sector. It involves holding, supporting and caring for others (as often survivors will find other survivors in order to support each other during institutional processes), and it requires endurance. Members of The 1752 Group have needed to take breaks or to stop doing this work due to such impacts of pursuing complaints. Several members of the original group of PhD student complainants/activists at Goldsmiths remain anonymous. This activism, and the exhaustion of naming personal experiences of abuse – a declaration that is often required in speaking out about sexual and gender-based violence – as well as the feelings of betrayal when institutions fail to act, can have severe and long-lasting personal costs and impacts on mental health (Smith and Freyd, 2014). Therefore, it is critical that the labour (both physical and emotional – see Hoschschild, 2012) of students as activists is foregrounded in a discussion on the work being done to make the violence of staff sexual misconduct visible within the higher education sector, and more widely discussed in public. As with many forms of activism, it has primarily been conducted by those in positions of precarity, either as students, as junior level staff, or as workers on short-term contracts.

Despite these costs, this work of complaint can sometimes extend into activism to change the processes within an institution when these are shown not to work. Those who must navigate and use faulty procedures develop intricate knowledge of how these particular systems work or fail to work. For example, following a failed or ineffective complaints and investigation process, an institutional response might be salvaged by drawing on the lived experience of survivor-complainants in order to reform these policies and practices[10]. However, survivors may not be in a position to – and should not be expected to - provide solutions to the very institution that has caused their trauma.

Naming experiences, perpetrators and institutions as a form of activism

Many complainant-survivors who lack adequate institutional pathways to address staff sexual misconduct have instead turned to other forms of activism in order to prevent harmful behaviour from continuing and to seek justice. One of these forms of activism involves individuals giving voice to experiences of gender-based and sexual violence through naming what has taken place, where it took place, and its impact in theirs and others' lives. It has also been referred to as "call out culture" (Ahmad 2017, Vemuri 2018) and has been a crucial part of the resurgence of #MeToo as a social media movement. However, the original intention of the metoo. movement created by Tarana Burke in 2006[11] involved me too as a signifier of shared pain and understanding between survivors, rather than the naming of perpetrators. More recently #MeToo has involved naming industries, institutions and perpetrators in order to make sexual violence visible. In addition, using #MeToo has given survivors a forum to share stories and to call institutions and sectors to account. Time Magazine recently featured the "Silence Breakers" of sexual harassment and sexual violence in the US as its 'Person of the Year', describing the women as "the voices that launched a movement" (Zacharek, Dockerman & Sweetlands Edwards, 2018). While naming can appear to be a rapid response to sexual misconduct, it often occurs only years after violence has taken place, and after months and years of institutional failures to listen, investigate, and enact justice. As the article describes, there is so much

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[10] See for example UCL's Preventing Sexual Misconduct Strategy Group https://www.ucl.ac.uk/human-resources/preventing-sexual-misconduct-strategy-group
[11] See the me.too movement website: https://metoomvmt.org/

that happens before a person gets to the point of speaking out: "Those who are often most vulnerable in society—immigrants, people of color, people with disabilities, low-income workers and LGBTQ people—described many types of dread. If they raised their voices, would they be fired? Would their communities turn against them? Would they be killed?" (2018). Further to this, when individuals or groups decide to name, even at substantial cost or risk to themselves and their safety, institutions can warn against these acts of naming, for example, as described in Bull and Rye (2018, 15), potential complainants may be blocked or dissuaded from going forward with a complaint. As Ahmed aptly describes, "A wall can come up to prevent students from making complaints in the first place" (2017, 139). These warnings use the language of protection, where the language is couched in terms to limit damage to individual, but are designed to conceal the institution. Complainants are told that others (including perpetrators) will be 'hurt' or harmed by their speaking out (Whitley and Page 2015, 44).

Naming can therefore be seen as a form of 'slow activism' in relation to the time it takes to get to the point where a survivor might feel able to name. In the context of staff sexual misconduct, naming can include how institutions responded or why the individual felt unable to previously report or speak of the violence; it does not necessarily involve naming the individual/s responsible. One example of 'naming activism' took place when Lee Salter was named by the *Independent* newspaper. This naming was possible as a result of criminal charge of assault brought by former student Allison Smith being upheld against him. This naming was not only of Salter but of the University of Sussex, who continued to employ him despite his conviction for assault (Pells, 2016). The actions by Smith led to Professor Nicole Westmarland's independent review into Sussex's response to domestic violence and the subsequent public report, which led to significant changes in policies at Sussex.[12]

Another example of 'naming activism' occurred when Sara Ahmed, after "watching histories be reproduced despite all our efforts," resigned from her position at Goldsmiths, which led to the actions of the institution being exposed in nationwide press coverage (Ahmed 2016a). As Ahmed expresses in

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[12] For details of the policies implemented at the University of Sussex see: http://www.sussex.ac.uk/broadcast/read/42259

her blog, "To resign is a tipping point, a gesture that becomes necessary because of what the previous actions did not accomplish. There are now many more people who know something more about what has been happening" (Ahmed 2016a). Connected to Ahmed's resignation was another form of naming that took place at Goldsmiths, University of London in 2016. An account of the sexual misconduct of a former academic staff member was written into copies of the books in the university library that he had authored. This account challenged the silence of the institution by making what had been dealt with privately into a written, public record: the academic tools originally created to publish knowledge about what *he* knows were (mis or re)used as a means to publish what *students* know. Photographs of the writing that appeared in the books were uploaded to an anonymous blog written by a group of students.[13] The blog asked questions as to what had taken place within the institution, expressed concern as to the resignation of Ahmed, and called for Goldsmiths to engage in a public discussion and acknowledgement of the sexual violence that had occurred on campus. This archive of material was used by other activists to instigate a public discussion on the Facebook event page for a course at another institution taught by the former Goldsmiths academic. This course was subsequently cancelled without explanation from the institution. Even when institutional action occurs, institutions can still fail to name sexual misconduct.

While Alison Phipps (2018, 9) is right to argue that naming perpetrators and institutions risks individualising the problem by suggesting that it is simply 'bad apples' rather than a sector-wide culture that is to blame, we suggest that until students and staff are safe in their institutions we need to use all the tools at our disposal. We should be working towards the solutions Phipps describes, such as 'speaking in' to the institution (2018, 12) in order to bring about deeper and more long-lasting change. But in the meantime, we argue that it is important to retain the right to name experiences, to name what happened to us, and to name who did this – the individuals, institutions and structures responsible. Often this naming occurs when institutions are insistent in their refusal to listen; it is seldom the first option survivors reach for. This can be thought of as a form of direct action, or a route

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[13] https://wewanttruthgoldsmiths.wordpress.com/

for activists who have exhausted all legal and civil-society means at their disposal and feel a sense of urgency at the need for change. As a result they take personal risks or use their own bodies to obstruct injustices or to protect others (Graeber, 2009). For Doherty et al., direct action "is intended to *directly* change perceived political, social or environmental injustices" (Doherty, Plows, & Wall, 2003, p. 670; our italics). In the face of repeated institutional failure to provide students with a safe space to study, we argue that direct action is an essential part of the toolkit of feminist activism. Naming is a high-risk strategy that directly confronts injustice, and it lets other survivors know they are not alone. We recognise that naming is high risk, and is neither appropriate for all cases of staff sexual misconduct, nor the best method in all instances. In the examples of naming used above, the cases involved serious and sustained sexual misconduct, and all other institutional means were attempted first, making them akin to a whistleblowing action, the latter being a legally recognised action[14]. Irrespective of the reason for naming, it comes with the risk of prosecution for libel as well as a considerable risk to personal mental health through the vulnerability of such exposure that often involves the survivor naming themselves and describing their experience. However, where this is the only means to make accountable the institutions that we work and study within, forms of direct action that include naming can be a productive strategy.

Discipline-led and sector-level activism

In some fields, activism to address staff sexual misconduct has moved from being institutionally-based to being discipline-led, in recognition that different academic fields have their own cultures that enable misconduct but also as a solution to the issue of perpetrators moving institutions and avoiding justice. The discipline of astronomy was one of the first academic fields to see national coverage of sharing stories of sexism and sexual harassment within science, and the ensuing community reaction led to the #astrosh hash-tag on Twitter and an online community of Astronomy Allies who support and help survivors, "committed to making astronomy a safer, more equal place"[15]. Strategies were

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[14] https://www.gov.uk/whistleblowing
[15] http://www.astronomyallies.com/Astronomy_Allies/Welcome.html

quickly formulated and shared via social media under #astrosh. For example, it is now standard for academics supporting this movement to refuse to attend academic conferences where there is no enforceable code of conduct relating in some part to bullying or sexual harassment. In the space of under two years most of the major astronomy collaborations, which cross tens or hundreds of institutions, have written codes of conduct explicitly dealing with sexual misconduct.[16]

However, most current higher education sector protocols are silent on this issue. For example, currently none of the 10 principles of the established UK Diversity and Inclusion framework Athena SWAN[17] directly acknowledge the need to address sexual misconduct within higher education institutions (the discussion of bullying and harassment does not include any mention of sexual violence). Without recognition that sexual misconduct and sexual violence are major barriers to gender equality, institutions are not required, and therefore may not be motivated, to tackle this issue. Despite this, staff sexual misconduct is now being embedded within some sector frameworks. The JUNO award is the UK Institute of Physics' own gender equality accreditation and is well respected within UK physics departments. It originally consisted of five principles that addressed issues such as career progression and selection processes but, like Athena SWAN, did not address sexual misconduct. In 2017 a new sixth principle was launched which requires all physics departments applying or renewing an award to directly address misconduct[18]. This was a result of specific campaigning by one member of The 1752 Group, Emma Chapman, and is an achievement we hope to replicate in other gender equality frameworks. This campaigning required a very different mode of practice to the 'naming activism' described above, working more as a mode of lobbying than direct action. We were able to draw on established language and frameworks for gender equality to argue that sexual violence should be an integral part of these.

Working slowly with institutions

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[16] For an example see: https://lsst-uk.atlassian.net/wiki/spaces/HOME/pages/50924278/Code+of+Conduct).
[17] Athena SWAN website, retrieved from https://www.ecu.ac.uk/equality-charters/athena-swan/about-athena-swan/
[18] Institute of Physics Project Juno six principles, retrieved from http://www.iop.org/policy/diversity/initiatives/juno/principles/page_42621.html

As discussed earlier, different forms of activism can operate within and across different temporalities. Some actions involve lobbying institutions and sectors for change (both immediate and long term), some involve naming experiences that might appear to occur quickly but are the result of many years' accumulated experience, and others require the development of methods through which to change ingrained and normalised cultures over time. Making power visible involves understanding where power is held within the structures of higher education and naming it as such.

In order to do this work, as an organisation we have primarily chosen to focus on the national level. We made this decision because as individuals we became frustrated at trying to enact change within the institutions where we were studying. We also recognised that those working within their own institutions – as students, student union officers, and staff – needed support and that often their voices and actions were silenced and ignored because there was little national visibility on issue of staff misconduct. This meant that even when evidence was presented about staff misconduct, those bringing this forward were dismissed because it was not seen as an issue that warranted an institutional response. Its lack of national visibility can contribute to its invisibility at a local level. We strategised that until there was sector recognition and national guidelines that could be used to press for and enact institutional and structural change, local efforts would be inconsistent across institutions. To this end, as an organisation we have needed to engage in a delicate balancing act between activism, lobbying, and research. We need to have the research to provide the evidence of what we already know but also to extend our knowledge beyond our experience and understand wider patterns and the experiences of different students. We also need to create and support campaigns enacted at local and national levels; to critique the institutions that we work within, while supporting and encouraging change including from the most resistant institutional members; and to lobby sector bodies and politicians to develop guidelines and set the standards for the sector. There is tension in moving too quickly or too slowly, outside of the speed at which institutions operate. Change is needed in the sector, but this field is still developing and we feel the anxiety of becoming part of the solution. There is an urgent demand for students and staff to be protected, but we are also concerned that solutions might be implemented that do not address the complexity of power relations and the impact

of the range of sexual harassment and misconduct behaviours as forms discrimination and inequality that limit and deny access to education and career progression.

At our heart, in the context of this remit, we remain activists who research. Our activism informs the research process and directs our attention to how we might make public the private and vulnerable experiences of sexual and gender-based violence in ways that remain survivor-centred. We have taken this approach because of the urgency to do something. It continues to be a tension in our work. To do activism takes time away from writing and research. While activist activities – sector meetings, providing responses to those seeking advice or support, giving public talks and conference presentations, and offering media commentary – allows a national conversation to move more rapidly, this work comes at the expense of the formalised research activities that are recognised within higher education. Therefore, we continue to tussle with temporal movements between quick responses and slow research; lags in time between institutional responses, and allowing survivors to take their time; activism that points out the problem, and rapid institutional solutions that do not understand the problem.

Conclusions

In this article we have argued that activism around staff sexual misconduct should aim to make this issue visible. We have outlined some of the ways in which it is made invisible: a lack of research on the prevalence and impacts of staff sexual misconduct on students; the difficulties students and staff face in reporting these abuses of power; and requirements for confidentiality around the ways in which individual cases are investigated within institutions. We have described three ways in which forms of what we have referred to as slow activism are currently occurring in the sector, through our own work and that of others: participating in institutional complaints processes; survivors naming their own experiences; and discipline-led and sector-wide activism that is demonstrating ways forward for the sector as a whole.

Furthermore, we acknowledge that using institutional complaints processes and naming experiences, perpetrators and institutions, are short-term solutions that are not preventative, are often unsustainable and do not necessarily lead to positive change. This is in part because of the ways in which institutional structures and processes both silence and exhaust individuals who speak out, take action, and make complaints. As with other sectors, individuals calling attention to abuses of power in higher education often remain or are increasingly vulnerable to those power relations, as either students or staff in precarious positions of employment. Addressing these issues requires activism both within and outside of institutions, across multiple levels of engagement: lobbying members of parliament and sector bodies; preparing formal responses to national consultations; reviewing university policies and procedures and conducting training within universities; speaking at events both within and outside of academia; and advising students on direct action and strategic approaches to invoke change locally within their own institution.

Overall, however, the forms of activism and research that we use to address the issue of staff sexual misconduct need to match the solutions that are required. We follow Bacchi (1998) in suggesting that rather than individualised approaches, what is required are organisation-wide approaches that focus on culture and ongoing dialogue about the kinds of institutions we want to learn and work within. These conversations are difficult, but needed. Secrecy around cases of staff sexual misconduct, both when allegations of sexual misconduct have been proven and when staff resign prior to disciplinary procedures, can contribute to reinforcing the silencing of students and staff who have not been able to come forward. While the institution 'acts', there may be violence connected to the action. But lack of openness on this issue sends another clear message: that the use of power by staff must be kept quiet. Institutions should not underestimate how these silences and refusals to talk about behaviours and cultures that are part of a department, faculty, college, school or university can have an impact on those studying and working within them. However, cultural change takes time, and therefore in conjunction with developing long-term, sustainable cultural change within an institution, other forms of activism including naming, departmental and sector-led activism, and feminist direct action are also needed to bring urgent and sustained attention to this issue.

Overall, the responses to staff sexual misconduct that we are suggesting have a complex relationship to current neoliberal reforms taking place in higher education in the UK. Competition between institutions is leading to a heightened focus on institutional reputation and branding (Phipps & Young, 2015a) and this can be a positive development for combating staff sexual misconduct as it gives an incentive for institutions to take action (Towl, 2016). Indeed, kitemarks or credentialization that certify institutions as to their safety and competence are starting to appear, such as Protect-Ed, a certification scheme run by the University of Salford which provides universities with safety credentials across four areas including harassment and sexual assault ('ProtectED Code of Practice', n.d.). However, such neoliberal approaches also carry great risks, as institutions are incentivised to protect high-achieving staff members (Imperial College London, 2016) and in comparison, students and early career researchers are expendable. The idea of an institutional 'duty of care' becomes a convenient fiction. The intersection of sexual violence activism in higher education in relation to neoliberal reforms and controls therefore requires further discussion.

While there are powerful mechanisms that are encouraging competition between institutions as well as between individuals within them, there are many organisations and individuals who reject this agenda and who are working for positive change within their institutions; higher education is currently a contested space but also continues to be a productive space for activist-led change. We believe that it is possible to bring about sector-wide change to reduce the prevalence and impact of staff sexual misconduct in higher education. This belief is an essential tool for activists; but it is also grounded in the knowledge that we have an opportunity based on the current historical moment, where both sexual harassment more widely, as well as staff-student sexual misconduct, are now on the public agenda. We – along with many others - hope to seize this moment to bring about lasting sector-wide change.

Author bios

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