

Senate Legal and Constitutional Affairs References Committee

Public Hearing – 25 July 2023

ANSWER TO QUESTION ON NOTICE

Department of Social Services

Topic: Inquiry into current and proposed sexual consent laws in Australia.

Question reference number: IQ23-000063

Question asked by: Paul Scarr

Type of Question: Spoken. **Hansard Page:** 56

Date set by the Committee for the return of answer: 15 August 2023

Question:

CHAIR: Thank you. Ms Doherty, I'm going to ask you some more questions about this Universities Australia issue. When did Universities Australia actually communicate with DSS and advise these were the words you originally used that it was not viable or not feasible to roll out a campaign? When was that communication received?

Ms Purdy: It was in June 2022 that UA advised the department that a campaign was not possible and that it sought approval to terminate the agreement.

CHAIR: How did they communicate?

Ms Purdy: I don't have that detail, I'm sorry.

Ms Doherty: I imagine it would have been by email.

CHAIR: Can you take that on notice? Could you take on notice whether or not you could provide to this committee a copy of the communication from Universities Australia with respect to their communication?

Ms Doherty: I'm happy to.

CHAIR: Could you also provide a copy of the response from DSS to that communication?

Ms Doherty: Sure. We're happy to take that on notice.

CHAIR: If you could take that on notice.

Ms Doherty: I imagine it was an email. I'm happy to follow up.

CHAIR: Ms Doherty, I note you are taking the communication on notice so I don't want to push you into areas where you want to refresh your memory. Was it in that communication where they actually talked about the fact that they couldn't receive consensus amongst the vice chancellors with respect to the campaign and that was the issue?

Ms Doherty: I wouldn't want to speculate without having the email in front of me

Answer:

Universities Australia advised the department of its decision to not go ahead with the campaign at a meeting with departmental officials on 28 June 2022.

A copy of an email sent from the department to UA on 15 July 2022, confirming UA's position that it would not proceed with the campaign, and proposing next steps, is attached to this IQ.

UA did not provide written advice of the views of Vice Chancellors in regards to the campaign. This information was communicated verbally to departmental officials by the Chief Executive Officer of UA in November 2021.

From: "Peter Chesworth" [REDACTED]
Sent: 15/07/2022 2:12:41 PM
To: "SHUHYTA, Amber" [REDACTED]; "Jenny Clark" [REDACTED]
Cc: "NAIDU, Lishani" [REDACTED]; "VICKERS, Carol" [REDACTED]
Subject: RE: Universities Australia grant agreement options [SEC=OFFICIAL]

Dear Amber

Acknowledging receipt of this advice regarding options. No surprises there. Jenny and I will consider further at this end approach you for another discussion.

Cheers

Pete

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From: SHUHYTA, Amber [REDACTED]
Sent: Friday, 15 July 2022 1:49 PM
To: Peter Chesworth [REDACTED]; Jenny Clark [REDACTED]
Cc: NAIDU, Lishani [REDACTED]; VICKERS, Carol [REDACTED]
Subject: Universities Australia grant agreement options [SEC=OFFICIAL]

EXTERNAL EMAIL:

Dear Peter and Jenny,

Apologies if you received an earlier email from me, please disregard, the below is the correctly edited version 😊

Thank you for sharing the Quantum Market Research report topline findings.

At our meeting on the 28 June 2022, you advised the department about the risks associated with continuing with the sexual violence campaign in its current form and your preference to not go ahead

with the materials. I thought it would be helpful to outline some options available to progress and inform our next discussion.

For consideration, there are three options:

1. UA delivers an amended product – UA will need to show a commitment to developing further concepts, which are within the scope of the grant agreement. In consideration of sexual assault on University campuses being a national issue and in discussion with the department Secretary and Deputy Secretary, this is the preferred option.
2. Terminate the UA grant. This would be according to the Commonwealth Standard Grant Conditions (19. Reduction, Suspension and Termination clause). Remaining funds would be returned to the department via mutual termination process, potentially resources can be developed to support an existing sexual violence prevention activity in universities or other priorities as determined by Government. From advise provided by UA in March this year we understand there is approximately \$600,000 in remaining funds. It would be good if you could confirm this.
3. Using the unexpended funds UA subcontracts another provider, such as Our Watch who have already worked with universities and UA. This option would mean contract management and oversight for UA. The department will also need to be across the project and outcomes and notes it might be tricky to ensure a stepped process maintains alignment to intended outcomes.

I understand we have a meeting scheduled 22 July, please let me know if you would like to include any additional options for discussion or have any questions.

Regards
Amber

Amber Shuhyta

Branch Manager

Women's Safety Response and Behaviour Change

Department of Social Services

P: [REDACTED] **E:** [REDACTED] **M:** [REDACTED]

The Department of Social Services acknowledges the traditional owners of country throughout Australia, and their continuing connection to land, water and community. We pay our respects to them and their cultures, and to Elders both past and present.

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