

Responding to harassment reports

This is a print version of the guide to responding to harassment reports located at:
http://geekfeminism.wikia.com/wiki/Conference_anti-harassment/Responding_to_reports
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Having a policy

The key to responding to conference harassment is having a policy that forbids harassment. See the Conference anti-harassment pages for a sample policy and implementation resources, particularly, Conference anti-harassment/Policy resources for information about publicizing your policy, and educating event attendees.

Also prepare a **list of emergency resources** such as emergency services contact details and mental health and sexual assault hotlines. Incidents may be reported under the harassment policy that the conference staff are not equipped to deal with.

Receiving harassment reports

See also Conference anti-harassment/Duty officer

If someone reports harassment to conference staff, ask them for a written account of what happened. This should be kept confidential to as small a group as reasonably possible, and could be anonymised by the receiving person before distribution to the closed group.

If conference staff receive a verbal report, they should themselves write down what they were told as soon as they can, in case they don't get anything better. A verbal report lasting more than a minute or so is probably better conducted in a quiet/private place (such as the duty officer's office) rather than in a general convention space, for the safety and comfort of the reporter. This also decreases the chances for someone to overhear sensitive information that the reporter may not want spread around to the entire event.

If the following information is not volunteered in the written or verbal report, ask for it/include it, but do not pressure them.

- Identifying information (name/badge number) of the participant doing the harassing
- The behavior that was in violation
- The approximate time of the behavior (if different than the time the report was made)
- The circumstances surrounding the incident
- Other people involved in the incident

Generally conference staff are not equipped for evidence gathering: we suggest not going around and "interviewing" others involved.

Initial response to harassment reports

Threats to physical well-being

Most harassment complaints aren't of this nature, but if someone reports that an attendee has committed or is threatening violence towards another attendee, or other safety issues:

- if there is any general threat to attendees or the safety of anyone including conference staff is in doubt, summon security or police.
- offer the victim a private place to sit
- ask "is there a friend or trusted person who you would like to be with you?" (if so, arrange for someone to fetch this person)

- ask them "how can I help?"
- provide them with your list of emergency contacts if they need help later

Law enforcement

If everyone is presently physically safe, **involve law enforcement or security only at a victim's request.**

In many cases, reporting harassment to law enforcement is very unpleasant and may result in further harassment. Forcing victims to go to law enforcement will reduce reports of harassment (but not actual harassment). For more information, see *Why Didn't You Report It?*

A staff member can provide the list of emergency contacts and say something like **"if you want any help reporting this incident, please let us know"** and leave it at that.

Reports of harassment that were widely witnessed

These include things like harassing content in conference talks, or harassment that took place in a crowded space.

Simply say **"Thanks, this sounds like a breach of our anti-harassment policy. I am going to convene a meeting of a small group of people and figure out what our response will be."**

Reports of more private harassment

Offer the reporter/victim a chance to decide if any further action is taken: **"OK, this sounds like a breach of our anti-harassment policy. If you're OK with it I am going to convene a meeting of a small group of people and figure out what our response will be."** Pause, and see if they say they do not want this. Otherwise, go ahead.

Things not to do:

- Do not overtly invite them to withdraw the complaint or mention that withdrawal is OK: this suggests that you *want* them to do so, and is therefore coercive. "If you're OK with it [pursuing the complaint]" suggests that you are by default pursuing it and is not coercive.
- Do not ask for their advice on how to deal with the complaint: this is the staff's responsibility
- Do not offer them input into penalties: this is the staff's responsibility
- Do not share details of the people involved or incident without specific permission from the victim. This includes sharing with other staff.

Staff action in response to harassment reports

You should aim to take action **as soon as reasonably possible**. During the event, a response within the next half-day is usually an appropriate timeframe. After the event you may need more time to gather sufficient decision makers, but ideally responding within the same week or sooner is good.

Meeting

Available staff should meet as soon as possible after a report to discuss:

1. what happened?
2. are we doing anything about it?
3. who is doing those things?
4. when are they doing them?

Neither the complainant nor the alleged harasser should attend. (If the event was very widely witnessed, such as a harassing talk, this may be an exception to this guideline.) People with a conflict of interest should exclude themselves or if necessary be excluded by others.

Communicate with the alleged harasser about the complaint

As soon as possible, either before or during the above meeting, let the alleged harasser know that there is a complaint about them, let them tell someone their side of the story and that person takes it into the meeting.

Communicate with the harasser about the response

As soon as possible after that meeting, let the harasser know what action is being taken. Give them a place to appeal to if there is one, but in the meantime the action stands. **"If you'd like to discuss this further, please contact XYZ, but in the meantime, you must <something something>"**

Possible sanctions

Your guiding principle should be **the safety of your community members from harassment** and you should evaluate sanctions in light of whether they provide the safety needed. You and your event are the only people who can judge appropriate sanctions in your community based on the nature of the incident and the responses of the people involved, but some possibilities are:

- warning the harasser to cease their behaviour and that any further reports will result in sanctions
- requiring that the harasser avoid any interaction with, and physical proximity to, their victim for the remainder of the event
- ending a talk that violates the policy early
- not publishing the video or slides of a talk that violated the policy
- not allowing a speaker who violated the policy to give (further) talks at the event

- immediately ending any event volunteer responsibilities and privileges the harasser holds
- requiring that the harasser not volunteer for future events your organization runs (either indefinitely or for a certain time period)
- requiring that the harasser refund any travel grants and similar they received (this would need to be a condition of the grant at the time of being awarded)
- requiring that the harasser immediately leave the event and not return
- banning the harasser from future events (either indefinitely or for a certain time period)
- removing a harasser from membership of relevant organizations
- publishing an account of the harassment and calling for the resignation of the harasser from their responsibilities (usually pursued by people without formal authority: may be called for if the harasser is the event leader, or refuses to stand aside from the conflict of interest, or similar, typically event staff have sufficient governing rights over their space that this isn't as useful)

Employer reports

If someone harassed someone else while in an official employee capacity, such as while working as paid event staff, while giving a talk about their employer's product, while staffing a sponsor booth, while wearing their employer's branded merchandise, while attempting to recruit someone for a job, or while claiming to represent their employer's views, it may be appropriate to provide a short report of their conduct to their employer.

Don't require or encourage apologies

We **do not** suggest asking for an apology to the victim. You have **no** responsibility to enforce friendship, reconciliation, or anything beyond lack of harassment between any two given attendees, and in fact doing so can contribute to someone's lack of safety at your event.

Forcing a victim of harassment to acknowledge an apology from their harasser forces further contact with their harasser. It also creates a social expectation that they will accept the apology, forgive their harasser, and return their social connection to its previous status. **A person who has been harassed will often prefer to ignore or avoid their harasser entirely.** Bringing them together with a third party mediator and other attempts to "repair" the situation which require further interaction between them should likewise be avoided.

If the harasser offers to apologize to the victim (especially in person), we suggest strongly discouraging it. If a staff member relays an apology to the victim, it should be brief and not require a response. ("X apologizes and agrees to have no further contact with you" is brief. "X is very sorry that their attempts to woo you were not received in the manner that was intended and will try to do better next time, they're really really sorry and hope that you can find it in your heart to forgive them" is emphatically not.)

If the harasser attempts to press an apology on someone who would clearly prefer to avoid them, or attempts to recruit others to relay messages on their behalf, this may constitute continued harassment.

Data retention

Build a data retention policy for various information related to harassment policies. In particular, an anti-harassment policy that states that sufficiently bad offenses can earn a lifetime ban from the event should have a data retention plan that includes how to store and communicate offenses from past events to the staff of future events, for the lifetime of the organization.

Things to think about:

- What gets stored?
- How is it stored? (Paper is less searchable than electronic records.)
- Who has access to it?
 - Who is allowed to have access?
 - How is that access controlled?
- How is it communicated to future staff?
- How long are the stored records kept?
 - Is there a difference in how long different types of records need to be kept?
- At what point in the registration process does someone check against records of banned attendees?

Communicating with your community

Principles

Your community may need to see the policy enforced because:

- you want to be transparent to your community and not have secret policies and sanctions that you aren't accountable for
- the actions of the harasser, or reports of multiple harassment, show that your policy may not be well understood
- you wish to reassure people that you are serious about anti-harassment

Level of detail

When discussing the incident with others, it is good to keep the individuals anonymous, generally. (An exception may be if the harasser is very central to the community, such as a core conference staffer.) However, it is useful to:

- offer some idea of the nature of the incident eg "a sexual slide was shown in a talk" or "an attendee physically threatened another attendee" or "an attendee repeatedly harassed another attendee despite multiple requests to cease" or whatever.

- briefly mention the sanction
- (briefly! neutrally!) convey any apologies from the harasser, especially if they were backed by actions, for example "the [attendee/speaker/staffer] has agreed that their actions were inappropriate and has voluntarily left the conference"

This helps your community understand the reality of the policy: how and when it gets enforced.

Feedback

The community should be offered the chance to give feedback on your policy and actions. When discussing the incident, always offer an avenue for feedback: this could be verbally to conference staff, email, phone, etc. One mechanism is usually fine if it's accessible to everyone. (Verbally in person and phone are not accessible to everyone.)

You will probably prefer that the feedback be private between an individual attendee and conference staff: discussions of harassment incidents on geeky public mailing lists and similar often end up in lengthy (and sometimes harassing!) disputes about the philosophical validity of the notion of harassment.

Informing attendees

If the event has been dealt with at the conference, it may be appropriate for the conference to make a short announcement at the next plenary, something like:

"<thing> happened. This was a violation of our policy. We apologise for this. We have taken <action>. This is a good time for all attendees to review our policy at <location>. If anyone would like to discuss this further they can <contact us somehow>."

And then move on with the program.

Dealing with upset attendees

People may be upset and wish to express their concerns to conference staff. Conference staff should be in "making the person feel heard" mode, it's important not to cross into education mode. Hear them out, take notes as appropriate, thank them for their thoughts.

Conference staff should not share additional details of the incident with uninvolved parties.

If an attendee are upset and a staff member agrees that a wrong was done to them, it helps a lot to just say simply **"I'm so sorry."** (Rather than "but we tried really hard" or "no one told us" or etc, even if that was true. "I'm so sorry" goes a long way to defusing many people's anger.)

Whether or not a staffer agree that a wrong was done to them them, they should be armed with an authority they can appeal to if talking wasn't enough. "Please email our conference director." "Please email our committee." etc.

Public response

Some incidents of harassment will need a public response after the conference in order to protect the reputation of your awesome, friendly, professional conference. Be prepared and willing to distance your conference from actions of participants that reflect badly on your conference, and to defend your action or inaction in response. Nobody likes being the bad guy, but even fewer people like going to a conference when the organizers seem to condone bad behavior, whether the reputation is for punishing the people reporting it, ignoring it, or enforcing an existing policy unevenly (someone with no connections getting the harshest possible penalty, someone with intimate connections to the organizers getting off lighter than the stated policy).

Timing is important. Try to respond quickly to harassment incidents. A late response looks a lot like no response at all and can harm your conference's reputation and future attendance. A simple and relatively uncontroversial response with few legal concerns is to issue a general statement about the kind of behavior involved. "\$CONFERENCE does not condone \$BEHAVIOR. \$BEHAVIOR violates the anti-harassment policy of \$CONFERENCE, which specifies that participants engaging in \$BEHAVIOR will be expelled from the conference. We take harassment seriously and respond to reports of it quickly and firmly."

Evaluation

After you have had a chance to observe how the anti-harassment policy works in the real situations presented by your conference, you may wish to change the policy to better address them. Did anything unforeseen happen that there should be a rule about? Sometimes an unacceptable behavior does not warrant a whole new rule, but should be listed as a specific example of unacceptable behavior under an existing rule.

For consistency, it is wise to deal with situations that came up at this year's conference under this year's rules, and only apply any changes going forward to the next conference.

Further reading

http://geekfeminism.wikia.com/wiki/Conference_anti-harassment/ General resources around adopting and enforcing a conference code of conduct

<https://lwn.net/Articles/417952/> A survey of women's experiences with harassment at OSS conferences as of 2010

http://meloukhia.net/2010/04/why_didnt_you_report_it/ A list of common reasons victims of sexual assault do not report to the authorities

<http://adainitiative.org/2013/08/27/why-dont-you-just-hit-him-the-worst-possible-anti-harassment-advice/> A list of reasons why "Why don't you just hit him?" is terrible advice to a victim

http://geekfeminism.wikia.com/wiki/Timeline_of_incidents A list of sexist incidents in geek culture, including many incidents of conference harassment and how they were handled