2019 Student-Led Consultations: Sexual Violence at the University of Toronto Final Report

INTRODUCTION AND PREAMBLE

Sexual violence and harassment continues to be a serious issue that persists through many sectors of society, including higher education. At the University of Toronto, there is a long history of students, whether aligned with formal organizations or grassroots movements, responding to sexual violence on their campuses and challenging the broader institutional response.

In 2014, the Presidential and Provostial Committee on the Prevention and Response to Sexual Violence was formed after a series of high-profile sexual assaults occurred across multiple university campuses, including the University of Toronto. A Final Report of this Committee was released in February 2016, and the Provost also created an Expert Panel to advise on principles and recommendations for a standalone sexual violence policy.

In the same year that the Final Report was released, the former Ontario Government introduced Bill 132, calling for every college and university to have a policy that addresses sexual violence. A process was outlined, with an emphasis on reports, disclosures and a mandatory policy review to occur at least every three years.

In 2017, after the Policy on Sexual Violence and Sexual Harassment ("the Policy") came into effect, the Sexual Violence Prevention and Education Centre ("the Centre") was officially opened and fully staffed by June of that same year. However, between 2015 and 2016, during the development stages of the Policy, alongside consultations held by the U of T administration, students also hosted consultations and collected feedback from their peers. The "Big 5" student unions (APUS, SCSU, UTGSU, UTMSU and UTSU), levy groups such as Students' for Barrier Free Access ("SBA") and grassroots organizations like Silence is Violence U of T ("SIV-U of T") submitted recommendations based on these consultations.

During this time, the provincial government also moved forward on developing and disseminating a climate survey, later titled *Student Voices on Sexual Violence* (the "Survey"). The Survey was administered by CCI Research Inc. on behalf of the Ontario Government's Ministry of Training, Colleges and Universities and publicly-assisted post-secondary institutions. The purpose of the survey was to collect data on perceptions and experiences of sexual violence at post-secondary institutions in Ontario. This Survey was sent electronically to nearly all students enrolled in an Ontario university, college or private career college¹ between February 2018 and April 2018.

On March 19th, 2019, the provincial government released preliminary findings from the *Student Voices on Sexual Violence* survey. More than 20,000 U of T students responded to the Survey, providing valuable insight into how sexual violence is affecting students at this world-renowned institution. 57.6% of the relevant survey questions, University of Toronto (hereafter referred to as U of T) respondents indicated that they were satisfied with the institution's response to sexual violence. However, in 61.7% of the relevant questions, students indicated that they were unaware of sexual violence supports, services, and reporting procedures. At U of T, 58.7% of respondents disclosed one or more incident of sexual harassment, which included

¹ Part-time students studying in Ontario were excluded from survey participation, with the exception of part-time graduate students.

discrimination based on gender identity or sexual orientation, being touched in a way that made one feel uncomfortable, being continually asked for dates from someone after having said 'no', and being sent unwelcome content via text, email, or social media. 17% of U of T respondents disclosed one or more non-consensual sexual experiences. The latter two findings only include experiences since the beginning of the academic year.

This quantitative report provides tremendous insight into the experiences of U of T students with respect to sexual violence, but we recognize that there is always more work to be done. Given the fluid nature of post-secondary education, where students are continuously entering and leaving the institution for many reasons, it is important to ensure there is consistent outreach for feedback. Qualitative research that aims to centre the voices of those impacted by sexual violence can help to make recommendations to amend current policy and create a campus culture where sexual violence is considered unacceptable.

Here, we present the findings of four student-led consultations. The qualitative data in our report is intended to complement and build on the previous work of U of T student groups, such as Students for Barrier-Free Access, Silence is Violence U of T and former student union members that have dedicated enormous efforts to better understand how sexual violence affects students. Throughout this report, we draw on the broader literature which amplifies the voices of U of T students so that administrators can better understand the unique barriers they face. We end with a set of recommendations that we hope will guide the University's task force² as they set out to address these issues.

METHODOLOGY

The consultations were carried out as a partnership between the Association of Part-time Undergraduate Students (APUS), the University of Toronto Mississauga Students' Union (UTMSU), the Scarborough Campus Students' Union (SCSU), the University of Toronto Students' Union (UTSU), and the University of Toronto Graduate Students' Union (UTGSU). This partnership was part of an effort to reach the entire student body, as these unions collectively represent all U of T students and the University's three campuses.

Four two-hour consultations were held throughout the winter term of 2019, with two at the St. George campus, one at the Scarborough campus and one at the Mississauga campus. Promotions began a month prior to the date of the first consultation through various channels, including Facebook, Twitter, announcements to Boards-of-Directors and posters. Promotional material advertised accessible rooms, and contact information was provided such that members could make additional accessibility requests (i.e., childcare, American Sign Language, TTC tokens). Participants were provided with copies of the Policy, a newly released *Student's Companion to the Policy on Sexual Violence and Sexual Harassment* ("Companion guide"), as well as additional resources for students. Questions were also developed beforehand to help guide the conversation (see appendix A).

The consultations were facilitated by Kayla Carter (MA, Disability Studies, York University). Carter had experience as a student on campus prior to 2016-2017, including time spent as a residence don at U of T. Given her experience and expertise with discussing mental health and sexual violence, including the facilitation of similar consultations for the U of T student body in 2016, her return felt appropriate. As this report draws on prior consultations, Carter's facilitation

 $^{^{2}}$ In May 2019, the Ontario government mandated that every publicly-assisted college and university have a task force devoted to addressing sexual violence on campus.

also supported a desire for consistency to help us determine if students were more (or less) aware of the Policy and support available on campus (see Appendix B).

LIMITATIONS

The University of Toronto has close to 90,000 students spread across three campuses. It would be an understatement to say that it is often difficult to capture students' attention when there are multiple activities happening simultaneously. Consultations were organized to take place in February in an effort to meet students mid-way through the semester. These meetings were also scheduled at various times in the afternoon and evenings and encouraged students to attend on the campus that would be most convenient for their commute.

The largest consultation took place at the Scarborough campus. Originally slated to take place on February 11th, it was rescheduled after a female student leader was facing targeted violence and harassment on campus. Rather than put that student further at risk, another time was arranged. The high turnout before the beginning of final exams can be directly credited to the Scarborough Campus Students' Union (SCSU) for their outreach efforts.

We cannot be sure if the subject matter of our consultations or other conditions served as a deterrent for students. We know that the topic of sexual violence is a sensitive matter and students often do not feel comfortable coming forward to share their experiences³. We also know, from informal feedback, that if students feel that they are not well educated on the topic of sexual violence, they are less inclined to participate to avoid saying "the wrong thing".

In terms of weather, it was a particularly difficult winter semester, with multiple formal and informal "snow days" occurring at the University of Toronto. For example, on February 27th, the University of Toronto closed the St. George campus at 4pm, while our consultation was scheduled to take place at 5pm. We chose to move forward as all arrangements had already been made and we were aware of some students who planned to participate.

Finally, we were made aware that the University of Toronto/the Centre would be preparing to host their own consultations about the Policy and in an effort to avoid overwhelming students with overlapping sessions, we decided that our meetings should take place prior to the Spring/Summer semester when there would be a significant decline of students available.

RESULTS

A total of 34 participants attended the consultations (see Figure 1 below⁴). Based on the discussions in these consultations, we identified six overarching themes: Urgency of Institutional Response, Agency of Survivors, Intersectionality, Effectiveness of Institutional Supports, Community Education, and Rape Culture.

³ It should be noted that we did not request or require students to make disclosures of sexual violence during these consultations.

⁴ Students who participated in the UTM and UTSC Consultation did not distinguish themselves by program or student status, so it was unclear who was an undergraduate or graduate student.

Figure 1. Information on participation			
Consultation Location	Total Participant s	Graduate Students	Undergraduate Students
UTM	10	N/A	N/A
St. George	8	7	1
UTSC	17	N/A	17

1. Urgency of Institutional Response

Policy Tone

Several students felt that the language used in the Policy and companion guide did not reflect the urgency of the experience of sexual violence. One UTM participant even felt that the language used could be a deterrent, describing the Policy as "so intimidating and inaccessible" and added that "people feel that they need to study and understand the policy before coming forward so that they don't make a mistake".

Another St. George participant argued that a survivor is, "looking for compassionate language and that the companion guide is very cold and uninviting." She said that it is critical to emphasize within the policy and companion guide that the University will center the survivor in this process. She also suggested that the terminology "complainant" and "respondent" be changed.

These comments are also reflective of feedback made by students around the language used within the Policy. For example, in 2016, participants from the UTGSU consultations also expressed concerns, and identified that the use of the term "complainant" downplays the severity of sexual violence. Despite this term being reflective of the current legal system, it is clear that participants feel that it does not frame the situation appropriately: a graduate participant noted that the policy looks like a legal document, but felt that it was not broken down in a way that is legible.

However, students also recognized that the policy cannot necessarily encompass all of their critiques. They pointed to the companion guide, noting that as a document, it could be framed in a more accessible and affirming way for students.

Repeating Story

Many participants stated the importance of ensuring that survivors do not have to recount their story repeatedly. This sentiment has been documented in the literature more broadly as a deterrent to survivors reporting (Holland and Cortina 2017) and is reflective of former consultations. One survivor stated: "There should be one person that is designated to bring forward the case so that the survivor doesn't need to re-tell their story continually."

Recognizing that repeating stories can take a toll on the mental and emotional health of a survivor, limiting how many times a survivor must repeat their story can be done by establishing a clear chain of communication between parties who are involved in the intake and investigation process. Doing this allows a survivor to come forward if they feel they have more to share but also does not demand continuous defense of a survivor's original story.

Timelines

A recurring concern for students is how long they would have to wait for the investigation process to conclude. Students also noted that they expected to see this kind of information conveyed in the companion guide - in fact, during the 2016 student consultations, it was argued:

"[I]t will be necessary for the Companion Guide to present different kinds of road maps and how much time can pass between a disclosure/report, access to services and investigation processes" (2016 p.3)

It is important to inform students if there are time limits so that the survivor can assess their choices and options to wait. For example, one survivor disclosed that they were only able to report an incident 9 years after the fact, because there was no provincial statute of limitations, noting that sometimes it takes survivors a long time to make a report.

Regarding Paragraphs 60 and 61, a St George student remarked that the University has its own self-imposed time limits. Another student asked whether there is a process that allows a person to submit a complaint if their investigation is taking too long. One student requested that the University provide information on how long students have to report an incident.

These comments relate to a recommendation that came out of an extensive consultation process supported by Silence is Violence - U of T ("SIV-U of T"). SIV-U of T recommended that for the investigative process to be survivor-centric, survivors needed to be aware of what they are consenting to or not consenting to at each step of filing a report (Wright et al 2019 p. 7). This would include knowing expected timelines for their case, so a survivor is able to advocate for themselves if it appears there has been a failure to act.⁵ Some participants from the SIV consultations revealed that they had tried to make reports and had gotten nowhere or had witnessed peers experiences with the investigative process, became discouraged with the wait and decided not to move forward (Wright et al 2019, p. 24-27).

Recommendations to address Urgency of Institutional Response:

i. Assign one person to document and facilitate a disclosure, establishing them as the first point of contact in a clear line of communication between the survivor and other departments of the University

ii. Inform students when they first disclose of any deadlines to report an incident

iii. Inform students who disclose or make a report of a formal inquiry or complaint process during an investigation

iv. Commit to concluding any investigation involving a student before said student's convocation.

2. Agency of Survivors

Confidentiality

Many students expressed concern that survivors would have limited control over their story and who would be given access to their report. One student stated that "People may be afraid to come forward because they want to maintain privacy." This was a common theme across

⁵ The Centre is responsible for serving all members of the University of Toronto. In practice, this could also serve as a deterrent for survivors to come forward as one student noted that the policy did not address conflicts of interest.

consultations and some participants expressed distrust in the university's commitment to maintaining confidentiality. Prior studies identified similar concerns about confidentiality for survivors reporting sexual violence to Universities (Nasta et al. 2005; Walsh et al. 2010; Holland and Cortina 2017). For example, in reference to Paragraph 51 which states that the University will take "reasonable steps" to prevent retaliation; one St George participant questioned "Does 'reasonable steps' actually mean *convenient* steps?" (Emphasis added).

Another student expressed concern with Paragraph 68, which states that,

"The investigator may choose to conduct interviews with either or all parties at any time during the investigative process at the investigator's discretion or at the request of a party. The investigator may also choose to seek witness information."

The student argued that if survivors have limited control over who is involved in this process, including witnesses, confidentiality could be compromised.

Terminating the Report

One student flagged Paragraph 81, which permits the University to act on a disclosure even if the survivor does not consent (SVP "VIII Reporting" Section F "University's Obligation when a Complainant requests no investigation or chooses not to participate," p. 11). Such mandatory reporting has been identified in previous studies as a deterrent to reporting (Brubaker and Mancini 2017; Holland and Cortina 2017; Holland et al. 2018). Participants were concerned that the survivor would be unable to terminate the reporting process at any point after initiating it.

The reasons for a survivor wanting to terminate a report can vary. For example, for students who are in smaller departments or programs, gossip spreads quickly and may compromise their safety or ability to participate within the institution. Retaliation, as noted in the former section, is also a very real consequence, particularly for survivors who report somebody in a position of power or authority over them.

Accessibility of the Policy

Throughout the consultations, many students stated that the information presented in the Policy was unclear. Many students sought clarity on the reporting process. One student inquired about conflicts of interest: "What happens if the person you're reporting to also knows the perpetrator that you're reporting? What are the alternate routes?" Another UTM participant asked for clarity about the differences between reporting through the administration compared to Campus Police, mentioning that International students may be concerned with how their status would be affected.

One student said:

"Not understanding how the Policy will affect you can lead to feeling vulnerable. This is especially important for international students and not understanding how the Policy will affect status. This is also important when the abuser is a Faculty or Staff person, and it leads to students feeling that they have to choose between their education and advocating for themselves."

We also presented students with copies of the Companion Guide. Since the Companion Guide appeared to have only been made publicly available as of January 31, 2019, participants were able to give first impressions as they had not seen it prior to the consultations. Overall, students did not feel that the companion guide was helpful. One student stated: "The companion guide is

very difficult to read and does not mention intersectionality [after the opening statement]. If this is an attempt to make students feel comfortable using their services, it's inadequate."

Students also expressed concern that the Policy is only available in English. One student stated: "This is a problem for international students who may not be native speakers of English. We cannot compare policy language to 'normal' English. This is yet another way that U of T is alienating its international students."

Additional concerns were raised about international students as they have private health insurance (UHIP) and typically are limited to the services of the University. Increasing institutional reliance on private funding via international tuition fees means that international students are in a unique position of exploitation. For example, a survivor who identified herself as an international student explained her difficulty in navigating the resources available to her: "It was hard for me to be on campus because of what happened. I only had UHIP and so I was forced to come onto campus for supports". Her only option was Health and Wellness. She recommended that students be given the option to utilize resources both on and off campus.

Recommendations for Agency of Survivors:

i. Regarding Paragraph 51, demonstrate in annual reports that the university is protecting survivors from retaliation, with a clear report on what steps have been taken to protect survivor confidentiality

ii. Amend Paragraph 68, to include that the Investigator must have written consent from the survivor to contact and interview witnesses or other third party members.

iii. Amend Section D "Investigation" of the Policy to allow for a survivor to terminate the investigation process at any time

iv. Amend the Policy to define "conflicts of interest" and provide alternative proceedings, should a conflict of interest be identified

3. Intersectionality

Research on students studying at post-secondary institutions shows that women with multiple, intersecting marginalized identities (i.e., racialized, disabled, sexual and gender minorities) are at the highest risk of sexual violence (Martin et al. 2011; Brown et al. 2017; Coulter et al. 2017; Whitfield et al. 2018). It is therefore critical that the response and supports be administered and delivered in a way that attends to the specific needs of these groups. Some of the main concerns that students flagged throughout the consultations were: intersectionality in practice, front-line staff and Campus Police.

Intersectionality in Practice

While the Policy diligently mentions intersectionality in its *Statement of Commitment*, many students expressed that they would like a more genuine commitment to intersectionality. For instance, one student noted that: "Throughout the Policy, there is no mention of the identity of those who will be investigating, representing, or supporting the survivor". Several participants expressed concern that there was no information in the Policy or companion guide pertaining to queer or transgender students. For instance, one student stated: "The institution may not recognize what they've experienced [sexual violence between two women] as a sexual assault. People have a very specific view on what sexual violence looks like".

Previous studies show that a major deterrent to student survivors accessing supports is that they are concerned how their report will be received by front-line staff (Walsh et al. 2010; Holland and Cortina 2017). For example, one participant expressed concern that "Queer students don't feel comfortable knowing that there is only one counsellor at the Centre". At the same session, another participant felt that visiting the Centre as a queer student could potentially out them to their peers or other members of the institution. Representation and confidentiality are important to consider in providing frontline services to a diverse student population - the lack of options expressed by these students means that there is an opportunity for U of T to expand their resources in order to provide safer environments for marginalized communities.

Front-Line Staff

Many students expressed a desire for front-line staff people (Campus Police, counsellors, and workers at the Centre) to come from diverse backgrounds and to represent the University's varying identities. They emphasized that "Someone who doesn't feel that the resources are meant for them will not come forward."

Many participants described negative experiences (either their own or friends') while dealing with front-line staff. One student described a situation where a survivor from U of T disclosed that they were self-harming to a Health and Wellness practitioner who responded by saying, "At least you're feeling something". The participant said: "I don't believe anyone has bad intentions, but it seems that people are unqualified to deal with these issues".

Another student, a survivor, shared that she approached Campus Police last year after she was assaulted, and they did not respond well. She stated that she left because she couldn't handle all the questions, citing their queries as passive aggressive and made her feel like it was her fault. She suggested more training for police and to include a disclaimer in the Policy stating that they will train police and "recogniz[e] what's happened in the past instead of pretending there have never been issues".

Campus Police

Another issue consistently throughout these consultations was that students were not comfortable approaching Campus Police, citing concerns around victim blaming but also pointing to how their identities can make them targets for surveillance and harassment. One student recounted an incident where they had to call Campus Police about a transphobic incident in their department. They said that the police officer "pointed to a person and asked if they were trans and also asked 'where the trans people hang out'." From the perspective of participants, Campus Police were not properly trained or equipped to handle sexual violence.

According to the most recent Campus Police reports presented, there does appear to be optional Sexual Violence (including sexual assault and domestic violence) prevention training available to officers. However, there is an inconsistency with how Campus Police are trained per campus. The Mississauga campus did not appear to offer any Sexual Violence Education training to their officers, while both St. George and Scarborough offered training that was reported to be attended by the majority of officers on campus. Furthermore, the duration of these trainings was inconsistent — for example, officers at the St. George campus had a one hour training module while UTSC had eight hours.

Multiple studies show that Black students are less likely to report sexual violence to the police due to a fear of not being believed and fear of discrimination (Amar 2008; Thompson et al. 2007; Bent-Goodley 2007). One Black student stated that the University: "puts a lot of responsibility on Campus Police, which is problematic considering the relationship between the police and racialized communities." She further stated that she would not feel comfortable approaching police and sharing personal details.

One survivor from our consultations shared her experience with Campus Police, expressing that she stopped herself from making a report because she was unable to handle the intrusive questions being asked. The Campus Police officers did not connect her to any supports or services, and she had to find out from a friend that the Centre existed. A lack of knowledge regarding the availability of institutional resources has been identified as a barrier to students seeking support in a variety of studies (Walsh et al. 2010; Holland and Cortina 2017). One student suggested including information about the Centre within course syllabi.

Recommendations on Incorporating Intersectional Practices:

i. Mandate annual training for all front-line staff regarding sensitivity, cultural competency and equity, prioritizing sexual violence training that includes non-heteronormative relationships.
ii. Prioritize the Centre's expansion to include hiring counsellors reflective of U of T's diverse communities

iii. Ensure that all Campus Police personnel each receive the same duration and quality of training on Sexual Violence Prevention and this training is made available at least once per academic year.

4. Effectiveness of Institutional Supports

In May 2019, U of T's Sexual Violence Prevention and Support Centre ("the Centre") released a summary that documented its activity over its first two years of existence. In this time, the Centre has received 506 requests for support from students, staff and faculty who have been affected by sexual violence and 56 reports of sexual violence. Although more concrete data is needed, based on available numbers from the *Student Voices on Sexual Violence Survey* and the Centre's summary report, it appears that the number of students seeking out support from the Centre greatly underrepresents the number of students that are experiencing sexual violence. This finding is not unique to U of T but rather is reflective of trends at universities more broadly. For instance, Holland and Cortina (2017) recently found that only 5.6% of surveyed women who had experienced sexual assault chose to disclose to a campus support.

The Centre at U of T should be able to provide survivors with essential information and services, including information on reporting procedures and counselling services, alternative housing in the case that the student is residing on campus, and academic accommodations. Therefore, it is important to understand why students are not using these supports to ensure that they are being administered as effectively as possible.

The U of T consultation participants described three main barriers that survivors must overcome to access institutional supports: location, awareness, and availability.

Location of the Centre

Students identified several accessibility issues with the Centre. Most of the discussion revolved around physical accessibility and a lack of awareness of the campus supports available to

students. Many mentioned a preference to meet with a representative from the Centre in a location outside of the physical Centre. This would allow for more anonymity and prevent a situation where the survivor is seen at the Centre or where the survivor is forced to return to a space where they are triggered. For instance, one student stated: "What if the Centre was not a space but rather a group of people that someone could reach out to and meet wherever they are most comfortable. This removes the weight of having to physically go to the Centre'. Several students expressed concern at their difficulty in locating the Centre on the St. George campus and the lack of signs to direct people to its location. For instance, a student stated that "You end up having to ask library staff where to find the Centre", which ultimately removes any element of confidentiality.

Another student was concerned with the portion of Paragraph 38 which stated that "Support services will also be made available to Members of the University Community who are respondents" (*SVP* "VII Disclosure" p. 6). They said that the Policy should "specify that this will be in different places," meaning that respondents must be segregated from the survivors when receiving campus-based support.

This feedback is similar to SIV-U of T's vision of an Anti-Sexual Violence and Survivor Support Hub (Wright et al 2019, p. 6). Rather than relegate that all services must exist and be coordinated through the Centre which is limited in its current structure, SIV-U of T proposed an autonomous, survivor-led space. The funding of an alternative survivor-focused space could resolve some of the issues identified, such as services for respondents and the sharing of the Centre for all members of the University.

Awareness of the Centre

Many students felt that the Centre had no presence on campus. They expressed concern that the Centre had no social media platforms or consent campaigns. Two survivors described their experiences in reporting to a University representative (one to their residence adviser and one to Campus Police). Both survivors stated that they were not properly informed on the institutional supports and services available to them after making their report. For instance, one survivor is a student at UTSC and at the time there was no Centre on that campus. Nonetheless, the residence staff did not connect her with other supports or inform her that she had access to the Centre on the St. George campus. When the Centre did open up on the UTSC campus shortly afterwards, representatives at the University failed to notify her despite her report. She came to learn about the Centre through the SCSU.

Availability of Resources

One student expressed concern regarding the wait times at Health and Wellness. For instance, one UTSC student noted: "Our Centre closes at 7pm - sorry, 5pm most days...You have to schedule [your trauma] a month in advance with Health and Wellness". It has also been suggested that the number of staff people working at the Centre is too little, with one student saying it was "ridiculous" to have one coordinator managing all clients: "They are so busy with clients that they don't have time to do consent education work." Many students were disappointed in the limited hours and days that the Centre is open on each campus.

Recommendations for Institutional Supports:

i. Segregate the Centre's services and institute protocols to separate the parties involved that takes into account positions of power and authority.

ii. Establish in-house counselling for survivors that is separate from Health and Wellness

iii. Provide resources to U of T student unions, levy groups and other campus-groups that can be distributed to students.

iv. Establish Community Partnerships within the three geographical regions of U of T's campuses that can be accessed by International Students at low or no cost and ensure these services are broadly communicated to the International Student communities.

5. Community Education

Many participants believed that there needs to be more emphasis on consent education and informing community members about services and support that are available within the institution.

Several students also stated that the importance of mandatory training for students, faculty, and staff. One participant said: "If they are offering workshops, the people that are there are unlikely to be those that need the training". Another participant said: "There needs to be some sort of consent education within all parts of the curriculum". One student emphasized the importance of having mandatory consent training in residence orientation. She recalled there was a "brief" training at her residence but she did not feel it was well-done, stating: "They need to be telling students what consent looks like. Also, this training was voluntary and so not everyone attended."

Other students expressed dissatisfaction with the *Sexual Violence Education and Prevention* online training module, citing that the module was "inaccessible" and "buried" on ACORN. Another student reported technical problems accessing it and getting the certificate of completion. The student reported they needed two sessions to complete the module and wondered if other people would bother to do so.

Recommendations for Community Education:

i. Mandate that all members of the University of Toronto undergo consent training and improve existing methods of sexual violence education

ii. Expand education opportunities from the Centre by placing a minimum of one Sexual Violence Prevention and Response Coordinator - Education Lead at each campus
iii. Require that the contact information for the Centre and the link to the Companion Guide be placed on all syllabi

6. Rape Culture

The consultation looked at U of T's institutional structure and cultural context that facilitates sexual violence, while appearing to be either oblivious or tolerant to rape culture on campus.

A participant expressed concern that: "There is no firm line saying that the University will hold someone accountable." Participants questioned whether there is a process in place to ensure that the abuser doesn't shuffle from one institution to another. One survivor stated that the person who assaulted her was never given any punishment by the U of T or any consent education. She said: "He was told to stay away but this was not enforced. I still ran into him on campus and in class. I stopped going to class. He was still allowed to stay in residence." She compared this to the University's policy on smoking cannabis in residence and how quickly they can take action to remove students that break this rule. She stated: "It appears they can actually remove someone [from residence] quickly".

Some discussed the distress of controversial speakers invited to campus forums. For example, Marie Henein, Jian Ghomeshi's lawyer, was invited to speak at a "Women in Leadership" series. Students met with event organizers to request that this invitation be rescinded but the administration refused, which the student said was traumatizing to survivors on campus. Another participant complained that Jordan Peterson was "clearly transphobic but he's still a professor at this school." The participants pointed out that there is no institutional protocol for organizers of events dealing with sexual violence to consult with survivors or the Centre as an ethical routine. They noted that the university seems to hold a contradictory stance to eliminate the culture of sexual violence and harassment. An example that was used is permitting departments or university-funded groups to ignore or reject requests for consultation by affected community members concerning a particular event or speaker. The university should develop transparent and publicly available protocols for controversial events concerning sexual violence and harassment that effectively addresses the trauma of survivors who live and work at the university.

Field work, studying abroad and internships:

Students identified concerns with sexual violence while studying at other institutions or while doing internships. Student Life has long-distance supports for students who take U of T credits abroad, but there is no guarantee the host institution will follow U of T's protocols or policies. One student called field work the "wild west" for the risk of sexual violence and harassment in isolated research sites.

Several students identified that the university's institutional structure perpetuates opportunities for sexual harassment and violence. In a written submission, one student argued that U of T must move from the legal compliance or liability approach embodied in the Policy to active prevention. Prevention must take place at a root level and the student proposed restructuring departments and research funding. They cited a comprehensive 2018 report on sexual harassment by the National Academies of Science, Engineering and Medicine which strongly recommends core pillars for institutional reform, such as transparency, accountability, support for survivors, and dismantling power dynamics. The student stressed that the university itself loses when dedicated students abandon their studies or restrict their careers due fear of reprisal for reporting sexual violence and harassment. In keeping with NASEM's recommendations, the student suggested:

- Transition graduate supervision from a concentrated to a diffuse power structure, i.e. away from one supervisor with all the funding to a network of supervisors
- U of T should enthusiastically partner with NSERC's ATHENA SWAN initiative, SSHRC's "Equity, Diversity and Inclusion Action Plan" and "Gender Based Analysis Plus," and other national and international professional organizations to restructure academic funding, research chairs and research team composition, etc.
- Create a national post-secondary education collective to eliminate sexual violence and harassment modeled on NASEM's Action Collaborative on Preventing Sexual Harassment in Higher Education perhaps via Universities Canada, the Council of Ontario Universities, Colleges Ontario, etc.
- Reform departmental hiring policies to include reference checks for a history of sexual misconduct. Require personal statements from departmental or administrative job applicants explaining their previous work on harassment and equity issues.
- Create incentives for research and promotions that puts priority on equity and inclusive hiring practices

- Institute serious consequences for sexual violence accusations, and transparent departmental reporting of incidents
- Embed student membership on departmental committees for sexual violence reporting and prevention
- Lobby national and international university ranking systems to include criteria for equity and sexual violence prevention, survivor supports and transparent reporting
- Lobby insurance companies, donors and law firms to pressure their institutional clients to impose structural prevention, not legal liability policies
- U of T top administrators should mimic universities that have developed comprehensive social media outreach. For example, University of Washington's President Ana Mari Cauce fully participates in the *It's On Us* campaign of educational videos, events and direct student engagement. Also Elizabeth Hillman from Mills College.

Recommendations for eliminating rape culture:

i. Establish a Tri-Campus Student Advisory Committee. This committee should be autonomous to the Task Force, but be able to make recommendations and act as a resource to the Centre.
ii. Institute serious repercussions for sexual misconduct and HR protocols for employee accountability that are found.

iii. Restructure academic units, funding and ranking systems to eliminate the power dynamics intrinsic to sexual abuse. Tangibly integrate core values into faculties and administrative departments. Demonstrate transparency, accountability and support for survivors. Partner with national and international agencies to restructure academe.

iv. The University of Toronto's President, OVPS and other administrators should lead and participate in a coordinated campaign to educate students, faculty and staff about consent, sexual harassment and violence.

CONCLUSION AND FINAL THOUGHTS

Student-led consultations can provide University administration with invaluable feedback and the opportunity to receive honest critique that is for the benefit of all University of Toronto members. As the university environment is continuously changing, it is important to keep working with students to ensure that they are made aware of services available to help them. It is also important to address when there are clear cultural and systemic issues at work that make university services inaccessible or hostile to their membership.

The courage that students showed to attend these consultations and offer their insights is commendable. We cannot thank them enough for their participation.

As some of the organizers were members of the University of Toronto prior to 2016, there was also an interest in comparing student responses to the Policy on Sexual Violence and Sexual Harassment. Given that the Centre has been functioning on all three campuses in some capacity since 2017, it was troubling to find a particular repetitiveness in the feedback that students were providing (see Appendix C). This is not only evident through the former 2016 UTGSU Report, but also the recent Silence is Violence - U of T report that was released in 2019.

A total of 6 themes were established in this report to organize the generous feedback received during these consultations, but even within these newer themes, similar concerns were sub-categorized under each theme: repeating stories, language and accessibility, Campus Police,

consent education, confidentiality, etc. Some of this may be related to new students who were not at the institution until 2017 when the Policy came into effect and the Centre was established, but that is not an adequate explanation as to why student feedback remains similar to prior consultations.

The Student's Companion to the Policy on Sexual Violence and Sexual Harassment was expected to provide necessary answers to frequently asked questions, such as timelines and reporting processes. Students waited for nearly two years to receive this guide that was supposed to make the Policy more legible and instead found it confusing. Although none of the participants had been aware that the Companion Guide was available prior to attending the consultations, the feedback made it clear that this was not the kind of guide desired by participants.

As Kayla Carter mentioned in the conclusion of one session,

"Simply because a policy isn't doing what we need or deserve does not mean that we do not deserve these things or that they're an impossibility. We understand that we still have a great amount of power to enact changes in our lives and communities."

We strongly encourage university administrators to review our recommendations and to take immediate action. Students have continued to provide all the material that could be needed to make serious, intentional changes and we owe it to them to create safer campus communities.

Far too often, we treat sexual violence and harassment like an elusive phenomena that is far too difficult to fully address. We tie people up into a system that is meant to make their experiences disappear, withhold justice on account of "due process" and justify the harmful effects on survivors for the sake of reputation.

We cannot afford to continue to cycle through the same motions of consultation and policy development if there is no change in feedback. We need to be willing to try a bolder approach.

Maybe, rather than believing that this is an impossible challenge, it is time to reorient our thinking: Ending sexual violence on campus can be easy, it can be done and we will do it now.

Summary of Recommendations of 2019 Student Consultations:

1. Urgency of Institutional Response

i. Segregate the Centre's services and institute protocols to separate the parties involved that takes into account positions of power and authority.

ii. Establish in-house counselling for survivors that is separate from Health and Wellness **iii.** Provide resources to U of T student unions, levy groups and other campus-groups that can be distributed to students.

iv. Commit to concluding any investigation involving a student before said student's convocation.

2. Agency of survivors

i. Regarding Paragraph 51, demonstrate in annual reports that the university is protecting survivors from retaliation, with a clear report on what steps have been taken to protect survivor confidentiality

ii. Amend Paragraph 68, to include that the Investigator must have written consent from the survivor to contact and interview witnesses or other third party members.

iii. Amend Section D "Investigation" of the Policy to allow for a survivor to terminate the investigation process at any time

iv. Amend the Policy to define "conflicts of interest" and provide alternative proceedings, should a conflict of interest be identified

3. Incorporating Intersectional Practices

i. Mandate annual training for all front-line staff regarding sensitivity, cultural competency and equity, prioritizing sexual violence training that includes non-heteronormative relationships.
 ii. Prioritize the Centre's expansion to include hiring counsellors reflective of U of T's diverse communities

iii. Ensure that all Campus Police personnel each receive the same duration and quality of training on Sexual Violence Prevention and this training is made available at least once per academic year.

4. Institutional Supports

i. Segregate the Centre's services and institute protocols to separate the parties involved that takes into account positions of power and authority.

ii. Establish in-house counselling for survivors that is separate from Health and Wellness **iii.** Provide resources to U of T student unions, levy groups and other campus-groups that can be distributed to students.

iv. Establish Community Partnerships within the three geographical regions of U of T's campuses that can be accessed by International Students at low or no cost and ensure these services are broadly communicated to the International Student communities.

5. Community Education

i. Mandate that all members of the University of Toronto undergo consent training and improve existing methods of sexual violence education

ii. Expand education opportunities from the Centre by placing a minimum of one Sexual Violence Prevention and Response Coordinator - Education Lead at each campus
iii. Require that the contact information for the Centre and the link to the Companion Guide be placed on all syllabi

6. Rape Culture

i. Establish a Tri-Campus Student Advisory Committee. This committee should be autonomous to the Task Force, but be able to make recommendations and act as a resource to the Centre.

ii. Institute serious repercussions for sexual misconduct and HR protocols for employee accountability that are found

iii. Restructure academic units, funding and ranking systems to eliminate the power dynamics intrinsic to sexual abuse. Tangibly integrate core values into faculties and administrative departments. Demonstrate transparency, accountability and support for survivors. Partner with national and international agencies to restructure academe.

iv. The University of Toronto's President, OVPS and other administrators should lead and participate in a coordinated campaign to educate students, faculty and staff about consent, sexual harassment and violence.

REFERENCES

Amar AF. 2008. African-American college women's perceptions of resources and barriers when reporting forced sex. *Journal of the National Black Nurses Association* 19: 35-41.

Bent-Goodley TB. 2007. Health disparities and violence against women: why and how cultural and societal influences matter. *Trauma, Violence, & Abuse* 8: 90-104.

Berry Crossfield, B. 2016. UTGSU Consultations on Sexual Violence: Feedback Report. UTGSU Consultations on Sexual Violence: Feedback Report. Toronto.

Brown KR, Pena EV, Rankin S. 2017. Unwanted sexual contact: students with autism and other disabilities. *Journal of College Student Development* 58: 771-776.

Brubaker, Sarah Jane & Christina Mancini. 2017. The Impact of Increased State Regulation of Campus Sexual Assault Practices: Perspectives of Campus Personnel, Journal of School Violence, 16:3, 286-301, DOI: <u>10.1080/15388220.2017.1318577</u>

Coulter RW, Mair C, Miller E, Blosnich JR, Matthews DD, McCauley HL. 2017. Prevalence of past-year sexual assault victimization among undergraduate students: exploring differences by and intersections of gender identity, sexual identity, and race/ethnicity. *Prevention Science* 18: 726-736.

Edwards KM, Sylaska KM, Barry JE, Moynihan MM, Banyard VL, Cohn ES., Ward SK. 2015. Physical dating violence, sexual violence, and unwanted pursuit victimization: a comparison of incidence rates among sexual-minority and heterosexual college students. *Journal of Interpersonal Violence* 30: 580-600.

Holland KJ, Cortina LM. 2017. "It happens to girls all the time": examining sexual assault survivors' reasons for not using campus supports. *American Journal of Community Psychology* 59: 50-64.

Holland KJ, Cortina LM, Freyd JJ. 2018. Compelled disclosure of college sexual assault. *American Psychological Association* 73: 256-268.

Martin SL, Fischer BS, Warner TD, Krebs CP, Lindquist CH. 2011. Women's sexual orientations and their experiences of sexual assault before and during university. *Women's Health Issues* 21-3: 199-205.

Nasta A, Shah B, Brahmanandam S, Richman K, Wittels K, Allsworth J, Boardman L. 2005. Sexual victimization: incidence, knowledge and resource use among a population of college women. *Journal of Pediatric and Adolescent Gynecology* 18: 91-96.

Thompson M, Sitterle D, Clay G, Kingree J. 2007. Reasons for not reporting victimizations to the police: do they vary for physical and sexual incidents? *Journal of American College Health* 55: 277-282.

Walsh WA, Banyard VL, Moynihan MM, Ward S, Cohn ES. 2010. Disclosure and service use on a college campus after an unwanted sexual experience. *Journal of Trauma and Dissociation* 11: 134-151.

Whitfield DL, Coulter RWS, Langenderfer-Magruder L, Jacobson D. 2018. Experiences of intimate partner violence among lesbian, gay, bisexual, and trangsender college students: the intersection of gender, race, and sexual orientation. *Journal of Interpersonal Violence* 1-25.

Willness CR, Steel P, Lee K. 2007. A meta-analysis of the antecedents and consequences of workplace sexual harassment. *Personnel Psychology*. 60: 127-162.

Wolitzky-Taylor KB, Resnick HS, Amstadter AB, McCauley JL, Ruggiero KJ, Kilpatrick DG. 2011. Reporting rape in a national sample of college women. *Journal of American College Health* 59: 582–587.

Wright, J., Dhunna, S., Riddle, T., De Gannes, P., & Berzins, T. 2019. *End the Silence, End the Violence: Experiences and Understandings of Sexual Violence at the University of Toronto.* Toronto, Ontario: Silence is Violence.

APPENDICES

Appendix A: Summary of Policy Paragraphs identified in the 2019 student-led	
consultation	

Policy Paragraph	Problems identified	Recommendation
38	"Support services will also be made available to Members of the University Community who are respondents." The Policy states that the University may offer services to respondents. This can mean that respondents and survivors could cross paths in the same support locations, for example waiting for appointments or attending group support sessions together.	The Policy should specify that campus- based services for respondents must be segregated from services for the survivors. This could mean that services for survivors and services for respondents are offered at entirely separate locations.
51	The University will take "reasonable steps" to prevent retaliation. "Does 'reasonable steps' actually mean <i>convenient</i> steps?"	Consult with published literature, survivor advocates and the Centre to develop clear criteria for defining acts of retaliation and specific responses to those acts. Adopt best practices for preventing or responding to retaliation from model programs in other institutions, if they exist!
60 61	The University has its own self-imposed time limits. Is there is a process that allows a person to submit a complaint if their investigation is taking too long? Sometimes it takes survivors a long time to decide to disclose an incident	The University should provide information on how long students have to report an incident. The University should provide a complaint process for cases where the student thinks the investigation is taking too long. It is important to inform students about U of T's statute of limitations so that the survivor can assess their choices and options to wait. The University should commit to concluding any investigation involving a student before said student's convocation.

68	"The investigator may choose to conduct interviews with either or all parties at any time during the investigative process at the investigator's discretion or at the request of a party. The investigator may also choose to seek witness information" (<i>SVP</i> "VIII Reporting" Section D "Investigation" p. 10). Survivors may have limited control over who is involved in this process, including witnesses, which could compromise confidentiality. Studies have identified similar concerns about confidentiality for survivors reporting sexual violence to Universities (Nasta et al. 2005; Walsh et al. 2010; Holland and Cortina 2017)	Give survivors more control about who is involved in the investigation. Consult the Centre, survivor advocate groups and published literature to develop a structure for survivor input. Develop clear privacy policies that will protect the survivor's personal information during the investigation process. Develop clear and transparent protocols.
81	Terminating the Report The survivor is unable to terminate the reporting process at any point after initiating it. <u>Paragraph 81</u> permits the University to act on a disclosure even if the survivor does not consent (SVP "VIII Reporting" Section F "University's Obligation when a Complainant requests no investigation or chooses not to participate," p. 11). Such mandatory reporting has been identified in the literature as a deterrent to reporting (e.g. Brubaker and Mancini 2017; Holland and Cortina 2017; Holland et al. 2018).	Allow the survivor to terminate the reporting process at any point after initiating it. Consult with sexual violence researchers for best practices to give the survivor control over the termination or the continuance of an investigation.
88	Policy requires review every three years.	The Policy should be reviewed more frequently than every three years, as we know a lot more than what we knew last year. Create streamlined processes for annual reviews that solicits responses from survivors, students and University staff. Make these reviews public on an annual basis through OVPS or Governing Council. Perhaps combine SVP reviews with the Centre's annual reports. Perhaps every three years conduct full- scale reviews involving student and staff unions and survivor advocacy

	groups. Incorporate the annual reviews in the 3-year meta-review conclusions.
--	---

Appendix B. Consultation Questions

- 1. What is needed to create a policy that intentionally supports and affirms survivors?
- 2. If you could amend the U of T policy on sexual violence and harassment, what would you include, take out or change?
- 3. Do you feel that the current policy attends to the ways in which identity affects your experience (or lack of experience) with sexual violence and harassment as a student?
- 4. What has prevented you/your peers from making a disclosure? What are other things that you think could stop someone from making a disclosure?
- 5. How do you understand 'safety' on campus?
- 6. Any closing questions and/or comments?

Appendix C 2016 Student Recommendations compared to 2019 Student Recommendations

Themes	2016 recommendations (based on 2016 UTGSU Report)	2019 recommendations
1.Urgency of Institutional Response	re 2016 Paragraph 21: ["Confidential counselling and support should be available as quickly as possible to any Member of the University Community who experiences an Incident of Sexual Violence."]	i. Assign one person to document and facilitate a disclosure, establishing them as the first point of contact in a clear line of communication between the survivor and other departments of the University
	 Sessions should not be capped at three, after the student waits months on a wait-list. Develop and explain clear criteria for services, such as the number of sessions and wait times. Companion guide will need road maps and timelines for disclosures and reports. Suggested time frame is 1-3 weeks after a Disclosure/Report. 	 ii. Inform students when they first disclose of any deadlines to report an incident iii. Inform students who disclose or make a report of a formal inquiry or complaint process during an investigation regarding Paragraphs 60 and 61: The University should provide information on how long students have to report an incident. The University should provide a complaint.
	re 2016 paragraph 59: improve the explanation of the investigation and appeal processes	a complaint process for cases where the student thinks the investigation is taking too long. It is important to inform
	re 2016 paragraph 60 ("Internal" and "External" investigators): clarify who is responsible for the decision processes	students about U of T's statute of limitations so that the survivor can assess their choices and options to wait.
		regarding Paragraph 88: The Policy should be reviewed more frequently than every

		l
	re paragraph 71: do not use the Student Code of Conduct for hearings or severely limit its scope Review the Policy as issues arise, not just every three years (re Section 17(5) of Bill 132)	 three years, as knowledge continually progresses. Create streamlined processes for annual reviews that solicits responses from survivors, students and University staff. Make these reviews public on an annual basis through OVPS or Governing Council. Perhaps combine SVP reviews with the Centre's annual reports. Perhaps every three years conduct full-scale reviews involving student and staff unions and survivor advocacy groups. Incorporate the annual reviews in the 3-year meta-review conclusions
2. Agency of survivors	reform Policy's terminology: "complainant" diminishes severity of sexual violence. Suggestions included "Reporter/Discloser" and "Reported" or "Survivor/Discloser" and "Reported/Offender" re: 2016 paragraph 74, For instances of graduate students who are employees (such as TAs, Research Assistants) or undergraduate work-study students, let students decide which process the University will follow re: Privacy and Data Collection, Section 17(B) of Bill 132: explain details of data collection, such as timeframes and who has access. Will data be destroyed when the student	 i. reformulate Paragraphs 51, 68, 81 (see chart above) ii. re paragraph 51: demonstrate in annual reports that the university is protecting survivors from retaliation, with a clear report on what steps have been taken to protect survivor confidentiality Consult with published literature, survivor advocates and the Centre to develop clear criteria for defining acts of retaliation and specific responses to those acts. Adopt best practices for preventing or responding to retaliation from model programs in other institutions. iii. amend Paragraph 68 to include that the Investigator must have written consent from the survivor to contact

	leaves the school or follow	and interview witnesses or
	leaves the school or follow the student to the next institution?	and interview witnesses or other third party members. iv. amend Section D "Investigation" of the Policy to allow for a survivor to terminate the investigation process at any time v. amend the Policy to define "conflicts of interest" and provide alternative proceedings, should a conflict of interest be identified re Paragraph 81: Allow the survivor to terminate the reporting process at any point after initiating it. Consult with sexual violence researchers for best practices to give the survivor control over the termination or the continuance of an investigation.
3. Intersectionality	Amend 2016 Paragraph 6 to include International Students Prevent deportation or reprisals for International Students who disclose or report	i. Mandate annual training for all front-line staff regarding sensitivity, cultural competency and equity, prioritizing sexual violence training that includes non- heteronormative relationships.
	Acknowledge problems with police response especially with some communities and inadequate training.	ii. Prioritize the Centre's expansion to include hiring counsellors reflective of U of T's diverse communities
	Offer alternative emergency reporting Improve Campus Police	iii. Ensure that Campus Police each receive the same duration and quality of

training and make it ongoing. Tailor counselling for BIPOC students	training on Sexual Violence Prevention and this training is made available at least once per academic year.
re 2016 Paragraph 15: specify the kinds of support offered re 2016 paragraph 37: keep services for Respondents distinct from services for Survivors Offer an Informal Resolution (modelled on restorative justice) as well as a formal complaint process (see Dalhousie University) Include students in hiring committees for the Centre's staff Secure adequate funding for the Centre Allow survivors to break a residential lease Do not relocate graduate students with undergraduate students Protect funding for low- income students who report or disclose. Prohibit financial repercussions for reporting. Protect privacy around reduced academic capacity	 i. re paragraph 38: Segregate the provision of services from the Centre and institute protocols on the separation of parties involved that take into account positions of power and authority. ii. Establish in-house counselling for survivors that is separate from Health and Wellness iii. Provide resources to U of T student unions, levy groups and other campus-groups that can be distributed to students. iv. Establish Community Partnerships within the three geographical regions of U of T's campuses that can be accessed by international students at low/no cost.
Companion guide will need road maps and timelines for disclosures and reports.	i. Mandate that all members of the University of Toronto undergo consent training and improve existing methods of sexual violence education
	Tailor counselling for BIPOC students re 2016 Paragraph 15: specify the kinds of support offered re 2016 paragraph 37: keep services for Respondents distinct from services for Survivors Offer an Informal Resolution (modelled on restorative justice) as well as a formal complaint process (see Dalhousie University) Include students in hiring committees for the Centre's staff Secure adequate funding for the Centre Allow survivors to break a residential lease Do not relocate graduate students with undergraduate students with undergraduate students Protect funding for low- income students who report or disclose. Prohibit financial repercussions for reporting. Protect privacy around reduced academic capacity Companion guide will need road maps and timelines for

		 ii. Expand education opportunities from the Centre by placing a minimum of one Sexual Violence Prevention and Response Coordinator - Education Lead at each campus iii. Require that the contact information for the Centre and link to the Companion Guide be placed on all syllabi
6. Rape Culture	Make a firm commitment to survivor-centric practices Create cultural narratives that leave survivors feeling supported and encouraged to report	i. Establish a Tri-Campus Student Advisory Committee. This committee should be autonomous to the Task Force, but be able to make recommendations and act as a resource to the Centre.
		 ii With the Centre and equity-seeking groups, develop protocols for controversial events concerning sexual violence and harassment that effectively addresses the trauma of survivors who live and work at the university. iii. Do not accept transfer students with a history of sexual misconduct.
		iv Screen applicants for positions as administrators or teaching staff for past sexual violence complaints
		v. Institute serious repercussions for sexual misconduct and HR protocols for employee accountability
		vi. initiate structural reforms as delineated in Rape Culture section. such as:
		Restructure academic units, funding and ranking systems to eliminate the power dynamics intrinsic to sexual abuse. Tangibly integrate

	core values into faculties and administrative departments. Demonstrate transparency, accountability and support for survivors. Partner with national and international agencies to restructure academe. vii. The University of Toronto's President, OVPS and other administrators should lead and participate in a coordinated campaign to educate students, faculty and staff about consent, sexual
	harassment and violence.