



# Memorandum

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**TO:** Senate

**FROM:** Angela Campbell, Associate Provost (Equity & Academic Policies)

**SUBJECT:** *Policy against Sexual Violence* Annual Report

**DATE:** March 24, 2021

**DOCUMENT #:** D20-41

**ACTION REQUIRED:**  INFORMATION     APPROVAL/DECISION

<b>ISSUE</b>	The Annual Report on the <i>Policy against Sexual Violence</i> (“Policy”) is presented to Senate for its information.
<b>BACKGROUND &amp; RATIONALE</b>	<p>The Policy calls for the Provost to report annually to Senate on the Policy’s implementation and application.</p> <p>This report addresses activities, cases, and developments under or in connection with the Policy for the reference period 1 January 2020 to 31 December 2020.</p>
<b>PRIOR CONSULTATION</b>	n/a
<b>SUSTAINABILITY CONSIDERATIONS</b>	n/a
<b>IMPACT OF DECISION AND NEXT STEPS</b>	Ongoing review through the Policy’s Implementation Committee of the effective operation and application of this Policy.
<b>MOTION OR RESOLUTION FOR APPROVAL</b>	This item is presented for information.
<b>APPENDICES</b>	2020 Annual Report: <i>Policy against Sexual Violence</i>



## **Policy against Sexual Violence** **2020 Annual Report to McGill's Senate and Board of Governors**

### **Introduction**

The present report is submitted to McGill's Senate and Board of Governors pursuant to section 50 of the University's [Policy against Sexual Violence](#) (Policy), which provides:

**50.** The Provost shall report annually to Senate and the Board of Governors on the implementation and application of this Policy. This report will include information about the number of Disclosures and received during the reporting period, and about measures taken to pursue the prevention and education objectives of this Policy. Subject to the University's obligations to respect the privacy rights of Members of the University Community, annual reports to Senate and the Board will include aggregated information on the number of Reports of Sexual Violence submitted during the reference period by or against students, faculty and staff, the number of Reports where the evidence was sufficient to find that Sexual Violence had occurred, the number of cases where the disciplinary officer followed or did not follow a recommendation of the Special Investigator in regard to imposing discipline, and the types of disciplinary and administrative measures imposed.

This Report covers a 12-month period: 1 January 2020 to 31 December 2020.

Note that there is some slight overlap with last year's annual report made pursuant to s. 50 of the Policy, which covered the period 1 April 2019 to 31 March 2020, given that it was decided for governance purposes, going forward, to have this report's reference period cover a calendar year.

### **Objectives of the Policy**

McGill's first *Policy against Sexual Violence* was adopted in December 2016. The Policy underwent a significant review in AY2018-19 leading to a revised Policy adopted on 1 April 2019.

This Policy pursues the following objectives:

- Sexual Violence prevention through education and other systemic and proactive efforts to promote awareness about the nature and effects of Sexual Violence;
- establishing and maintaining a climate and culture in which all members of the University Community enjoy a safe and respectful working and learning environment;
- support for Survivors; and
- effective and timely response to Disclosures and Reports.

### **Implementation Committee**

The Policy (section 9) mandates the creation of a standing committee to oversee its implementation. This committee is known as the Implementation Committee and includes

representation of students, academic staff, and administrative and support staff. The role of the Implementation Committee is to examine the operation of the Policy, with a focus on:

- Ensuring that McGill's [Office for Sexual Violence Response, Support & Education \(OSVRSE\)](#) can carry out its work effectively in connection with education, survivor support, and confidential data collection about disclosures;
- Assessing campus sexual violence prevention and response education initiatives;
- Evaluating communications about the Policy and associated resources;
- Consulting with various relevant campus services and offices; and
- Making recommendations to strengthen the Policy and associated Procedures or resources.

In AY2020-21, the Implementation Committee met 4 times (with the possibility of a fifth meeting in April/May 2021). All of the committee's meetings took place via Zoom due to COVID-19.

The Committee will submit its report for 2020-21 to the Associate Provost (Equity & Academic Policies). It will be reviewed by the Working Group set by section 51 of the Policy in May 2021.

### **Educational Activities**

Through the Policy, the University commits to a series of educational activities aimed at raising awareness about sexual violence and its impacts with a view to a reduction of occurrences. Educational efforts were rolled out throughout the reference period via a number of formats. The OSVRSE is McGill's central site for sexual violence education and support of all members of the University community. The OSVRSE leads most awareness-raising efforts at McGill in relation to sexual violence and consent.

Throughout the reporting period, OSVRSE led a multitude of education and awareness-raising activities and events, which are described in **Appendix 1**. These efforts focused on communication and education through various platforms that include facilitated workshops, tabling at both campuses, and podcasts. Some events also were organized in collaboration with student organizations.

The Policy also requires mandatory training and orientation sessions for all faculty, students, and staff. The University worked to fulfill this obligation primarily through the [It Takes All of Us](#) (ITAOU) online program, which all students, faculty and staff are required to complete. As of March 2021, ITAOU completion rates for the current University population were:

- Students: 75.8%
- Tenure-Track and Tenured Academic Staff: 94.2%
- Other Academic Staff (not including nil-salary clinical): 60.8%
- Administrative and Support Staff: 75.4%

## Disclosures

The Policy defines a Disclosure as “the act of informing the Office for Sexual Violence, Response, Support, and Education about an incident of Sexual Violence for the purpose of seeking support.” [emphasis added]

Of note, then, is that a Disclosure under the Policy does not lead to an investigation unless the person who comes forward also chooses to launch an investigative process, whether under McGill’s Policy or with external authorities. A Disclosure under the Policy is made with the OSVRSE.

During the reference period, OSVRSE received **83 Disclosures**. This contrasts with 107 Disclosures in the most recent reference period (1 April 2019 and 31 March 2020). Summary information about these Disclosures is set out in the tables that follow. **Appendix 1** provides further details.

### 1. Parties Concerned

Status of Discloser		
	2020	19/20
McGill student	85.5%	93.5%
McGill staff or faculty	7.2%	5.6%
Alumni	4.8%	--
Other	2.4%	0.9%

Status of Person Said to Have Harmed		
	2020	19/20
McGill student	25.3%	22.4%
McGill staff or faculty	4.8%	6.5%
External to McGill	30.1%	43.9%
Other/Unknown	40.0%	27.1%

### 2. Form of Sexual Violence Disclosed

Form of Sexual Violence	2020	19/20
Sexual assault	72.3%	62.6%
Sexual harassment	16.9%	19.0%
Interpersonal violence	6.0%	7.5%
Other (e.g., cyberviolence, childhood abuse, stalking)	10.8%	11.2%

\* More than one form of sexual violence might be the subject of a single Disclosure.

### 3. Support Services Requested

Disclosures made to OSVRSE are often accompanied by requests for support services; different supports can be requested as part of a single Disclosure.

<b>Service Sought</b>	<b>2020</b>	<b>19/20</b>
Psychosocial support	76%	88.0%
Accommodations	37.3%	20.6%
Safety measures	18.1%	10.3%
Information about reporting	25.3%	24.3%

## Reports

The Policy defines a Report as “the act of informing the Special Investigator about an incident of Sexual Violence in accordance with this Policy for the purpose of investigation.”

Hence, unlike a Disclosure, which is confidential and primarily made to acquire support services, a Report is made to initiate an investigation into a claim that sexual violence has occurred. A Report thus can lead to disciplinary consequences for the Respondent party.

As of September 2019, all reports of Sexual Violence at McGill are investigated by a Special Investigator (SI) external to the University (that is, not a McGill employee). This decision was made to ensure the impartiality and competence of sexual violence investigations. Once the SI completes an investigation, the SI prepare a written report that sets out findings based on the evidence presented and considered, and conclusions. This written report is filed with the Provost. Where the Special Investigator’s report yields a finding of Sexual Violence, the Provost refers the matter to the appropriate disciplinary authority who determines what measures shall be imposed vis-à-vis the Respondent. The disciplinary stage of this process must abide by the requirements of applicable regulations, policies, and collective agreements.

### 1. Number of Reports and the Parties Involved

**18 Reports** were initiated between January 1, 2020 and December 31, 2020. This is comparable to the total Reports filed in the last reference period (1 April 2019-31 March 2020), which was 19.

The parties involved were as follows:

<b>Survivor</b>	<b>Respondent</b>	<b>Total 2020</b>	<b>Total 19/20</b>
Undergraduate student	Undergraduate student	9	9
	Academic staff*	1	3
Admin. staff	Admin. staff	1	1
Other**	Academic staff	5	5

	Undergraduate student	1	1
	Graduate student	1	0
		<b>18</b>	<b>19</b>

\* Academic staff = tenure-track or tenured professor, contract academic staff (including nil-salary with hospital/health centre affiliations), and course lecturer.

\*\*Other = alumnus/a or anonymous reporter.

2. Form of Sexual Violence Reported (more than one form of sexual violence may be alleged)

Form of Sexual Violence	2020	19/20
Sexual Assault	10	11
Sexual Harassment	7	8
Stalking	1	0
Sexual Exploitation	0	1
Breach of Code of Conduct (s.8)	0	0

3. Gender of the Parties

Gender Identity	2020		19/20	
	Survivor	Respondent	Survivor	Respondent
Female	15	0	19	0
Male	1	18	0	19
Non-binary/other	0	0	0	0
Unknown*	2	0	0	0

\*Unknown = anonymous reporter.

4. Report Outcomes

Most Reports filed under the Policy are resolved by investigation led by a Special Investigator.

Parties may attempt mediation, but ever since 2019 when the Policy was revised to foresee the possibility of mediated resolutions in sexual violence cases, this option has not been pursued. This is understandable. Mediation can only occur with the parties' consent. Many survivors will not want – or be able – to engage in a process of negotiating and reaching an agreement with a person said to have harmed them. Some respondents are also uneasy with mediation in these cases. This is true even if this process is facilitated by a skilled mediator and does not require direct contact between the parties.

Under the Procedures for the Policy a Survivor can withdraw a Report after a process commences:

14. A Report may be withdrawn at any time by the Survivor. Where a Report is Withdrawn, the Special Investigator will notify the Respondent immediately.

15. Even where a Survivor has communicated the intention to withdraw a Report or discontinue involvement with an investigation, the Special Investigator may proceed with an investigation if this is deemed justified under University regulations and policies or necessary to protect the safety of members of the University Community, or at the request of the Respondent. In such cases, the Special Investigator shall seek authorization from the Provost to continue with the investigation. Where an investigation proceeds, the Special Investigator shall inform the Survivor

Finally, it is important to note that before a process under the Policy begins, it must be established that there is jurisdiction under the Policy (s. 25) to investigate:

25. The University will investigate a Report where the alleged Sexual Violence occurred in a University Context and where the Respondent is, at the time the Report is made, a Member of the University Community.

The following table shows the outcomes of Reports filed in the reference year:

<b>Outcome</b>	<b>2020</b>	<b>2019</b>
Resolved through investigation	16	19
Resolved through mediation	0	0
Withdrawn by Survivor	1	0
Outside jurisdiction/scope	1	0

The outcomes of the 16 Reports resolved through a completed investigation are as follows:

<b>Investigator's Finding</b>	<b>2020</b>	<b>2019</b>
Founded	9	8
Not Founded	3	4
Ongoing at the end of the reference period	4	7

Finally, we note that 12 investigations were completed within the 90-day delay set by the Policy. 4 investigations started in mid-March 2020, just as Quebec began lockdown measures, and exceeded the 90-day delay.

#### 5. Disciplinary Measures Imposed

Where the investigation yielded finding of sexual violence (9 cases), discipline was imposed except in one case. Such disciplinary measures included:

- Admonishment and conduct probation
- Formal Reprimand
- Cease and desist communication and contact orders

Disciplinary measures were often accompanied by administrative measures (e.g., measures to avoid contact between the parties, appointing a mentor, training and educational requirements).

### **Conclusion and Looking Forward**

The University remains firmly committed to ensuring that our campus community members learn and work in environments that are safe and inclusive. Work undertaken under the auspices of the Policy goes to important lengths in this regard. Moving forward, the University will establish a new ***Office for Mediation and Reporting*** that will provide a centralized site for receiving all requests for mediation and investigation in relation to both the Policy against Sexual Violence and the Policy on Harassment and Discrimination. This Office will be fully operational by Fall 2021.

# Sexual Violence Prevention & Response: OSVRSE Overview

January 1st - December 31st 2020



OFFICE FOR  
SEXUAL VIOLENCE  
RESPONSE, SUPPORT  
and EDUCATION



BUREAU  
D'INTERVENTION,  
DE PRÉVENTION ET  
D'ÉDUCATION EN MATIÈRE  
DE VIOLENCE SEXUELLE

# Education & Awareness- Raising Initiatives

Due to the COVID-19 pandemic, OSVRSE education and awareness raising activities and events were significantly affected. Despite the many barriers, outreach activities continued virtually as of mid-March 2020.



# Events January 1st - December 31st, 2020

**14 events, 374 participants (in-person & online)**

Events were hosted during the annual #ConsentMcGill Campaign from September 23-October 3, 2020, and throughout the fall and winter semesters to engage McGill members.

**Events focused on** diverse topics including: self-care, mental health and wellbeing, consent, sexual violence awareness and prevention, survivor support, sex positivity, support resources, trauma and identity, etc.

**Collaborators included** student groups and associations, McGill Services and units, and external organizations and services.





# Workshops: Jan 1st - Dec 31st, 2020

- Staff and Faculty: 7 workshops, 108 participants
- Undergraduate and Graduate Students: 25 workshops, 686 participants

## **Total: 794**

- Winter 2020 It Takes All Of Us in-person program delivery: 5 sessions, **430 participants.**



# Ongoing Educational Collaborations

- Frosh
  - Content consultant for the revision of the Frosh Leader Training Program
- Residences
  - Floor Fellow Training
  - Night Steward Training
- Student Wellness Hub: Peer Support Health & Wellness Working Group
  - Creating of a 2-day Active listening training for Student Peer Educators at McGill.
- It Takes All of Us working Group
  - Revisions of program feedback and content development
- Equity and Diversity at McGill: First Responder Training

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# Ongoing Awareness-Raising Initiatives

- About Sexual Violence Awareness & Prevention: A Teaching-Staff Toolkit
- Taking it All Off Podcast
- Consent McGill Peer Educator Team
- @OSVRSEMcGill Social Media presence

# Support Services: Responding to disclosures

Due to the COVID-19 pandemic, OSVRSE support services were temporarily put on hold in mid-March 2020 as they transitioned to virtual platforms for the remainder of the year.

# Direct Support:

## Individual Case Management

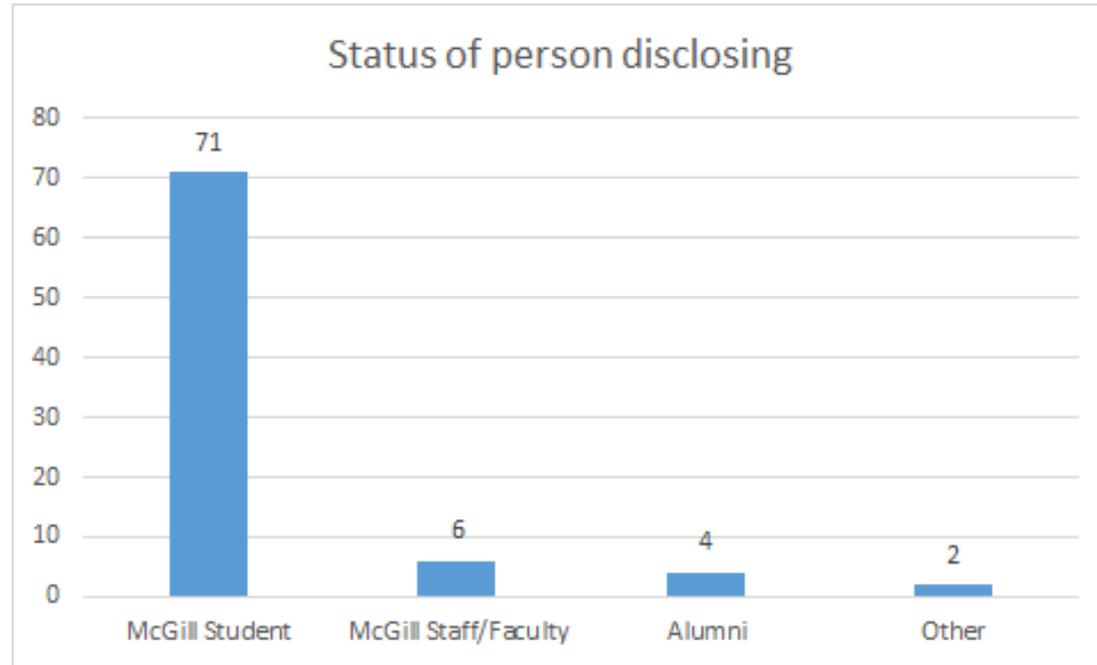
- Crisis intervention and psychosocial support.
- Coordination of and/or referrals to psychological, academic and medical services both on and off campuses.
- Coordination and support accessing academic and housing accommodations.
- Direct accommodations for the It Takes All of Us program.
- Coordination of safety planning and informal agreements with campus partners.
- Information and support on internal and external reporting processes.
- Consultation for on-campus partners receiving disclosures.



# Case Management: Jan 1st – Dec 31st 2020

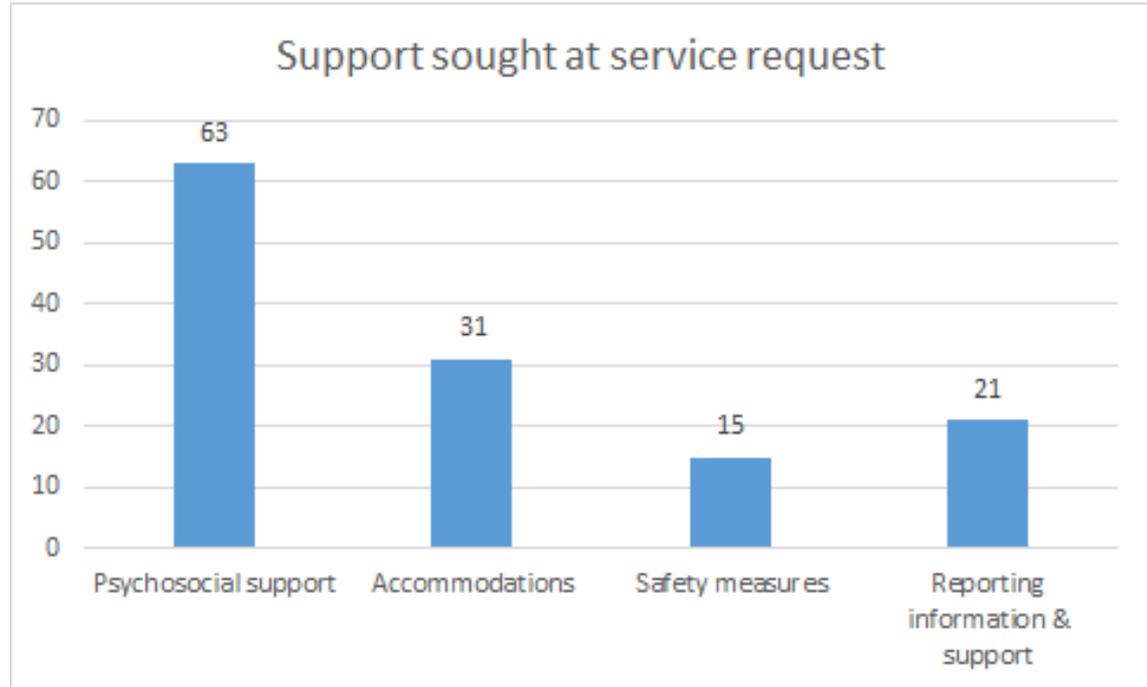
83\* disclosures  
(service requests)

\*Please note that this number does not include consultations & requests for information



# Case Management: Jan 1st – Dec 31st 2020

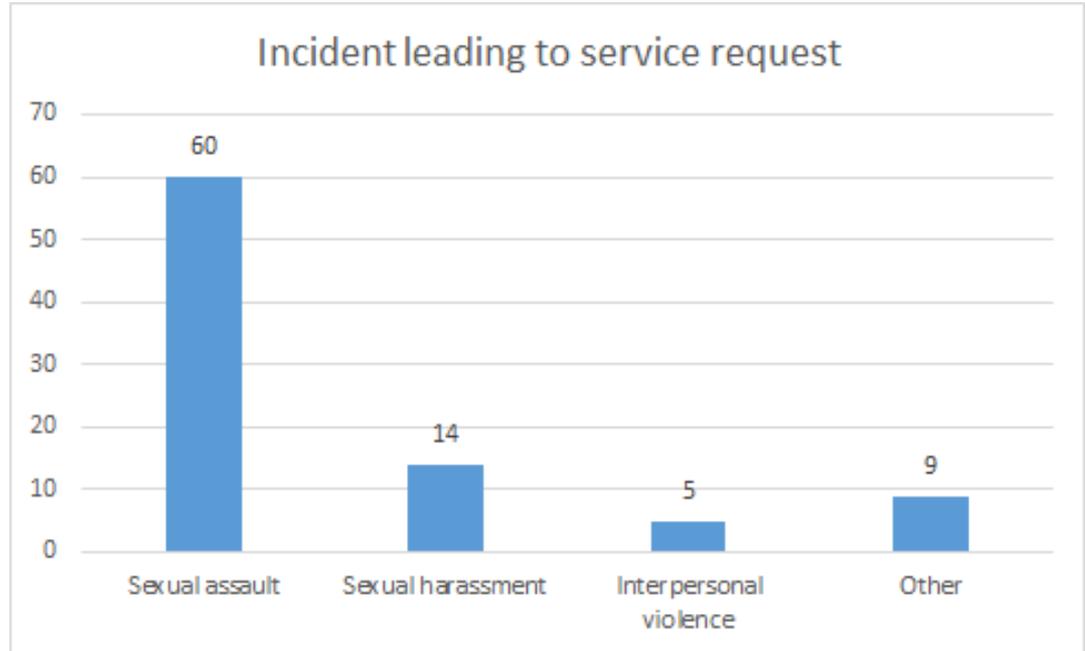
Type of service request at moment of disclosure. Please note that there may be more than 1 type of service requested per person.



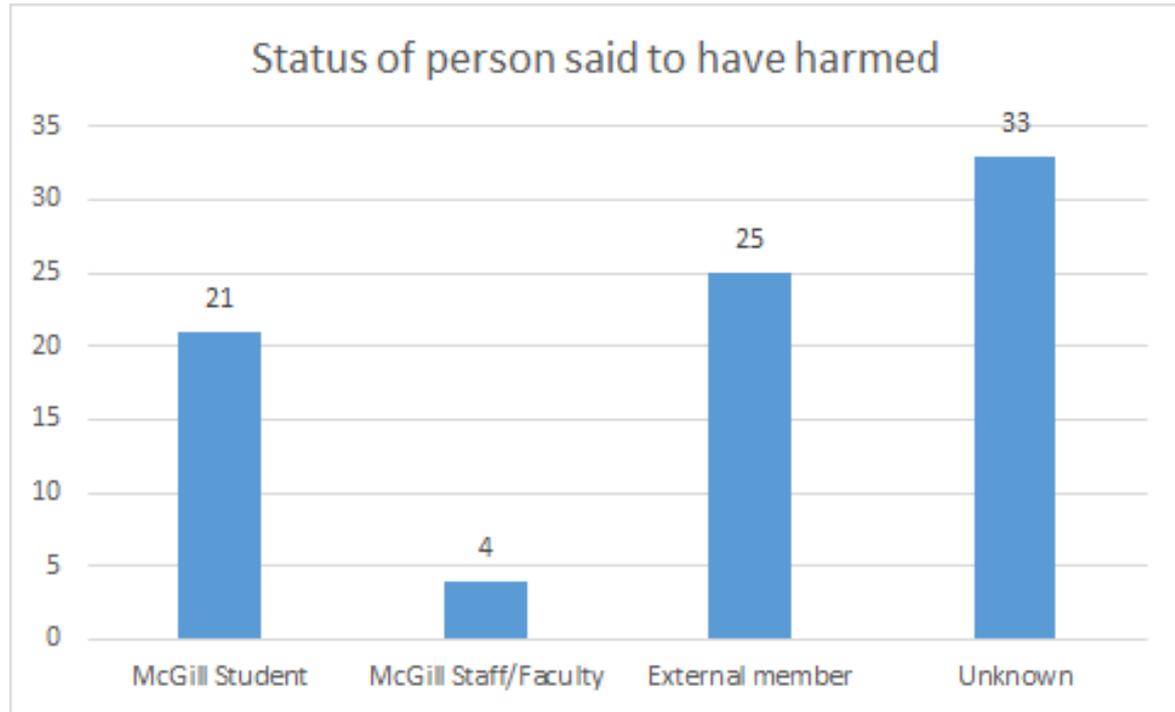
# Case Management: Jan 1st – Dec 31st 2020

Incidents noted at time of service request. Please note that there may be more than 1 type of incident per person.

The category other includes gender-based violence, cyberviolence, sexual abuse in childhood and stalking.



# Case Management: Jan 1st – Dec 31st 2020



# Direct Support Programming:

## Psychoeducation & Self-Care

- Group for female identified survivors with PTSD symptoms (Winter- Wellness Hub Collaboration)
- Unpacking the intersections between queerness and trauma group (Winter)
- Trauma sensitive yoga (bi-monthly)
- Open group for racialized students (Fall- Wellness Hub Collaboration)

