



Policy Title	Brescia University College Sexual Violence Policy
Issue By	Vice-Principal, Students Director, Human Resources
Contact	Vice-Principal, Students Director, Human Resources
Approved By	Board of Trustees
Effective Date	June 29, 2016
Last Review	Dec 1, 2017
Next Review	September 30, 2020
Related University Policies	Code of Student Conduct; Harassment and Discrimination Policy; Workplace Violence Policy

1.0 Purpose and Intent of the Policy

All members of the Brescia University College (“Brescia”) community have a right to work and study in an environment that is free from any form of sexual violence.

This document sets out our policy and response protocol to sexual violence and ensures that those who experience sexual violence are supported and their rights respected. Sexual violence is a broad term describing any violence, physical or psychological, carried out through sexual means or by targeting sexuality (“Sexual Violence”). This includes, but is not limited to sexual assault, sexual harassment, stalking, indecent exposure, voyeurism, degrading sexual imagery, distribution of sexual images or video of a community member without their consent, and cyber harassment or cyber stalking of a sexual nature.

This policy and its related procedures identify ways to recognize and prevent Sexual Violence through policies, resources, education, and community support. It provides members of the Brescia community with information to help them respond effectively to an experience of sexual violence.

Audience: This policy applies to all members of the Brescia community, including: students, staff, faculty (including contract faculty), Ursuline Sisters, volunteers, visitors and individuals who are directly connected to any Brescia initiatives and/or who carry on the business of Brescia.

It is recognized that Brescia has other policies in place that relate to sexual violence, such as the Brescia University College Code of Student Conduct, the Harassment and Discrimination Policy, and the Workplace Violence Policy (“Related University Policies”). This policy complements the Related University Policies, and is not intended to supersede them. In the event of a conflict between this policy and any other Brescia policy, collective agreement or prevailing laws, the latter shall prevail. Brescia will also comply with its obligations under the *Ontario Human Rights Code*, the *Ontario Occupational Health and Safety Act*, as may be amended from time to time, and all other applicable legislative requirements.

2.0 Policy Statement

Brescia University College recognizes that the prevention of, and response to, Sexual Violence is of particular importance in the university environment. Sexual Violence is strictly prohibited and unacceptable. Sexual Violence will not be tolerated. Any and all acts or threats of sexual violence will be appropriately addressed.

Brescia will ensure that appropriate procedures are in place to respond to Sexual Violence and will provide support to members of the Brescia community who are Survivors of Sexual Violence, regardless of the experience. A Survivor's desire to report Sexual Violence, and to whom, and any participation in the investigation will be respected. Brescia may nonetheless need to investigate a disclosure or report if the Survivor does not want to report or proceed. This is particularly true if the person(s) accused or individual(s) involved are employees. If a situation warranting an investigation and/or response comes to Brescia's attention any means, it must act appropriately. Brescia further recognizes that individuals who have experienced Sexual Violence may experience emotional and/or academic challenges, and need Brescia's support in addressing them.

Brescia recognizes that Sexual Violence can occur between individuals regardless of sex, gender identity, gender expression, sexual orientation or relationship status as articulated in the Ontario *Human Rights Code*. It is the intention of this policy to make individuals feel comfortable about disclosing and/or reporting an act or threat of Sexual Violence that they have experienced or witnessed.

Brescia is committed to preventing Sexual Violence and creating a safe space for anyone in the Brescia community who has experienced Sexual Violence. Brescia is expected to be a safe and positive space where members feel able to work, learn, live, and express themselves in an environment free from Sexual Violence.

Brescia is committed to providing and supporting on-going education and awareness initiatives about Sexual Violence, including issues of consent and sexual harassment (including cyber harassment).

3.0 Principles

In responding to disclosure of Sexual Violence, Brescia University College is committed to ensuring that:

- The Survivor is treated with dignity and respect;
- The Survivor is informed about available on- and off-campus services and resources for Survivors of Sexual Violence;
- The Survivor has the right to decide whether or not to access available services and to choose those services they feel will be most beneficial;
- The Survivor's right to decide whether to report an act or threat of Sexual Violence to Campus Police and/or local police;
- An on-campus investigation with Brescia's full cooperation is available to the Survivor, as indicated in Related University Policies;
- A safety plan is established in collaboration with the Survivor; and,
- Reasonable and necessary actions are taken to prevent further unwanted contact between the Survivor and the person(s) accused.

4.0 Definitions

Sexual Violence: Any violence, physical or psychological, carried out through sexual means or by targeting sexuality. This includes, but is not limited to sexual assault, sexual harassment, stalking, indecent exposure, voyeurism, degrading sexual imagery, distribution of sexual images or video of a community member without their consent, and cyber harassment or cyber stalking of a sexual nature.

Sexual Assault: Sexual assault is defined as an assault of a sexual nature that violates the sexual integrity of the victim. It is a criminal offence under section 271 of Canada's *Criminal Code*. The act of sexual assault does not depend solely on contact with any specific part of the human anatomy but rather the act of a sexual nature that violates the sexual integrity of the victim. Sexual assault is characterized by a broad range of behaviours that involve the use of force, threats, or control towards a person, which makes that person feel uncomfortable, distressed, frightened, threatened, or that is carried out in circumstances in which the person has not freely agreed, consented to, or is incapable of consenting to.

Sexual Harassment: Engaging in a course of vexatious comments or conduct against another person, or in some cases, a single comment or act, on the basis of sex, gender identity, gender expression, sexual orientation that is known or ought reasonably to be known as unwelcome. This includes harassment on the basis of sex, gender identity, gender expression, sexual orientation that has the effect of creating a poisoned environment (demeaning, intimidating, hostile). Usually present is a pattern of repeated behaviours such as offensive jokes, comments, display of inappropriate materials or stereotyping. Sexual harassment may also have a *quid pro quo* element (meaning "this for that"), and thus, there may be promises of rewards for complying with sexual solicitations or implied threats or actual effects from not complying with sexual demands. Often present in *quid pro quo* situations is a power imbalance between the parties involved.

Examples of conduct that constitutes Sexual Harassment include but are not limited to:

- Sexually suggestive or obscene gestures
- Displays of derogatory or offensive sexual material
- Sexually degrading words used to describe another person
- Derogatory or degrading remarks about or directed towards another person for any reason, including because of being a member of one sex, one sexual orientation, one expression or identity of gender
- Sexist, racist, or other jokes that cause or are intended to cause embarrassment
- Unwelcome sexual flirtations, advances, or propositions
- Unwanted physical contact
- "Outing" or threatening to "out" someone
- Jokes, cartoons, or remarks about a person's sex, sexual orientation, gender identity or gender expression
- Making comments, circulating information or spreading rumours about another person, including about his or her gender, identity or expression, sex, or sexual orientation, including through social media and/or the Internet.

Consent: Under section 273.1 of the *Criminal Code*, consent is the voluntary agreement to engage in the sexual activity in question. Conduct short of a voluntary agreement to engage in sexual activity does not constitute consent as a matter of law. This means that an individual must actively and willingly give consent to sexual activity. Consent must be informed, freely given, and active. Youths 16 and 17 years old may legally consent to sexual acts but not within a relationship of trust, authority, dependency or

where there is other exploitation.

Further, regarding consent, it is imperative to understand that:

- Silence or non-communication must never be interpreted as consent.
- A person in a state of diminished judgment cannot consent.
- A person is incapable of giving consent if they are asleep, unconscious or otherwise unable to communicate.
- A person who has been threatened, pressured, forced, or coerced (i.e., is not agreeing voluntarily) is not consenting to any sexual act(s).
- A person who is drugged is unable to consent.
- A person may be unable to give consent when under the influence of alcohol and/or drugs.
- A person may be unable to give consent if they have a mental disability preventing them from fully understanding the sexual act(s).
- Consenting to sexual activity in the past or present does not mean consent is given to other sexual activity in the future.
- A person can withdraw consent at any time.
- A person cannot give consent to a person in a position of trust, power, or authority over them.
- Consent cannot be given on behalf of another person.
- Sexual activity without consent is sexual assault.

Survivor: A person who has experienced an act or threat of Sexual Violence. Survivor is a positive term recognizing the strength needed to live with an experience of Sexual Violence. It is the prerogative of the person who has experienced Sexual Violence to determine how they wish to identify.

Other Relevant Terms

Acquaintance sexual assault: Sexual contact that is forced, manipulated, or coerced by a partner, friend or acquaintance.

Coercion: The use of emotional manipulation, blackmail, threats to family or friends, or the promise of rewards or special treatment, to persuade someone to do something they do not wish to do, such as being sexual or performing particular sexual acts. In the context of Sexual Violence, coercion is unreasonable and persistent pressure for sexual activity.

Disclosure: The provision of information by a Survivor of, or witness to, an alleged experience of sexual violence to a Brescia employee (faculty or staff member).

Drug-facilitated sexual assault: Occurs when alcohol and/or drugs are used to control, overpower, or subdue a target for the purposes of sexual assault. Many substances could be connected with drug-facilitated sexual assault, such as: alcohol, over-the-counter legal drugs, prescription drugs and illegal drugs such as Rohypnol, gamma hydroxybutyric, or ketamine (generally referred to as “date rape drugs”).

Cyber Harassment: Cyber harassment takes many online forms, but typically involves the use of email, texting, instant messaging, derogatory websites, graphic images or posts to bully or otherwise harass an individual or group through personal attacks causing substantial emotional distress and/or the fear of bodily harm. Cyber harassment can include, but is not limited to: ‘flaming’, sending offensive or cruel email, or harassing others by posting comments in chat rooms, blogs, or social networking sites.

Stalking: A form of criminal harassment prohibited by the *Criminal Code*. Generally it consists of repeated conduct that is carried out over a period of time and which causes someone to reasonably fear for their safety or the safety of someone else with or without physical injury. Stalking can also include threats of harm to friends and/or family. Stalking behaviours include, but are not limited to, non-consensual communications (face to face, phone, email, social media); threatening or obscene gestures; surveillance; sending unsolicited gifts; “creeping” via social media/cyber-stalking; and uttering threats.

5.0 Confidentiality

Confidentiality is particularly important to those who have disclosed Sexual Violence. If an individual seeks support of any kind, all Brescia staff and/or faculty will protect the confidentiality of all those involved, unless otherwise required by law. When Sexual Violence is disclosed, the confidentiality of all parties must be protected. However, confidentiality cannot be assured in the following circumstances:

- Where an individual is at imminent risk of self-harm or harming another;
- Where there are reasonable grounds to believe that others in the Brescia community may be at risk of harm;
- When promoting fairness of process for all parties involved (e.g., when a report is received by Brescia, the investigation process may necessitate making the identity of the complainant known to the respondent);
- When notification and/or action (including conducting an investigation) is required by law, by Brescia’s policies, or by an external body with appropriate authority (e.g., when an allegation of Sexual Violence is made against a Brescia employee).

By law, Brescia must report if someone is at risk of harm to themselves or others. In such circumstances, privacy will be maintained to the greatest degree possible and information would be shared only with the necessary parties to the extent necessary to prevent harm. The names of the Survivor and person(s) accused would not be publicly shared.

In some cases Brescia may be required to take action independent of the intentions of the parties. If this is necessary, affected individuals will be fully informed and may choose to be supported at every step of the process.

BRESCIA UNIVERSITY COLLEGE SEXUAL VIOLENCE RESPONSE PROTOCOL

1. **Responding to Sexual Violence**

a. **If You Have Experienced Sexual Violence**

If you have experienced or believe you may have experienced Sexual Violence, you should go to a place where you can find physical safety and emotional support. That may be the home (or room) of a friend or family member, or the office of a faculty or staff member, colleague, or supervisor from whom you feel comfortable receiving support.

You may contact the following resources to provide you with your options and to speak to someone immediately:

- The [Regional Sexual Assault and Domestic Violence Treatment Centre](#), located at St. Joseph's Hospital (go to Urgent Care). Call 519-646-6100, press 0 and ask for the nurse-on-call for sexual assault and domestic violence
- The [Sexual Assault Centre London](#), which can be reached at 519-438-2272
- The Sexual Violence Prevention Education Coordinator at Western's [Wellness Education Centre](#), who can be reached at 519 661-2111 x87085 (non-emergency), Monday-Friday during business hours.

It is often difficult to disclose and report experiences of Sexual Violence. It is entirely up to you whether to report an incident. However, if a situation warranting an investigation and/or response comes to Brescia's attention by any means, Brescia must act appropriately. A number of other resources are available to you and can be found in [Appendix A](#).

b. **If You Have Witnessed Sexual Violence**

If you are a student:

If you witness or believe you may have witnessed Sexual Violence, please seek out the necessary support at the available resources found in [Appendix A](#). You can also confide in a friend, family member, faculty, or staff member to help connect you to the appropriate resources.

If you are an employee:

If you witness, believe you may have witnessed, or become aware of an allegation of Sexual Violence against another member of the campus community, you are required to report the incident to the Vice-Principal, Students. You may wish to access the services of the Employee Assistance Program at 1-877-433-0701 after witnessing or becoming aware of and reporting an incident of Sexual Violence.

2. **Disclosing an Experience of Sexual Violence**

a. **If an Individual Discloses Experience of Sexual Violence**

A person may choose to confide in someone about an act of Sexual Violence. An individual who has experienced Sexual Violence may disclose to a staff or faculty member when seeking support and/or academic accommodation.

A supportive response involves:

- Listening without judgment; and accepting the disclosure as true ¹

¹ Ontario Women's Directorate. (2013, January). *Developing a response to sexual violence: A resource guide for Ontario colleges and universities*. Retrieved October 6, 2015, from http://www.women.gov.on.ca/owd/english/ending-violence/campus_guide.shtml

- Communicating that Sexual Violence is never the responsibility or fault of the Survivor;
- Helping the individual identify and/or access available on- or off-campus services, including emergency medical care and counselling;
- Respecting the individual's right to choose the services they feel are most appropriate and to decide whether or not to report their experience;
- Recognizing that disclosing can be traumatic and an individual's ability to recall the events may be limited;
- Respecting the individual's choices as to what and how much they disclose about their experiences; and
- Making every effort to respect confidentiality and anonymity

b. Supporting an Individual Who Discloses Experience of Sexual Violence

Anyone at Brescia can receive a disclosure of Sexual Violence. In the event that a Survivor discloses their experience(s) to you, please know that you are in a special position to act as a resource. Provide them with a compassionate level of support that refers them to information about options and resources.

To support a Survivor, information and resources can be found in [Appendix A](#) and at: http://safecampus.uwo.ca/sexual_violence/help.html, which give contact numbers of community and campus resources for those inquiring on behalf of someone else. You may also contact Western's Sexual Violence Prevention Education Coordinator at the Wellness Education Centre in [Appendix A](#).

i. If a disclosure is made to a Brescia employee (faculty or staff):

If a Brescia employee becomes aware of an allegation of Sexual Violence against a member of the campus community, the faculty or staff member is required to report the incident to the Vice-Principal, Students.

ii. If you receive a disclosure of Sexual Violence in the immediate time period following the incident (within approximately 72 hours):

- **Help the individual find a safe environment.**
- **Support the individual in their choice to seek medical attention as soon as possible.** Even if there are no apparent injuries, there may be internal or psychological injuries. In London, immediate care and counselling support is available at the [Regional Sexual Assault and Domestic Violence Treatment Centre](#), located in St. Joseph's Hospital (go to Urgent Care). Support is provided regardless of gender.

The Centre will provide support to the Survivor in making choices and understanding options. Options include treatment of injuries, emotional support and crisis intervention, pregnancy prevention, the testing and treatment for sexually transmitted infection, safety planning and referrals.

Individuals may access counselling directly through the Centre, without seeking any other services, up to one year post-assault.

- **Support the individual in their choice to preserve forensic evidence.** At the Regional Sexual Assault Domestic Violence Treatment Centre, the Survivor will be provided the option of collecting forensic (physical) evidence. The Survivor may choose to use this evidence later on

or not at all. Survivors have the most options available to them within the first 72 hours (3 days) following a sexual assault; however, certain evidence can be collected up to 12 days after the sexual assault.

ii. Accommodation support:

Following a disclosure of Sexual Violence, Brescia will support the provision of alternative living, working, or academic arrangements, as appropriate and where possible.

To obtain academic accommodation(s), a Survivor should be encouraged to contact Brescia's Academic Advising team, as immediately as possible. To obtain residence accommodation(s), they should be encouraged to contact their Residence Manager. Staff/Faculty accommodations should be obtained through Brescia's Director, Human Resources.

3. Reporting an Experience of Sexual Violence

a. If a Survivor Would Like to File a Formal Report or Complaint

The safety, security, and well-being of the Survivor are first and foremost and reporting is the choice of the Survivor—*a Survivor does not have to file a report/complaint to seek assistance or support from Brescia*. There is a difference between disclosure and filing a formal report/complaint. A disclosure of Sexual Violence may be made to anyone with whom the Survivor feels comfortable disclosing the experience(s). Filing a report/complaint typically refers to an official incident report, made to a law-enforcement authority (in the case of sexual assault or other criminal act) or to a university administrative office, as indicated in Related University Policies. Survivors of sexual violence have options for filing a formal report/complaint in response to an incident of sexual violence.

Options include, but are not limited to:

i. Criminal Option

- Reports can be made to the police in an effort to pursue criminal charges under the *Criminal Code of Canada*

ii. Non-Criminal On-Campus Options

- Discrimination and Harassment Prevention Policy
- Workplace Violence Policy
- Code of Student Conduct
- The Residence Agreement and Community Standards Process
- Reports/Complaints can also be made to the Manager in a workplace along with/or Human Resources, depending on the parties involved

Although not explicitly stated, the Brescia University College Code of Student Conduct has jurisdiction to cover incidents brought forward under this Policy.

A report/complaint may be made immediately or whenever the Survivor wishes to do so. In the case of a sexual assault, certain physical evidence may be collected only up to 72 hours after the assault. **If a Survivor is not sure whether they wish to make a report**, Brescia strongly encourages them to seek health care immediately at the [Regional Sexual Assault and Domestic Violence Treatment Centre](#), located at St. Joseph's Hospital in London, Ontario. The Centre is able to provide the Survivor with the option of collecting forensic (physical) evidence, which may be used at a later date, or not at all.

Anyone who has experienced Sexual Violence and would like to file a formal report can receive assistance from the following resources:

- Sexual Violence Prevention Education Coordinator
Western Wellness Education Centre
519 661-2111 x87085 (non-emergency)
- Western Campus Community Police (Available 24/7)
Lawson Hall, Room 1257
On campus phone: call 911 (emergency)
Off campus or cell phone: call 519-661-3300
519-661-2111 x83300 (non-emergency)
- London Police Service (Available 24/7)
601 Dundas Street
London, Ontario
Police Reporting Centre: 519-661-2664

Campus Police is required to report instances of sexual assault to the London Police Service, if the Survivor decides they want to pursue a criminal option. This means Campus Police will need to share the name of the person making the report and a brief synopsis of the report. Campus Police does not report instances if a Survivor decides to pursue non-criminal on-campus options or if they want to have an informational meeting with Campus Police to discuss reporting options.

Faculty, staff, and students who want to make a Sexual Harassment report can do so at:

- Director, Human Resources; Room 171, St. James Building, ewhela@uwo.ca
519-432-8353 x28394

The above resources will also inform a Survivor of their option to press charges under the *Criminal Code*, if they choose to do so.

A staff or faculty member, peer, or colleague can also assist a Survivor in reaching out to Campus Police or London Police Service, if the Survivor would like support in the process of filing a formal report.

Detailed information about options and what to expect for all parties, Survivors, and persons accused, will be provided on a dedicated Sexual Violence Education and Support website. Some options will depend on the community status of the Survivor and/or the person(s) accused. All processes must follow principles of natural justice and must appropriately protect the rights of both the Survivor/complainant and the person(s) accused/respondent.

b. If a Survivor Would Like to Withdraw a Complaint

A complainant has the right to withdraw a complaint at any stage of the complaint or investigative process. However, Brescia may continue to act on the issue identified in the complaint in order to comply with its obligation under this Policy and/or its legal obligations.

c. Protection from Reprisals, Retaliation, or Threats

It is contrary to this Policy for anyone to retaliate, engage in reprisals or threaten to retaliate against a complainant or other individual for:

- Having pursued rights under this Policy, other Related University Policies, or the Ontario *Human Rights Code*;
- Having participated or cooperated in an investigation under this Policy, other Related

University Policies, or the Ontario *Human Rights Code*;

- Having been associated with someone who has pursued rights under this Policy, other Related University Policies, or the Ontario *Human Rights Code*.

Anyone who engages in such conduct will be in breach of this Policy and/or other Related University Policies and may be subject to sanctions and/or disciplinary actions.

4. Sharing Information of Disclosures and Reports

Privileged and Confidential Resources such as Physicians, Licensed medical professionals (i.e., nurses, counsellors, social workers, psychologists), Priest Chaplain will not report an incident of sexual violence without a Survivor's permission, except for extreme circumstances, such as a health and/or safety emergency.

Other Support Areas (Non-Confidential Resources) can assist a Survivor without sharing information that could identify the Survivor. At Brescia, this includes employees (i.e., faculty or staff) with whom a Survivor wishes to disclose. These individuals will report the *nature, date, time, and general location of an incident* in a disclosure, as well as formal reports that are made, to the Vice-Principal, Students in compliance with legislative regulations, but will consult with the Survivor to ensure no personally identifying details are shared without their consent.

The information a Survivor discloses to a Non-Confidential Resource will be relayed only as necessary to investigate, if an investigation is warranted.

If a Survivor discloses an incident to a Brescia employee who is responsible for responding to or reporting sexual violence, but wishes to maintain confidentiality or does not consent to Brescia's request to initiate an investigation, Brescia must weigh the Survivor's request against its obligation to provide a safe, non-discriminatory environment for all members of its community, including the Survivor.

When a Survivor discloses an incident to someone who is responsible for responding to or reporting sexual violence, but wishes to maintain confidentiality, Brescia will consider many factors to determine whether it must proceed despite that request. These factors include, but are not limited to:

- Whether the person(s) accused has a history of violent behavior or is a repeat offender;
- Whether the incident represents escalation, such as a situation that previously involved sustained stalking,
- The increased risk that the accused will commit additional acts of violence;
- Whether the person accused(s) used a weapon or force;
- Whether the reporting individual is a minor; and
- Whether Brescia possesses other means to obtain evidence such as security footage, and whether the report reveals a pattern of perpetration at a given location or by a particular group.

If Brescia determines that it must move forward with an investigation, the reporting individual or Survivor will be notified and Brescia will take immediate action as necessary to protect and assist them.

5. Brescia's Response to a Report of Sexual Violence

a. Communicating with Individuals who have Experienced Sexual Violence

Sensitive and timely communication with individuals who have experienced Sexual Violence (and their

family members, if an individual consents to this communication) is a central part of Brescia's first response to Sexual Violence. To facilitate communication, Brescia will:

- Ensure that it responds in a prompt, compassionate, and personalized fashion;
- Ensure that the Survivor is provided with responsible updates about the status of Brescia's investigation of the incident when such investigations are undertaken.

b. Investigating a Report of Sexual Violence

Upon the receipt of a report of Sexual Violence, whether potential or actual Sexual Violence, such a report may need to be investigated. The report will be reviewed by the Vice-Principal, Students and/or the Director of Human Resources, or their designates, and the investigation will be conducted by an investigation team as designated and determined by the Vice-Principal, Students and/or the Director of Human Resources. The investigative process will follow as outlined in the Code of Student Conduct and/or the Harassment and Discrimination Policy, depending on the community status of the Survivor and the person(s) accused.

The report of Sexual Violence will be investigated in a manner appropriate to the circumstances. This may include an internal investigation or the use of external resources. The investigation team may undertake some or all of the following procedures as deemed appropriate to the circumstances:

- Review the report
- Conduct an interview each with the Survivor and the person(s) accused. The Survivor has the right to decide whether or not they will participate in the investigation.
 - Conduct an interview(s) with potential witnesses or anyone with relevant information.
- Collect and review all relevant information, including documents, photographs, text messages, social media posts, or locations.
- Consult all relevant parties within the Western community (e.g., Campus Police, Associate Vice-President (Student Experience), Housing), including King's and Huron.
- The decision-making process and possible sanctions will be conducted as outlined in the [Code of Student Conduct](#), the [Workplace Violence Policy](#) and [Harassment and Discrimination Policy](#).
- Should an appeal take place, the appeals process will follow as outlined in the [Code of Student Conduct](#), the [Workplace Violence Policy](#) and [Harassment and Discrimination Policy](#).
- The rights of a participant to representation in an investigation will follow as outlined in the [Code of Student Conduct](#) and the [Harassment and Discrimination Policy](#).

In the course of its investigation, Brescia will exercise great care to protect and respect the rights of both the Survivor/complainant and the person(s) accused/respondent. Any act of Sexual Violence will be addressed by Brescia, and any individual(s) who are found, upon the conclusion of the investigation, to have committed an act of Sexual Violence will be held accountable, as per Brescia's Related University Policies.

This investigative process does not preclude a Survivor from contacting the police where they feel it is appropriate or desired to do so and it is not intended to discourage anyone from taking any steps that they feel necessary in that regard. In fact, Brescia strongly encourages Survivors to take whatever steps they feel comfortable, including contacting any individuals or departments listed above.

i. Where the Respondent is a Student

Sexual Violence is a violation of the [Code of Student Conduct](#). It is considered a serious offence and will be addressed in a manner which is consistent with other serious offences. Please see the **Code of Student Conduct: Procedures and Appeals** for details on the investigation and adjudication process. All students have the right to procedural fairness and due process when involved in an alleged breach of the Code of Student Conduct.

ii. Where the Respondent is a Student of Huron, King's, or Western

Sexual Violence is a violation of the Code of Student Conduct respective to each institution. In such circumstances, Brescia will work with the respective institution to conduct a coordinated response and investigation suitable to the situation. Please see the Code of Student Conduct: Procedures and Appeals for details on the investigation and adjudication process respective to each institution: [Huron](#), [King's](#), and [Western](#).

iii. Where the Respondent is an Employee

Sexual Violence is a violation of the [Workplace Violence Policy](#) and [Harassment and Discrimination Policy](#). Allegations against employees will be addressed in accordance with the procedures set out in these Policies, and in accordance with any applicable collective agreement, and/or other Brescia policies. If the findings of an investigation substantiate a violation of these policies, Brescia will decide on appropriate disciplinary actions in accordance with these policies and/or any applicable collective agreements regarding discipline.

iv. Where the Respondent is not a Student, Faculty, or Staff

Contractors, suppliers, volunteers, or visitors who are present on campus will be subject to complaints if they engage in prohibited conduct. Where a complaint against the respondent is substantiated, Brescia will take appropriate action.

6. Maintenance of Statistics

Brescia will maintain annual cumulative statistics on disclosed and reported incidents of Sexual Violence on campus for the purposes of community education and legislated reporting. This data will not include any information that would identify any Brescia community member. Reporting will occur under the Health and Safety Report to Brescia's Board of Trustees in the Fall of each year and must be shared with the Ministry of Training, Colleges and Universities to comply with legislative regulations.

7. Prevention & Education of Sexual Violence

Brescia is committed to providing and supporting on-going education and awareness initiatives about Sexual Violence, including issues of consent, sexual harassment, and cyber harassment to students, faculty, and staff. Brescia fully supports all cross-campus education and awareness initiatives occurring at Western University, Huron University College, and King's University College, and encourages the participation of and collaboration with the Brescia community.

8. Roles and Responsibilities of the University Community

Upon becoming aware of an incident or complaint, everyone on campus has a role to play. In responding to experiences of Sexual Violence and supporting a Survivor, there are common responsibilities that are shared by all and unique roles for specific campus groups.

Common Responsibilities
Model positive behaviors and attitudes by: <input type="checkbox"/> Demonstrating respectful behaviors in personal relationships

- | |
|--|
| <input type="checkbox"/> Valuing diversity
<input type="checkbox"/> Resolving conflicts in constructive and non-violent ways
<input type="checkbox"/> Challenge the myths surrounding Sexual Violence and harassment (see Appendix B) |
| <input type="checkbox"/> Be a bystander and speak up:
<input type="checkbox"/> Come to the defense of a Survivor if you witness Sexual Violence or harassment, and offer support
<input type="checkbox"/> Call a proper authority if you witness sexual assault
<input type="checkbox"/> Tell a proper authority if you see anyone adding something suspicious to another person's drink
<input type="checkbox"/> Check in with your friends and any vulnerable individuals to see that they get home safely
<input type="checkbox"/> Say "no" if anyone tries to share private texts or snapchats they've received
<input type="checkbox"/> Speak out against negative attitudes and intervene when comments are made that promote Sexual Violence and discrimination
<input type="checkbox"/> SEE OR KNOW SOMETHING, DO SOMETHING |
| <input type="checkbox"/> Create an atmosphere where individuals feel comfortable disclosing and seeking help
<input type="checkbox"/> Have open discussions with peers about the issue of Sexual Violence on campus
<input type="checkbox"/> Respond in a sympathetic, non-judgmental and supportive way when an act of Sexual Violence is disclosed by a Survivor and/or by a person(s) accused
<input type="checkbox"/> Be a supportive listener when Survivors wish to discuss their experiences
<input type="checkbox"/> Respect Survivors' privacy and how much information they choose to disclose
<input type="checkbox"/> Promote confidentiality of the Survivor and the person(s) accused, and discourage rumors
<input type="checkbox"/> Be aware of response protocol and how to contact resources/supports or make referrals to them
<input type="checkbox"/> Willingly participate in investigations
<input type="checkbox"/> Participate in training and public education initiatives on Sexual Violence issues |

Unique Responsibilities

Principal, Dean, Associate Dean, Vice-Principals & Directors	<ul style="list-style-type: none"> • Play a leadership role in raising prevention, awareness, and education about Sexual Violence • Endorse a formal Sexual Violence policy and its response protocol • Allocate resources for training campus members on the policy and response protocol • Make provisions and employment considerations/workplace accommodations for employees (staff and faculty) who are affected by Sexual Violence issues in their workplace
Vice-Principal, Students & Director, Human Resources	<ul style="list-style-type: none"> • Responsible for convening an investigation committee • Responsible for conducting an investigation • Overseeing the effectiveness of the policy & protocol • Proposing changes to respond to and ensure effectiveness

	<ul style="list-style-type: none"> • Vice Principal, Students: oversight for the operation of the Code of Student Conduct • Director, Human Resources: oversight for the operation of the Workplace Violence Policy & Harassment and Discrimination Policy
Faculty Members	<ul style="list-style-type: none"> • Provide Survivors with appropriate academic considerations, such as extensions on assignments, re-weighting assignments or tests, or supporting a request to drop a class or continue studies from home • Make students aware of opportunities to attend campus initiatives relating to Sexual Violence • Participate in training on the policy and response protocol • Participate in ongoing campus prevention, education, and awareness initiatives about Sexual Violence issues • Information regarding disclosures and/or reports/complaints should be shared in-person with Academic Dean or Director, Human Resources, respecting privacy of the Survivor and person(s) accused • Follow the Workplace Violence Policy & Harassment and Discrimination Policy
Academic Support Staff	<ul style="list-style-type: none"> • Assist with academic accommodations, petitions (e.g., requests for waiving an academic regulation, degree requirement or academic deadline with a student who has experienced a hardship or disadvantage), dropping courses, adjusting course schedules where appropriate and other academic needs of the Survivor • Make students aware of opportunities to attend campus initiatives relating to Sexual Violence • Participate in training on the policy and response protocol • Participate in ongoing campus prevention, education, and awareness initiatives about Sexual Violence issues • Information regarding disclosures and/or reports/complaints should be shared in-person with Manager; or Vice Principal, Students; or Director, Human Resources, respecting privacy of the Survivor and person(s) accused • Follow the Workplace Violence Policy & Harassment and Discrimination Policy
Residence Life	<ul style="list-style-type: none"> • Organize a change in living arrangements, when necessary • Encourage students living in residence to organize and participate in Sexual Violence awareness activities • Be aware of any changes in behaviour by individual students • Participate in training on the policy and response protocol • Participate in ongoing campus prevention, education, and awareness initiatives about Sexual Violence issues • Information regarding disclosures and/or reports/complaints should be shared in-person with Manager; or Vice Principal, Students; or Director, Human Resources, respecting privacy of the Survivor and person(s) accused • Follow the Workplace Violence Policy & Harassment and Discrimination Policy
Campus Police	<ul style="list-style-type: none"> • Issue a campus safety alert when it is determined that the campus may be at risk • Offer the individual the opportunity to be interviewed by police of the same gender, if the individual chooses • Assists with investigations • Collaborates with London Police • Follow best practices in creating campuses that are physically safe; implements measures to reduce sexual violence on campus

	<ul style="list-style-type: none"> • Assess the physical safety of campus through regular safety audits • Engage the campus community in periodic reviews of safety procedures, where appropriate
Western's Sexual Violence Education & Prevention Coordinator	<ul style="list-style-type: none"> • Helps Survivor navigate their options • Source of referral to Campus Police or London Police for reporting; or referral to on-campus health and/or off-campus community supports
Western (on-campus) Health Supports	<ul style="list-style-type: none"> • Psychological and emotional support • Assistance with safety planning • Referrals to other services, including medical services • Physicians, licensed medical professionals (e.g., nurses, counsellors, psychologists), who are practicing in that capacity, are a confidential resource. They will not report an incident of sexual violence without a Survivor's permission, except for extreme circumstances, such as a health and/or safety emergency
Business Office	<ul style="list-style-type: none"> • Provides access to emergency financial assistance for students in need • Participate in training on the policy and response protocol • Participate in ongoing campus prevention, education, and awareness initiatives about Sexual Violence issues • Information regarding disclosures and/or reports/complaints should be shared in-person with Manager; or Vice Principal, Students; or Director, Human Resources, respecting privacy of Survivor and person(s) accused • Follow the Workplace Violence Policy & Harassment and Discrimination Policy
Priest Chaplain	<ul style="list-style-type: none"> • Provides social, emotional and spiritual support, available for all students, staff and faculty • Serves as a confidential resource who will not report an incident of sexual violence without a Survivor's permission, except for extreme circumstances, such as a health and/or safety emergency
Student Associations & Student Groups	<ul style="list-style-type: none"> • Engage in educational initiatives to promote better understanding of sexual violence and the institution's policies and protocols • Provide feedback on institutional policies, resources, and protocols • Participate in training on the policy and response protocol • Participate in ongoing campus prevention, education, and awareness initiatives about Sexual Violence issues
Staff	<ul style="list-style-type: none"> • Make students aware of opportunities to attend campus initiatives relating to sexual violence • Participate in training on the policy and response protocol • Participate in ongoing campus prevention, education, and awareness campus initiatives about sexual violence • Information regarding disclosures and/or reports/complaints should be shared in-person with Manager; or Vice Principal, Students; or Director, Human Resources, respecting privacy of Survivor and person(s) accused • Follow the Workplace Violence Policy & Harassment and Discrimination Policy
Students	<ul style="list-style-type: none"> • Participate in ongoing campus sexual violence prevention, education, and awareness initiatives • Participate in training on the policy and response protocol • Follow the Code of Student Conduct

- Provide feedback on institutional policies, resources, and protocols

9. Policy Review Process

After an initial review in Fall 2017, this policy will be reviewed every three years with campus community consultation, including and in particular, with the student body.

APPENDIX A
Available Resources and Supports

Contact Information	Phone	Hours	Description of Services
<u>Regional Sexual Assault and Domestic Violence Treatment Centre</u> Go to St. Joseph's Hospital (Urgent Care) 268 Grosvenor Street, London, ON *Ask for the nurse on-call for sexual assault and domestic violence	519-646-6100 Call 519-646-6100, press '0'	Daily, 8am-4pm After hours	<ul style="list-style-type: none"> • Offers 3 types of services to Survivors following a sexual assault • Survivors may participate in any or all of these services: <ul style="list-style-type: none"> • Physical (medical) care (Available up to 1 year following the assault) • Emotional care and support (Can be started up to 1 year following the assault) • Forensic evaluation- collection of evidence (Available up to 7 days following the assault in most cases)
<u>Sexual Assault Centre London</u> 255 Horton Street E., 3rd Floor London, ON	519-438-2272 (crisis) 1-877-529-2272 (toll free)	Available 24/7	<ul style="list-style-type: none"> • Provides individual and group counselling • Public education, outreach, advocacy, and support • Accessible to men, women, youth
<u>London Distress Centre</u>	519-433-2023 or 1-866- 933-2023 (Crisis) 519-667-6711 (Distress)	Available 24/7	<ul style="list-style-type: none"> • Provides individuals in need with short-term non-judgmental, empathetic listening and confidential support • Provides referrals to other service providers and resources, when appropriate
Sexual Violence Prevention Education Coordinator <u>Wellness Education Centre</u> University Community Centre (UCC) Room 76 Email: wec@uwo.ca	519-661-2100 x87127 or 519 661-2111 x87085 (non-emergencies)	Mon – Fri 10am-6pm	A resource for individuals who have experienced sexual violence and individuals supporting Survivors of sexual violence, providing a compassionate response. <ul style="list-style-type: none"> • Explains supports and options available to Survivors; • Navigates and makes connections as requested; referral source • Helps prevent sexual violence on campus through education activities, reporting support, and compliance with new provincial policies and initiatives.

<u>Campus Community Police Services</u> Lawson Hall, Room 1257	On campus phone, call 911 (emergency) Off campus cell phone call, 519-661-3300 519-661-2111 x83300 (non-emergency line)	Available 24/7	Meets with individuals to provide support and safety planning; describes the various options available to a Survivor, which may include: <ul style="list-style-type: none">• Taking no actions;• Police issuing a warning to person(S) accused• University pursuing sanctions under the Code of Student Conduct;• Filing a Formal Report;• Pressing charges against person(s) accused
<u>London Police Service</u> 601 Dundas Street, London, Ontario	On campus phone, call 911 (emergency) 519-661-5670 (non-emergency)	Available 24/7	<ul style="list-style-type: none">• Provides dedicated and specialized response to, and investigation of, sexual assault and child abuse reports.• Addresses the sensitive, personal, and invasive nature of these crimes• Dedicates specially trained and motivated personnel to an investigation
<u>Mental Health & Addictions Crisis Centre</u> 648 Huron St., London, ON	519-434-9191	Available 24/7	<ul style="list-style-type: none">• Walk-in clinic provides immediate crisis assessment, intervention, stabilization and links to community resources.
<u>Family Service Thames Valley</u> 125 Woodward Ave, London, ON N6H	(519) 433-0183 1-800-855-0511 (TTY)	Available 24/7	<ul style="list-style-type: none">• Prioritizes sexual violence victim-Survivors via call or walk-in crisis assessment:<ul style="list-style-type: none">• Flagged immediately for support through Victim Quick Response Program (VQRP)• All short-term counselling paid for by Ministry of the Attorney General• Emergency meals and accommodation paid for when the safety of a victim-Survivor is at risk and there are no other available options
Student Counselling			
<u>Good2Talk</u>	1-866-925-5454 OR call 211	Available 24/7	<ul style="list-style-type: none">• A free, confidential and anonymous helpline to post-secondary students in Ontario

			<ul style="list-style-type: none"> Provides professional counselling, information and referrals on a range of issues
<u>Student Health Services</u> University Community Centre (UCC) Rm 11 (lower level)	519-661-3030	(Sept to Apr) Mon -Thu, 9am -7pm Fridays 9am - 4:30pm <u>Saturdays</u>	<ul style="list-style-type: none"> An appointment based medical clinic for all registered part-time and full-time students Provides medical care and counselling & psychiatric support Urgent problems such as infections or injuries can often be seen on the same day. Appointments can also be booked for non-urgent medical issues. Patients may see a physician of a specific gender and may also ask to see the same doctor for each visit.
<u>Student Development Centre</u> Western Student Services Building (WSS) Rm 4100	519 661-3031	Mon to Fri 8:30am-4pm	<ul style="list-style-type: none"> Professional, confidential psychological services Targeted, brief, change-oriented counselling; referrals for longer-term supports Counsellors support with issues such as (but not limited to): anxiety, depression, adjustment to university, relationships, grief, trauma and abuse, sexuality, gender identity, sexual assault Walk-in 'Single Session' appointments for 60 or 90mins, in addition to regularly scheduled appointment times <ul style="list-style-type: none"> To book, visit in-person; first-come, first-served basis Crisis counselling to students who experience any form of assault, including sexual or physical assault, and emotional abuse
Other Helpful Resources			
<u>Daya Counselling Centre</u> 141 Dundas St., 6 th floor London, ON	(519) 434-0077	Mon to Fri 9am - 4pm	<ul style="list-style-type: none"> Individual, couple, and family counselling for persons age 16+ Counselling appointments booked Mon-Fri Day & evening appointments available
<u>London Abused Women's Centre</u>	519-432-2204 (TDD)	Mon to Thurs 9am - 5pm	<ul style="list-style-type: none"> Support, counsel and advocate for and with women who are or

797 York Street, Unit 5 London, ON Email: info@lawc.on.ca	519-642-3000 (hotline for crisis counselling) If emergency, call 911	Fridays 9am - 4pm Available 24/7 Available 24/7	<p>have been subjected to abuse by a current or former adult, intimate partner</p> <ul style="list-style-type: none"> Provides women and girls over 12 years old with female-centred, trauma informed counselling, advocacy and support in a safe, non-crisis, non-residential setting
<u>Lesbian Gay Bi Trans Youth Line</u>	1-800-268-9688	Sun - Fri 4pm - 9:30pm	<ul style="list-style-type: none"> Offers non-judgemental support, information and referrals Helps youth who are 26 & under, living anywhere in Ontario Toll-free phone, text, chat provided by youth who are lesbian, gay, bisexual, transgender, transsexual, two-spirit, or queer
<u>Changing Ways</u> 825 Bradley Ave., London, ON	(519) 438-9869		<ul style="list-style-type: none"> Unique service in the community providing alternatives for men wishing to end and take responsibility for their abusive behaviour in their primary or intimate relationships Helps men who are emotionally, psychologically, verbally, sexually and/or physically abusive towards their partners
<u>Cross Cultural Learner Centre</u> 505 Dundas St., London, ON Email: cclc@lcclc.org	(519) 432-1133	<p><i>Office Hours:</i> Monday - Friday 8:30am-4:30 pm</p> <p><i>Translations:</i> Monday - Friday 8:30am-4:00pm</p>	<ul style="list-style-type: none"> Offers services/support for LGBTQ immigrants to Canada Provides information, orientation, problem solving, and assistance with immigration, Canadian documentation and more
<u>Atlohsa Native Family Healing Services Inc.</u> 343 Richmond St, #109 London, ON	(519) 432-0122 Crisis Line 1-519-432-0122 1-800-605-7477	Available 24/7	<ul style="list-style-type: none"> Family violence services designed to meet and promote the physical, mental, emotional, and spiritual health needs and healing paths of First Nation women, men and children in violent relationships
Shelters			
<u>Women's Community House Help Line</u>	519-642-3000(TTY) 519-963-0427(TTY)	Available 24/7	<ul style="list-style-type: none"> Canada's largest high-security shelter for abused women and their children

	1-800-265-1576 (Out-of-Town calls)		<ul style="list-style-type: none"> • Receives families from London and the surrounding area, as well as from across the country
<u>Zhaawanong (Atenlos) Shelter</u>	519-432-2270 1-800-605-7477 (outside of London area code) 519-432-0122 (crisis)	Available 24/7	<ul style="list-style-type: none"> • 24-hour emergency shelter for First Nation women and their children who are at high risk of further abuse in the family home. • Provides: <ul style="list-style-type: none"> • Safety, protection, and shelter (up to 42 days) in a supportive healing environment; • Intervention and holistic crisis counselling (group or individual); • Traditional healing circles for women and children; • An understanding of the cycle of violence; • Promotion of health, wellness, prevention of family violence; • Emergency transportation; • Referral and advocacy, while they are in transition

Faculty & Staff Assistance

Counselling

<u>Employee Assistance Program (EAP)</u>	1-800-668-9920 1-877-433-0701 519-433-0700	Available 24/7	<ul style="list-style-type: none"> • Provides faculty and staff with emergency telephone assistance, crisis response and counselling • Mental Health & Addictions Crisis Centre (walk-in clinic) provides immediate crisis assessment, intervention, stabilization and links to community resources
<u>Workplace Health</u>	519-661-2047 UCC Room 25	Mon to Fri 8:30am-4:30 pm	<ul style="list-style-type: none"> • Safe space to share work and personal health concerns and/or issues • If an issue arises while at work, available on a walk-in basis • Full-time Occupational Health Nurse available for medical treatment of occupational and non-occupational illness/injuries, and general health concerns. • Emergency care is provided as needed

Sexual Harassment			
<p><u>Equity & Human Rights Services</u> Room 2319, Somerville House Email: equity@uwo.ca</p>	519-661-3334 519-661-2111 x83334 (non-emergency)	Mon to Fri 8:30am-4:30pm After hours and weekend appts are available by appt	<ul style="list-style-type: none"> Provides information, education and training on human rights and equity issues to all members of the Western community, individually or in groups Administers the University's policies on harassment and discrimination Gives advice to people who feel they have been harassed or discriminated against, advising on University policies or non-discrimination/harassment clauses in collective and employment agreements, and facilitating alternate resolutions (where appropriate)
Director, Human Resources St. James Building Room 171 Email: ewhela@uwo.ca	519-432-8353 x28394	Mon to Fri 8:30am-4:30pm	

APPENDIX B
Dispelling The Myths Surrounding Sexual Violence and Harassment

Myth	Fact
Sexual assault can't happen to me or anyone I know.	Sexual assault can and does happen to anyone. People of all socioeconomic and ethnic backgrounds are victims of sexual assault. Young women, Aboriginal women and women with disabilities are at greater risk of experiencing sexual assault.
Sexual assault is most often committed by strangers.	Someone known to the victim, including acquaintances, dating partners, and common-law or married partners, commit approximately 82 per cent of sexual assaults. ¹⁶
Sexual assault is most likely to happen outside in dark, dangerous places.	The majority of sexual assaults happen in private spaces like a residence or private home.
If a woman doesn't report to the police, it wasn't sexual assault.	Just because a victim doesn't report the assault doesn't mean it didn't happen. Fewer than one in ten victims report the crime to the police. ¹⁷
It's not a big deal to have sex with a woman while she is drunk, stoned or passed out.	If a woman is unconscious or incapable of consenting due to the use of alcohol or drugs, she cannot legally give consent. Without consent, it is sexual assault.
If a woman didn't scream or fight back, it probably wasn't sexual assault.	When a woman is sexually assaulted she may become paralyzed with fear and be unable to fight back. She may be fearful that if she struggles, the perpetrator will become more violent. If she is under the influence of alcohol or drugs, she may be incapacitated or unable to resist.
If a woman isn't crying or visibly upset, it probably wasn't a serious sexual assault.	Every woman responds to the trauma of sexual assault differently. She may cry or she may be calm. She may be silent or very angry. Her behaviour is not an indicator of her experience. It is important not to judge a woman by how she responds to the assault.
If a woman does not have obvious physical injuries, like cuts or bruises, she probably was not sexually assaulted.	Lack of physical injury does not mean that a woman wasn't sexually assaulted. An offender may use threats, weapons, or other coercive actions that do not leave physical marks. She may have been unconscious or been otherwise incapacitated.
If it really happened, the woman would be able to easily recount all the facts in the proper order.	Shock, fear, embarrassment and distress can all impair memory. Many survivors attempt to minimize or forget the details of the assault as a way of coping with trauma. Memory loss is common when alcohol and/or drugs are involved.
Women lie and make up stories about being sexually assaulted.	The number of false reports for sexual assault is very low, consistent with the number of false reports for other crimes in Canada. Sexual assault carries such a stigma that many women prefer not to report.
It wasn't rape, so it wasn't sexual violence.	Any unwanted sexual contact is considered to be sexual violence. A survivor can be severely affected by all forms of sexual violence, including unwanted fondling, rubbing, kissing, or other sexual acts. Many forms of sexual violence involve no physical contact, such as stalking or distributing intimate visual recordings. All of these acts are serious and can be damaging.
Women with disabilities don't get sexually assaulted.	Women with disabilities are at a high risk of experiencing sexual violence or assault. Those who live with activity limitations are over two times more likely to be victims of sexual assault than those who are able-bodied. ¹⁸
Husbands cannot sexually assault their wives.	Sexual assault can occur in a married or other intimate partner relationship.

16 Brennan & Taylor-Butts, *Sexual Assault*, 13.

17 Ibid., 8.

18 Statistics Canada, *Criminal Victimization and Health: A Profile of Victimization Among Persons with Activity Limitations or Other Health Problems* (Ottawa: 2010), 8.

Source:

Ontario Women's Directorate. (2013, January). *Developing a response to sexual violence: A resource guide for Ontario colleges and universities*. Retrieved October 6, 2015, from http://www.women.gov.on.ca/owd/english/ending-violence/campus_guide.shtml