

Feedback Report on the Revised Sexual Violence Policy Draft

2nd Round of Feedback – Drafting Phase

Consultation Meetings, Design-Thinking Workshops, Online Feedback

Date: March 29, 2019

Overview

After carefully reviewing the feedback provided on the Sexual Violence Policy during the listening phase of the consultation work plan, a draft version of the revised Policy with tracked changes was made public to the Carleton community for additional feedback.

The following report is a summary of the feedback received on this draft version of the revised Policy throughout the drafting phase of the consultation work plan.

Consultation Meetings

Throughout the drafting phase of the consultation process, Bailey Reid (Sexual Assault Services Coordinator, Equity Services) and Laura Storey (Director, Housing and Residence Life, Office of the Vice-President (Students and Enrolment) (OVPSE) met with key stakeholder groups on campus. Consultation meetings occurred with:

- Carleton Academic Student Government (CASG) Council
- Carleton University Students' Association (CUSA)
- Carleton University Students' Association (CUSA) Council
- Rideau River Residence Association (RRRA)
- Other individuals as requested
- Student Governors, Board of Governors
- Governance Committee, Board of Governors
- CUASA
- CUPE 4600
- CUPU
- OPSEU 404

Other unions and groups either did not respond or declined to meet.

Design-Thinking Workshops

A total of 6 design-thinking workshops took place for members of the Carleton community which were a combination of open and closed sessions. In total, 15 people participated in these workshops.

These design-thinking workshops were structured to foster organization and facilitate constructive feedback on the revised draft of the Sexual Violence Policy with tracked changes. In order to provide insight into how this feedback was obtained, we have included the agenda for these workshops as an appendix.

Online Feedback

During the listening phase, there were 80 anonymous form submissions (62 of which were a form response containing the exact same content), 5 emailed responses and 1 editorial from the Charlatan. This online feedback is presented as submitted.

Additional Feedback

Additional feedback was also considered from the following sources and is included in this aggregated feedback:

- Carleton Graduate Students' Association and Canadian Union of Public Employees 4600 "Joint Response to the Carleton Sexual Violence Policy" submitted on March 15, 2019 and available on the consultation website.
- Meral Jamal's "Revised SVP draft released to the Carleton community" published in the Charlatan on February 7, 2019 and available on <http://charlatan.ca>

Main Themes

Throughout the drafting phase of the consultation process, several main themes emerged from the feedback provided:

- Policy Administration
 - Accessibility of the Policy
 - Accommodation process
 - Changing role of Equity Services
 - Immunity clause
 - Inclusivity of the Policy
 - Off-campus and non-Carleton community member processes
 - The Sexual Violence Review Committee
- Response
 - Confidentiality
 - False claims
 - Formal process
 - Interim measures
 - Relationships
 - Support person
- Education and Continuous Improvement
 - Reporting options
 - Commitment to education
 - Transparency

This report has been organized by these themes, and has the aggregated feedback received during the drafting phase of the consultation process. This feedback has been examined and assessed in the review of the Sexual Violence Policy. Responses to the feedback received have also been included.

Policy Administration

Accessibility of the Policy

Related to the clarity of the Sexual Violence Policy in general, we received feedback on how to make the policy and processes more accessible. The suggestions we received were:

- Have different ways that the Policy could be consumed (i.e. infographic, flowchart, one page summary, etc.) and on the Equity Services website to address the concerns regarding the length of the document
- Create a clear process page that just lists the step-by-step procedures for a formal complaint through the use of a checklist outlining the investigation process
- Use accessible language
- Consult with disability, mental health, and newcomer population experts regarding accessibility of the formal process and language in the policy
- Ensure multiple places and options on-campus can explain the options of a formal or informal reporting process

University Response

Carleton University is committed to having an accessible policy for everyone. The revised Policy has been updated to use CNIB-approved font (12pt, Arial) and has been separated into two sections:

- Part A: Policy and Support Services
- Part B: Complaint Process and Procedure

Prior to the publication of the Sexual Violence Policy, a table of contents will be added.

The University will develop a flowchart to explain the Policy, processes and options available for both formal and informal complaints. This will be promoted across the campus and on appropriate websites. We will also develop and deliver a 2.0 version of the highly successful Sexual Violence Prevention and Response training session.

Additional outreach and public education opportunities on the Policy and related processes will be developed by the Sexual Violence Prevention and Education Committee as part of the Campus Strategy on Sexual Violence Prevention.

As noted in section 6 of the Policy, an Equity Services staff member will assist individuals to navigate the Policy, including both the formal and informal process, and their options.

Accommodation process

The following feedback was received regarding accommodations offered through the Sexual Violence Policy:

- Clarify the University's role in ensuring that accommodations are met in a timely manner
- Consider the graduate student experience specifically, including:
 - Timelines with FGPA and funding if the survivor needs to take a leave of absence from work or school obligations and who will work with the administration to respond to these concerns
- Accommodation process and options on the first page of the Policy so survivors know where to go without reading the entire Policy
 - Options for accommodation should be stated within this part of the Policy (i.e. seeking accommodations informally from a professor or through Equity Services)
- Options where the survivor can seek out accommodations should be made clear in the policy.

University Response

Section 6.5(a) of the Sexual Violence Policy states that interim academic or employment accommodations are available and depend on the person's needs and the circumstances. Each accommodation is provided in a specialized way to the person, whether they be an undergraduate student, graduate student, staff member, or faculty member and that are appropriate in the specific circumstances.

The addition of a table of contents should make it easier for survivors to find the appropriate section of the Policy. However, we also encourage any survivor who is looking for support to access the list of resources on the website: <https://carleton.ca/sexual-violence-support> or by contacting the Carleton Sexual Assault Support Centre at (613) 520-5622. We will ensure that the website is updated with appropriate information relating to accommodations and supports in consultation with the Sexual Violence Prevention and Education Committee. In addition, as previously noted, a flowchart to explain the Policy, processes and options available for both formal and informal complaints is being developed. This will be promoted across the campus and on appropriate websites.

Changing role of Equity Services

The withdrawal of Equity Services from the Sexual Violence Review Committee (SVRC) and its role with regards to the Sexual Violence Policy was identified as concerning during this feedback process. The following feedback was received:

- Section 6.5(d), “Equity Services must ensure that the following steps occur,” should be reviewed, as this may not be Equity Services’ role anymore
- Section 9.1, “Filing and initiating a formal complaint,” should refer to Equity Services role in the provision of support for survivors who choose to file a complaint

University Response

As supported by Equity Services, the Director of Equity Services will no longer sit on the Sexual Violence Review Committee (as noted in section 6.5(c)). This revision is supported by Equity Services and allows the Sexual Assault Support Centre, housed within Equity Services, to act as an independent body focused solely on support of the Complainant, removes the potential for a conflict of interest and is aligned with best practices in the university sector.

Equity Services will continue to be available for consultation and support to the Sexual Violence Review Committee at any time, and as necessary, as identified in section 6.5(e).

Immunity clause

Feedback in general regarding the immunity clause was positive, with stakeholders happy about its inclusion. The following suggestions were made with regards to the immunity clause:

- Any witnesses involved in the policy process should be included under the immunity clause
- Clarification regarding the following terms:
 - “Minor” infractions
 - “Good faith”
 - “Immunity”
- Expansion of immunity clause outside of alcohol to include: underage drinking, underage cannabis use, drug use of any kind, contraband possession, engaging in sex work, working in the lab after hours, gambling, breaking *Residence Standards*, and other infractions on school policy
- A statement in the Policy regarding the University’s commitment to protect survivors and witnesses from external legal prosecution
- Clear protections should be outlined and identified as superseding other penalties through Campus policies

University Response

The included provision is modeled on OurTurn’s recommended immunity clause. As stated in the Policy (section 8.9), complainants who come forward in good faith to disclose their experience will not experience consequences as per university policy for underage drinking or drug use. This would apply to witnesses who come forward in good faith as well.

Section 12.1 includes a statement that in the case of a conflict between any of the other policies and the Sexual Violence Policy, the latter takes precedence to the extent of the conflict.

Inclusivity of the Policy

Feedback was received regarding the inclusivity of marginalized voices and diverse experiences of sexual violence under the policy. The following concerns were highlighted:

- Include the intersectional experiences of sexual violence for racialized folks, Indigenous people, 2SLGBTQ+, and people with disabilities.
- The definition of “sexual harassment,” should be inclusive and expansive around experiences of marginalized folks
- The Policy should include on- or off-campus supports and processes that reflect the intersectional needs of students, staff, and faculty

University Response

The Policy addresses intersectionality. Section 1.1 of the Sexual Violence Policy includes the following statement: “Carleton acknowledges that individuals who are members of equity-seeking groups who experience intersecting forms of disadvantage based on the protected grounds in the Ontario Human Rights Code may be disproportionately affected by sexual violence and its consequences.”

The term “sexual harassment” is a defined term in the policy under section 4.1 and is based on the definition in Bill 132. The list of examples provided is not meant to be exhaustive and is instead illustrative.

It is the University’s commitment to ensure anyone who experiences sexual violence on campus is treated with dignity and respect. If a survivor does not feel comfortable with Carleton’s Sexual Assault Support Centre based on their lived experience and identity, the Coordinator of Sexual Assault Services can assist with finding community resources that can support that survivor’s unique needs.

Off-campus and non-Carleton community processes

Feedback was received regarding the involvement of members outside of the Carleton community and included:

- Clarify what happens if external police services are involved with regards to the Policy
- Recognize the limitations of the Policy if a guest is assaulted on campus and list what they can do outside of the Policy for support and reparations
- There is no acknowledgement of fraternities and sororities are made within the policy

University Response

As noted in section 9.1(c) a formal complaint process may be suspended due to jurisdictional or other legal considerations such as an active police investigation or criminal prosecution. Regardless of the status of any process, support and accommodations to complainants will continue to be provided as is detailed in the Sexual Violence Policy.

The term “University Community” is a broadly defined term in section 4.1 of the Sexual Violence Policy. As is stated in section 3.1, the Policy applies to all members of the University community whether they are in the University’s learning, living or work environment, on or off-campus, or interacting through social or electronic media.

Section 9.1(c) addresses concerns about how a formal complaint is handled against a person who is not a member of the university community such as a visitor.

At this time, Carleton University does not recognize sororities and fraternities. However, members of those organizations who are students at Carleton are included in the definition of “University Community”. As such, they are held accountable under Carleton’s Sexual Violence Policy and the Student Rights and Responsibilities Policy.

The Sexual Violence Review Committee

We heard the following concerns about the composition of the SVRC and their role:

- Concerns with the Chair being the Vice-President (Students and Enrolment)
- Concerns about the withdrawal of Equity Services from the SVRC
- Concerns about the Director of Campus Safety Services being on the committee
- Concerns about intersectional and diversity representation on the SVRC
- Concerns about the impact of committee members having other roles in the University on survivors coming forward
- Clarification with regards to the SVRC’s role in advocacy

- Justification within the policy with regards to who sits on the committee and why the committee is comprised of internal members
- External consultants are brought onto the committee, especially to Chair the committee, or make up the SVRC, having external expertise or having been trained and informed about equity and the survivor experience
- The introduction of a veto clause should be added to prevent personal relationships from impacting the outcomes of cases through the SVRC
- The addition of members from the Sexual Violence Prevention and Education Committee within the SVRC
- The addition of a student or union representative sitting on the SVRC when the complainant/respondent are students or union members
- The addition of someone who is specifically trained in the area of sexual violence, such as a psychologist or social worker
- Diversity, intersectionality, consent, and ability focused trainings for the SVRC

University Response

Carleton University believes that the best practice for reviewing formal cases of sexual violence is to have a committee to review each case following an investigation by a trained expert investigator. Based on feedback received during the listing phase of the consultation process, a conflict of interest provision was added as section 8.8. Further, the Policy now states that members of the SVRC may have a designate as per section 6.5(c).

All members of the SVRC receive sexual violence and procedural fairness training as stated in section 6.5(c) of the policy. Procedural fairness training is provided by the Ottawa Rape Crisis Centre and is trauma informed. This half-day training is provided annually to all members of the SVRC. As part of the formal process, Carleton also relies on legally trained investigators who have a background in sexual violence investigations. Sexual violence training is also provided by the Coordinator of Sexual Assault Services.

As supported by Equity Services, the Director of Equity Services will no longer sit on the Sexual Violence Review Committee (as noted in section 6.5(c)). This revision is supported by Equity Services and allows the Sexual Assault Support Centre, housed within Equity Services, to act as an independent body focused solely on support of the Complainant, removes the potential for a conflict of interest and is aligned with best practices in the university sector.

Response

Confidentiality

Confidentiality remained an area of focus during the consultation period. Questions and comments regarding confidentiality included the following:

- Recognition that the University supports the survivor and that all measures have been taken to consider the diverse confidentiality and disclosure needs of survivors
- A respondent should not be allowed to read the details of statements written by survivors
- Gossip with regards to survivors, whether seeking accommodations, restorative justice through the Policy, or not, should be addressed in the Policy through:
 - Inclusion in the Policy that those who know about the situation keep it confidential
 - A potential consequence for those who start/spread rumors
- There should be recognition within the Sexual Violence Policy about how the constraints on confidentiality interact with Carleton's *Free Speech Policy*
- Is there a way in which these confidentiality constraints can be lifted with regards to connecting with communities of care for survivors?
- Is there any filing or formal written reporting of these incidents with regards to employment and academic processes at Carleton?
- The Policy should include a statement regarding the negation of confidentiality restraints when there are multiple accusations
- There were also concerns around confidentiality about consequences:
 - Section 9.7(b) refers to FIPPA with regards to the disclosure of disciplinary actions. This should be referenced.
 - There must be a recognition that if there is a recommendation for dismissal, it must be in accordance with a staff/faculty's Contract Agreement

University Response

The University is committed to a fair, impartial and confidential process for all involved in a formal investigation. This includes allowing both the Complainant and Respondent to have access to all information provided during an investigation, including written statements, which is a procedural fairness requirement.

While we recognize that for many survivors, the healing process includes speaking about their experience, it is mandated by legal requirements including procedural fairness and privacy obligations that all parties maintain confidentiality throughout the process. However, this does not prevent a survivor from seeking support through counselling, peer support, crisis line support, or by meeting with the Coordinator of Sexual Assault at any time.

As stated in sections 3.1 and 8.7, this Policy does not replace or supersede existing collective agreement provisions or abrogate any collective agreement protections.

False claims

Language within the Policy was flagged as having the potential to perpetuate rape myths.

- Within section 8.11: Procedural Fairness, there was concern that the section may foster a sense that false claims are common with regards to “credibility,”
- The statement in 2.2 (a) Consensual Romantic or Sexual Relationships Guidelines, “These relationships may lead to significant problems including allegations” should be re-worded as it implies that sexual violence allegations are commonplace and reinforce the idea that people may make claims based on personal/interpersonal problems
- Any implications regarding severity of sexual violence should be eradicated from the Policy, as Sexual Violence can only be measured by its impact to a survivor, not intent or external conceptions.

University Response

The addition of section 8.11 is modeled from Ryerson's policy, which OurTurn ranked as the highest rated policy in their assessment of campus sexual violence policies, and addresses the feedback received during the listening phase regarding procedural fairness concerns. We recognize that historically, the question of character of sexual assault survivors has been a way to discount their experiences and upholds a rape myth that survivors of sexual assault will lie for various reasons about their experience. The Policy requires formal investigations to be conducted by trained investigators with expertise in investigations of allegations of sexual violence. The investigators ensure that all investigations are conducted in an appropriate and sensitive manner.

Formal process

Feedback was received on the formal complaint, investigation, and reporting process in order to ensure restitution for survivors.

- There was concern around how the Policy does not simply state how a complaint is submitted
- Clarification was requested regarding who the investigator is, their relationship to the University, and what type of expertise they have

- There should be clear statements that survivors are not expected to read the respondent's statements, and that they are never expected to interact face-to-face throughout the process
 - Other options may need to be listed, including phone meetings for survivors
- As the process of making a formal complaint is very long, the change to 30 days for an appeal time is excessive

University Response

The process for filing a formal complaint is described in section 9.1 of the Sexual Violence Policy. However, as part of a commitment to the accessibility of the Policy, the University will develop a flowchart to explain the Policy, processes and options available for both formal and informal complaints. This will be promoted across the campus and on appropriate websites and will be included in additional training sessions.

The Sexual Violence Policy requires that formal investigations be conducted by trained investigators with expertise in investigations of allegations of sexual violence. The investigators ensure that all investigations are conducted in an appropriate and sensitive manner.

Section 9.6 states that the Complainant or Respondent may request accommodation regarding their participation at a meeting.

During the consultation process, we received initial feedback that the appeal time limit was too short and other feedback that original time limit was too long. In order to compromise between two suggestions, we have revised the time limit to be 15 days.

Interim measures

Questions and comments were raised regarding the interim measures in the Sexual Violence Policy.

- It is suggested that who imposes and adjudicates the interim measures listed in section 8.12 is clarified
- Campus and school activities should be defined within the policy: if a campus club/faculty is hosting an event off-campus, will the restriction apply?
- The Policy should include recognition that these interim measures will be stated clearly in verbal and written form
- The precaution to put a person on non-disciplinary leave regarded as extreme and only for a predetermined period of time

University Response

Interim measures and accommodations are determined in accordance with the needs of the survivor, the specific circumstances and the safety of the community. Section 8.12 outlines that where interim measures are necessary, the University will seek to implement the least disruptive measures that still promote safety and security. Such measures are without prejudice to the ultimate outcome of the complaint process and are not intended to be disciplinary in nature. A party may request modifications to interim measures and those requests will be considered in relation to the circumstances of the specific case and the safety of the community.

As is stated in section 3.1, the Policy applies to all members of the University community whether they are in the University's learning, living or work environment, on or off-campus, or interacting through social or electronic media.

Relationships

While collecting feedback on the second draft of the Sexual Violence Policy, it appeared that there was some concern around Section 2.2: Consensual Romantic or Sexual Relationship Guidelines. Concerns and suggestions include the following:

- The statement in 2.2 (a) "These relationships may lead to significant problems including allegations" should be re-worded as it implies that sexual violence allegations are commonplace, reinforcing the idea that people may make claims based on personal/interpersonal problems
- The addition of a statement saying "Disclosure is not an admission of wrongdoing."
- A reference to Carleton's *Conflict of Interest* policy and guidelines regarding relationships
- An addition of a disclaimer that "Disclosure of a relationship does not negate the option of making a complaint in the future."
- Emphasis in this section should be on respect rather than fear in this section

University Response

Although faculty-student relationships are not banned, such relationships are strongly discouraged through both the definition of consent in the Sexual Violence Policy and explicitly in the existing sexual harassment provisions of Carleton's Human Rights Policies and Procedure. As is currently the case at Carleton, any relationships with a power imbalance must be disclosed and appropriate steps taken. While Carleton wants to uphold the autonomy of staff, students and faculty to make decisions about their relationships, it is important to ensure that pedagogical relationships and the

workplace are protected from activities or influences that can interfere or conflict with the learning and the work environment.

Support person

Access to and the role of the support person during the formal process was raised as an area of concern from the Carleton community to ensure the support of survivors. The following feedback and suggestions were given:

- Unions should not be listed as a support person, and should be available separate from the role of a support person
- Interpreters, translators, and other persons which a person with a disability would need, should be defined separately from the role of a support person

University Response

Under section 8.4, we have clarified who a support person may be. Should a Complainant or Respondent require accommodations, such as the need for a translator or interpreter, the request will be assessed at the time and such person will not fill the role of a support person.

As stated in section 3.1, this Policy does not replace or supersede existing collective agreement provisions.

Education and Continuous Improvement

Reporting Options

Feedback was collected regarding the options for reporting both within and outside of the Policy. Overall, concerns were raised that many options should be listed within the Policy for reporting outside of the formal process defined by the University. Feedback included the following:

- Additional clarification and recognition of individual mental health needs with regards to emergency personnel should be considered with regards to Section 6.3 “Disclosure in an Emergency Situation.”
- Grievance options through the support of Unions should be listed
- Options for reporting through alternative legal methods should be listed
- Emphasis on choice surrounding disclosure and reporting should be emphasized
- Request for third-party and anonymous reporting options

University Response

The Coordinator of Sexual Assault Services will support any Complainant through the various reporting options they have, including a union representative, or referral to legal supports.

The grievance process exists for members of a labour union through their respective collective agreements. As stated in sections 3.1 and 8.7, this Policy does not replace or supersede existing collective agreement provisions or abrogate any collective agreement protections.

In order to ensure procedural fairness, formal complaints cannot be anonymous. However, at no time is a survivor forced to name the person who caused harm in any informal process. Support is provided to a survivor unconditionally and based on their needs and wishes.

Commitment to Education

Feedback which pertains to the role and activities of the Sexual Violence Prevention and Education Committee included:

- Promotion of a consent culture on campus to clarify and justify the term “consent,” as defined in the Sexual Violence Policy to the Carleton community
- Commitment to creation and implementation of ongoing education and training for all members of the Carleton community
- Work towards creating support for survivors or referring survivors to supports that are available beyond 8:30-4:30 Monday through Friday

To further Carleton’s commitment to ending sexual violence, requests have been made on behalf of the Carleton Graduate Students’ Association and Canadian Union of Public Employees 4600 Consent Culture Committee.

- A mandate within “Carleton’s Commitment and Values,” of education and training for all students, faculty, staff, and administration
- Specific and frequent educational opportunities, well-advertised and at no cost in the areas of:
 - Accessing the Sexual Violence Policy
 - Equity and inclusivity training focusing on intersectionality and anti-oppression
 - Up-to-date, accessible, and accurate resource materials in many public locations on campus with regards to consent, sexual violence, and sexual health
 - Safe spaces to challenge stereotypes with regards to sexual violence
 - Frequent workshops and seminars regarding consent, sexual health, reproductive justice, and safer sex practices prioritizing consent and communication

- Early outreach programs for students transitioning to university surrounding consent

University Response

The Sexual Violence Prevention and Education Committee (SVPEC) will be tasked with developing the Campus Sexual Violence Prevention Strategy, which will be their work plan. Many of the feedback items identified throughout the consultation process will be used in the strategy including educational outreach. The SVPEC continues to be committed to providing sexual violence training and information to members of the University community.

Transparency

To ensure a survivor-centered perspective of sexual violence, Carleton's commitment to transparency in all sexual violence processes and procedures has been emphasized as essential. In particular, feedback was received in the following areas as being ambiguous. Suggestions include:

- The definitions of sexual violence and sexual harassment
- What "sexual violence and procedural fairness training," (as per Section 6.5(c)) entails and how often it is revisited by members of the SVRC
- Evaluation criteria for monitoring and evaluating the effectiveness of the Policy (Section 5.1d): Education, Prevention, and Awareness)
- An outline of how the finding of fact takes place during the formal process

University Response

Definitions to sexual harassment and sexual assault have been updated in section 4.1 of the Policy.

All members of the SVRC receive sexual violence and procedural fairness training as stated in section 6.5(c) of the policy. Procedural fairness training is provided by the Ottawa Rape Crisis Centre and is trauma informed. This half-day training is provided annually to all members of the SVRC. Additional sexual violence training is also provided by the Coordinator of Sexual Assault Services in Equity Services.

As part of the formal process, Carleton relies on trained investigators who have a background in sexual violence investigations.

The University is committed to building measurement data tools as part of the Campus Sexual Violence Prevention Strategy.

Online Feedback

The following feedback was received through email and the anonymous feedback online form. Responses to address this feedback are included in this aggregate report. Carleton University is committed to having a survivor-centric policy while ensuring procedural fairness. The University thanks the Carleton community for their feedback throughout the extensive consultation and review process of the Sexual Violence Policy.

Date	Format	Content
30-Jan-19	Email	I'm just wondering what is meant by " If credibility is at issue," in page 17 of the document. From a legal perspective, this statement seems a bit problematic because it means that a person's character is being considered when trying to determine what the truth is. This section seemed a bit vague about how decisions will be made.
30-Jan-19	Email	Hi, The process of making a formal complaint is already very long so I feel that the policy should stick to a 10 day appeal time rather than changing it to 30 days
30-Jan-19	Email	Where is this "consultation website" link?
30-Jan-19	Email	Hi there, I was just wondering if you knew of any days that would be open for students to come sit in on a feedback session. For one of our classes we have to attend a policy meeting for something that interests us and I remember there was a referendum on this policy last year that I was upset about missing. Would we be allowed to sit in on these meetings, but not contribute? Thank you for your help,
30-Jan-19	Form	A large portion of rape victims were never in danger of death. They are therefore not survivors. They should be classified as rape victims and not survivors.

30-Jan-19	Form	<p>The proposed revised policy is superb. Well written, current, and in clear language, it is an evident improvement on the significant advance achieved through the 2016 policy. The key to a new policy's success is education and awareness, in other words, discourse. We need to make the policy a touchstone for routine engagements of each other, including peer and collegial support mechanisms, and transparency of how the policy and our community's commitment to it is manifested.</p>
30-Jan-19	Form	<p>It is my belief that the definition of sexual violence and sexual harassment are too vague. Section 7.3 b) should be modified or removed since this clause could always be used to reveal the identity of the accused.</p> <p>An explicit statement is required that the identities of the complainant and the accused will be kept confidential. It would also be pertinent to add a section which will hold the complainant in contempt if they reveal the accused's identity in a public manner i.e. a social media statement. This type of statement can cause serious harm and when made in error is a tragedy.</p>
30-Jan-19	Form	<p>I would change the name "Sexual Assault Support Services" into a more appropriate one e.g. "Sexual Assault Victims Support Services"</p>
30-Jan-19	Form	<p>I am concerned about the role of due process in decisions made by the SVRC, as I was unable to find mention of it in the Sexual Violence Policy. The process by which the SVRC would arrive at a "fair" decision is not clear from the document. As an integral element of Canada's legal system, I would hope that the principle of innocent until proven guilty beyond reasonable doubt would be applied. However, I've heard horror stories in other universities, resulting from a burden of proof on the accused. I would like this principle to be explicitly included in the policy. Otherwise what could prevent anyone of accusing a personal enemy of sexual assault, and unjust action being taken by the university in the lack of evidence?</p>

30-Jan-19	Form	<p>I have two concerns related to the definition of consent used in Carleton's Revised Sexual Violence Policy Draft.</p> <p>'Consent cannot be given by a person whose judgement is impaired by drugs and/or alcohol or by other forms of impairment.'</p> <p>I find this to be ludicrous. As everybody knows, people consent to sex while drunk or on drugs all the time. The definition used here is much too broad. Indeed, by this measure if two drunk people have sex, then you might conclude that they are raping each other. The issue at hand is really of drug- or alcohol-induced incapacitation, not impairment.</p> <p>I secondly take issue with the the claim that consent 'cannot be assumed nor implied.' What does 'explicit' consent look like? A verbal acknowledgement of consent? Again, as everybody knows, most people do not seek verbal acknowledgements of consent prior to having consensual sex. In fact, almost all the time, consent is implied through positive-physical-feedback.</p> <p>This is more than a semantic issue. An overly broad definition opens the the policy up to abuse, false, or hysterical accusation. Such accusations may be statistically rare, but they will have a disproportionate impact on lessening the credibility of real survivors of assault.</p>
31-Jan-19	Form	<p>I would like to see greater transparency in the remainder of the consultation process. One way to do this is by posting the recommendations students offered in reflection of the previous sexual violence policy and the reasons for which they were not accounted for in the amended draft version.</p>

<p>3-Feb-19</p>	<p>Form and Email</p>	<p>I was reading through Carleton's sexual violence policy and, for the most part, found it measured and appropriate in its definitions. However, one particular line seems ill-defined. Under the definition of consent it is listed that it "Cannot be given by an individual whose judgement is impaired by alcohol and/or drugs". I believe it should be changed to "grossly or obviously impaired" as mere impairment is not always obvious and it doesn't inherently absolve an individual of personal responsibility under Canadian law.</p> <p>In the eyes of Canadian law, an individual is largely considered responsible for their actions taken when they have voluntarily become intoxicated. For instance, if an individual does not attain consent and proceeds to engage in sexual behaviour with a nonconsenting party, that individual may rightfully be charged with sexual assault and whether they were impaired themselves has little bearing on their innocence. In other words, you are responsible for being impaired and for the actions you commit whilst impaired.</p> <p>The definition above seems to implicitly contradict this precedent. According to the definition above, if a voluntarily-intoxicated party gives consent, they are deemed absolved of responsibility for that decision and any sexual behaviour that follows. If two impaired individuals engage in consensual sexual behaviour, then, according to this policy, either party can withdraw their consent at a later date and the other party has then committed rape. If impairment is not obvious and verbal consent was given, the offending party has no reasonable way of discerning whether or not they have actually received consent. Since consent cannot be attained if it cannot be obviously discerned, then consensual sexual behaviour between students cannot occur as far as this policy suggests; no student can be fully certain whether another student is impaired in some capacity regardless of whether substances are obviously present or not. In order for consent to remain a valid measure of appropriate sexual behaviour, it must be considered retrospectively immutable, a student who is impaired, but not grossly so, must have the right to give consent and the obligation to shoulder that decision.</p> <p>If an individual is responsible for sexual behaviour when impaired then that must apply to both the party responsible for receiving consent and the one responsible for giving it (although it should be obvious that the lines dividing those two parties is rarely distinct or obvious in genuine social interactions). The policy as outlined is too broad in its definition of consent and this invalidates the concept. Poorly defined or contradictory standards of responsibility are likely to lead to gross</p>
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		<p>miscommunication and impair students' ability to discern whether they are acting appropriately or not.</p> <p>If Carleton University continues forward with the policy as it is outlined above, they would be creating a poorly regulated and potentially unsafe campus environment for their students.</p>
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4-Feb-19	Form	As per section 6.5 (c), I am concerned that there are only university stakeholders on the "Sexual Violence Review Committee" and no one specifically trained in the area of sexual violence (ie. psychologist, social worker). Regardless of the "sexual violence and procedural fairness training", someone who is in the field of sexual assault and violence is pertinent to a fair and equitable evaluation of the survivors' case. Also, the policy needs to be transparent about what the "sexual violence and procedural fairness training" entails (who is providing the training, how often is the training occurring, how many hours does this include), otherwise how will the community know the training is appropriate and valuable.
4-Feb-19	Form	As per section 6.5 (c), I am concerned that there are only university stakeholders on the "Sexual Violence Review Committee" and no one specifically trained in the area of sexual violence (ie. psychologist, social worker). Regardless of the "sexual violence and procedural fairness training", someone who is in the field of sexual assault and violence is pertinent to a fair and equitable evaluation of the survivors' case. Also, the policy needs to be transparent about what the "sexual violence and procedural fairness training" entails (who is providing the training, how often is the training occurring, how many hours does this include), otherwise how will the community know the training is appropriate and valuable.
4-Feb-19	Form	Have you considered contacting the head of the Our Turn action plan to assist in updating the policy? The policy appears to be university/stakeholder centered versus survivor-centered. Pretend you are an individual looking for support/file a complaint after a sexually violent event, and how your policy may aid or hinder the person moving through the 'system' as well as their academics.
6-Feb-19	Form	Due process is essential in order to protect the accused. In the listening phase feedback summary it is written that the complainant should be believed unless proven false, and the respondent presumed innocent unless proven guilty. These two contradict each other, and the policy needs to clarify how they relate. The policy should be transparent and deal with the straightforward example where there is no evidence against an accused except the word of the complainant. What decision would be taken in that situation?

7-Feb-19	Charlatan Editorial	<p>Carleton recently released a draft of its revised sexual violence policy (SVP) for consultation. The revised SVP includes an immunity clause—an exception which grants survivors of sexual violence immunity to punishment for drug or under-age alcohol use which occurred at the time the sexual violation took place. The immunity clause is intended to prevent survivors of sexual violence from being discouraged from coming forward about the violation they experienced, as has historically been the case. The introduction of an immunity clause is a good step in combating sexual violence on campus. However, immunity in the current draft only applies to underage alcohol consumption and minor drug infractions. This partial immunity could continue to discourage survivors from coming forward about their experiences. In revising its SVP, Carleton must make sure it does not only provide conditional immunity to survivors of sexual violence, and include immunity for possible violations which are not considered minor. Furthermore, the SVP does not define what counts as a major or minor offence. If Carleton chooses not to open up the immunity clause to include protection from punishment for non-minor offences, the SVP must be more specific in defining what constitutes a major and minor offence.</p>
10-Feb-19	Form	<p>The revisions made to the draft are a big improvement. However the policy should go further to fully ban student and professor relationships like at the universite of Laval.</p>
6-Mar-19	Form	<p>Having read the policy I am wondering whether there is a possibility to include some provisions for third-party witnesses of sexual violence/inappropriate sexual conduct? In my previous institution there were at least 2 cases when a third party reported such behavior (a professor having consensual relations with students but treating those students better/differently than others). Seeing as sexual violence victims may not always want to report and that such situations may also be harmful (though much less so) to other people and to the university community as a whole I would like to see some way of reporting one's knowledge of such behavior to the appropriate bodies/authorities and policies put in place to address them.</p>

<p>14-Mar-19 & 15-Mar-19</p>	<p>Form (x62)</p>	<p>Students on this campus deserve to have a survivor-centric Sexual Violence Policy. I hope that Carleton’s administration and board members hear us when we say the changes in the first draft of the SVP policy are NOT ENOUGH.</p> <p>Carleton students want:</p> <ol style="list-style-type: none"> 1. Timelines: Specific timelines for investigations and reports; 2. Information on Sanctions: Complainants to be informed of all details of the interim measures and 3. sanctions against the alleged perpetrator; 3. Immunity Clause: A more robust immunity clause that goes beyond just protecting the complainant (all witnesses should have immunity as well); 4. Limits on Questioning: Include prohibition of questions regarding past sexual history - “Rape shield protections”; 5. Alternative Ways of Reporting: Add ability to submit anonymous and third-party complaints.
<p>14-Mar-19</p>	<p>Form</p>	<p>Students on this campus deserve to have a survivor-centric Sexual Violence Policy. I hope that Carleton’s administration and board members hear us when we say the changes in the first draft of the SVP policy are NOT ENOUGH.</p> <p>Carleton students want:</p> <ol style="list-style-type: none"> 1. Timelines: Specific timelines for investigations and reports; 2. Information on Sanctions: Complainants to be informed of all details of the interim measures and sanctions against the alleged perpetrator; 3. Immunity Clause: A more robust immunity clause that goes beyond just protecting the complainant (all witnesses should have immunity as well); 4. Limits on Questioning: Include prohibition of questions regarding past sexual history - “Rape shield protections”; 5. Alternative Ways of Reporting: Add ability to submit anonymous and third-party complaints. <p>^^^ Anonymity is both good and bad. I understand that some people may want a way to detach themselves from a situation; but in other cases this can be used maliciously by people making false anonymous claims. It may also be more useful that there is contact information so the sender can be reached IF for example, other people have sent in complaints about the same perpetrators, for example, and the Carleton community can do something about this person. Victims can be put into contact in unity and be made aware they aren't alone and as a group could take the case further since they can feel more empowered.</p>

14-Mar-19	Form	<p>I want:</p> <ol style="list-style-type: none"> 1. Timelines: Specific timelines for investigations and reports. Be accountable and hold the system to a standard. 2. Information on Sanctions: Complainants to be informed of all details of the interim measures and sanctions against the alleged perpetrator; 3. Immunity Clause: A more robust immunity clause that goes beyond just protecting the complainant (all witnesses should have immunity as well); 4. Limits on Questioning: Include prohibition of questions regarding past sexual history - “Rape shield protections”. I am a law student and this is in the Canadian jurisprudence. If it cannot be used against a woman in a court of law it should not be acceptable in a progressive school. 5. Alternative Ways of Reporting: Add ability to submit anonymous and third-party complaints. <p>I am a third year undergraduate student, I excel in my studies, and I care about my colleagues. Carleton’s sexual violence policy should lift up the community from its most vulnerable and absolutely needs to go every step towards protecting survivors. Sexual assault is one of the lowest reported crimes and these valuable changes will incentivize students to report.</p>

15-Mar-19	Form	<ol style="list-style-type: none"> 1. Timelines: Specific timelines for investigations and reports; 2. Information on Sanctions: Complainants to be informed of all details of the interim measures and sanctions against the alleged perpetrator; 3. Immunity Clause: A more robust immunity clause that goes beyond just protecting the complainant (all witnesses should have immunity as well); 4. Limits on Questioning: Include prohibition of questions regarding past sexual history - “Rape shield protections”; 5. Alternative Ways of Reporting: Add ability to submit anonymous and third-party complaints. 6. Gossip, Rumours impeding on the survivors ability to heal and a way to combat this
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Appendix A: Design-Thinking Workshop Agenda

Welcome, land acknowledgement, introductions (5 min)

- If you are triggered by the content of this workshop, please connect with Bailey Reid, Sexual Assault Services Coordinator at 613-520-2600 ext 8454, or chat with your facilitator about resources on campus.
- If you would like to offer feedback that you didn't feel comfortable giving in this workshop, please feel free to use the online form at: <https://carleton.ca/sexual-violence-support/sexual-violence-policy-consultation/>

Opening: Circle Game: Likes/Dislikes (10 minutes)

In this activity, the group works together to identify what they like in workshops, which they place within the circle, and which they don't like, which is placed outside the circle. This activity helps to act as ground rules throughout the workshop.

Reviewing the changes: [Spectrum Line](#): (45 minutes)

In this activity, the groups reviews the new draft of the Policy, and uses a spectrum line to give feedback on the three major feedback themes:

- Policy Administration
 - Accommodation process
 - Composition of the Sexual Violence Review Committee
 - Immunity clause for drug and alcohol use
 - Off campus and non-Carleton community member processes
 - Accessibility of the Policy
 - Question of false claims and due process, including restorative or educational options.
- Response
 - Communication around timelines including the appeal time limit
 - Faculty-student relationships
 - Confidentiality constraints, including speaking publicly about the experience
 - Face-to-face meetings
 - Fear of reprisal
- Education and Continuous Improvement
 - Role of the Sexual Violence Prevention and Education Committee
 - Support services offered

Reviewing the changes: [Actions for Retrospectives](#) (45 min)

Building on the previous activity, we'll use the themes identified in the spectrum line to make a matrix (below). Using this matrix, we can dig deeper into what was identified in

the previous activity, and make concrete recommendations for the next iteration of the policy.

<p>Puzzles: Questions for which we have no answer</p>	<p>Improvements: What could be done better in the next iteration?</p>
<p>Appreciations: What you liked from the previous policy</p>	<p>Wishes: Identifying the ideal Policy</p>

Closing activity: Debrief and Closing: [Remember the future](#) (15 min)

Imagine that the SV Policy is completed and updated and has been out for 6 months. Please describe in detail the specifics of the finished product and how it will affect Carleton's population. At the end, we'll present the ideas to one another.