

## SEXUAL ASSAULT SEXUAL VIOLENCE POLICY

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*Manny Bassi*

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**Manny Bassi – Regional Vice President**

# SEXUAL ASSAULT AND SEXUAL VIOLENCE POLICY

## 1. Policy

All members of the Hanson College ('Hanson) community have a right to work and study in a safe and healthy environment free from any form of violence and harassment. Hanson will not tolerate incidences of Sexual Violence and will ensure that those who experience acts of sexual violence and misconduct are believed, are appropriately accommodated, and have the right to a fair and equitable investigation process, as set out by this policy.

## 2. Purpose

The purpose of the Sexual Violence policy is to establish guidelines for the process of reporting and investigating incidences, disclosures, reports, and complaints of Sexual Violence involving students in a manner that protects the rights of all individuals and ensures that all individuals who experience sexual violence and misconduct are believed and appropriately accommodated, while holding those who have committed acts of sexual violence accountable. The policy will provide staff, students, faculty, and visitors at Hanson with the knowledge, guidelines, and procedures to safely and appropriately respond to any Incident of Sexual Violence, including provisions for accommodations, supports, and services for those who have experienced Sexual Violence.

## 3. Scope

This policy applies to all members of the Hanson community, including:

- Students;
- Staff and faculty members;
- Contractors and their employees;
- Visitors and guests;
- Committee members.

This policy is in full effect at all times on any Hanson International Educational and Employment Services Limited premises and events in which any Hanson business may be taking place or in which members of the Hanson community are present and engaged in activities relating to Hanson (ex. Co-op or field placements, student outings, off-site conferences, shuttle busses, etc).

## 4. Definitions

Please refer to Appendix A for a full list of definitions related to this policy.

## 5. Statement of Commitment

### Hanson is committed to:

- 5.1. Taking appropriate responsive and preventative measures against Sexual Violence and sexual misconduct, as described in this policy, with the goal of creating a safe environment for all members of the Hanson community, including students who have experienced or have been affected by Sexual Violence and sexual misconduct.
- 5.2. Making available accommodations to students who have experienced or have been affected by sexual violence, specifically through services and supports provided by the Student Services department, at no extra cost to the student.
- 5.3. Ensuring that individuals who disclose that they have experienced Sexual Violence are believed, and that their right to dignity and respect is protected through the process of disclosure, investigation, and institutional response.
- 5.4. Engaging in appropriate procedures for investigation and adjudication of a report or complaint of Sexual Violence which are in accordance with Hanson policies, standards, and applicable agreements, and that ensure fairness and due process.
- 5.5. Ensuring coordination and communication among the various departments who are most likely to be involved in the response to sexual violence in Hanson, particularly Student Services.
- 5.6. Consider student input in the development and any further updates or amendments to this Sexual Violence and Misconduct policy.
- 5.7. Engaging in education and prevention activities to raise awareness on Sexual Violence
- 5.8. Reviewing and updating our policies and protocols with respect to Sexual Violence and misconduct at least once every three (3) years to ensure that they remain effective and in line with other existing policies, legislation, and best practices.
- 5.9. Training and educating all persons who manage or direct the affairs of Hanson as well as their agents, and all faculty, staff, employees, contractors, and students of Hanson on the contents of this Sexual Violence and Misconduct policy and the procedures contained herein.
- 5.10. Ensuring that this policy is made publicly available on the Hanson website and made accessible to all staff, faculty, and students.
- 5.11. Ensuring that this Sexual Violence policy is included with each student enrolment contract between the student and Hanson.

## 6. Disclosures

- 6.1. Hanson recognizes and understands that the decision to Disclose and the decision to Report are two separate decisions. An individual may choose to make a disclosure about an incident of sexual violence and misconduct without making a report.
- 6.2. Disclosures does not result in the initiating of Reporting and Investigation processes. Hanson will ensure that an individual's choice not to Report is respected. However, there may be exceptional circumstances to this policy, as outlined in the 'Confidentiality' section below.

- 6.3. Accommodations are available to individuals who disclose having experienced sexual violence and misconduct, as outlined in this policy below.
- 6.4. Hanson will exert all efforts to ensure that records or instances of any disclosures made about experiences of sexual violence and misconduct are kept confidential, and that access to these records are strictly controlled by the college.

## **7. Process for Reporting an Incident of Sexual Violence**

- 7.1. Students who experience Sexual Violence are encouraged to first ensure their own safety, including calling 911 and/or seeking medical attention in the event of an emergency. Students are encouraged to report the incident as soon as possible.
- 7.2. Students may report the incident to any Member of the Hanson community that the student feels comfortable speaking with, or directly to Student Services.
- 7.3. Reporting can be either through written or oral communication, and should include relevant information such as: potential witnesses, description of the perpetrator, location and date and time of incident. Students can also request that a report be made to Student Services by a staff or faculty member on their behalf.
- 7.4. During the initial review process, and in the event that a formal investigation is conducted, students may also be asked to provide a written report of the incident.
- 7.5. Students and other Members of the Hanson community who witness or who have knowledge of an Incident of Sexual Violence are encouraged to report the incident as soon as possible to Student Services.
- 7.6. All reports of Sexual Violence are taken seriously by Hanson. Reports of Sexual Violence shall be reviewed as soon as possible upon receipt by Student Services.
- 7.7. Students are not required to make a report or complaint about an Incident of Sexual Violence in order to obtain the supports, services, and accommodations referred to in this policy.

## **8. Initial Review**

- 8.1. Upon receipt of a report or complaint of Sexual Violence, Hanson will initiate a review process which will ultimately result in a final decision on whether Hanson has the jurisdiction to conduct a formal investigation of the incident or complaint ('Initial Review').
- 8.2. The review process will be initiated by the Student Services department, who may appoint a faculty member or administrative staff member for support in the initial review.
- 8.3. In some circumstances, Hanson may ask the individual who made the report or complaint of Sexual Violence to provide a written report of the Incident of Sexual Violence, which will be filed in the Student Services department. Hanson will maintain a confidential database of all reports and/or complaints received, as further described below.
- 8.4. During the initial review, Hanson will exert all effort to be fair and reasonable to all parties involved, thereby taking into consideration all contextual factors and involved parties of the

Incident of Sexual Violence reported before making a final decision on whether to launch a formal investigation of the complaint.

- 8.5. A student who has been subjected to Sexual Violence may choose not to request an investigation of the Incident of Sexual Violence. Hanson will review and consider a student's wishes in this regard as part of its initial review. Ultimately, however, the decision to proceed with an investigation will be at the discretion of Hanson, particularly in circumstances where the incident may pose a threat to the health and safety of other members of the Hanson community.
- 8.6. If Hanson chooses to proceed with an investigation despite the wishes of the student who was subjected to Sexual Violence, the student has the right not to participate in the investigation.
- 8.7. Hanson will seek to maintain procedural fairness in reviewing all reports and/or complaints of Sexual Violence. As such, no sanction and/or disciplinary action will be taken against persons or groups without their knowledge where there is an alleged breach of this policy. Respondents will be given reasonable notice, with full detail of the allegations, and provided with an opportunity to respond to the allegations made against them, either at the initial review stage or upon the launch of a formal investigation, depending on the circumstances.
- 8.8. The results of the initial review, and the decision whether or not to proceed with a formal investigation, must be communicated in writing to both the Complainant and the Respondent before any subsequent procedures are initiated.
- 8.9. A Complainant may request a review of the decision whether or not to proceed with a formal investigation in writing to the Student Services department.
- 8.10. The initial review and communication of the final decision to the Complainant and the Respondent shall occur within a maximum two (2) weeks of initially receiving the report or complaint of Sexual Violence, barring unforeseen circumstances resulting in delay.

## **9. Formal Investigation and Decision-Making Process**

- 9.1. As noted above, if Hanson determines that Hanson has the jurisdiction to initiate a formal investigation, Student Services will notify the Complainant and Respondent in writing.
- 9.2. Following the initiation and notification of a formal investigation launch, an impartial, competent person with the appropriate skills, training, and/or experience will be appointed by Hanson to conduct the investigation. This may be someone who is a Member of the Hanson community or a person who is external to Hanson, depending on the individuals involved, the circumstance, and the expertise required.
- 9.3. The formal investigation will be completed in a timely manner, taking into consideration the circumstances of the situation, including its complexity. Ideally, the formal investigation should be completed within six (6) months of receipt by Student Services of the report or complaint of Sexual Violence.

- 9.4.** While an incident or complaint is being investigated or while a decision is being made regarding an incident or complaint, Hanson may implement interim measures for the protection of the parties, as described below.
- 9.5.** If the Respondent has not already been given an opportunity to formally respond to the allegations during the initial review, once the formal investigation has been commenced they will be provided with the full details of the allegations against them and will be given an opportunity to provide a written response to the allegations.
- 9.6.** The investigator will meet with both the Complainant and the Respondent to discuss the allegations that have been made. If the Complainant chooses not to participate in the investigation process, the investigator will consider any written statements provided by the Complainant, or information obtained from other witnesses. A party to the investigation or decision-making process has the right to have a person present with him or her at every stage of the process, including legal or other representation.
- 9.7.** The Complainant and Respondent may choose to submit any additional information to the investigator, such as the names of any potential witnesses or evidentiary materials such as documents, recordings, or photographs. The investigator will interview relevant witnesses and review any other relevant materials provided to him or her through the investigation process.
- 9.8.** Any witnesses interviewed by the investigator as part of the formal investigation will be advised of their obligation to maintain the confidentiality of any matters discussed in the course of the investigation.
- 9.9.** An investigator will keep a detailed written record of the investigation, including notes with respect to oral statements obtained from the Complainant, the Respondent, and any witnesses interviewed.
- 9.10.** Following the completion of the investigation, the investigator will provide a written, confidential report of the information gathered during the investigation to the Student Services department, as well as the conclusion of the investigation, and any recommendations.
- 9.11.** Hanson will review the investigator's report and make a final decision of the result of the investigation, including any actions or sanctions to be taken and the rationale for the decisions and any sanctions.
- 9.12.** Student Services will inform the Complainant and the Respondent, in writing, of the results and decision of the investigation. The decision includes, but is not limited to, any sanctions or other actions that may be taken.
- 9.13.** The Complainant and the Respondent will have access to an appeals process (see the *'Appeals'* section of this policy) following the completion of the investigation.
- 9.14.** Any documents and/or materials relating to the investigation, including:
  - 9.14.1.** The investigator's notes;
  - 9.14.2.** The investigation report;

**9.14.3.** Written statements obtained from the Complainant, the Respondent, and any other witness; and

**9.14.4.** Other relevant documents or evidence collected,  
will be filed with Student Services following the investigation. Hanson will make all reasonable effort to preserve the confidentiality of information relating to the report or complaint of Sexual Violence, as well as the investigation process, confidential (as further described below).

## **10. Outcome of the Investigation**

**10.1.** Following the investigation, Hanson may take such action or impose sanctions that are appropriate in the circumstances. These actions may include, but are not limited to:

**10.1.1.** Referring a party to services and supports available through Student Services or in the community;

**10.1.2.** Imposing discipline, up to and including termination of employment (for employees of Hanson);

**10.1.3.** Imposing sanctions up to and including termination of a contractual relationship (for contractors);

**10.1.4.** Imposing academic sanctions up to and including expulsion (for students); and/or

**10.1.5.** Engaging the assistance of police services.

## **11. Right to Withdraw a Report ('Complaint')**

A complainant has the right to withdraw a report/complaint at any stage of the process. However, Hanson 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 obligation, especially if Hanson has reason to believe that continuing to act on the issue identified in the complaint serves to maintain the health and safety of members of the Hanson community.

## **12. Protection from Reprisals, Retaliation, or Threats**

**12.1.** Hanson takes reasonable steps to ensure the safety of its students once a report of Sexual Violence has been made, while an investigation is ongoing and/or while a decision is being made regarding the incident or complaint. This may include providing accommodations and support services to students (as described below) and implementing other interim measures to protect individuals from, among other things, retaliations or threats of retaliation.

**12.2.** Interim measures that may be implemented by Hanson to ensure the protection of an individual reporting an incident or making a complaint of Sexual Violence before, during, and following the investigation include, but are not limited to:

**12.2.1.** Advising individuals in writing of their duty to refrain from committing a reprisal and/or sanctioning individuals for a breaching of this duty;

### **13. Supports, Services, and Accommodations**

- 13.1.** Hanson will appropriately accommodate the needs of students affected by Sexual Violence at no cost to the student. Students who require such accommodation should contact the Student Services Department, which will work with students to address requests for accommodation, and can provide access to other supports and services.
- 13.2.** Student Services can provide students with access to consultation and counselling services by qualified professionals to those affected by sexual violence, as well as referrals to community resources and community supports and other appropriate counselling services.
- 13.3.** The Student Services Office at Hanson also provides licensed counselling support services such as our Wellness Counsellor and Psychology, and Social Worker.
- 13.4.** Students who are affected by sexual violence are not required to make a report or complaint about an Incident of Sexual Violence in order to receive such supports, services, and accommodations.
- 13.5.** Community supports and services, as well as their contact information, can be found in Appendix B of this policy, as well as Appendix II of Hanson's Sexual Violence Protocol, which contains a chart of all sexual assault centres in Ontario and their contact information.
- 13.6.** For more information about supports and services, please contact Student Services.

### **14. Confidentiality**

- 14.1.** Hanson respects the privacy and confidentiality of all persons. Every effort will be made to protect the privacy and anonymity of any person(s) who discloses and/or reports an incident of Sexual Violence. The confidentiality of all persons involved in a report of Sexual Violence must be strictly observed, including the complainant, respondent, and witnesses, by restricting routine access to information to individuals with a need for such access and by providing education and training to those who are regularly involved in the administration of reports and complaints.
- 14.2.** All records regarding reports/complaints, investigations, and Incidents of Sexual Violence will be filed in a confidential manner and kept in a confidential database that will be monitored and regulated by the Student Services Department and the HR department. Hanson will treat Disclosures and Reports of an Incident of Sexual Violence in a confidential manner and in accordance to the Freedom of Information and Protection of Privacy Act.
- 14.3.** In certain circumstances, disclosure of confidential information may be necessary, such as where:
  - a. There are reasonable grounds to believe there is an individual is at imminent risk or self-harm;
  - b. There are reasonable grounds to believe there is an individual is an imminent risk of harming another;
  - c. There are reasonable grounds to believe that others in the Hanson or wider community may be at risk or harm; and/or



- d. Disclosure is required by law (ex. An incident involving a minor, or obligations related to occupational health and safety or to human rights legislation).

In such circumstances, information would only be shared with necessary services to prevent harm, and the name of the survivor would not be released to the public.

- 14.4.** Where Hanson becomes aware of an allegation of Sexual Violence against a member of the Hanson community against another member of the Hanson community, such as faculty or staff, Hanson may have an obligation to take additional steps beyond the scope of this policy with Hanson's legal obligation to provide its students with a safe learning environment. In these circumstances, Hanson will take reasonable steps to preserve the confidentiality of information received regarding an Incident of Sexual Violence as well as the identity of the Complainant.
- 14.5.** If Hanson is required to collect and disclose information to the Superintendent relating to this policy, and the implementation and effectiveness of same, Hanson will ensure that such information shall not include personal information as defined by the *Freedom of Information and Protection of Privacy Act*.
- 14.6. Minors who are involved:** Hanson will exert all effort to ensure that the identities of minors (under age 18 years) involved in Incidents of Sexual Violence are protected and kept confidential under the Youth Criminal Justice Act of Canada.

## **15. Regulation and Implementation of the Sexual Violence and Misconduct Policy**

- 15.1.** The Academic Department is responsible for approving and facilitating ongoing revision of Hanson's Sexual Violence Policy for students and ensuring that the policy is appropriately implemented and adopted by Hanson. The Academic Department is also responsible for approving all finalized versions of the policy.
- 15.2.** The Academic Department is responsible for ensuring that all staff, faculty, and students are trained and educated on the procedures and provisions set out by this policy. Hanson will exert effort to include input from Hanson students regarding the Sexual Violence policy during policy revision processes.
- 15.3.** Hanson will review the policy at least once every three (3) years, although the policy will be included during annual policy and procedure reviews as well.
- 15.4.** Any breaches of the Sexual Violence and Misconduct Policy and established procedures may result in disciplinary action being taken. Disciplinary action may include, but is not limited to:
  - 15.4.1.** Expulsion (if a student)
  - 15.4.2.** Temporary leave of absence (if an employee)
  - 15.4.3.** Termination of employment (if an employee)

## Appendix A

### Definitions

#### **Sexual Violence**

As per the *Sexual Violence and Misconduct Act*, Sexual Violence is defined as any non-consensual sexual act or threat to act; or act targeting a person's sexuality, gender identity or gender expression, whether the act is physical or psychological in nature, that is committed, threatened, or attempted against a person without the person's consent, and includes Sexual Assault, Sexual Harassment, stalking, indecent exposure, voyeurism, and sexual exploitation. For the purposes of this policy, Sexual Violence also includes acts of Sexual Violence committed online and includes the distribution of a sexually explicit photograph or recording of an individual to one or more individuals other than the individual in the photograph or recording without the consent of the individual in the photograph or recording. A friend, partner or acquaintance coercing or forcing is also ground for sexual assault.

Includes any instance of Sexual Violence and Misconduct, including Sexual Harassment, Sexual Assault, and all associated definitions.

#### **Incident of Sexual Violence Member(s) of the Hanson community**

Includes students, staff, contractors, visitors, guests, and committee members that represent Hanson International Education and Employment Services Limited, whether they are on-site or off-site Hanson premises.

#### **Complainant**

A Member of the Hanson community who has Disclosed or Reported an Incident of Sexual Violence.

#### **Respondent**

Someone against whom an allegation of Sexual Violence has been made.

#### **"Jurisdiction to Investigate"**

Refers to the legal authority of Hanson to investigate under this policy.

#### **Sexual Harassment**

Includes (but is not limited to) engaging in a course of vexatious comments or conduct that is known or ought to be known to be unwelcome. Sexual Harassment also includes any sexual solicitation or advance made by a person in a position to confer, grant, or deny a benefit or advancement to the person where the person making the solicitation or advance knows or ought reasonably to know that it is unwelcome. Sexual Harassment also includes a reprisal for the rejection of a sexual solicitation or advance, where the reprisal is made or threatened by a person in a position to confer, grant, or deny a benefit or advancement to the person. For the purposes of this policy, Sexual Harassment includes Cyber Sexual Harassment.

## **Sexual Assault**

Sexual assault is a criminal offence under the Criminal Code of Canada; defined as any form of sexual contact without ongoing and freely given consent from all parties. Sexual Assault constitutes a range of behaviours that may involve the use of force, threats, or control towards an individual, from unwanted sexual touching to forced sexual intercourse; and can involve situations where sexual activity is obtained by someone abusing a position of trust, power, or authority. Sexual assault can be committed by an intimate partner, someone known to the victim (sometimes called "acquaintance rape" or "date rape"), or stranger.

## **Stalking**

Engaging in conduct that causes an individual to fear for their physical or psychological safety, such as repeatedly following or communicating through any means with someone, engaging in threatening conduct, or keeping watch over the place where the individual happens to be.

## **Indecent Exposure**

Exposing one's body to another individual for a sexual purpose or coercing another individual to remove their clothing in order to expose their body, without their consent.

## **Voyeurism**

Non-consensual viewing, photographing, or otherwise recording another individual in a location where there is an expectation of privacy (ex. Looking into someone's bedroom window) and where the viewing, photographing, or recording is done for a sexual purpose.

## **Definition of 'Consent'**

As described in the Criminal Code of Canada, 'Consent' is the voluntary and explicit agreement to engage in the sexual activity in question. It is the act of willingly and consciously agreeing to engage in specific sexual behaviour, and requires that a person is able to freely and consciously choose between two options: yes and no. This means that there must be an understandable exchange of affirmative words between the parties involved; which indicates a willingness to participate in mutually agreed upon sexual activity. Consent must be fully voluntary, clearly communicated, and ongoing.

In terms of what constitutes as a situation where **no consent is obtained**, the following must be understood:

- A person who is asleep, unconscious, or is otherwise unable to communicate, is incapable of giving consent.
- Consent cannot be obtained from a person who has been threatened or coerced (i.e. is not agreeing voluntarily) into engaging in sexual activity.

- A person who is not in a fully conscious state of mind, or who is under the influence of drugs or alcohol, is unable to give full consent.
- A person may be unable to give consent if he/she has a mental disability preventing them from fully understanding sexual acts.
- Consent that was given in the past to a sexual or dating relationship does not mean that consent is deemed to exist for all future sexual activity. Consent must be always be obtained.
- A person can withdraw consent at any time during the course of a sexual encounter.
- A person is incapable of giving consent to a person in a position of trust, power, or authority, such as:
  - A faculty member initiating a relationship with a student who he/she teaches;
  - An administrator and/or management member initiating a relationship with anyone who reports to that position or is in a direct line of authority to that position.
- Consent to engage in sexual activity cannot be given on behalf of another person.

It is the responsibility of the initiator of sexual activity to ensure clear and affirmative responses are communicated at all stages of sexual engagement. It is also the initiator's responsibility to know if the person he/she is engaging with sexually is a minor under the Law.

**Age of Consent for Sexual Activity:** the age at which a person can legally consent to sexual activity. In Canada, children under 12 can never legally consent to sexual acts. 16 years old is the legal age of consent for sexual acts. There are variations on the age of consent for adolescents who are close in age between the ages of 12 and 16. More information can be found on <http://www.justice.gc.ca/eng/rp-pr/other-autre/clp/faq.html>

**Consent:** The voluntary agreement to engage in the sexual activity in question. No consent is obtained where

- a) the agreement is expressed by the words or conduct of a person other than the complainant;
- b) the complainant is incapable of consenting to the activity;
- c) the accused induces the complainant to engage in the activity by abusing a position of trust, power or authority;
- d) the complainant expresses, by words or conduct, a lack of agreement to engage in the activity; or
- e) the complainant, having consented to engage in sexual activity, expresses, by words or conduct, a lack of agreement to continue to engage in the activity.

**Disclosure:** a disclosure or to disclose refers to when someone informs or tells their lived sexual violence experience to a member of the College Community. A disclosure does not constitute a report/complaint.

**Drug-facilitated sexual assault:** The use of alcohol and/or drugs (prescription or non-prescription) by a perpetrator to control, overpower or subdue a victim for purposes of sexual assault.

**Respondent:** refers to an individual against whom a complaint has been made under this Policy.

## SEXUAL ASSAULT AND SEXUAL VIOLENCE PROTOCOL

The College's Commitment to Survivors of Sexual Assault is as follows.

Anyone who has experienced or who has been affected by sexual violence has the right to:

- be treated with dignity and respect;
- be believed;
- be informed about on and off-campus services and resources;
- decide whether or not to access available services and to choose those services he/she feel will be most beneficial;
- decide whether to report to campus security and/or local police;
- have a safety plan, and
- have reasonable and necessary actions taken to prevent further unwanted contact with the alleged perpetrator(s).

We strongly encourage you to disclose and report incidents of sexual violence; however it is entirely up to you if you choose to do so. Survivors or anyone affected by sexual violence are not required to report an incident of, or make a complaint about sexual violence, in order to obtain supports and services or to receive accommodation. We recognize that this may be emotionally difficult and you may want to reach out to

### **1. If You Have Experienced or been Affected by Sexual Violence**

Survivors, or anyone affected by sexual violence may seek out any number of the services listed below at any time; however, immediately after a sexual assault, they may wish to consider the following steps:

#### **A. Go to a safe place and seek out help**

- If you are on or off campus, call or go to a trusted individual or friend; or
- If you are elsewhere, you can call Emergency Services at 911  
Get Medical Attention as soon as possible.
  - For the North York campus, go to North York General Hospital's Charlotte & Lewis Steinberg Emergency at 4001 Leslie Street, Toronto M2K 1E1, open 24 hours a day, 7 days a week. The hospital is open 24 hours a day, 7 days a week. Assessment is confidential.
  - For Brampton campus, Brampton Civic Hospital Emergency hospital is open 24 hours a day, 7 days a week.
  - If you need advice about where best to go to treat your symptoms? Call Telehealth Ontario at 1-(866)-797-0000 TTY: 1-(866)-797-000 and a nurse will assess and advise you.

#### **C. Consider reporting**

If you want to report the assault, you have several options that you can proceed with as soon as you are ready. The following areas can help you file reports:

- Student Services Desk, Mondays to Fridays from 8:30 am to 4:30 pm
- Supervisor, if you are an employee of the College, or
- Local Police Services
- Counseling Services
- Women can call the Assaulted Women's Helpline 24/7 at 1-866-863-0511.
- Men can call the Sexual Assault Crisis Line for Men 24/7 at 1-866-887-0015.

## **If You Would like to File a Formal Complaint**

Survivors of sexual assault may choose a criminal and/or non-criminal option for reporting.

### **Criminal Complaint**

Any community members may pursue criminal charges under the *Criminal Code* of Canada by contacting the local police service.

### **Non-criminal Complaint**

If survivors would like to make a non-criminal complaint to the College, an advisor can explain the processes available through the Sexual Assault and Sexual Violence Policy and Protocol. Depending on the circumstances, non-criminal options may include, but are

## Sexual Assault and Sexual Violence – Supporting Information

### MYTH AND FACT SHEET

#### **Use of the term “Rape” in the context of Sexual Violence**

This policy refers to the offence of sexual assault to align with the current offence contained in the *Criminal Code*. The word “rape” is no longer used in criminal statutes in Canada. The term was replaced many years ago to acknowledge that sexual violence is not about sex but is about acts of psychological and physical violence. The term “sexual assault” provides a much broader definition and criminalizes unwanted behaviour such as touching and kissing as well as unwanted oral sex and vaginal and anal intercourse. Although the term no longer has a legal meaning in Canada, the term rape is still commonly used.

#### **DISPELLING THE MYTHS AND MISCONCEPTIONS ABOUT SEXUAL ASSAULT**

Myth	Fact
It wasn't rape, so it wasn't sexual violence.	Sexual assault and sexual violence encompasses a broad range of sexual activity. 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.
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, but the vast majority of sexual assaults happen to women and girls. 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 75 per cent of sexual assaults.

## Sexual Assault and Sexual Violence – Supporting Information

### MYTH AND FACT SHEET

Myth	Fact
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 an individual 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.
It's not a big deal to have sex with someone while they are drunk, stoned or passed out.	If a person is unconscious or incapable of consenting due to the use of alcohol or drugs, they cannot legally give consent. Without consent, it is sexual assault.
If the person chose to drink or use drugs, then it isn't considered sexual assault.	This is a prominent misconception about sexual assault. No one can consent while drunk or incapacitated.
<p>If the victim didn't scream or fight back, it probably wasn't sexual assault.</p> <p>If the victim does not fight back, the sexual assault is their fault.</p>	A person being sexually assaulted may not fight back for many reasons, it is never the survivor's fault.
If you didn't say no, it must be your fault.	People who commit sexual assault/abuse are trying to gain power and control over their victim. They want to make it extremely difficult, if not impossible, for their victim to say no. A person does not need to actually say the word "no" to make it clear that they did not want to participate. The focus in consent is on hearing a "yes".
If a person isn't crying or visibly upset, it probably wasn't a serious sexual assault.	Every person responds to the trauma of sexual assault differently. They may cry or may be calm. They may be silent or very angry. Their behaviour is not an indicator of their experience. It is important not to judge people by how they respond to the assault.
If someone does not have obvious physical injuries, like cuts or bruises, they probably were not sexually assaulted.	Lack of physical injury does not mean that a person wasn't sexually assaulted. An offender may use threats, weapons, or other coercive actions that do not leave physical marks. The person may have been unconscious or been otherwise incapacitated.



## Sexual Assault and Sexual Violence – Supporting Information

### MYTH AND FACT SHEET

Myth	Fact
If it really happened, the victim 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.
Individuals lie and make up stories about being sexually assaulted; and most reports of sexual assault turn out to be false.	According to Statistics Canada, fewer than one in 10 sexual assault victims report the crime to the police. Approximately 2% of sexual assault reports are false.  The number of false reports for sexual assault is very low. Sexual assault carries such a stigma that many people prefer not to report.
Persons with disabilities don't get sexually assaulted.	Individuals 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.
A spouse or significant other cannot sexually assault their partner.	Sexual assault can occur in a married or other intimate partner relationship. The truth is, sexual assault occurs ANY TIME there is not consent for sexual activity of any kind. Being in a relationship does not exclude the possibility of, or justify, sexual assault. A person has the right to say "no" at ANY point.
People who are sexually assaulted "ask for it" by their provocative behaviour or dress.	This statement couldn't be more hurtful or wrong. Nobody deserves to be sexually assaulted. Someone has deliberately chosen to be violent toward someone else to not get consent. Nobody asks to be assaulted. Ever. No mode of dress, no amount of alcohol or drugs ingested, no matter what the relationship is between the survivor and the perpetrator, or what the survivor's occupation is, sexual assault is always wrong.
Sexual assault only happens to women	Not true. The majority of sexual assaults are committed against women by men, but people of all genders, from all backgrounds have been/can be assaulted.

## Sexual Assault and Sexual Violence – Supporting Information

### MYTH AND FACT SHEET

Myth	Fact
Sexual abuse of males is rare.	According to Statistics Canada, six per cent of males 15 or older reported that they had experienced sexual victimization. Sexual assault/abuse occurs in every economic, ethnic, age and social group.
If you got aroused or got an erection or ejaculated you must have enjoyed it.	It is normal for your body to react to physical stimulation. Just because you became physically aroused does not mean that you liked it, or wanted it or consented in any way. If you experienced some physical pleasure, this does not take away the fact that sexual abuse happened or the effects or feelings of abuse.

**Acknowledgements:**

A number of resources contributed to the development of this document, including the sexual assault policies and procedures from several colleges and universities in Ontario, notably, Durham College, University of Guelph and Lakehead University, as well as the Metrac discussion paper on sexual assault policies on campuses and “Developing a Response to Sexual Violence: A Resource Guide for Ontario’s Colleges and Universities”, by the Ontario Women’s Directorate. The “Dispelling Myths and Misconceptions About Sexual Assault” chart is from the Women’s Directorate guide.

## Sexual Assault and Sexual Violence – Supporting Information

### SEXUAL ASSAULT CENTRES (Ontario)

For English services, please refer to the table below.

<i>Region in Ontario</i>	<i>Sexual Assault Centre</i>	<i>24-hr Crisis Line</i>	<i>Office Phone</i>
<b>Algoma (Sault Ste. Marie)</b>	<a href="#">Women In Crisis Algoma</a>	1-877-759-1230	705-759-1230
<b>Belleville-Quinte</b>	<a href="#">Sexual Assault Centre for Quinte &amp; District</a>	1-877-544-6424	613-967-6300
<b>Brant</b>	<a href="#">Sexual Assault Centre of Brant</a>	519-751-3471	519-751-1164
<b>Bruce County</b>	<a href="#">Women's House Serving Bruce and Grey: Sexual Assault Services</a>	1-866-578-5566	519-372-1113
<b>Chatham-Kent</b>	<a href="#">Chatham-Kent Sexual Assault Crisis Centre</a>	519-354-8688	519-354-8908
<b>Cornwall</b>	<a href="#">Sexual Assault Support Services for Women, Cornwall</a>	English: 1-866-863-0511 French: 1-877-336-2433	613-932-1755
<b>East Algoma (Elliot Lake)</b>	<a href="#">Counselling Centre of East Algoma</a>	1-800-721-0077	705-848-2585
<b>Guelph-Wellington</b>	<a href="#">Guelph-Wellington Women in Crisis</a>	519-836-5710 1-800-265-7233	519-836-1110
<b>Halton (Oakville)</b>	<a href="#">Sexual Assault &amp; Violence Intervention Services of Halton</a>	905-875-1555 Text: 905-691-4873	905-825-3622
<b>Hamilton</b>	<a href="#">Sexual Assault Centre Hamilton &amp; Area (SACHA)</a>	905-525-4162	905-525-4573
<b>Kawartha (Peterborough &amp; Area)</b>	<a href="#">Kawartha Sexual Assault Centre</a>	1-866-298-7778 705-741-0260	705-748-5901
<b>Kenora</b>	<a href="#">Kenora Sexual Assault Centre</a>	807-468-7233 1-800-565-6161	807-468-7958
<b>Kingston</b>	<a href="#">Sexual Assault Centre Kingston</a>	613-544-6424 1-877-544-6424	613-545-0762
<b>London-Middlesex</b>	<a href="#">Sexual Assault Centre London</a>	519-642-3000 1-800-265-1576	519-642-3003
<b>Muskoka</b>	<a href="#">Athena's Sexual Assault Counselling &amp; Advocacy Centre</a>	705-737-2008 1-800-987-0799	705-737-2884
<b>Niagara</b>	<a href="#">Niagara Region Sexual Assault Centre</a>	905-682-4584	905-682-7258
<b>Nipissing</b>	<a href="#">Amelia Rising Sexual Assault Centre of Nipissing</a>	705-476-3355	705-840-2403
<b>Oshawa-Durham</b>	<a href="#">Oshawa-Durham Rape Crisis Centre</a>	905-668-9200	905-444-9672 Ext 21
<b>Ottawa SASC</b>	<a href="#">Sexual Assault Support Centre of Ottawa</a>	613-234-2266	613-725-2160
<b>Ottawa RCC</b>	<a href="#">Ottawa Rape Crisis Centre</a>	613-562-2333	613-562-2334

**Sexual Assault and Sexual Violence – Supporting Information**  
**SEXUAL ASSAULT CENTRES (Ontario)**

<i>Region in Ontario</i>	<i>Sexual Assault Centre</i>	<i>24-hr Crisis Line</i>	<i>Office Phone</i>
<b>Peel</b>	Hope 24/7: Sexual Assault Centre of Peel	1-800-810-0180	905-792-0821
<b>Renfrew</b>	Women's Sexual Assault Centre of Renfrew County	1-800-663-3060	613-735-5551
<b>Sarnia-Lambton</b>	Sexual Assault Survivors' Centre Sarnia-Lambton	519-337-3320	519-337-3154
<b>Sudbury</b>	Voices for Women Sexual Assault Centre <a href="#">Assaulted Women's Hotline /Fem'aide</a>	1-866-863-0511 – Eng 1-877-336-2433 - Fr	705-671-5495
<b>Thunder Bay</b>	Thunder Bay Sexual Abuse & Sexual Assault Counselling & Crisis Centre	807-344-4502	807-345-0894
<b>Timmins</b>	Timmins and Area Women in Crisis	1-877-268-8380	705-268-8381
<b>Toronto</b>	Multicultural Women Against Rape/Toronto Rape Crisis Centre	(416) 597-8808	416-597-1171
<b>Waterloo</b>	Sexual Assault Support Centre of Waterloo Region	519-741-8633	519-571-0121
<b>Windsor-Essex</b>	Sexual Assault Crisis Centre of Essex County	519-253-9667	519-253-3100
<b>York</b>	Women's Support Network of York Region	1-800-263-6734 905-895-7313	905-895-3646

For French services, please refer to the table below.

Also, for additional French language support to women victims of sexual assault, please visit (Pour le support francophone aux femmes victimes d'agression sexuelle, se il vous plaît visitez):

<http://aocvf.ca/services-aux-femmes>

Fem'aide 1 877 336-2433

<i>Région de l'Ontario</i>	<i>Service d'aide aux survivants d'agressions sexuelles</i>	<i>Ligne de crise 24h</i>	<i>Numéros de téléphone</i>
<b>Barrie</b>	Colibri - Centre des femmes francophones du comté de Simcoe <a href="http://www.centrecolibri.ca">www.centrecolibri.ca</a>	1 877 797-2050 admin@centrecolibri.ca	705 797-2060

**Sexual Assault and Sexual Violence – Supporting Information**  
**SEXUAL ASSAULT CENTRES (Ontario)**

<i>Région de l'Ontario</i>	<i>Service d'aide aux survivants d'agressions sexuelles</i>	<i>Ligne de crise 24h</i>	<i>Numéros de téléphone</i>
<b>Casselman</b>	Centre Novas : Centre francophone d'aide et de lutte contre les agressions à caractère sexuel de Prescott-Russell <a href="http://www.centrenovas.ca">www.centrenovas.ca</a>	1 866 772-9922 poste 221 administration@centrenovas.ca	613 764-5700
<b>Hamilton</b>	Centre de santé communautaire Hamilton/Niagara - Espace entre Elles <a href="http://www.centredesantecommunautaire.com">www.centredesantecommunautaire.com</a>	1 866 437-7606 cschn@cschn.ca	905 528-0163
<b>London</b>	Carrefour des femmes du Sud-Ouest de l'Ontario: CALACS de la région du Sud-Ouest <a href="http://www.carrefourfemmes.on.ca">www.carrefourfemmes.on.ca</a>	1 888 858-0954 bienvenue@carrefourfemmes.on.ca	519 858-0954
<b>Ottawa</b>	Centre francophone d'aide et de lutte contre les agressions à caractère sexuel d'Ottawa	calacs@calacs.ca	613 789-8096
<b>Sudbury</b>	Centre Victoria pour femmes <a href="http://www.centrevictoria.ca">www.centrevictoria.ca</a>		705 670-2517 info@centrevictoria.ca
<b>Thunder Bay</b>	Centr'Elles, centre des Femmes Francophones du Nord-Ouest de l'Ontario <a href="http://www.centrelles.com">www.centrelles.com</a>	1 888 415-4156 admin@centrelles.com	807 684-1955
<b>Timmins</b>	Centre Passerelle pour femmes: CALACS du Nord de l'Ontario <a href="http://www.centrepasserelle.ca">www.centrepasserelle.ca</a>		705 360-5657
<b>Toronto</b>	Oasis Centre des femmes <a href="http://www.oasisfemmes.org">www.oasisfemmes.org</a>		416 591-6565

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