



Submission to the UBC Board of Governors People, Community & International Committee Regarding the Implementation of Board Policy *SC17: Sexual Assault and Other Sexual Misconduct*

The Alma Mater Society (AMS) is pleased with the work that has been completed by the Policy SC17: Sexual Misconduct Review Committee. The AMS also greatly appreciates the opportunity to be a part of the Review Committee, which played a key role in providing recommendations and giving advice on the policy development process.

Given the complex nature of sexualized violence and sexual misconduct, the AMS strongly supports the Policy Review Committee's recommendation on the development of an Implementation Committee. The AMS would like to stress the critically important role of the AMS Sexual Assault Support Centre (SASC) in the UBC community, and the value that they bring to these conversations. We hope that the University intimately involves the SASC in the next stage of this process, as well as further policy reviews. We also encourage you to read the SASC's own submission which is also included in the docket for this cycle.

As the University moves forward into the next stage of implementation for Policy SC17, the AMS has compiled a list of 6 key recommendations based on student feedback (***Schedule A***). With these recommendations, we hope UBC will work to center values of accessibility, agency, and reducing barriers for survivors, as well as actively address student concerns.

Recommendation #1 Establish Best Practices for Information Sharing and Protecting Confidentiality Between UBC Units.

UBC units should establish best practices for protecting confidentiality, in order to prioritize the survivor's consent to information sharing at all times.

Recommendation #2 Continued Community Consultation, Education, and Engagement.

We all have a part to play in combating sexual misconduct at UBC and creating a culture of consent, and this starts with community engagement.

The university has a responsibility to continue consultation beyond the mandated 3-year review period, as well as providing education to UBC students, staff, and faculty regarding survivor support and bystander intervention training.

Recommendation #3 **Continue to Affirm Community Resources and Organizations to Provide Options for Survivors.**

Survivors have a right to choose the advocate or support organization that they trust to represent them to UBC units. UBC must continue to affirm community resources to provide survivors with agency.

Recommendation #4 **Develop Accessible Resources to Advance Wider Understanding of the Policy.**

The AMS continues to be concerned with the inaccessible nature of the legalese of the Policy, which continues to be a barrier for survivors. Plain language versions and accessible resources should be provided to create better widespread understanding of the Policy.

Recommendation #5 **Clarify Jurisdiction and Procedure in Responding to Historical Reports**

The current version of the Policy continues to be unclear about responding to reports that may not be within UBC's jurisdiction, particularly historical reports. The current policy should provide clarification on the time frame within which a survivor is able to file a report.

Recommendation #6 **Trauma-Informed Training and SASC Membership on the Implementation Committee**

Beyond the Policy SC17 Review Committee's mandated 3-year review, the Implementation Committee will be responsible for various important items that can have a significant impact on the Policy. It is essential this implementation committee receives trauma-informed training in order to have the tools to conduct this work with the appropriate background knowledge.

Lastly, it is very important to the AMS that the AMS Sexual Assault Support Centre (SASC) be given a seat on the Implementation Committee. As subject matter experts, community partners, and long-time advocates for survivors, the SASC would be an invaluable resource to the Committee who would greatly benefit the University's efforts in the implementation of Policy SC17.

We believe that the 2019-2020 Review has made significant strides in making Policy SC17 reflect institutional support for survivors, and aligns the policy more closely with survivor-centric

principles. However, there are still a number of improvements that can be made to show that the university is fully committed to survivor-centric support at UBC. The added definition of a trauma-informed approach will improve the way this policy is administered, but it does not elaborate on how Policy SC17 will incorporate an intersectional view of identities into its framework. This omission may lead to a failure to eliminate barriers for those who are less likely to disclose or seek support, and may even systematically increase the chance that these groups are targets of sexualized violence. We must all work to address sexualized violence through an intersectional lens, with race, gender, Indigeneity, and other identities and ensure this is at the centre of the conversation.

The University's work on Policy SC17 has done a commendable job to advance survivor-centric principles, but the Policy still has significant room for improvement in multiple areas which are outlined in the SASC's submission. The AMS would like to thank the University for the opportunity to be a part of the Review Committee, as well as including us in its engagement process. We hope to continue working together with UBC to combat sexual misconduct on UBC campus, and most importantly, support and empower survivors.

Thank you to members of the Committee for your consideration of this submission.

Kind Regards,



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SCHEDULE A: SUPPLEMENTARY MATERIALS

Recommendation: Establish Best Practices for Information Sharing and Protecting Confidentiality Between UBC Units

It is essential that UBC campus units are able to develop mandatory training for their units and create a shared understanding of the importance of confidentiality, particularly within staff sitting on adjudication or frontline work with staff members responding to survivors. The current draft of the policy has improved transparency regarding why information may be shared and who it may be shared to, but the AMS remains concerned with confidentiality in regards to disclosures.

Current practices that require student leaders to share information with a supervisor continue to present a barrier to disclosure, which violates survivor-centric principles. This not only presents a barrier to disclosure, but if an individual were to disclose without the consent of the survivor, may further restrict agency from an individual that has already had their agency taken from them. The policy must be explicit that survivors' disclosures will not be used in communications between UBC units and offices without freely expressed consent by the survivor. UBC must act to minimize cases in which the survivor's information is shared without their prior consent, such as in cases of urgent health and safety concerns. Furthermore, UBC must clarify what constitutes an urgent concern, like endangering an individual's life or reasonable cause to suspect imminent harm.



Table 1. Alma Mater Society, Academic Experience Survey 2020); Insights West

This information indicates that there is a significant percentage of the UBC undergraduate population that may be deterred from disclosing or reporting sexual misconduct to campus officials.

The articles regarding disclosures, as well as procedure around Confidentiality and Privacy specifies that a UBC representative may disclose information if necessary for the completion of their duties. Moving forward, all individuals who may handle sensitive information as part of their duties such as disclosure should seek to clarify the limitations of confidentiality with the complainant at the outset of their role. Any information sharing between individuals handling

sensitive information such as disclosure should only be provisioned if necessary to provide support requested by the survivor, and foreground the survivor's consent at all times.

Recommendation: Continued Community Consultation, Engagement, and Education

As members of the UBC community, we all have a part to play in combating and responding to sexual misconduct and sexualized violence. The university has a responsibility to provide education to the members of its community. We commend the huge steps forward SVPRO has made in educating members on UBC campus about supporting survivors and prevention of sexual misconduct. We also acknowledge and deeply appreciate the education and outreach work that SASC has done for years since opening in 2002.

We strongly believe that all faculty and staff members should receive mandatory training on supporting survivors. This act is imperative in order to forge a communal agreement on the importance of maximizing agency and autonomy for survivors and maintaining best practices around confidentiality.

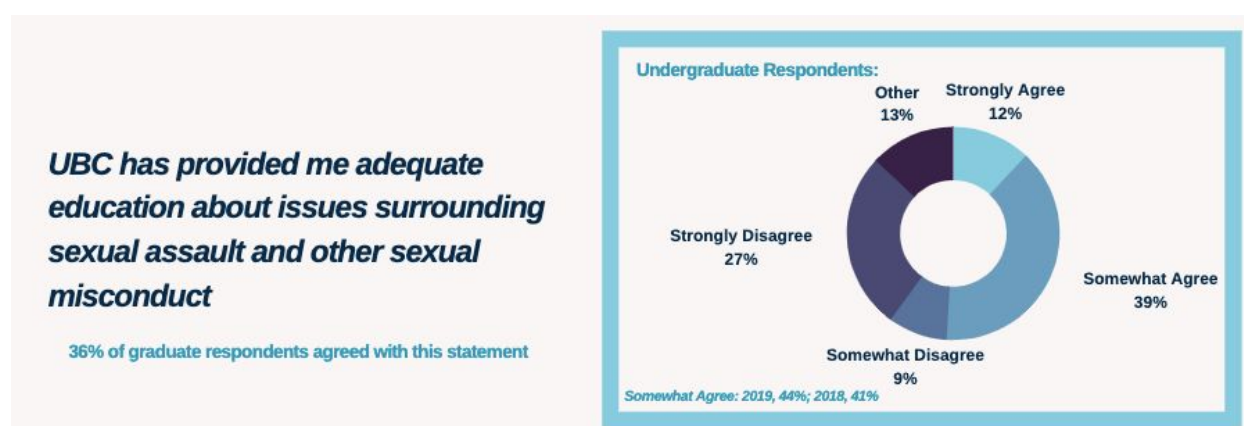


Table 2. *Alma Mater Society, Academic Experience Survey (2020); Insights West*

In January 2020, the AMS and SASC held a Town Hall regarding the Policy, which provided instrumental community feedback and played a critical role in the AMS and SASC's previous submissions to the Board of Governors. The community consultation and feedback from the community was invaluable to the review and policy changes, in order to best hear from the voices of survivors and concerned UBC students that it would have the most impact on. We thank the University Counsel for the opportunity to participate in community engagement and consultation, and urge the University to continue engaging and consulting with students.

Recommendation: Develop accessible resources to advance wider understanding of the policy

The AMS continues to be concerned with the inaccessible nature of the legalese of the policy, which continues to be a barrier for survivors. Plain language versions and accessible resources should be provided to create widespread understanding of the policy.

This inaccessibility contributes to students feeling unconfident in their ability to respond to sexual misconduct.

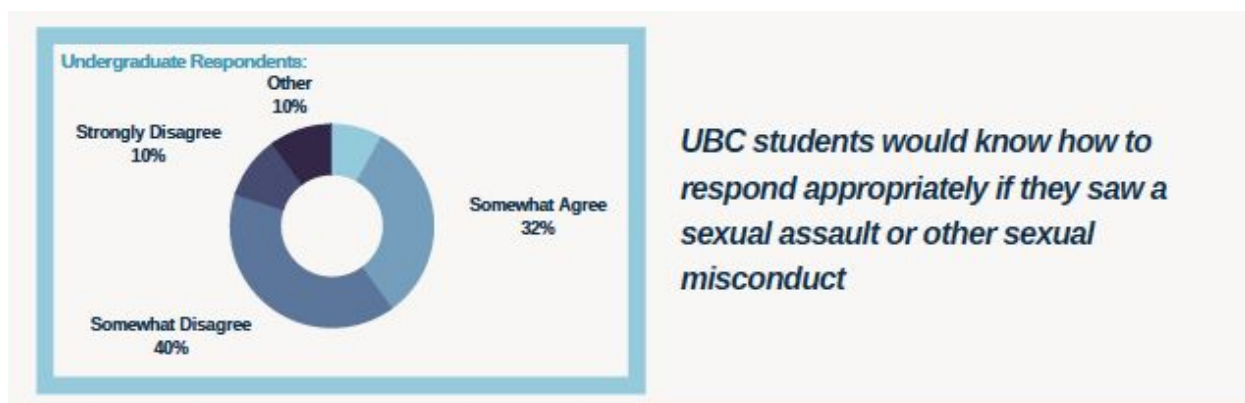


Table 3. *Alma Mater Society, Academic Experience Survey (2020); Insights West*

This data suggests more education is necessary regarding supporting survivors and bystander intervention training.

The implementation committee could play a fundamental role in developing these resources, in ensuring that these resources are readily available and understandable by the wider UBC community. Developing accessible, plain-language resources such as an FAQ on the SVPRO or Investigations Office website about the policy will ensure that students feel comfortable understanding the implications of the policy. For example, an FAQ about “I may have experienced sexual misconduct. What does this policy mean for me?” or “I have received an allegation against me. What does this policy mean for me?” will be incredibly valuable in providing resources to complainants and respondents that may be in emotional distress.

Furthermore, developing accessible resources regarding the Policy will further the community understanding of sexual misconduct and sexualized violence, creating a communal culture of consent and support for survivors.

Recommendation: Continue to Affirm Community Resources and Organizations to Provide Options for Survivors

Survivors have a right to choose the advocate that they feel most comfortable receiving support from, and representing their interests when liaising to campus units. The policy and next steps regarding implementation must communicate that to the survivor. In the past, Policy SC17 and implementation updates have positioned SVPRO as the only office that survivors and campus units interact with, with regards to sexual violence response. We commend the new updates reflected in the policy that survivors are able to choose a representative from third party organizations (i.e. AMS SASC, WAVAW), as it best maximizes survivor choice. Further best practices and education are needed to ensure that all UBC staff & faculty receiving disclosures

are aware of available support options and the importance affirming survivors' agency and choice.

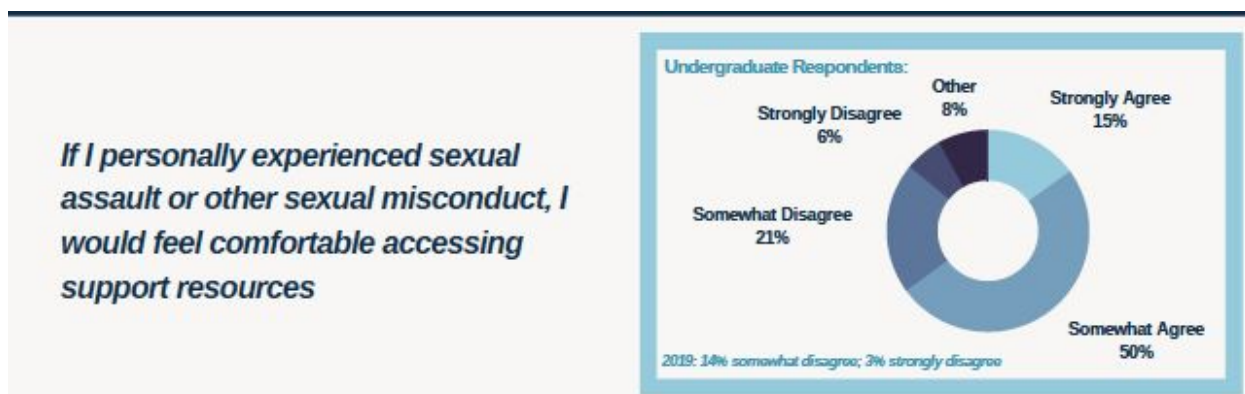


Table 4. *Alma Mater Society, Academic Experience Survey (2020); Insights West*

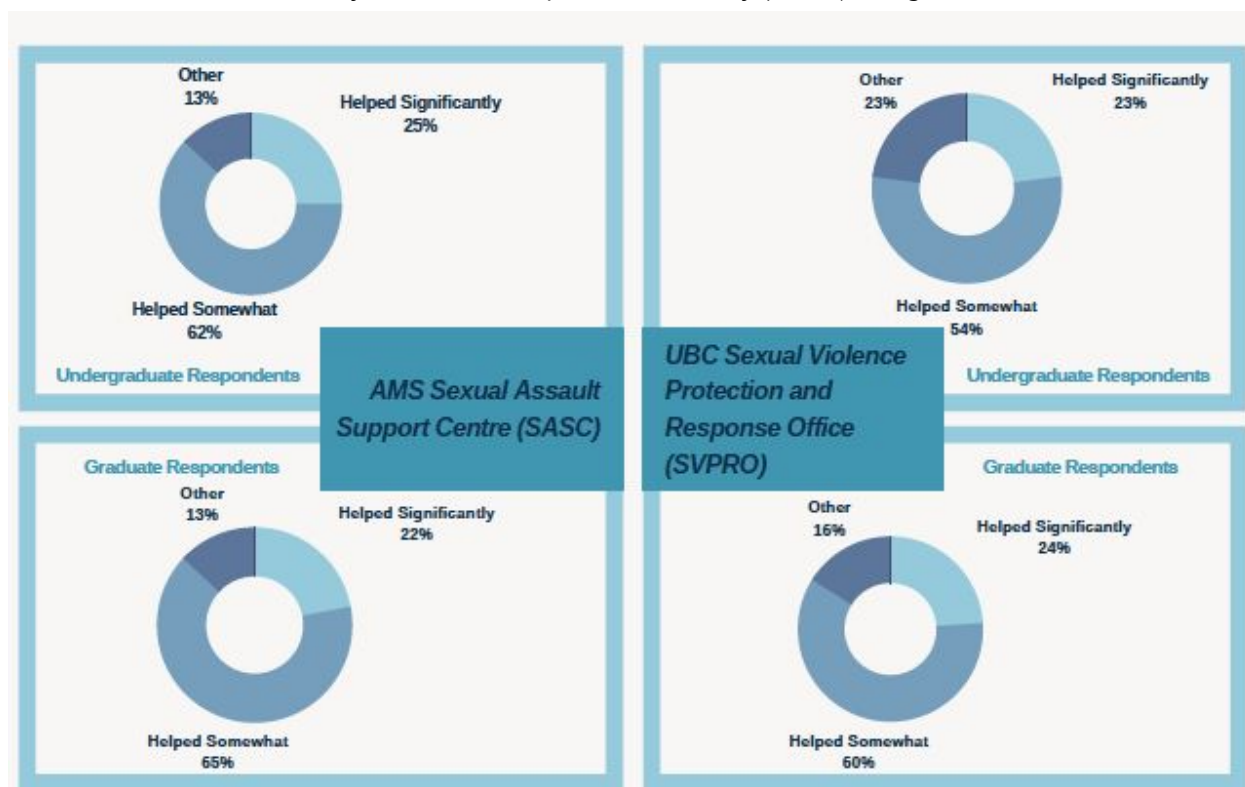


Table 5. *Alma Mater Society, Academic Experience Survey (2020); Insights West*

As evidenced by AES data and implementation reports, UBC students consider the AMS SASC to be more helpful than the SVPRO, as well as the SASC receiving more support interactions than SVPRO. This may be attributed to potential misunderstandings of SVPRO's role and affiliation with the university. The implementation committee could have a valuable role in affirming SASC as a community resource for the UBC community. In future updates of the policy, this will set the

groundwork for the SASC and other community organizations to be reaffirmed as community resources in future policy reviews.

Recommendation: Clarify jurisdiction and procedure in responding to historical reports

3.2.1 specifies that the investigator may decline to investigate on grounds that it may be unfair or result in substantial prejudice due to the time that elapsed. However, this presents a concern of how the University will respond to historical reports, as the impacts of sexual misconduct may continue to affect survivors regardless of time elapsed.

When deciding the jurisdiction to report, the policy must be evaluated whether it would apply to respondents that were former members of the UBC community (i.e. students that have graduated, exchange students). The University must take ownership and acknowledge the space that these former students held on campus. Therefore, it will be important for the implementation committee to evaluate the jurisdiction of historical reports and mitigate any potential misinterpretations.

Recommendation: Trauma Informed Training and SASC Membership on Implementation Committee

We acknowledge that many of the recommendations and concerns held by UBC students and the AMS go beyond the scope of the policy review. The implications of sexual misconduct has many complex interactions with other policies, campus culture, practices, and protocols. In order to best inform protocol and best practices surrounding Policy SC17, the AMS fully supports the Review Committee's recommendation on forming an Implementation Committee. Other institutions such as McGill and Concordia have created an Implementation Committee to hold the University accountable to the survivor-centric commitments and values of their Sexual Misconduct policies. We hope the Board of Governors directs the formation of the Implementation Committee.

The policy review committee is limited by the 3-year mandated periods of Policy Review. With the creation of an Implementation Committee, the Committee would then be able to address procedural gaps, emphasize trauma-informed training, create accessible resources, and make the appropriate recommendations for the next cycle, such as appeals on disciplinary measures from survivors. For further reading on this topic, please refer to the SASC's submission on Trauma Informed and Low Barrier Approaches.

We recognize that students as well as many UBC units directly and regularly interact with the policy. Therefore, it would be vital to get representation from both students and these units that interact with the policy to participate as part of this Implementation Committee. It will be incredibly valuable to have representation from the AMS, GSS, unions, the RCMP detachment on campus, students, SVPRO, Investigations Office, Human Resources, Student Housing and Community Services, Campus Security, Academic Advising, and UBC Wellbeing.

Similarly to the Policy SC17 review committee, it should be mandated that all Policy SC17 Implementation Committee members are trained on trauma-informed practices and supporting survivors. As we develop procedures in responding and adjudicating Policy SC17 cases, it will be key to have those that work with the direct effects of sexual misconduct participate in this Implementation Committee.

The AMS SASC should have a seat on the Implementation Committee, as subject matter experts, community partners, and long-time advocates for survivors that deal with the implementation of the Policy on a daily basis. Their work supporting UBC undergraduate and graduate students has led to their well-respected reputation as a safe and accessible service for all individuals, thus their input is valuable to construct a more supportive community. The AMS SASC's aim is not only to serve survivors, students, faculty, and the greater UBC Community but to change culture and end sexualized violence, an equal aim of the University through the implementation of this policy.

The composition of this Implementation Committee will be a critical next step in guaranteeing that the progressive values and monumental strides made by the review committee will be preserved and considered in navigating the complex, real life applications.