

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

Introduction

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The triennial review permitted several updates to the Policy, including amendments that reflected the recent establishment of our Office for Mediation and Reporting (OMR), as well as adjustments to improve processes for investigations, which draw on feedback from users of the Policy. The timing of this triennial review was opportune, given recent legislative changes (Act to modernize legislative provisions as regards the protection of personal information, SQ 2021, c 25, amending section 4 of the Act to prevent and fight sexual violence in higher education institutions CQLR c P-22.1) that necessitated amendments to our Policy. These changes in Quebec law require institutions of higher education to share information about disciplinary outcomes with survivors who so request following investigations that have led to a finding of sexual violence. This legislative requirement is presently reflected in ss. 46ff of the revised Policy adopted in Fall 2022.

Implementation Committee

The Policy (section 9) mandates the creation of a standing committee to oversee its implementation. This committee is known as the Implementation Committee and includes representation of students, academic staff, and administrative and support staff. The role of the Implementation Committee is to examine the operation of the Policy, with a focus on:

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

Throughout the reference period, the Implementation Committee met 4 times. All of the committee's meetings took place via Zoom.

Educational Activities

Through the Policy, the University commits to a series of educational activities aimed at raising awareness about sexual violence and its impacts with a view to a reduction of

Despite these limitations, over the course of the reference year, OSVRSE led or co-facilitated 30 workshops and information sessions² for staff and 18 for students, for approximately 802 participants.

Additionally, made-to-measure training was developed for and delivered to units and groups across our campuses who are most likely to

Reports reach the SI through the Office for Mediation and Reporting (OMR), which is the site for intake of all reports regarding sexual violence, as well as those relating to harassment and discrimination. Reports of sexual violence filed through the OMR are referred to the SI for investigation. Once the SI completes an investigation, the SI prepares a written report that sets out findings based on the evidence presented and considered. The SI then draws a conclusion as

**Other = alumnus/a or anonymous reporter.

*** 7 cases are noted for the 2021 reporting period because in one case, while no Report was filed pursuant to the Policy, University authorities had sufficient information from other channels to investigate – applying a trauma-informed and procedurally fair approach – the alleged sexual v

Of the six investigations completed within the reference period, three investigations were completed within the 90-day delay set by the Policy. Three investigations exceeded the 90-day delay, two of these by seven days. In another case, the investigation took 120 days due to complexities arising after the Survivor withdrew from the process. Delays in investigations can occur where the parties or a witness delay meetings with or responses to the investigator or where the file is especially complex. An extension can be granted where the University is satisfied that this would not compromise our commitments to a trauma-informed and procedurally fair process.

5. Disciplinary Measures Imposed

Where the investigation yielded a finding of sexual violence (5 cases), discipline was imposed in all but one case where the respondent had left the university before the disciplinary process could be completed. Further, in the one case that was deemed unfounded, the Co-Acting Provost asked the disciplinary authority to consider whether there was a breach of the Code of Conduct, and this resulted in disciplinary measures being imposed.

Disciplinary measures imposed during the reference year included:

- x Suspension
- x Admonishment and conduct probation
- x Formal Reprimand
- x Cease and desist communication and contact orders
- x Note in an employee record for a staff member who had left the University

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

Conclusion and Looking Forward

Extensive energy and skill are brought to the critical work needed to meet the objectives that the Policy sets. Through the combined efforts of the OSVRSE, the OMR, and the Special Investigators, McGill has established a robust framework for sexual violence prevention and response. While much work has been done to build and sustain this framework, there is always room for learning and growth. In 2022, the Policy was reviewed for the first time since it was significantly revised in 2019. This was an important opportunity to strengthen the Policy and associated resources further.