

York University

Sexual Assault Awareness, Prevention, and Response Policy Working Group

Meeting Notes

Date: Wednesday, January 29, 2014

Time: 10:00 a.m. – 12:00 p.m.

Location: 921 Kaneff Tower

Attendance: Catherine Salole, Aldo Altomare, Polly MacFarlane, Christine Silversides, Melissa Belisle, Maxine Bower, Noel Badiou, Elana Shugar, Elize Ceschia, Rob Castle, Prakash Amarasooriya, Donya Ziaee, Deb Hansen

Regrets: Liisa Stephenson, Jessica Thyriar

Meeting Notes Review

- Meeting Notes approved

Mapping Internal Landscape: Response

- The mapping process should be a snapshot of current practices. An opportunity for critique will be provided during the review process. Will also have an opportunity to share how external members view each process.
- Mapping process should include the number of different contact points a survivor and/or suspect might have as well as the position of the contact person.
- Mapping process began with York Security Services (YSS) and continued with Office of Student Conflict Resolution (OSCR).
 - See Appendix A
- In order to ensure adequate time to map out the landscape, the process will continue at the next meeting.
- During the discussion, the working group felt that as a result of the role that Toronto Police Services (TPS) plays in responding to sexual assault on campus, having them attend a working group meeting to give an overview of their connection to the process at York would be valuable.
 - **ACTION:** R. Castle will arrange for TPS to attend a working group meeting.

External Landscape

- Part of the upcoming process will consist of assessing the external landscape on addressing sexual assault at other post-secondary institutions.
 - **ACTION:** If working group members have research, resources, and/or input into what information should be gathered regarding the external landscape, please email E. Shugar.

Next Meeting

- Monday, February 10, 2014 | 10:00-12:00pm | 921 Kaneff
- We will continue mapping out the landscape for responding to sexual assault on campus at the next meeting.

Appendix A

The notes from the mapping process are intended to give a basic outline of what the landscape consists of in regards to responding to sexual assault on campus. The outlined processes will be verified with the corresponding office, department, and/or service as the process continues. The mapping process is not intended to be taken to be an expansive outline of procedures and there may be initial inaccuracies which will be corrected in the verification process.

York Security Services (YSS)

- Call Security Control Centre (SCC) / dispatch
 - Info received
 - EMS / fire / police may be engaged
 - Evaluate risks – weapons – suspects
- Dispatch SOs
- Supervisor – Manager – Director notified
 - Relative to call and info received
 - May attend – speak with survivor / witnesses
 - Not a formal interview
- Channel through manager of investigations
 - Front Line staff pass to manager investigations
 - Coordinate with TPS

* No two incidents are the same

- YSS Connects with OSCR
 - Director
 - Critical Incident Coordinator (for support)
- Connect with VPFA
 - AVP – CSBO
 - VPFA
 - SEO
 - VP
- Initiate Bulletin Protocol

- YSS – Following review with survivor / witness
 - Determine based on community safety will connect with TPS
- Security Officials
 - meet with survivor
 - ensure scene is safe
 - ensure medical attention
 - safety, privacy of survivor
 - determine of suspect at hand or near
 - do not delve into investigation
 - that's the role of TPS
 - must ensure safety of survivor and community may require TPS
 - if personal relationship
 - YSS are not key investigators
 - concern over criminal investigation
 - YSS are not sexual assault investigators
 - Only peace officers can be trained
 - Only specially trained investigators in Ontario can investigate sexual assault
 - YSS not trained to deal with Sexual Assault investigations
 - Is there a disconnect between expectations and ability of YSS to act?
 - **ACTION:** Need to review civil and criminal implications
- If a survivor is looking for support?
 - YSS shares services available
- How to determine if an investigation is needed?
 - YSS is responsible for determining if the suspect is involved in other incidents
 - ViCLAS (Violent Crime Linkage System) – CDN database
 - Mandatory to upload data
 - If we keep in-house we own it, especially if suspect is involved in other incidents
 - Even when suspect is an acquaintance TPS is contacted
 - If survivor only reaches out for support – YSS will provide
 - **ACTION:** Is there a duty to report?

- Time is a factor (a day, a month, a year)
- Will always advise about survivors
- YSS will advise of survivors reluctance to pursue
- Suspect
- Info turned over to TPS
- TPS will follow up and arrest / charge if required
- Ensure survivors safety
- If charged, survivor would have to participate but Crown likely would be reluctant to proceed without corporation from survivor.
- YSS can arrest as citizens based on risk to personal safety
 - But must have a witness

Bulletin Protocol

- 12 Contacts
- Decision makers
 - AVP – CSBO
 - DIR YSS
 - Strategic Communications
 - SEO – SA – VP / VPFA
 - EO – Glendon
- **ACTION:** R. Castle will send the working group the Bulletin Protocol

Parking Lot

- Reporting to YSS and then to TPS
 - What is the institutional requirement?
 - What is the legal requirement?
 - It is the standard operating procedure to contact TPS, not necessarily legally required.
- TPS will contact survivor and the suspect
 - What does the ‘reach out’ look like?
- Concerns expressed around consistency in the ways in which TPS connects.
- How does OSCRC’s process differ from YSS in regards to ability to investigate?

- Fact finding vs. Investigating

Office of Student Conflict Resolution (OSCR)

- Many points of contact
- Support for survivors:
 - Accommodations
 - Money
 - Safe House
 - Other Services
- Inform VPS by phone
- Notifies survivor that report is required
- If suspect is a student, VPS can invoke section 15
 - Risk to safety
 - Restricts access
 - If the suspect is staff, goes through employee relations
 - Work closely with counselling
 - Reports to YSS
 - Respect wishes not to report?
- In most cases, charges are laid
 - OSCR receives the bail conditions
 - Must ensure complied with
 - Ensure safe space for survivor
 - If formal complaint, may not have to face suspect often York case postponed for criminal charges
 - Not always clear when criminal case will be heard
- Survivor
 - for complaint process:
 - written statement
 - speaking via phone or Skype
 - Bail limitations
 - Rarely in the same room
 - Survivor has advisor

- Allowed support people (family / friend)
 - Ensure comfort level
 - Determine need
- Should there be specialized training for adjudication of Sexual Assault cases (tribunal members)?
- Section 15
 - 10 day suspension
 - Allows time to investigate
 - Does this limit willingness to proceed or even contact OSCR?
 - VPS determines need to invoke s.15
 - Any critical incident
 - Tribunal within 10 days to review emergency measures
 - Full tribunal later on merits of case
- Advisor assigned to each complainant to guide them through the process
 - **ACTION:** What is the status of OSCR staff re: Sexual Assault investigations and peace officer requirements?
- 2 different process
 - 1) Fact gathering for criminal code – police jurisdiction
 - YSS could impinge case
 - 2) Internal York process / procedures
 - Balance of probabilities
 - Legitimate to have fact finding
 - Likely postponed till court case
 - Rarely in parallel
- OSCR Supports both survivor and suspect
- Gathering info includes
 - Survivor (complainant)
 - Suspect (respondent)
 - Witnesses
- Investigation by dispute resolution advisor
- Flexible with contact point
 - Advisor

- Director
- VPS
- CHR
- Don
- Dean
- Department Chair
- Faculty
- If medical attention needed
 - List of resources provided
 - Always advise to CDS
 - OSCR, YSS, and ResLife provides taxi chits
 - May provide accompaniment
- OSCR has contact with hospitals – generally good but can be hit and miss
- Safe house
 - 24/7
 - Security escorts
 - Meet with survivor the following day
- Residence Process – will be expanded on later