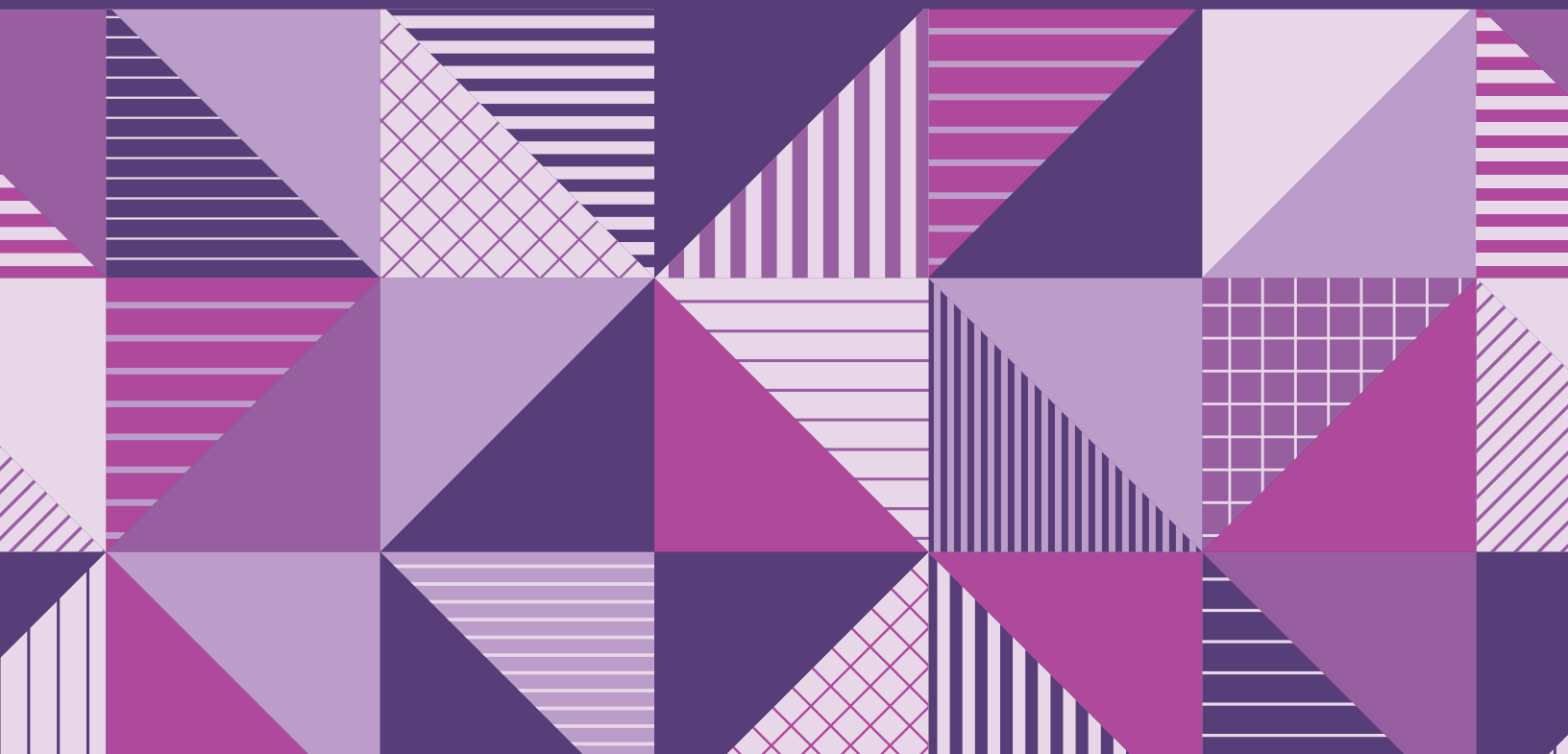


A PROVINCIAL VISION FOR

# CONSENT CULTURE

IN POST-SECONDARY EDUCATION



# INTRODUCTION

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In October 2017, the Canadian Federation of Students hosted a provincial forum on building consent culture on our college and university campuses. The forum provided an opportunity for students and service providers to share stories of successes and struggle as we came together to build a common vision to end sexual and gender-based violence and dismantle rape culture.

From this forum and conversations that followed, students recognized that a significant barrier to accessing and succeeding in post-secondary institutions is the prevalence of sexual violence on campus, including sexual assault, sexual harassment, and gender-based violence. Young women aged 15 to 24 experience higher instances of sexual violence in Canada than other age group, with the rates of sexual assault experienced by this age group being 18 times higher than that of Canadians 55 and under. One in five women studying at a post-secondary institution in North America experience some form of sexualized violence over the course of her studies. It is evident that sexualized violence is pervasive on campuses and in our communities and requires immediate and targeted action from post-secondary institutions and government.

We must all work together to build a **culture of consent**, the fact that consent is mandatory is normalized, respected and valued in society. It is an expression of values and attitudes that respects bodily autonomy and understands that each person is always the best judge of their own wants and needs. It is a culture in which all interactions and relationships are centered on freely given, active and enthusiastic mutual agreement for participation.

Memorial University of Newfoundland and the College of the North Atlantic are in a unique position to challenge rape culture by promoting

consent education, improving on-campus services for survivors of sexualized violence, and establishing strong, stand-alone, survivor-centered, and student-centered policies. However, these institutions are failing to take all the necessary steps and the provincial government must hold them accountable.

The provincial government must take action to combat sexualized violence and implement the necessary requirements to ensure that our post-secondary institutions are prepared to respond to incidents and effectively support survivors. For these reasons, the Canadian Federation of Students- Newfoundland and Labrador proposes the following recommendations on how the provincial government can best address sexualized violence on campuses and support post-secondary students:

**RECOMMENDATION # 1:** Pass legislation that mandates all post-secondary institutions to have stand-alone sexual assault policies.

**RECOMMENDATION #2:** Establish specific funding for students and student groups developing initiatives and campaigns to address sexualized violence in Newfoundland and Labrador.

**RECOMMENDATION # 3:** Establish an accountability mechanism within the Department of Advanced Education, Skills, and Labour to evaluate and ensure implementation of sexualized violence strategies and policies on all campuses.

**RECOMMENDATION # 4:** Establish separate earmarked funding to ensure all rural campuses have access to a sexual harassment officer

# BACKGROUND

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Research published by Statistics Canada in 2013 found that post-secondary students experience a disproportionate number of sexual assaults as compared to the general population. Sexual violence is pervasive on Canadian campuses, through behavior such as leering, sexual jokes and innuendo, name-calling, unwanted touching and advances, harassing text messages, repeated, unwelcome gestures of affection, threats, and assault, based on a person's sex, gender identity, race, faith, ability, sexual orientation, age and more (Ontario Human Rights Commission, 2011).

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Research continues to support students call for action on our campuses as 4 out of 5 undergraduate students surveyed at Canadian universities reported experiencing dating violence; 29% of them reported sexual assault (DeKeseredy, 2011) with 80% of female-identified student survivors being assaulted by someone they know (i.e. partner, ex-partner, classmate or friend). During the first eight weeks of classes women are at a higher risk of sexual assaults on campus (Kawartha Sexual Assault Centre, 2015; Krebs et al., 2007). Furthermore, it is not just physical spaces that threaten marginalized genders, 32% of women surveyed experienced online harassment or cyberstalking (West, 2014; White & Carmody, 2016). These staggering numbers of sexual harassment speak to the pervasiveness of rape culture on our campuses and the need for provincial legislation to confront sexual violence on campuses in Newfoundland and Labrador.

9/10

of reported sexual assaults in Canada are against women

1/2

of self-reported sexual assaults are against people aged 15 to 24

3x

Aboriginal women are 3 times as likely to be victims of violence than non-Aboriginal women

83%

of women with disabilities will experience some form of violence in their lifetime

# 1 IN 5

women studying in North American post-secondary institutions is sexually assaulted

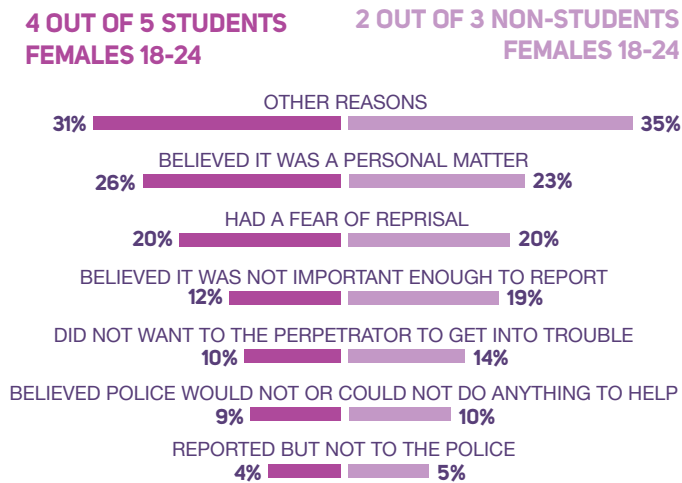


Additionally, as a direct consequence of rape culture, research continues to show that women don't report incidences of sexualized violence because they fear they will not be believed or supported or that they will have to disclose degrading and humiliating details. Commonly, they believe that there is little chance the perpetrator will be arrested or convicted, which is reinforced by the almost infinitesimal rates of prosecution compared to rates of assaults. Adding to the stigma and barriers to reporting, 80% of female student survivors of sexual assault are assaulted by someone they know (i.e. partner, ex-partner, classmate or friend).

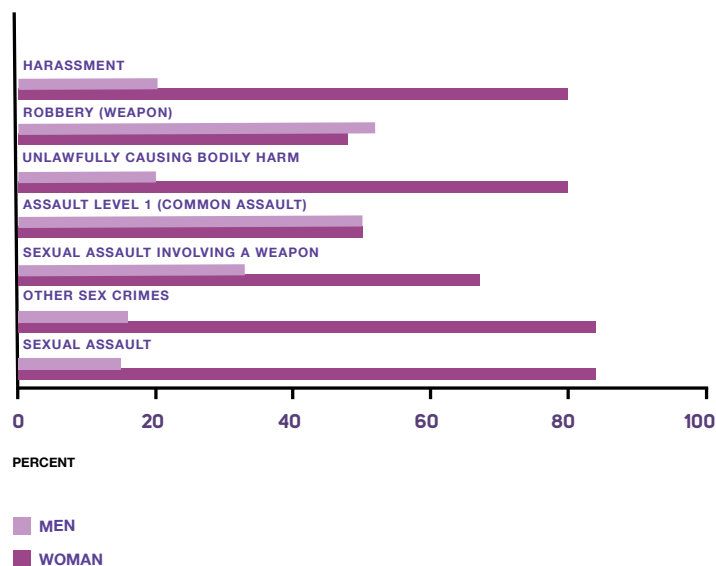
Recognizing the impact on women of sexualized violence on campus and after receiving the input of many organizations, including the Canadian Federation of Students, the Federal Government included recommendations to combat sexual violence on our campuses.

In Newfoundland and Labrador, we continue to see very high rates of violence, including sexual violence against women. Reports and statistics from both the provincial and federal governments show that women are more likely to face harassment, sexual assault involving a weapon, sexual assault, and other sex crimes. In order to ensure we break this troubling cycle, the Government must ensure our post-secondary institutions have stand-alone sexual violence policies.

## REASONS VICTIMS CITED FOR NOT REPORTING



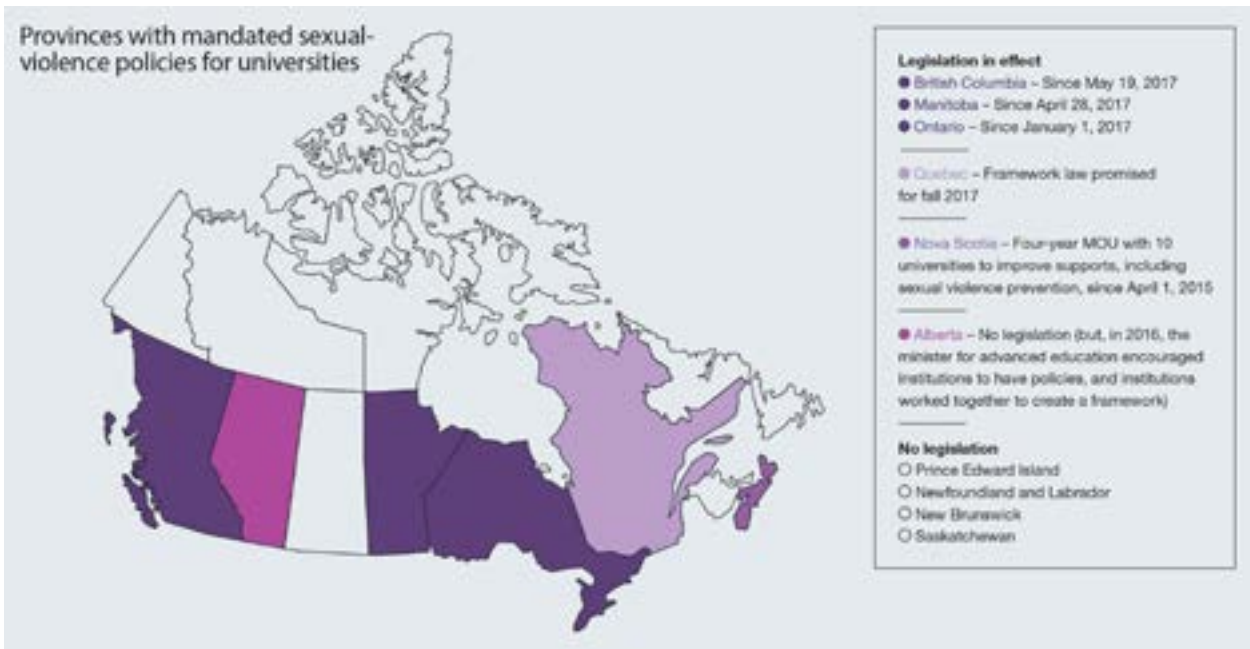
## PREVALENCE OF VIOLENCE AGAINST WOMEN IN RNC JURISDICTIONS



Source: Royal Newfoundland Constabulary, UCR Data For Period 2006-2008

## RECOMMENDATION #1:

Pass legislation that mandates all post-secondary institutions to have stand-alone sexual assault policies.



Recently, as a result of lobbying efforts from students, Bill 132 passed in Ontario, which mandates all post-secondary institutions to have a stand-alone sexual violence policy in place. In British Columbia and Manitoba, similar legislation took effect in 2017. In Nova Scotia, students have been pushing for similar legislation with a 2016 memorandum of understanding between the provincial government and 10 universities that, among other things, require the universities to have specific sexual violence prevention

policies. In February of 2018, the Quebec government announced plans to introduce a bill this fall addressing sexual violence on campuses. It is time for Newfoundland and Labrador to join the rest of the country and become a leader in legislation that ensures every student is protected by comprehensive, stand-alone sexual violence policies.

Sexual and gender-based violence is learned from prevailing attitudes and behaviors that enable, ignore or excuse this

violence. This attitude can be unlearned and replaced with an understanding of consent and the importance of respecting the boundaries of every person in our lives. Sexual and gender-based violence is preventable through continuous proactive education.

Education must be grounded in an equity-based, anti-oppressive framework because we know that Black bodies, racialized bodies, LGBTQ+ bodies, disabled bodies, and Indigenous and

two-spirited bodies face higher rates of violence, and trans women of colour are overwhelmingly targeted. Historic and on-going systems of power including racism, colonialism, heterosexism and ableism, privilege certain bodies at the expense of others. Social power, policies, practices, cultural messages and individual actions combine to systemically devalue the consent and humanity of people with these identities. Education must begin with identifying and deconstructing these systems of oppression.

Educators should also strive to present from a survivor-centric perspective. This means prioritizing the rights, needs and wishes of survivors of sexual and gender-based assault. Literature on trauma recovery has shown that initial responses to disclosures are crucial in a sexual assault victim/survivors ability to recover. As 1 in 5 women studying

in North American post-secondary institutions are sexually assaulted, a survivor-centric education can be achieved by ensuring students who have experienced violence have opportunity to contribute to the design of educational programming and are aware of the opportunities to do so. Additionally, front line service and support workers at campus and community organizations (e.g. sexual assault support centres, rape crisis lines) should be consulted. These organizations, including the NL Sexual Assault and Crisis Centre, NL Transition Houses, St. John's Native Friendship Centre, St. John's Status of Women Centre, Status of Women's Centers throughout the province, and the Sexual Harassment Office on Campus, to name a few, understand the realities of providing care to survivors in both the urban and rural communities in our province.

## NEWFOUNDLAND AND LABRADOR

In Newfoundland and Labrador, violence against marginalized genders and domestic violence are on the rise. In the most recent provincial study, of the 217, 900 women over the age of 15 in the province, approximately 108, 950 (1 in 2) will experience at least one incident of sexual or physical violence throughout their lifetime.

The post-secondary institutions in Newfoundland and Labrador are in a unique position to challenge rape culture by promoting consent education, improving services at all campuses for survivors of sexualized violence. As the province only has one university and one college, there is the opportunity to create legislation that will have a large-scale impact.

### NEWFOUNDLAND AND LABRADOR CAMPUS SEXUAL ASSAULT POLICIES

INSTITUTION	STAND-ALONE POLICY	LAST YEAR REVIEWED	UPDATED IN THE LAST 3 YEARS?	STUDENT INVOLVEMENT
Memorial University	Yes	2017	Yes	Only one student union was consulted
College of the North Atlantic	No	Procedures only in 2016	No	No

The provincial government must take immediate action and pass legislation, similar to Ontario, Manitoba, and British Columbia, in order to ensure that all institutions have sexual assault policies. This legislation will ensure that students attending any of the post-secondary institutions in the province will be studying on a safer campus.

To ensure the effectiveness and legitimacy of the policy, legislation must also mandate institutions to:

- (1) Identify and include key stakeholders, particularly students, student groups, and providers of survivor support services and local sexual assault centres; and
- (2) Review the policy at least once every three years and/or as issues arise.

## **DATA COLLECTION AND PUBLIC REPORTING:**

While having a strong, stand-alone policies on campus is imperative, it is a reality that sexual assault remains one of the most underreported crimes. The stigma of being the target of sexualized violence leads to a large discrepancy between the number of sexual assaults reported and the frequency of sexual violence. Research published in 2013 reports that 90 percent of women who have experienced sexual assault by a non-spousal accused never report to the police. Post-secondary institutions often report annual sexual assault statistics in the single digits, while it is known that at least one in five women studying at a post-secondary institution in North America experience some form of sexualized violence on campus.

**In order to measure the effectiveness of policies, the Canadian Federation of Students-Newfoundland and Labrador recommends that provincial legislation:**

**Mandates universities to collect data and publicly report on incidences of sexual violence.**

### **Mandatory Training:**

Training for faculty, staff, and administration is an important component of a campus strategy to address sexualized violence as a student who has experienced sexualized violence may disclose to any employee of the institution. Furthermore, staff and faculty heavily influence the learning environment and must be knowledgeable in how to create a culture of consent in all campus spaces. Front line staff such as residence workers, security workers, professors, teaching assistants, and student service providers are most likely to receive disclosures.

There are many organizations that can work in conjunction with student groups, including the Status of Women Centers throughout the province, the Office to Advance Women Apprentices, Office of Women in Resource Development to offer consent culture and anti-sexual assault

training throughout the province. With the financial support of the government and the commitment for post-secondary institutions, faculty and staff can be better educated to end sexual-violence and rape culture on campus.

Literature on trauma recovery has shown that initial responses to disclosures are crucial in a sexual assault victim/survivor's ability to recover. While positive responses can improve self-worth, negative responses can increase feelings of shame, isolation and increase likelihood of developing symptoms of post-traumatic stress disorder.

**The Canadian Federation of Students-Newfoundland and Labrador recommends that provincial legislation include:**

Mandatory training for faculty, staff, and administration on how to respond to disclosures of sexualized violence to ensure that victim/survivors are supported in a way that prevents re-traumatization.



## RECOMMENDATION #2:

**Establish specific funding for students and student groups developing initiatives and campaigns to address sexualized violence in Newfoundland and Labrador.**

For too long campus groups have shouldered the financial and emotional costs of combatting sexualized violence on campus. While institutions must do their part, student leadership on combatting sexual violence must be recognized and adequately supported. While the provincial government has committed funding in the past to execute the province's sexual violence strategy, the Purple Ribbon Campaign and the recent legal support allocated for survivors, there is no funding committed to supporting campus initiatives.

The Canadian Federation of Students-Newfoundland and Labrador recommends that the provincial government:

**Establish specific funding for students and student groups developing initiatives and campaigns to address sexual violence on campuses in**

**Newfoundland and Labrador. Funding will be directed towards the creation of counselling services on all campuses, the facilitation of support groups that are culturally specific to the needs of students, and the creation of a Trans Health Resource Center.**

**Cost: \$2 million for the first year, with a reassessment depending on need.**

Students at our campuses continue to work hand-in-hand with the support services available in the province. It is necessary to accompany our campus work with support services that provide safe(r) spaces for students who have experienced violence to receive immediate support that is without judgment, recognizes the courage and strength it takes to come forward, and prioritizes the needs and requests of survivors. These support services can take the form of crisis lines, drop-in support service centres and support groups. Recognizing the financial barriers these non-for-profit organizations face, funding should go to directly support these services that run independent of the administration.



## RECOMMENDATION # 3:

### **Establish an accountability mechanism within the Department of Advanced Education, Skills, and Labour to evaluate and ensure implementation of sexualized violence strategies and policies on all campuses.**

Unfortunately, institutions often prioritize the public image of the institution over the experiences of their students, leaving survivors of sexual assault without necessary supports. In addition to provincial legislation, it is clear that a greater level of accountability is needed in order to ensure institutions comply with the mandated regulations and support victims/survivors on campus. Students are calling on the Department of Advanced Education, Skills and Labour, develop an accountability mechanism to ensure post-secondary institutions effectively implement and re-assess their stand-alone policies to comply with the standards established in the legislation.

To ensure the effectiveness of the provincial legislation, the Canadian Federation of Students-Newfoundland and Labrador recommends that the provincial government first conduct the necessary research to determine the best structure for this accountability mechanism within the Department of Advanced Education, Skills and Labour.

Upon its establishment, the Canadian Federation of Students-Newfoundland and Labrador

recommends that this accountability mechanism:

- **Review and assess sexual assault policies to ensure compliance with legislation;**
- **Make amendments to sexual assault policies that are found to be insufficient;**
- **Ensure that institutions comply with their own stand-alone policies;**
- **Receive and manage appeals from individuals who have not been supported by institutional policies;**
- **Commission campus surveys on sexualized violence to evaluate the effectiveness of strategies to combat sexualized violence, to be completed every 3 years;**
- **Develop a common metric that can be used by all postsecondary institutions to count and report the number of incidents of sexualized violence experience by students;**
- **Analyze and manage reports from institutions on incidences of sexualized violence on campuses;**
- **Coordinate and ensure training for faculty, administration and staff in the province; and**
- **Oversee the distribution of funding for campus initiatives for sexual violence education, prevention, and support programs.**



## RECOMMENDATION # 4:

**Establish separate funding to ensure all rural campuses of the College of the North Atlantic and Memorial University of Newfoundland have access to an independent sexual harassment office.**

The majority of the College of the North Atlantic campuses and the Grenfell campus are located in the most rural areas of Newfoundland and Labrador and subsequently unable to access more readily available sexual assault supports in larger city centers. The geographical challenges the students on these campuses encounter must not be limitations to the provision and implementation of support for survivors. Therefore, the College of the North Atlantic and Memorial University Grenfell Campus must not only be given the resources to secure these supports by the government through specific funding and partnerships with survivor support centers, but also legislation must mandate the education of all faculty and staff on every campus.

It is only with the commitment of all shareholder in post-secondary education and the community that we can build a truly accessible, accountable, transparent, effective, and survivor-centered culture of consent. By establishing separate funding to respond to multi-campus needs, all students in Newfoundland and Labrador, no matter the location will be protected by more robust policies, procedures and supports to address sexual violence on campus and in our communities.

**The province is in a uniquely strategic position to accomplish these goals as there is only one university and one college, though both have multiple campuses. It is through streamlining accountability processes that the Government of Newfoundland and Labrador can ensure all campuses, no matter the location, are adequately safeguarding all students.**

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