



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Standing Committee on the Status of Women

FEWO • NUMBER 027 • 1st SESSION • 42nd PARLIAMENT

EVIDENCE

Wednesday, October 19, 2016

—
Chair

Ms. Marilyn Gladu

Standing Committee on the Status of Women

Wednesday, October 19, 2016

• (1530)

[English]

The Chair (Ms. Marilyn Gladu (Sarnia—Lambton, CPC)): I call the meeting to order.

We are resuming our study of violence against young girls and women with the discussion of date rape on campus.

Today, we have as a witness, Daphne Gilbert, who is an associate professor in the faculty of law at the University of Ottawa. With her is Elizabeth Sheehy, also from the faculty of law at the University of Ottawa.

We also have Danika McConnell, who is a representative of the Canadian Alliance of Student Associations.

By video conference from Newfoundland we have Bilan Arte, who is the national chairperson of the Canadian Federation of Students.

We are going to start with our regular rounds of speeches and comments, and then we'll move to questions.

We'll begin with Daphne. You have five minutes.

Ms. Daphne Gilbert (Associate Professor, Faculty of Law, Common Law Section, University of Ottawa, As an Individual): Good afternoon. Thank you for inviting me to speak with you today.

I was co-chair of the committee that drafted the new sexual violence policy at the University of Ottawa, which was approved by the board of governors in June 2016. I thought I'd use my time to describe the animating features of our policy and offer some thoughts on the balance that we tried to strike. We tried to incorporate best practices from both the United States and Canada.

My colleague Elizabeth Sheehy and I have written on the subject of violence on university campuses, and we teach a course at the law school on sexual assault law.

I first want to acknowledge that our policy was drafted in the wake of some high-profile incidents at the University of Ottawa that prompted our president to strike a task force on respect and equality to make recommendations on how to combat sexual violence on our campus. It was also helpful to have a provincial government that passed legislation in March of this year that mandated that all universities in Ontario enact stand-alone sexual violence policies. The legislation left the design of those policies to each institution.

The University of Ottawa's policy is guided by two overriding themes: the promotion of a survivor-centred response to sexual violence and the safety of the space in which we work, live, and

study. I'll give you a brief overview of how we breathed some life into those principles.

First, on the creation of a safe space, we worked hard to create a policy that did not replicate a criminal justice process. We felt it was important to distinguish the university context and offer both a distinctive process and effective remedies that work for our community.

Survivors of sexual violence can file a formal complaint at any time, so long as the alleged perpetrator is a member of the university community. Membership is defined in the policy to include faculty, students, and staff, so it's a comprehensive policy.

We created a special position, a sexual violence officer, housed within our human rights office, to act as a resource person during the whole process. An important and controversial feature of our policy is that almost all formal complaints must be investigated by an independent external investigator. This raises serious resource questions for the university, but we thought it was important as a due process protection for both parties to the complaint.

We have a review committee that comprises three trained representatives, and they take in the report of the external investigator, as well as written responses by both parties. The review committee must have an in-person meeting with each party, but those meetings are held separately. The two parties do not meet face to face. There is no face-to-face encounter and no opportunity to question each other.

The review committee makes a finding on a balance of probabilities as to whether our policy has been breached, in other words, whether there has been an incident of sexual violence, and it makes recommendations as to the appropriate consequences.

Written reasons for the decision have to be produced and given to both parties, as well as to the person who is tasked with implementing the recommendations.

The consequences are considered safety measures. They are not punitive consequences. They are meant to ensure that both the complainant and the broader university community are safe and feel safe in their work, living, and study situations.

A second guiding principle of our policy is that it is survivor-centred. In addition to the formal complaint process, we are committed to enhancing resources to support survivors on our campus, regardless of where their assault took place. We have partnerships with local community rape crisis centres that work on campus now to offer confidential support to complainants. We collect data on the number of incidents, the choices survivors made in coping, and the resources they sought.

The sexual violence officer will coordinate training for students, faculty, and staff on bystander intervention, positive consent culture, and healthy sex education. So far, over 300 senior administrators and leaders, including our entire board of governors, our senior administrative staff, and all the deans on campus, have received training by a rape crisis centre on how to receive disclosures of sexual assaults and what constitutes consent in law. Our policy makes equality its core foundation and expressly references rape culture.

In closing, while we expect that the University of Ottawa will tweak its policy as implementation unfolds, I am proud of how we came to a feminist, broad-based consensus that involved all of our constituents: faculty, staff, students, unions, and the senior administration.

I am happy to address any questions.

• (1535)

Ms. Elizabeth Sheehy (Professor, Faculty of Law, Common Law Section, University of Ottawa, As an Individual): Thank you, Daphne.

In my five minutes I'd like to focus on legal responses to sexual violence on campus. As you are no doubt aware, Ontario and B.C. have passed laws requiring post-secondary institutions to develop, in consultation with students, policies and protocols for sexual violence on campus, including developing complaint mechanisms and providing information to students about due process rights and other rights, such as rights to representation and appeal processes. Manitoba, as you probably know, is also poised to do the same.

In this evolving legislative context we can expect to see the other provinces follow suit, so I want to briefly touch on what I see as three threats to the development and implementation of sound law and legal policy in this regard.

First, two of the three provincial laws require universities to consult only students, not other designated groups such as women's anti-violence advocates. Only B.C. contemplates the possibility that other groups may have significant expertise and/or investment in the issue so as to require their inclusion in policy building.

While it's laudable that provincial governments are legislating that student voices be included in devising responses, as they must be, there are serious problems with the legislation. The laws give no indication as to which students or groups must have a voice, or who's input should be valued. Universities are free to consult with individual students or groups of their choosing.

Many student groups have taken a position opposing rape culture, but not all articulate a feminist commitment. Some have voiced opposition to policies that implicate any sort of discipline for

offending parties, and others are downright hostile to measures supporting women against male violence on campus. Even those students and groups who are politically aligned with supporting sexual violence policies may not have the expertise and long-term commitment to developing, maintaining, and refining campus responses.

The knowledge base of the women's anti-violence movement that has been theorized from decades of experience—what's been tried and failed and where current resources and struggles are focused—may be lacking. It's simply not possible to develop optimal responses to sexual violence on campus without the expertise of women's front line anti-violence activists.

Second, the provincial government's decision to leave development of the details of sexual violence policies to individual institutions adds to the volatility of this political and legal situation. Most institutions seem to be simply tacking on a sexual violence policy to their pre-existing student codes of conduct, or harassment and discrimination policies, neither of which have any track record of successfully responding to sexual assault.

The results of the tack on approach are confusing and contradictory and, as may be predicted, women students are already instigating complaints to provincial human rights tribunals about university policy failures. Furthermore, the issue of campus sexual assault sits within a much larger political and legal context, in which men accused of sexual violence are aggressively contesting campus adjudications of responsibility by seeking judicial review and arguing that they're due process rights have been violated.

The pattern has emerged powerfully in the United States where universities are being sued by lawyers representing aggrieved male students who have been found responsible for sexual violence and disciplined by academic sanctions, such as suspension or expulsion. Many of these claims have failed, thankfully, but others have resulted in settlements by universities wishing to avoid the glare of litigation, and some have actually been successful in court.

Although the provincial laws require that sexual violence policies articulate what due process measures will be provided, the fact that universities are free to pick and choose among them means that there's a potential for considerable variance among the universities, making them even more vulnerable to legal challenge that will weaken the integrity and finality of university processes and decisions. The lack of uniformity also means that it will be difficult to build expertise across universities and among those charged with administering these policies, increasing further the potential for litigation.

Third and finally, the presence of campus-based men's rights groups will only increase the risk that the effectiveness of these policies will be undermined. Men's rights activists have launched campus campaigns at the University of Alberta by removing and replacing anti-rape slogans on posters with rape-apologist messaging. They've also targeted a well-known feminist professor whose research and leadership focuses on sexual assault.

• (1540)

One men's rights group, the Canadian Association for Equality, CAFE, claims to have set up student groups on 16 campuses across the country. CAFE has the benefit and status of a charitable organization under the tax laws of Canada. Their activities have focused on hosting anti-feminists as public speakers whose talks are focused on repositioning men as the victims of women's violence and minimizing women students' experience of sexual violence. It seems likely that they, among others, will seek to oppose and upend university sexual assault policies.

The Chair: Thank you, that's your time.

Now we go to Ms. McConnell, for 10 minutes.

Ms. Danika McConnell (Representative, Canadian Alliance of Student Associations): Good afternoon, Madam Chair, committee members, fellow witnesses, and members of the gallery.

My name is Danika McConnell. I am the president of the Students' Association of MacEwan University, in Edmonton, and a member of the Canadian Alliance of Student Associations, CASA.

On my campus I've been an active member on the institution's sexual violence prevention education committee and I've also been identified in campaigns focused on sexual violence policies and consent education.

I am pleased to have an opportunity to speak before this committee on behalf of CASA and our 21 member associations, representing over 250,000 students from across Canada. I want to begin by giving a general overview of CASA's approach to research and advocacy, as this may be the first time any of you have interacted with our organization.

CASA is made up of student unions and associations from across the country. We focus our work on issues pertaining to post-secondary education at the federal level. Our approach to advocacy is rooted in evidence-based research and is driven by the work of our student members. Being a member-driven organization means we take the issues that are identified by our student constituents and bring them forward as advocacy priorities when meeting with federal decision-makers.

In that context, it should make sense that CASA has become deeply engaged and invested in the issue of sexual violence on post-secondary campuses. That is what I'm presenting on today.

My hope is to convey to you the reality of the situation on the ground and to identify current deficiencies at the institutional and national levels. From there I intend to provide this committee with solutions that CASA believes the federal government and this committee have at their disposal in order to tackle this complex issue.

Not a day goes by when this issue doesn't cross my mind as both a student leader representing thousands and as a young woman in the post-secondary environment. As you can tell from what I've already expressed, this is an issue that I'm deeply invested in. Given the appalling numbers I will share with you soon, it should come as no surprise that I myself have been directly affected and forever changed by sexual violence. Details aside, one could assume the profound difficulties and challenges this created in completing my education. I consider myself one of the lucky ones, as I have a robust support system in my life. Despite the challenges, I understand from those close to me and the students I represent that this outcome is often not the case. Many women face the heartbreaking and very real circumstances of continued abuse and victim blaming, and many do not complete their education because of it.

While all of the above is valid and an experience sadly not unique to students much like myself, I want to ensure I provide you with empirical data in order to illustrate the severity of the issue facing students across Canada.

A recent report by METRAC reveals that four out of five female undergraduate students report having been the victims of dating violence, and that 29% report having experienced a sexual assault. We know that women represent over 93% of the known survivors, and men represent 97% of the known attackers. We also know that 82% of sexual assaults are committed by someone the survivor is already acquainted with. From 2009 to 2015, more than 700 sexual assault cases were reported on university and college campuses across Canada. Experts believe the number of unreported cases is much higher. Regardless, it is clear that every day, female students are sexually assaulted or harassed on post-secondary campuses in Canada.

Sexual violence on university and college campuses continues to be a persistent and concerning issue across Canada. In recent years the issue of sexual violence has dominated the media, shining a spotlight on the lack of preventive and survivor supportive responses from post-secondary institutions. These revelations would be shocking if they weren't all too familiar to my fellow students and me. Too often, administrators prioritize their institution's reputation over the safety and well-being of their student body by refusing to address these issues. The examples of this are overwhelming with recent cases at Brandon University, the University of British Columbia, Dalhousie University, and many others. The common thread among these situations is that these institutions either had a sexual violence policy that failed to adequately support the students involved or simply didn't have a policy at all.

Sexual violence policies need to be clear and student-centred so that all those involved understand the steps to be taken when pursuing a case of sexual violence. For schools with policies, the process's timelines and outcomes are often unclear to students trying to use them. Too often, these policies, when put into practice, are focused on preserving the reputation of the institution instead of the well-being of the students. In one recent case, survivors of sexual assault were required to sign a contract that stipulated they were not to have contact with other persons involved and they were not to discuss what happened with anyone but a counsellor. If they broke those stipulations, they faced suspension or expulsion. This is unacceptable.

● (1545)

CASA believes institutions must create policies that are wholly centred on students' well-being. The best way to do so is to generate policies in consultation and collaboration with students on campuses.

Another worrisome fact is that most institutions have no official stand-alone policy to address incidents of sexual violence on their campuses. Many schools simply slot their sexual assault and harassment policies into a broad student code of conduct. This past March the CBC found that out of 100 Canadian post-secondary institutions, only 12 had stand-alone policies. This, again, is simply unacceptable.

When policies are buried within a larger document, they are often general in nature and difficult to implement consistently. Additionally, such policies are not generally communicated well to students, making the process confusing. Cases of sexual assault are already dramatically under-reported, so it is crucial that institutions provide clear, accessible steps for reporting and responding to a sexual assault claim on campus.

What makes this lack of clear policy more frustrating is that institutions are already doing this work in a number of different areas. There are a number of examples of this, but alcohol policies are one that is easy to compare. The vast majority of campuses across the country have policies that dictate drinking expectations for students on campus. Recently, 25 schools signed onto the Canadian Post-Secondary Education Collaborative on Reducing Alcohol-Related Harms Project Charter, examining harms, collecting data, and sharing best practices. This imbalance in policy emphasis must be rectified at the institutional level if we are going to begin to address the issue of sexual violence.

Before I provide this committee with CASA's proposed path forward on this issue, I want to underscore why we believe institutions have an important role to play in addressing sexual violence.

First, campuses must actively address this issue because that is where sexual violence is taking place. It's happening in residences, on-campus bars, and in surrounding neighbourhoods. Institutions have a duty of care and an obligation to provide students with the quality educational and social experience they advertise.

Second, effective policy in any context needs a framework in which to work, and in this case post-secondary institutions are that framework. This reality has already been acknowledged in provinces, as we just heard, like Ontario and B.C., where universities and colleges have been mandated to create stand-alone sexual violence policies and reporting structures.

While CASA is fully aware of the limitations of the federal government on the issue of on-campus sexual violence, there are steps that can be made. The previous minister of status of women, Dr. Leitch, received a report entitled, "Options for Action on Sexual Violence Against Women on Post Secondary Campuses", which was delivered to her on March 30, 2015. Within that brief the minister was provided with three options: one, that the government host a round table to highlight best practices, including from the Status of Women Canada-funded projects, which would help to highlight action to date and identify potential future work; two, that a letter

could be sent from the minister and the status of women committee to Universities Canada to encourage it to undertake work on a common reporting guideline and framework for sexual assaults on campus; and, three, or that a letter be sent to some 80 university presidents encouraging them to continue to address the issue on their own campus. The letter could also discuss best practices and the need for a common framework for collecting and reporting data.

CASA asks that this committee accept those recommendations put forward by Status of Women Canada, and include them in its report. Moreover, CASA believes the federal government should expand the general social survey on victimization in order to measure crime on campuses, including sexual violence, assault, and harassment incidents. In essence, CASA is calling on this committee and the government to use their influence to urge post-secondary institutions to do more on the issue of sexual violence.

In closing, let me just say thank you. Thank you for allowing me to speak to the issue of sexual violence on post-secondary campuses. It is an issue that I, along with student leaders across the country, care deeply about. Thank you for your commitment to taking on this issue. I wish this committee luck in its work. It is so very important.

● (1550)

The Chair: Thank you so much.

We now have our video conference.

We will hear from Bilan Arte. Welcome. You have 10 minutes.

Ms. Bilan Arte (National Chairperson, Canadian Federation of Students): Thank you very much.

Good afternoon, members of the committee and fellow witnesses. First and foremost, I'd like to thank you for inviting me. I'm on campus today, as you can tell. I'm joining you from St. John's, and I'm on campus at Memorial University, speaking to students about our most recent national campaign for free education.

I'll start with an anecdote. While on campus talking about barriers to accessing post-secondary, I've heard time and again from the students I've had conversations with not only here but on campuses across this country as we promote this national campaign the importance of understanding the pervasive nature of sexual and gender-based violence on our campuses as being just as much of a barrier to accessing post-secondary.

With that, I'm going to start my address this afternoon with some facts.

We know that today, young women between the ages of 15 and 24 experience higher instances of sexual violence in Canada. A survey recently conducted by Statistics Canada found that the police report that the rate of violent crime against women in this age range was 42% higher than the rate for women age 25 to 34 and almost double the rate for women between the ages of 35 and 44.

It is important to know within these statistics that women from marginalized communities are disproportionately affected by sexual and gender-based violence and according to 2014 statistics from Statistics Canada, we also note the rates for sexual assault experienced by aboriginal women are more than double those for non-aboriginal women. This survey also found that queer people, trans people, people with disabilities, racialized people, and immigrants experience much higher rates of violent victimization, including sexual violence.

Because our campuses are part of a society that makes up these statistics, it's evident to us that sexual violence is prevalent on colleges and university campuses. When surveyed, we know that four out of five undergraduate students at Canadian universities report experiencing dating violence and 29% report an experience of sexual assault.

We also know that women are at a higher risk of experiencing sexual assault within the first eight weeks of classes. In terms of statistics, this number largely underestimates the prevalence of sexual violence and highlights the issue of under-reporting. Some of these barriers to reporting include issues such as revictimization, the prevalence of victim blaming, and the justice system. The personal financial risks of litigation and the emotional strain of a trial keep many survivors from reporting.

Because of this reality, since 1981, the Canadian Federation of Students, which unites more than half a million students across this country, has worked with its members from coast to coast to raise awareness and develop best practices to respond to and combat sexual violence. The federation draws on over 30 years of experience to propose the following recommendations on how the federal government can best address sexual violence on Canadian campuses.

Our first recommendation is to introduce legislation that mandates all post-secondary institutions to have stand-alone sexual violence policies. These policies must be survivor-centred and must be developed through a student-serving process. We draw on examples such as Bill 132 in Ontario, which mandates all post-secondary institutions to establish a stand-alone sexual assault policy that is essential to ensuring that all institutions have clear processes to respond to and address incidents of sexual violence. This legislation must provide students with recourse if their university or college does not have or has not properly followed a sexual violence or a gender-based violence policy.

To ensure the effectiveness and legitimacy of the policy, institutions should be mandated to first, identify and include key stakeholders, particularly students, student groups, and providers of victim support services, including local rape crisis centres. Second, it must also review the policy at least once every two years and/or as issues arise. To support the development and implementation of these policies, the federation recommends that the federal government work with all provincial and territorial governments to establish post-secondary sexual violence support divisions. These provincial and territorial divisions would be mandated to allocate funding for sexual violence prevention work, collect and disseminate data about sexual violence within post-secondary institutions, and hold individual institutions accountable to both their campus communities and the broader public.

● (1555)

The federation also recommends that the federal government establish a permanent standing committee on sexual violence in post-secondary institutions in order to facilitate communication between the provincial and territorial divisions, set standards for data collection on sexual violence, and ensure that there is a clear, national vision to end sexual and gender-based violence in Canada.

Our second recommendation is on the creation of a sexual violence support resource fund. Our federation recommends that the federal government create a sexual violence support resource fund to fund initiatives to combat sexual violence at post-secondary institutions. This would ensure an equitable funding distribution, and the fund would have two envelopes, one for students and campus groups, and another for faculty staff and university and college administrations. This fund would be available to students, campus groups, faculty, staff, and university and college administrations for the purposes of education, training, and to develop and strengthen resources to address and respond to sexual violence. The intention of this fund would not be to alleviate institutional pressure to direct resources towards ending sexual and gender-based violence on campus, but instead, the fund would allow those with limited access to funds, such as students or those who are otherwise unable to pursue these important programs, to help end sexual and gender-based violence on campus.

Our final recommendation is to develop a national public education campaign on sexual and gender-based violence awareness and prevention. While our previous recommendations have focused on addressing sexual violence on campuses, our federation understands that rape culture and the normalization of sexual and gender-based violence need to be challenged more broadly and more directly in order to create campuses and communities in our societies that are free from sexual and gender-based violence. A public education campaign should be created to make information and training about sexual and gender-based violence, consent, and bystander intervention accessible to all. To be effective, information should use accessible language, be communicated through a variety of different mediums, including online. It needs to be intersectional and acknowledge the varying experiences of gender and sexual-based violence, and it must be inclusive. In order to ensure that post-secondary institutions are doing their part, we must ensure that this information is communicated to and understood by those within universities and colleges. Post-secondary institutions should be mandated to hold mandatory consent education programs for all staff, faculty, and students within the first eight weeks of each new academic year.

The effective implementation of these recommendations, supported by Status of Women Canada and this committee, would help to ensure that the universities and colleges from coast to coast are taking meaningful steps to combat sexual and gender-based violence on our campuses.

Thank you.

The Chair: Thank you, Ms. Arte. That was excellent.

I was requested by the committee, if it's possible, that you send those recommendations to the clerk. We would love to have them.

Ms. Bilan Arte: Absolutely.

The Chair: We're going to start off our seven minutes of questions, and we'll start with my colleague Ms. Ludwig.

Ms. Karen Ludwig (New Brunswick Southwest, Lib.): Thank you all for your very informative and great presentations. Certainly for all of us looking at post-secondary education, sexual violence should be an issue for all of us to be worried about.

You've addressed a lot of it, but my first question is actually around the data collection and reporting. You said that in Ontario and B.C., and soon to be Manitoba, there will be mandatory programming. But the CBC reported only 12 of 100 universities. So, although we've been told it's mandated, the reality is only 12 of 100 universities are actually working in that regard. How do we make changes in that area to ensure they actually are following through on the mandates?

Ms. Danika McConnell: We are sitting around this table. I think right now the government has a lot of influence that can be brought forward simply by recognizing this is an issue and vocalizing it. There were a lot of surprised faces in this room when we really broke down the statistics on just how early it actually can occur. I think right now you're in an incredible position to bring it forward, in a matter of influence, and mark this as a priority.

• (1600)

Ms. Karen Ludwig: Thank you.

Daphne.

Ms. Daphne Gilbert: In Ontario, the universities have until the end of this year to come up with their stand-alone policies, and all of them have to have a data collection component to them. There is a provincial committee that is trying to work out best practices on that data collection. It's very controversial. Universities are very reluctant to collect data, because those that do it will end up reporting high incidences of sexual violence, and then get a bad reputation as being a place where rape happens on campus, when we know that actually the opposite is true, and that the universities with the highest reporting rates are the ones that are doing the most to combat the problem.

At the University of Ottawa, we faced that controversy and we faced resistance to trying to get uniform data collection practices, so it's a big challenge to make sure that all of the universities take the same approach to data collection. The United States has tried to do that with federal legislation, such as the Clery Act, which has a certain reporting structure. There are huge fines for not reporting. There are fines for trying to hide or cover up sexual assaults on campuses. That would be the ideal, for all universities to have a uniform reporting requirement and very clear guidelines as to what has to be collected.

On the ground it's difficult, because students in particular will disclose in a whole number of ways, and they don't all choose the same place or person to disclose to. Front-line faculty often get disclosures, but students will also go to counselling services, to protection services, or off campus to rape crisis centres.

Trying to get the data can be a challenge, but uniformity is the best. It's the key.

Ms. Karen Ludwig: What I heard from all of you was that there is definitely a lack of consistency in data collection. Therefore, it's not reliable.

Ms. Daphne Gilbert: That's right.

Ms. Karen Ludwig: That's certainly an issue.

There's also the stigma associated with a university having such high rates. They may have better reporting statistics, but that fact is very hard to justify to the general public when mom and dad are trying to work with their child on where to send them off to school.

Thank you for all that.

You said four out of five report being victims of dating violence, and 29% report sexual assault. Those are definitely astounding numbers, as is the fact that it's happening within the first eight weeks. I have a couple of questions around that.

First, are you working with or are you familiar with any programs in the high schools as the students are getting prepared for post-secondary? How much work is being done there? Is there any bridge between the two?

Second, I can only say from my own children having gone off to university that typically, any type of information is given during orientation week, which is the first week. There's a lot going on that week, and I don't think it's ever reintroduced. Has that been your experience as well?

Ms. Danika McConnell: I can certainly speak to your latter question about making sure that the awareness of these services is long-standing and not just around in the hustle and bustle of the first week. Students can take in only so much information. There's quite a learning curve. Post-secondary campuses in themselves, aside from what we're discussing today, are complex and very new to so many. It can be an exciting time with a lot of information flowing through. I think there are a lot of really great examples all the way from Nova Scotia to my institution where there is a firm precedent to make sure that once the excitement settles down in September, students still realize what kinds of resources are available to them. It's all about setting that standard and making sure it's known, and then evaluating those best practices and seeing how they can be adopted campus to campus, because not one single post-secondary institution is like another.

Ms. Karen Ludwig: Great, thank you.

The other question I have is about the marginalized groups.

Bilan, you talked about marginalized groups within universities. Often if someone doesn't have a clear path to university or to college, and maybe they're the first ones to attend, they could be at a higher risk. Their parents or their communities have put so much into them and expect so much. Is there any correlation between that and a lower likelihood of reporting?

Ms. Bilan Arte: Thank you for the question.

I don't have any particular data around first-generation students, but I think some of the data from Statistics Canada tells us that marginalized communities, specifically students who come from racialized backgrounds, immigrant backgrounds, or some of the other groups that we mentioned, can be particularly disproportionately affected by sexual and gender-based violence on campus. We know that reality because we understand the intersections of not only sexual and gender-based violence, but other issues in our society, mainly racism, xenophobia, and other items that compound those experiences for those marginalized communities.

I think this goes back to our third recommendation, in which we talk about creating public education campaigns and we discuss the importance of providing that information through various different mediums. When I say inclusive, I'm also talking about the importance of using accessible language that can perhaps be translated. For example, on a lot of our campuses, there's also a high number of international students. How do we start to have conversations about consent education in an environment that has people besides English speakers? We understand that doesn't always translate into what that extended education could look like for students whose first language may not be English.

I think that—

• (1605)

The Chair: I'm sorry, that's your time on that question.

We're going to go to my colleague, Ms. Vecchio, for seven minutes.

Mrs. Karen Vecchio (Elgin—Middlesex—London, CPC): Hi, and thank you very much. All of you have been extremely interesting today in giving great information.

On my way here, Anita and I discussed the makeup of this group and how having met at the table is so important. Elizabeth, you had talked about the anti-feminist activist groups that are out there. It's just astonishing that we have those trying to take us backwards. What have we tried to get them on board and saying that this is not working, or what has the relationship been with those anti-feminist activist groups. Has there been any relationship building at all, or trying to get them to be part of the picture?

Ms. Elizabeth Sheehy: On our campus, there's been quite a hostile relationship between that group and the student federation. Many of the student groups actively oppose those men's rights groups. The student groups are doing their best, but I don't really know...I'm not really sure what kind of reconciliation is possible with those groups given that what they're really interested in is insisting on denying the reality of women's experience of sexual violence. I'm not sure how to work with them really. Sorry.

Mrs. Karen Vecchio: No doubt. I just know Anita and I were talking about that when we have men sitting at the table. We sort of sympathize what's going on, but the men seem sometimes very shocked, and that's why I was wondering what we can do to try to pull them in to make them part of that conversation. Another part—

Ms. Elizabeth Sheehy: I think the bystander program might do some of that—

Mrs. Karen Vecchio: Yes, good.

Ms. Elizabeth Sheehy: —which has very positive potential.

Mrs. Karen Vecchio: There was also the discussion about the fact that there are no experts being brought into the consultations when discussing what's being done in schools. I think that a lot of times when we're dealing with these experts, they have dealt with the abuse outside, and so they do bring in a very effective part.

Was it the province that decided it this wasn't necessary or the schools when creating this legislation and who was going to be at the table to make this work?

Ms. Elizabeth Sheehy: I can't speak for how Ontario decided to just refer the student groups as necessary parts of the policy development, so I can't answer that question. In our city, we rely heavily on those crisis centres to serve our students. Not only do they have 40 years of experience in dealing with sexual violence in Ottawa, but they also have a long history of dealing with our students, caring for our students, and supporting our students. I think there's some reciprocal relationship that we need to develop with those resources.

Mrs. Karen Vecchio: Absolutely. Thank you very much.

Bilan and Danika, thank you both for sharing your stories, and Danika for your very personal story as well.

Within your own communities and within your own schools, we talk about what they're doing and where you recognize it in many schools. What are some of the best practices that are being done? Within your own schools, do you feel comfortable that the resources are there for the young women who have been part of the violence? Do you believe that the education for young men, who are now going off to school for the first time and leaving their parents who have always set the rules for them, is adequate? Sometimes, I think, it may also be a situation where there are no rules, so all of a sudden they start drinking more, and they start doing things that they usually wouldn't do that are sometimes extremely inappropriate. Is there that education for them, and are there the resources for young women and men?

Bilan, perhaps you could start.

• (1610)

Ms. Bilan Arte: I'll try to keep it short so that Danika can also have some speaking time.

When it comes to good examples, York University has developed a pretty comprehensive and, I think, exemplary program. The sexual violence support centres on campus are almost entirely run by students, so it's peer to-peer support. These students are paid, which is excellent, because we want to make sure the young people aren't taking on this work without being remunerated. They have quite a bit of representation at the policy development committee of their institution. York in particular, I think, is an institution that has dealt with a lot of reports around sexual violence, but they have also talked at length about the importance of integrating their student community and the community of survivors that are on their campus and in and around it.

On education for men, I think that this aspect is critically missing on a lot of our campuses, and too often, it is student groups who are leading these discussions.

I've yet to see individual campuses that have done any of this programming work. Some student unions, in particular the Student Federation of the University of Ottawa about a year ago was hosting something called "guy talks" on their campus, where they talked about toxic masculinity, what that looks like, and how gender-based violence also affects male students on our campuses.

Those that I have mentioned are talked about, and I think they're acutely felt by those that exist even beyond that binary, you know, with queer and transgendered students, as well.

Mrs. Karen Vecchio: Excellent. Thank you.

Ms. Danika McConnell: That's a great question.

I can only really speak to my campus in Edmonton, MacEwan University, which is actually quite rare in the things they're doing with a lot progressive and pilot programs that we're testing out this year.

I noted earlier when I was speaking that in part of our sexual violence education prevention committee, we've put forward a campaign called "No Place Here". We identify a lot of key individuals within our institution trying to be thought leaders. If a student is walking down the hall and wants to come forward about anything, to ask any questions, we make sure we have the baseline education to refer them elsewhere or bring them to the resource experts.

In terms of young men on campus, right now we are working with community experts, our internal psychologists, internal legal counsel, and a lot of students around the table, and we're going to pilot—it's in a working stage right now—masculinity labs. We're going to bring in young male athletes alongside a lot of first-year students and some fourth-year students to kind of bridge the gap in the communication, as well as our faculty and our staff. It's an understanding that we all need to be on a baseline of learning where we don't separate our faculty and our staff and our students. We all come together as a collective.

This is going to bring forward conversations about masculinity myths and break into the area that hasn't been addressed for very long, which is talking to young men about what they're going through when they come on to campuses, and making sure they have the right education coming through the doors.

Mrs. Karen Vecchio: I have one more question on this.

We talk about these important programs and these important discussions. Are any of them mandatory, or may people just happen to show up?

On the masculine talks, are the guys who are attending coming out to support other guys who are doing it, or is it mandatory that they come out and find out that they can and should be expelled for inappropriate behaviour?

Ms. Danika McConnell: It certainly does highlight what policies are in place. It is very blunt in its beginnings of what happens when these actions come forward, and these horrendous issues that we see day in and day out. It then works into whether they understand the policy and how it works here. Again, it's assessing that masculinity topic and breaking down what the myths might be.

That's everything from what's defined in the Criminal Code, all the way toward how to be a respectful individual and what is right and wrong.

The Chair: I'm very sorry, but that's your time.

We'll move along to my colleague, Ms. Malcolmson, for seven minutes.

Ms. Sheila Malcolmson (Nanaimo—Ladysmith, NDP): Thank you to all four of the witnesses.

Speaking first with the two student association representatives, I have a concern that students in different parts of the country are going to have unequal access to justice. They may have a similar expectation, having started in one campus and finishing in another, that they are protected in certain ways.

I would like to ask you both whether you share my concern. Could you also tell us the personal implications of this inconsistent approach, both within provinces and in different provinces and territories?

Ms. Arte, might you start?

Ms. Bilan Arte: Absolutely.

I do share this concern. Being here in Newfoundland, I had the opportunity at a skills conference this weekend to meet students not only from Memorial University but from a lot of the satellite campuses that this institution has. They go as far up into the island as Gander. Some local college campuses located in Labrador have no rape crisis centres. There are no hotlines. There are no opportunities for students to speak to anyone about their experiences on campus, never mind the limited resources even on this campus.

That's not to say Memorial is necessarily an example in that respect, because there aren't very many resources. In fact, there is only one trained counsellor on this campus to deal with the issue of sexual violence, and the counsellor is often unavailable to meet the demands.

I think that this disparity in access is very problematic. It means that students are going to have to make very harsh decisions about whether they continue their studies based on the availability of certain resources, particularly when they are survivors of issues around sexual and gender-based violence. This disparity exists from coast to coast. That's why it's excellent to see that some provinces are making moves toward challenging the issue of rape culture.

It's great that Ontario, British Columbia and Nova Scotia are looking at legislation. However, that's why we're also here, to make these recommendations to the federal government. This disparity is not working for students. Just because I went to university in Manitoba and perhaps decided to do graduate studies in Alberta should not mean that I have disproportionate access to the types of resources that can help ensure my student experience is as safe and inclusive as possible.

That's definitely why we're talking about legislation at the federal level that would mandate all institutions across Canada to ensure adequate access to resources on sexual and gender-based violence.

• (1615)

Ms. Sheila Malcolmson: Thank you so much.

Ms. McConnell.

Ms. Danika McConnell: Thank you very much. It's a great question.

In terms of the unequal access and the inconsistencies, it's obvious that there is an issue. I think that one thing that could be done, and a very tangible first step, would be to encourage Universities Canada to undertake work on a common reporting guideline and a framework for sexual assaults on campus, bringing forward all of the leaders from campus to campus, and in turn having these resources available to them. Then they would have the capacity to gear it to their own campuses and, again, bring that level of consistency.

Ms. Sheila Malcolmson: Have you made that recommendation to Universities Canada already? Is that right? I guess you haven't had a positive response, otherwise we wouldn't be talking about it here.

Ms. Danika McConnell: Our staff at CASA has actually called on them to create these resources, but unfortunately they have been unwilling to take action. We have reached out.

Ms. Sheila Malcolmson: Thank you both so much for your work. It's powerful and it's important.

If I could turn to the University of Ottawa witnesses, I'm hoping you can tell me more about your recommendations, on the federal side, around how we might reach into the provincial areas of policing and prosecution. Again, I'm concerned about an inconsistent approach across the country, so it is a leadership role that the federal government could take to work with provincial and territorial partners.

Ms. Elizabeth Sheehy: I'll say a couple of things, and I'll pass it to Daphne.

I guess the federal government certainly can use its funding power to shape national policy for universities and post-secondary institutions. That's certainly what has happened in the United States. They use the threat of withdrawal of funding as their weapon to clobber universities that do not conform to federal guidelines.

Beyond the mechanism, the issue of leadership is really important here because, as we've all been emphasizing, there's a great deal of disparity. I think every university is afraid of being picked off. As they develop their policy, all the university offices are anxious: "What if we get sued by a disgruntled student?" I'm not sure if they're as afraid of the women suing them, but I think they're certainly afraid of being sued by the men.

I think we could really use the resources and the brain power to come up with a really good model that balances the different interests that universities have, as opposed to the criminal justice system, and come up with a policy that can survive a challenge in the courts.

Last, you referred to policing and criminal prosecution. The federal government can use its federal powers to declare certain issues within federal authority. The feds could, in fact, intervene to ensure some uniformity around policing across the country, and around prosecution across the country. That argument is better developed legally by a scholar named Lucinda Vandervort at the University of Saskatchewan. I will provide the reference to that piece if you're interested in looking at it.

• (1620)

Ms. Sheila Malcolmson: I'd be grateful for that follow up, thank you.

The Chair: Yes, perhaps you could send that to us.

Ms. Daphne Gilbert: I would add that when we were developing our policy and were consulting with students, it was clear to us that the students did not want to replicate a criminal justice process on the university campus. We worked hard to make sure that the criminal option was always open to students, and we have a lot of students who want to go forward to the police and initiate that conversation. However, we tried to make a policy that would look very different from a criminal process, because the problems in the criminal process are well documented and we didn't feel the need to replicate that.

The Chair: Very good. That's your time.

We're going now to my colleague, Ms. Vandenberg, for seven minutes.

Ms. Anita Vandenberg (Ottawa West—Nepean, Lib.): I want to thank all the witnesses for their incredibly thoughtful contributions today. They are going to help us in our deliberations.

As a local MP, I particularly want to welcome the witnesses from the University of Ottawa. Having seen some of what has happened at that university, it's good to see the movement in this area.

I'm actually very interested, Professor Gilbert, in knowing more about what you said, that it's a non-punitive approach that is survivor-centred, so it's not mirroring the criminal justice process and you're not having face-to-face contact or questions. Do you find that reporting goes up among students, and can you tell us by how much, through a process like that versus the criminal justice system?

Ms. Daphne Gilbert: We don't know yet, because our policy is brand new. It was only passed this past summer and we're just rolling it out now.

The statistics are that, of course, sexual assault reporting in a criminal context is extremely low, devastatingly low, and for good reason. We certainly hope that students will come forward more readily in the university context. The formal complaint process is just at one end of the spectrum. Before that, we have a huge range of accommodations we offer students, resources we put to them in terms of counselling, moving dorms, changing classrooms, schedule adjustments, exam adjustments, all sorts of other tactics to try to encourage people to come forward and to cope better with what's happening to them, and then leave the choice about reporting in an official context as one option, but that's not our full focus.

Ms. Anita Vandenberg: We've heard a lot about universities looking to protect their own reputations. You mentioned there's an external, independent investigator. How important is that and how prevalent is it? Is this the only university that has come up with that idea, or is it something that's fairly common?

Ms. Daphne Gilbert: As far as I know, we're the only university in Canada that mandates that an external investigator be required. We felt it was important, not so much because of accountability for the university, but mainly because we are taking away due process protections of face-to-face meetings and the ability to question witnesses and those sorts of things. We thought it was particularly important for those accused of sexual assault to have the comfort of an external investigation. People right now are talking a lot about sexual violence, and universities are taking a tough stand on it. We wanted to reassure those who are accused that they would also get a fair shake, that they weren't going to be judged by an internal university process.

The students came to us and said that they didn't trust the universities, and this was also part of how we sold it, in terms of resource implications, to our university. We said that until you build a climate of trust, this is the way to do it. This is the way you will get students to come forward, because you're not taking it on yourself and they don't trust us yet.

Ms. Anita Vandenberg: Thank you very much.

I'm sharing my time with Ms. Fry.

Hon. Hedy Fry (Vancouver Centre, Lib.): Thank you.

This is a difficult issue for many reasons, because in society it is a difficult issue, so I can understand some of the things you face. You mentioned the United States and the disincentives, the penalties, that are put in place by the federal government. The federal government in the United States, however, is responsible for education and here we're not. There's this constitutional thing that prevents us from doing it.

There are tools that we can use, and you are right that one of them is the federal government. The only problem is that the transfer of the PSE is a bulk transfer, so how you use that as a club is going to be very difficult. I wanted to ask if you have thought about how it can be used in the Canadian context, because that's a very important piece.

We're talking about how we penalize, but I liked your idea of an independent person, where there is a confidential safe place for people to report and for people to be accused. This way, both the "perpetrator" and the victim can go and have this safe, confidential hearing by a person who knows what they're doing and who has an expertise. There is a feeling there isn't anything like this, that nobody wants to go to the university and the university is using blackmail tactics. You go and the next thing is that you can't get in the next year or you feel the faculty might turn against you. I like that idea of an independent person. I think it's a very elegant way of dealing with the problem.

Those are important pieces you bring up, and I think it's worthwhile for the committee—I'm not a member of the committee—to think about with respect to recommendations. This is something Australia has done very well, because this culture is pervasive in society. There's what Donald Trump said and everybody saying it was just locker-room talk. The acceptance that this is locker-room talk is just not right. The federal government has a real role to play in doing public service announcements, doing public education. In Australia, they succeeded very well by having national athletes,

Olympians, whom students, including male students, really admire, who are supposed to be "the jocks". When they speak out and talk about violence and sexual violence, it has made a real impact in what has happened in Australian society, never mind in universities where people can see each other.

I think there's a role in public education that the federal government can play without crossing any jurisdictional boundaries.

Finally, I want to ask a question about prevention. This is very important. How do we change the culture? How do we help young girls who have come from immigrant families, first generation? Their parents don't want to talk about this. This discussion is a no-no. How do we prepare them? Is there a role for the high school, cultural organizations, or NGOs to play in helping young people to be ready for going to university, where they're really thrown into the deep end and their parents don't want to discuss it? Is there a role for NGOs in this?

I know we did this when I was minister of status of women. We did it with churches and we did it with NGOs in order to break through the cultural no-no attitude towards talking about anything, the denial phase.

I wondered if you saw any way of doing that.

• (1625)

The Chair: You have nine seconds.

Ms. Daphne Gilbert: In terms of public service announcements, one of the best campaigns I have ever seen is the campaign by President Obama and Vice-President Biden. They have a website with these snappy little messages. They have famous athletes and movie stars all talking about sexual assault on campus. It's fantastic.

That's a place to look as far as leadership goes.

The Chair: Very good. Excellent.

I'm so sorry we're at the end of our time, because this was exceptional. If there are additional comments you want to make to the committee, or things you want to send through the clerk, we'd be very happy to receive them.

I want to thank all of our witnesses for being with us.

We'll suspend for two minutes while we switch panels. I know that the witnesses who are with us today would love to get a picture with the committee, so perhaps the committee members would head down that way.

• (1625)

_____ (Pause) _____

• (1630)

The Chair: Let's begin, everyone.

For this panel discussion, we're very pleased to have with us Alexander Wayne MacKay, a professor of law at Dalhousie University.

Nicolette Little will be joining us shortly. She is a professor from Sheridan College in gender and media studies.

Then we'll have Lori Chambers with us from Lakehead University.

We'll start off with you, Mr. MacKay. You have 10 minutes for your comments.

Mr. Alexander Wayne MacKay (Professor of Law, Schulich School of Law, Dalhousie University, As an Individual): Great. First of all, I have a little handout. Perhaps I could get somebody to pass that around.

A voice: To pass it around, it has to be bilingual.

Mr. Alexander Wayne MacKay: Okay.

The Chair: If you get it to the clerk, she'll make sure it gets distributed.

Mr. Alexander Wayne MacKay: That's fine.

Well, the main thing—actually, I guess the cartoons are in French and English—is that somebody referred to Donald Trump. As a native Nova Scotian, I have to sing the praises of Mr. MacKinnon. What a great cartoonist he is. When you do get this, it says “make America 'ape' again” in terms of the Donald Trump effect. With it is an article about the impact that kind of thing has on issues around sexual assault on university campuses. I sat in on some of your previous witnesses' testimony on the whole question of culture, rape culture, and those kinds of things. It's part of that.

Maybe I should very quickly tell you a little bit about my involvement in this issue. I'm primarily a constitutional law and human rights law teacher. That's what I've done for most of my career. In recent times, however, I did chair the Nova Scotia task force on cyber-bullying and did a report on that. That got me immersed in that difficult and complicated area. It has sort of taken over my life, along with this one, even though I did a lot of things before that. Also, I did chair the Saint Mary's so-called rape chant council and advised the president and the university on that. That has partly, other than my legal training, gotten me involved in issues around sexual assault.

These are huge areas. I assume, based on your questions, you'd prefer more of a focus, if not an exclusive focus, on sexual assault, although the earlier part of the committee did deal with questions of cyber-bullying. One of the important points, I think, is that there is a continuum, as I'm sure this committee would recognize, of violence against women all the way from sexual harassment to sexting to sexual assault. It's a continuum, not a single entry point.

I did have translated, and I hope the committee has available, three items that I want to comment on very briefly. One is a PowerPoint presentation I did for the International Society for the Reform of Criminal Law dealing with the Ghomeshi trial and issues around sexual assault. Another one was for that same organization on so-called revenge porn. Perhaps most relevant for this, in some ways, is the third document, which deals with the issue of what kinds of things should go into policies dealing with issues of sexual assault on university campuses. It's the Association of Atlantic Universities presentation that my excellent research student Maxime pulled together and that we both worked on and presented.

Those are the three pieces. I recognize that time is very short, so I'll make a very few comments on that and try to be responsive to your questions.

First, for those who like to refer to things, I'll refer to the Ghomeshi document and the PowerPoint on that, it certainly brought to light the difficulties victims face in dealing with our criminal system. We knew that before, but it certainly played out on a very large and significant stage.

One part of the presentation, which I won't review but you can look at later, goes back and actually looks at the evolution of the Criminal Code. It's quite interesting to see that from the 1890s the punishment for rape—not to say that this is the answer—was either life imprisonment or death, and even attempted rape was a seven-year sentence. They added to that in the 1920s by adding whipping to both categories. Again, I'm not advocating that we need to bring that back, but it's an interesting contrast to the kinds of penalties handed out today in relation to issues of sexual assault. That's one part of that evolution.

Another part that certainly the Ghomeshi trial and other things have brought out is that the change in 1982, a very important reform of the sexual assault laws—from talking about rape as penetration, a much narrower definition, to a much broader range of things in terms of sexual assault, aggravated sexual assault, and those kinds of things—was mostly positive, obviously. It included husbands for the first time. It's pretty amazing when you think about that, but it is true. It's only since 1982.

On the other side of that, as the Ghomeshi trial brought out, and maybe this goes to the “just locker-room talk” kind of thing, “sexual assault” doesn't seem to have the gravitas that “rape” does as a term. As a society it's been kind of normalized in some way, so there has emerged a bit of a downside to that. Again, that's not to suggest that it has to be redefined.

• (1635)

That's mostly what I would say on it, but the only other thing that I'd comment on quickly is in terms of looking at the role of law in all of this, which I guess is quite important. What is the role of law and policy in these things? Education and prevention obviously are extremely important, and in some ways more important than law, but as I point out in both of those presentations, I think the law has an important moral message to send in terms of stating what our core values are, what the values should be in terms of how seriously we take things like sexual assault and sexual assault on university campuses, and how we respond to that. I think that's quite important.

Also, we shouldn't just think about—and this will lead me a little bit into the university context—the criminal response. Having worked with various universities.... Actually, one other hat I wore was as president of Mount Allison for a term as well, so I've been on the other side of the desk on these kinds of things. I think one of the important issues is that you do not simply refer it to police. Obviously you should do that in the appropriate cases—which is a lot of the cases—but that does not absolve you as an institution of all responsibility to respond.

In my work in this area, I find that's a very frequent answer: "We've done what we're supposed to do. We're not qualified to do this; we've sent it to the police, and that's it." I think one really important thing that might come from this committee is reinforcing that there still should be discipline processes and internal university processes to respond simultaneously, perhaps, with a criminal investigation, because of many of the shortcomings in the Ghomeshi example, and because it takes a long time.

On the revenge porn point, I wouldn't say much about that other than to say there is an important continuum on campus between other forms of sexual violence against women. There's a bit of a dilemma. One of the moves is to say that universities should have stand-alone sexual assault policies, and I think that's true. You do need stand-alone sexual assault policies, given how important it is and how those have to be done, but it doesn't mean that you shouldn't pay a lot of attention to the other forms of sexualized violence.

In my immersion in issues of cyber-bullying and these kinds of things, the world of the Net is particularly difficult for women. Women have this fine line between what they call the slut/prude dichotomy. Jane Bailey and others have talked about that. You have to be sufficiently sexual to not be a prude or to not be seen by your friends as a prude, but if you go over the line, then you're a slut and all that.

In terms of a huge amount of the cyber-bullying, which does happen at universities and has received very little attention in terms of the sexualized and other forms of cyber-bullying at universities, you don't necessarily see very much of it that is not sexualized in relation to women, which is partly a human rights component. Think about high-profile cases like those of Rehtaeh Parsons, from my province, or Amanda Todd, on the other coast, both of them, of course, with a significant sexual violence: sexual alleged rape in the case of Rehtaeh Parsons and sexualized cyber-bullying in the case of Amanda Todd. They're very typical.

I think that one of the other areas to think about with universities is, do they have policies? Are they doing some kind of surveys or analysis to try to find out whether or not this is a problem on their campuses? As I say, not necessarily in the same policy as sexual assaults, but it's something else to be addressed in a big way. Revenge porn or non-consensual distribution of intimate images is definitely an issue that's around on campuses. One of the statistics in that particular one is that something like 60% of children between the ages of 9 and 12 engage in sexting, which is pretty phenomenal.

Anyway, that's it. In the little bit of time left, although I think it's pretty clear, most recently I've worked with the Association of Atlantic Universities a bit on trying to develop some policies dealing with issues of sexual assault on campus. What we attempted to do in the first round was identify some key issues. They are set out in the document, which I understand you have as well.

We went through the methodology there, the first one being definitions. It's obviously critical to have common definitions about what is a sexual assault. If we're going to start, as we should, counting sexual assault, like the United States, then universities are very concerned that they count the same thing. That's not the case at the moment, and that's a very difficult question. That's one.

● (1640)

Accessibility of the policies is critical. You have to be able to get at them and understand them in a difficult time. Also, you need to have a process that's fair to and balanced for the alleged perpetrator and the victim. You need a culture of change, and I've cited some documents at the end of this.

I know that I'm just about out of time—

The Chair: I'm very sorry, but you're out of time.

Mr. Alexander Wayne MacKay: That's pretty well—

The Chair: Don't worry, we'll catch it on the questions.

We're going to go to Nicolette Little, who is a professor at Sheridan College, and a Ph.D. candidate in gender and media studies. You'll have 10 minutes as well.

Ms. Nicolette Little (Professor, Sheridan College, Ph.D. Candidate, gender and media studies, York University, As an Individual): Thank you very much. I've also worked in anti-assault advocacy with women's shelters in my area.

It's good to be here with you today. In speaking with MP Damoff before I came here, she mentioned that you've heard a lot about rape-related problems, and that you might want to hear about some potential solutions. I've focused my talk a little more on some ideas that I've had from my various roles, in terms of contributing to solutions to ending campus rape.

Campus rape is obviously a major issue, but its roots aren't planted during frosh week. The roots are laid before and are the byproducts of a society that continues to tell men that they're at their best when they're tough and in control, that pervasively presents images of women as sex objects across media and in widely accessible porn, and also in the way daddy treats mommy, so to speak, at the dinner table.

The implantation of these ideas happens from a very early time, when our children are born, and unless we disrupt the sexist attitudes to which they're exposed during their formative years, we're effectively trying to fix what has long been broken anyway, by the time they're college age.

We desperately need our girls to know that they're worth a lot, but I would like to speak a bit more about our boys right now. Often the perpetrators of violence against women and girls need training about respecting women in a way that touches them at their core.

I recently organized an event at Sheridan College called "For Her We Speak". This event featured Leah Parsons, whom I know you all know and have spoken to. She came and spoke to our students, staff, and community members. As Leah spoke about Rehtaeh's alleged rape and the eventually life-ending consequences of this assault for Rehtaeh, audience members were spellbound, quite literally. They told me after that they would never forget the talk. Parents said they would go home and speak with their boys, not just once but in an ongoing way, to make sure that they learned how to respect women and girls. Students also committed to protecting each other, and protecting girls.

Leah's talk was important because of the humanness of its narrative. Our boys need to hear from real victims, I feel, those who feel able to speak about their experiences, about what it's like to be raped and to navigate the physical, emotional, and legal aftermath, or they need to hear from people like Leah, who can talk about what it's like to lose someone due to the aftermath of alleged sexual assaults.

Rape isn't an event that starts and ends for the victim at the time of occurrence. It revisits the victim in PTSD, challenged relationships, and an ongoing plethora of mental and other issues, as we know. While statistics, informational talks, and theories can provide a backdrop to boys' learning, I feel that we really need a note of human narrative to breathe vivid life into these discussions about actions and consequences that are related.

While such talks are important for boys in their formative years, campus students are also really impacted by such real world dialogues. That was seen at the "For Her We Speak" event recently in Oakville, Ontario. I recommend developing a program that connects the many willing victims to schools and post-secondary institutions. Survivors should unquestionably be remunerated for their brave harnessing of tough experiences to improve youth. Counsellors at schools should be on hand, if anyone is triggered.

There is of course another benefit to having victims speak about their experiences. For many victims, sharing their story and making a difference is a critical part of the healing process itself.

In relation to what I've just been speaking about, and a narrative's impact on students, I've been conducting research concerning the Nova Scotian beach stones that have been collected, painted, and then replaced around the community by Leah Parsons. She also mails these painted stones around the world and around Canada for people who have heard about them and want to place them in their own communities.

While the stones were initially meant to memorialize Rehtaeh, I look at them for the anti-rape advocacy functions they have come to play. Written on the stones, for example, is "end the silence" or "raise awareness". Leah soon began planting a note under these stones that told people about Rehtaeh's story, that urged them to reconsider their deepest held beliefs about women and girls, and that also urged people to replant the note with the stone for other people to find in a bit of a chain reaction that's had quite an impact across Canada and the world.

•(1645)

The research is showing that the stones are really impacting people and their attitudes across Canada and globally. They have a major impact on college students and staff as well. I've interviewed Leah, people who have engaged with the stones or found a stone around the world, and healing professionals who are using the stones to help facilitate healing in others.

Everyone—post-secondary students, instructors, counsellors, entire football teams, parents, and police officers, among others—reports that engaging with the stones has helped them or the youth with whom they work to understand what rape culture is, the need to respect girls, and the need to treat victims of violence with care. Obviously, that's really important.

My research not only explores the impact of these stones but also how we can harness them as facilitation tools, as part of a new youth- and student-targeted program for raising awareness about sexual assault and its consequences, what we can do to stop it from happening, and how to treat victims with care. I would be happy to discuss this further if the findings interest you, and you think they can be of use.

I've spoken about the need to target youth to reduce instances of later campus rape. I would also like to talk about the sensitivity of some of the people to whom students report, and that would be police and professors.

The way police officers respond to a campus assault has come a long way. At Sheridan College, we hear mostly positive experiences from students, but some police really do ask, "What were you wearing?" or a personal favourite, "What kind of dance class were you doing beforehand?" The words really slaughter the girls who hear them. An attitude of non-judgment and a belief in the equality of the sexes, both of which are needed for appropriate and supportive responses to sexual assault, still contradict some of the earliest socialization of many of our well-meaning officers.

I don't have time to talk about all the ideas I have, because I know there are limitations on time, but I'll mention one. Why not ensure that all future police officers take an introductory course in women and gender studies?

I currently assist an introduction to gender and women's studies course at York University, and in just four weeks, students have gotten a strong grasp of sexual, racial, gender, ethnic, age, and ability-related forms of discrimination, to name a few, that underlay our society's institutions and power structures. They also got a sense of how deeply rooted and hard to see discrimination can be. Importantly, these courses explore these stereotypes and great myths that still pervade society. It's essential that the people who we want to uphold justice have a firm grasp of what equality and discrimination really look like.

What is great about this idea is that the infrastructure is already in place. Almost every Canadian university and many colleges now have a solid introduction to gender and women's studies course. I think it's really important to make sure that our police recruits enrol in one of these pre-existing excellent courses offered by our nation's academic institutions. I also think that the institutions won't mind the added enrolment.

In addition to police, other people in college settings can benefit from sensitivity training, and those are professors. Students often form a bond of trust and have a lot of respect for their professors. Yet a lot of students report that professors are among the least sensitive when they've gone to report at my college, which makes me very sad to hear. I've had a number of students disclose to me and my colleagues, and I've also heard from our sexual assault task force at Sheridan College that many of the people who are directed to them are directed there by professors, so they've disclosed first to professors.

On an ideal campus, all new hires would be trained to properly handle student disclosures and to direct victims to appropriate on- and off-campus supports. Professors should have a list of these supports at hand and be aware of the university's centralized resources information bank. A lot of professors do not know where to look in the university's digital infrastructure for this information, and that needs to be remedied.

•(1650)

Also, on an ideal campus, all faculty would take the Mental Health Commission of Canada's mental health first aid course. I've taken it, and it's great for helping you understand how to manage student distress and disclosures in an appropriate way, and direct those students as quickly as possible to the supports they need on and off campus.

The Chair: I'm sorry, that's your time.

Ms. Nicolette Little: That's no problem.

The Chair: Now we're going to go to Lori Chambers, who's a professor at Lakehead University.

Welcome. You will have 10 minutes as well.

Dr. Lori Chambers (Professor, Lakehead University, As an Individual): Thank you very much.

I'll introduce myself. I research violence against women, so that's my area of expertise, but I also chaired our sexual assault task force, which was called together in 2013, before much of the publicity had come out on this topic across the country. We ended up developing a policy that was passed by our board of governors in June 2014. I'm going to speak a little about the key concepts in that policy.

It's currently being revised again because it's an ongoing process, but the key tenets, as we saw, were a statement about zero tolerance and universality, because a number of institutions started talking about policy and saying it would only apply to students and, as far as we were concerned, that would have sent precisely the wrong message. The problem with sexual violence extends far beyond university campuses. It finds expression there, but the problems are much wider. Any policies must be universal. We can't target particular populations.

We also need to improve care, compassion, and accommodation, the treatment of people who've experienced sexual violence, something that Nicolette talked about quite eloquently. Part of what we did with our task force was to develop a series of materials for educating faculty members and staff who have to respond as front-line individuals when people disclose. We also wanted to build in policies that would hold offenders accountable and, at the same time, ensure due process.

Ultimately, the most important thing we're trying to do is not to punish those who have perpetrated, but to eliminate the problem at its root. That is much more difficult than simply setting policy. Policy is exceptionally important because if we don't say zero tolerance, people think we tolerate. The universities and colleges, in particular, are important places for us to have stand-alone policies, because this is where our young people, our leaders of the future, are developing their ideas about how the world should work, and we need to say very clearly, respect for one another is a key part of how we envision our nation working.

Ontario has now said that all universities and all colleges must have stand-alone policies. We should be doing that right across the country; it shouldn't be restricted to Ontario.

To me, there's a broader picture. What is the role of the university as an institution in eliminating violence against women? I think we have a particular role, not simply in policy. Our policy measures could be enhanced through federal challenges to the provinces to all create stand-alone policies, but our role is greater than simply policy, because the role of the university is as a leader in itself. This is a place that we look to for research and education, and our focus at the university and college level should be on educating our next generation about respect within our communities.

How do we do this? We need campaigns to educate bystanders, to talk about responsibility, so people understand the impact of sexual violence. Most people do not understand how harmful sexual violence is. If they understood, they wouldn't joke about it, and we still have pervasive rape jokes in our society. If people understood, they wouldn't talk that way. How do we create programs that will be accessible to all and that will be required of all going through the university and college system?

I would strongly agree with Nicolette that a broadly required course in social justice would be a wonderful thing to have a mandate for right across the country, because these should be our national values. Don't we want respect and tolerance? It goes beyond the issue of gender. It's not just women and girls who can be targeted. We need to look at transgender communities and vulnerable peoples across the board. We need to think about the fact that the most extreme expression of this right now is finding its form in missing and murdered indigenous women.

We need to understand those intersections, and we need to talk about them. We need to talk about every one of our citizens as equally valuable, whatever they are doing, and how they are living.

•(1655)

If we don't have those conversations at the university level, our leaders won't have them and we will not change our society. We need to have mandatory social justice training at the university and college level. We need to have mandatory training for our faculty and staff at the universities and colleges in the interim, because if they don't understand it, they can't teach it.

We need to put a lot more money into research about violence against women, violence against children, and violence against other vulnerable populations. If we're not researching it, we don't understand why it happens. The most important twin roles of universities are education and research. We have cut back on research at the federal level. The cutbacks have been extreme in the last few decades, therefore not allowing for the kind of critical thinking about the role of policy in making social change that is necessary.

We need greater funding to target areas in which we want social change and to target research to find solutions so we can make those changes now and not 40 years from now. I believe it can be done; I really do. I think Nicolette got to the heart of this as well when she said that when people hear a real life story, they understand the harm in what is done when people experience sexual violence. I'm talking about the whole range of sexual violence from sexist comments to rape or even rape and murder or rape resulting in someone committing suicide as in the case of Rehtaeh Parsons.

The whole range is harmful, but the wider society fundamentally does not understand that. You very clearly saw a lack of understanding of that in the commentary in the newspaper about the Jian Ghomeshi case. People thought it was funny. It is not funny. These women had been seriously harmed. We have to get to the heart of a society that says we can laugh about this stuff, that we can joke about it, that we can minimize the harm that's been done to people.

Putting a human face on research and education is really key and critical, but it's going to be pretty difficult to do any of that if there isn't the budget for it. Universities are already strapped: our buildings are falling apart. Unless there's real investment in making change, it's going to be really self-limiting.

•(1700)

The Chair: Excellent. Thank you.

We're going to begin our rounds of questioning. We're going to start with my colleague Mr. Fraser for seven minutes.

Mr. Sean Fraser (Central Nova, Lib.): Thank you very much to each of you for your expertise.

I completely agree, Ms. Chambers. I think we can do this. I think we have to try.

There were a lot of good ideas in the testimony about what we as a society should do. If we can try to shift the discussion to what we as a committee can recommend to the government to enact all of these great, positive steps, that would be very helpful.

Ms. Little, you mentioned things like programming, training police officers, educating boys, educating university professors who hear the complaints almost as first responders. How can we as the

federal government or this committee recommend to the federal government the kind of programming that could be implemented?

Ms. Nicolette Little: I think it would be good to mention, first of all, the personal stories being brought forward.

Sorry—you are looking for me to recommend how you could bring this to the government, right?

Mr. Sean Fraser: How can the government enhance the training of police officers? How can the government enhance the message? How can we get that message to the young boys who might become perpetrators or might not become intervenors?

I completely agree that this should happen. It's a question of mechanism. Should we be writing letters to Universities Canada as we heard from our last panel? Should we be introducing legislation? Should we be funding community organizations that are doing this work on the ground? What are the mechanisms to bring about this social change from the government's perspective?

Ms. Nicolette Little: I do think that bears more thinking. I can say that we need to put a very personal face on the fight against violence against women, but whether that's done through letters to schools or doled out to different community organizations is something that has to be discussed further.

I know there are some very successful community organizations that perhaps you could leverage right now and get on board. One, for example, is Live Different. It's an organization with whom I'm just taking on some program evaluation in Hamilton, Ontario. They work to send speakers into schools to promote service-oriented, positive, equal-minded attitudes. One thing I'm thinking of doing with that organization is expanding their arm of work into more gender-oriented conversations in the schools.

There are a number of great organizations like Live Different that are already sending speakers out to schools, and we could develop a new arm of their pre-existing function.

•(1705)

Mr. Sean Fraser: Professor MacKay, you talked about the spectrum of sexual violence, whether it's social media, jokes like Ms. Chambers referred to, or sexual assault in the full sense. Again, looking at this from how to implement policy to bring about change, how can the federal government assist universities in developing either stand-alone policies or encourage them to develop an approach that looks at the entire spectrum of violence?

Mr. Alexander Wayne MacKay: There are a number of ways. As your chair indicated, there are some constitutional challenges because this is, first of all, education, and even the criminal aspect is kind of more prevention, which is kind of section 92.14 as opposed to section 91.27 of the Constitution, but I don't think it's insurmountable. One of the things is just to focus on your constitutional platform. There is quite a lot in international guarantees about violence against women and protecting women against violence as a kind of basic human right, as it should be seen, and there is certainly a federal role in promoting our international obligations. That's one vehicle to use.

The other is maybe a little shakier territory. As a former university president and somebody who's been involved in this for a long time, universities mostly want to try to do a better job of this, and often it's money that is the problem. There could be targeted money to deal with the very significant problem, and there is lots of evidence of how significant it is, of sexual assault on university campuses. If this is seen as a significant problem, and it clearly is, then maybe there should be some targeted money available to universities. I know there is debate about that too, money with strings attached, but money is money, so that is still another vehicle you could use.

Mr. Sean Fraser: If I could jump in along those lines, you've triggered a thought on which both you and Ms. Chambers may have some insight. If we're trying to target investments, is the best mechanism to do it to support university or community programs that are doing this already, or is it to funnel money into say SSHRC or the Canadian Institutes of Health Research that might be doing this kind of research or community programming? Is there a balance between those two items?

I'm curious to get your thoughts on what would be most effective if we were going to target limited resources to a huge societal problem like this.

Dr. Lori Chambers: You need to do both. It needs to be balanced because the on-the-ground community solutions are there now. The purpose of the research is to say what works, what doesn't work, and what our best paths forward are, and that does have to happen because there has not been adequate research on what works in preventing sexual violence. If there had been, we would have stopped it by now.

We need targeted money. There's a really key problem in the SSHRC and CIHR thing because SSHRC is, first, really underfunded, but also it's disciplinary based, and projects that really address sexual violence have to be interdisciplinary. You can't do it from just one perspective or the project doesn't work, but the project is evaluated from one discipline.

If you go to CIHR, which is the health funding budget, it's a very recent thing that anything to do with health in the social sciences goes to CIHR, and most of their committees still don't really value the social sciences. We've seen overwhelming evidence that projects in the social sciences area don't get funded by CIHR, so there needs to be more training in CIHR that these issues are important.

The health sector doesn't really consider sexual violence to be a key problem, and that is a key problem right there, that they don't see it as one, so the federal government can step in there. We can make change at the federal level with regard to funding for research. You can have targeted calls for research.

The Chair: We will go to Mr. Genuis for seven minutes.

Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC): Thank you to the witnesses.

In this seven minutes, I'll try to get through a few different aspects of this fairly quickly.

Professor MacKay, your comments about the Trump effect interested me. One of the things that strikes me about this discussion is to wonder if we would ever have even known about these actions of Mr. Trump if he hadn't chosen to go into politics. He was a major

figure in the entertainment world for a long time, and these were things that happened in the past. The tape that has received so much attention was, of course, out there beforehand, yet it took him going into politics for people to notice.

Can you comment, perhaps, on what this says about the accountability that exists in the entertainment industry specifically, and what impact that has on public perceptions?

• (1710)

Mr. Alexander Wayne MacKay: I guess my somewhat flippant answer is more for Billy Bush than Donald Trump at the moment, because he was fired, but that's a recent thing and not very good accountability. It's not just the Trump effect, although that's such an obvious one, but it's the importance of role models in society, and that is true not just in matters of sexualized violence but also in the area of cyber-bullying.

Who are these kind of larger-than-life figures who have a significant following and how are they accountable? They're not terribly accountable. They're not terribly accountable, in part, because not only is it not sanctioned, it's supported in many ways, and sort of valued as part of entertainment. I think that's really a theme from some of your earlier witnesses and all three of us here that what is needed is a culture change on the whole issue around sexual violence, that it's not a joke; it is a very serious matter.

There is some form, whether people like the terminology or not, of rape culture out there, and until we address that at all levels, you're not going to be able to do it only at universities. I agree with Ms. Chambers' point that universities should be leaders and should be models in leading this kind of thing, but they are one segment, a very important one but not the only one.

Mr. Garnett Genuis: Thank you.

I want to move to a different area.

Mr. MacKay, in preparing for this I read an opinion piece you wrote for the CBC where you talked about pornography. I want to read a quote from that piece into the record, because I think it's quite striking. You wrote:

Most young men learn about sex and appropriate sexual relations not from parents, schools, peers or the church, but from hard core pornography, now readily available online.

All of us are surrounded by a pervasive sexist culture, which is sometimes more subtle, but still present. Violent video games celebrate the degradation and exploitation of women as do—to a lesser extent—many music videos and advertisements.

We don't talk about these issues of violence against women nearly enough, but we talk about pornography and violent imagery even less. For whatever reason, it's an uncomfortable discussion, but just hearing witnesses talk about this pervasive culture that starts with influences at a very young age, I'd like to hear you talk a little more about that issue specifically, and if there are things that we as legislators can do and need to be doing to respond to this particular issue.

Mr. Alexander Wayne MacKay: That's a very interesting and important area, I think. Again, everybody says it's not only focusing on the problem, but where it is coming from. Part of the problem, clearly, is men—young men, old men, and so on—mostly men, not exclusively, but mostly men, so what do we do about that? I think things like pornography are part of that.

I'm not suggesting censorship here, but one thing, when we come back to jurisdiction, when you start talking about programming and communications between provinces, we are in a federal jurisdiction, so one of the things that is outside the realm of education is whether there should be some more ways to respond to that. It's not a simple question, balancing all of these kinds of competing values, but it's important. It was, I think, part of both the cyber-bullying task force and the Saint Mary's council where I came across these incredible statistics about how much of sex education is now pornography. It's not these other institutions.

Mr. Garnett Genuis: I'll make a quick comment, then I'd like to hear the other witnesses' thoughts on this same issue.

We often raise the potential problems of censorship. I think most people would agree there would be problems with censorship certainly around preventing adults from accessing this material, but I know that the British government has tried to explore ways of at least preventing young children from accessing hard-core, violent sexual images. It seems to me you'd have to be a pretty hard-core free-speech libertarian to think that young children should be able to access these kinds of images without some kind of regulation, but I'd be curious to canvass the other witnesses on this as well.

Dr. Lori Chambers: I certainly agree that we could make efforts to try to keep hard-core violent images.... I'm not concerned about the sex part. I'm concerned about the violent part. Consensual images aren't a problem for our children. That's what they should be learning from. It's the violent non-consensual images that they should not be exposed to.

How do we do that? As you say, it's going to be difficult because of the competing interest with free speech and free expression. It is a conversation we have to have, and even talking about it makes people think about the issue. We should be talking about the issue. Part of the problem isn't necessarily the images that, say, a teenager can look at. It's that they're looking at them alone without anybody talking about how this is not how real people live. It's the silence that pervades the issue.

How do we get conversations going about what meaningful consent looks like? What does non-violent healthy sexuality look like? That has to start with really young children. Our reticence about speaking about sex is part of the problem.

• (1715)

Mr. Garnett Genuis: I think I have 30 seconds left.

My understanding of the British model is that you have to opt in to see certain kinds of images. People can still access them, but they have to opt in. That would require that whoever owns the computer participate in that opt in. Do you have any awareness or thoughts on that specific model for some of these kinds of images?

Ms. Nicolette Little: I had heard about that, and I think it's a great start. It's very difficult in this world of mobile technology to restrict

what kids are seeing completely, but I think that was some thinking in the right direction.

Mr. Garnett Genuis: Thank you.

The Chair: Very good.

Now we're going to Ms. Malcolmson for seven minutes.

Ms. Sheila Malcolmson: Professor Chambers, I want to thank you for your work chairing the task force at Lakehead. I want to brag about my own university, which is Vancouver Island University. It was ahead of the wave. You recommended that universities establish an office of human rights, and I'm really proud that my hometown university established one in the mid-1990s. That fits into a best practices conversation that I'd like to have with any of the witnesses to the extent that we do have these emerging bright lights in innovations, and then also there is the imperative to have consistent access across the country.

Can any of you talk briefly about the leadership role you can see the federal government playing around highlighting best practices and encouraging collaboration?

Mr. Alexander Wayne MacKay: I could start off on that.

Page 4 of the short document on the university policies does list eight best practices for policies. I think that it's picking up on what Professor Chambers said, as well. Funding for this is important and there needs to be a lot more.

It so happens that I'm part of a seven-year project funded by SSHRC looking at issues of sexual assault on university campuses. I think a previous witness, Shaheen Shariff, is the head one. I think, if I read it correctly, that she presented to this committee before. There are some things happening, although not enough, in that kind of area. I think that's a way to help universities, which are struggling for money, to help identify on a Canada-wide basis what are some of the best practices, what's working and what's not. That's an important way to do it.

The other thing I would say on that is that there does need to be as well an ongoing dialogue with universities about this. The federal government can play a role in bringing that together. The universities and colleges association would be a prime organization in providing some education and maybe some funding, so that a body like that could deal with that. One of the characteristics of universities is they don't like being told what to do. They have this independent streak, separate from government and all those kinds of things, rightly and importantly. How you handle that is quite important. That kind of thing might be far more effective than a top-down directive. There might be ways to do that either through funding or other ways to support that kind of thing.

Ms. Sheila Malcolmson: That's helpful. Thank you.

I'll invite Professor Chambers to follow up on that. I'd also like to hear your reflections on what has been lost by the funding cuts over the last two decades, that you identified at the federal level, and whether that has had a particular impact on front-line support organizations, NGOs, universities.

• (1720)

Dr. Lori Chambers: Absolutely. It's much more difficult to ensure that students get the kinds of supports that they want when numerous shelters and services, rape crisis centres, have to close their doors. There's a huge federal role for that. Target money to fund community organizations that can assist universities. We can't have every service available on campus that a student could possibly need.

The community can provide some of that, and it's perfectly okay for us to have a back and forth relationship with the community in providing some services. When the community services are gutted, we are, too.

The federal government needs to get back into the business of supporting community organizations that are working for social justice.

The funding to assist with research is also definitely more controversial. The way that SSHRC works... Universities are still male-dominated institutions and still quite conservative. More risky funding projects are often the last ones to get funded, and sexual violence is still considered controversial and risky in terms of funding.

When you reduce funding for research and leave it up to committees that are still more conservative in terms of determining what will get funded, issues like domestic violence and sexual violence get less opportunity for research. So, it's increasing the pool of money so that you have higher than a 17% rate of success. SSHRC is at 17% right now. Out of 100 applications, 17 get funding. You need to increase that bottom line.

Ms. Nicolette Little: In terms of funding rape crisis centres and different organizations in the community and at universities to support victims of domestic violence and sexual violence, the reality is that we need a bit of a focus shift, because for the costs that we pour into those programs, we have to remember that we are saving ourselves the cost of going to mental health programming later.

The number of costs in the system because of violence and its fallout from legal costs to ongoing psychological care that can extend for the victim's life really are incredible. We need to recognize what we're saving ourselves by putting those resources into those helping organizations now.

Ms. Sheila Malcolmson: It sounds like you would agree with me that the operating costs are the important pieces to cover. It's not just the construction capital costs.

Dr. Lori Chambers: Absolutely.

Ms. Sheila Malcolmson: Thanks.

Thanks very much, Chair. Those are my questions.

The Chair: We'll go to our final seven minutes.

We're going to start with my colleague Ms. Nassif.

[*Translation*]

Mrs. Eva Nassif (Vimy, Lib.): Thank you, Madam Chair.

I'll share my time with my colleague, Mr. Serré.

I also want to thank our witnesses for their informative presentations.

My question is for Ms. Chambers. I want to know whether a regulatory body has been established in the provinces to research the best practices needed to end the sexual assaults experienced by women on post-secondary campuses.

[*English*]

Dr. Lori Chambers: No, there is not, currently.

Mrs. Eva Nassif: Are we going to have one in some of the provinces?

Dr. Lori Chambers: I don't think there's a plan in Ontario yet for a universal policy. The plan is that all institutions have to have their own stand-alone policy.

The universities are working to some degree and colleges are to some degree working together, but it will not be one policy for all, and it probably shouldn't be, because each institution is, to some degree, different. The way that Bill 132 is set out, the policies will lay out procedures for adjudication, and they'll talk about education on campus and about a number of things, and some of the issues are slightly different from one campus to another.

Also, as Professor MacKay said, universities don't like being told exactly what to do. Give them some scope to write their own policies. They'll be happier. They'll comply a lot better.

Mrs. Eva Nassif: I thought it might be interesting because education is a provincial jurisdiction. That's why I asked this question.

Dr. Lori Chambers: Yes.

Mrs. Eva Nassif: Thank you.

• (1725)

Mr. Alexander Wayne MacKay: I would just add on that point the work I did with the Association of Atlantic Universities was very early on, but we were trying to get a more consistent approach to sexual assault policies, particularly on the issue of recording, and that is partly for another big issue around universities, how much of the response has to do with making universities a safer place for women and others who are victims and how much is public relations. It's not good public relations to have high sexual assault statistics; therefore, on either count—and sometimes you do things for the wrong reasons but they're so good—they want to get a definition that is more consistent.

If a particular university seems to have a very high rate, it may in fact mean that they have a very good reporting system, because of course this is grossly under-reported. They have done the kind of training. They have people who others feel comfortable going to and reporting, so they have very high statistics. Somewhere else that has a very poor system has low statistics, and people say, "Great, we should go there; it's a safe place." It might be just the opposite, actually.

I agree with Professor Chambers that in general, there obviously needs to be flexibility to design unique aspects of it, but I think there can be parts of it that are fairly universal. Speaking of universal, there is the other point you made that maybe these policies should always apply to the whole community, not just students. Maybe all these policies should be accessible to people who need them in a very difficult time. Maybe you need to have some reasonably standard definitions of what is sexual assault. I think there can be both. It's like federalism. There are some national standards and there's provincial diversity, and I think you could do the same thing with universities.

Very quickly while I'm here, I had another thought, which may be a really bad one, on federal jurisdiction. I think one might make an argument that the crisis of sexual assault on university campuses is a big enough one such that it's peace, order, and good government under federal jurisdiction, although I won't make any friends provincially. It seems to me that in some ways it's a very strange argument, though maybe not so strange if you actually look at the statistics about how serious this is.

The Chair: Mr. Serré.

Mr. Marc Serré (Nickel Belt, Lib.): I wish we had more time.

I'll just make a comment. Obviously, when we look at high school, society, and young men, we need to really focus on that. I think a lot of the witnesses have indicated that in the past. We probably haven't done a good job of doing that. However, I'm going to leave that aside because now we have three of you from the university perspective.

We say there's a crisis and we heard earlier from the two representatives of Canadian student associations that they've

approached the association of universities and colleges across Canada and there's no leadership there. They're not responding to the students. They don't want to look at it nationally.

What I'm looking at here, the more we get into it, is that there is Bill 132 in Ontario, and legislation in B.C. There's such a hodgepodge, and there's absolutely no leadership in many areas. We just had a \$2-billion federal investment in universities and colleges, and I don't think one university or college made this a priority in its funding application.

You obviously are passionate about this issue. We'll do what we can also, but how can you play some leadership role to try to help us to get the Canadian universities and colleges association on board to recognize this as a national issue to move this forward?

Ms. Nicolette Little: To continue the social discussion, as authors, as writers, and as professors, we can certainly do our part to write to different magazines and newspapers and to advocate.

After Jian Ghomeshi and in light of Trump rising in the ranks with his commentary, it's becoming much more obvious that there has been a massive problem that has been swept under the rug. Even though these people are very negative in the attitudes they manifest towards women, in one way they've helped pull the cover off a major social problem and allowed some people who might have felt somewhat silenced before to talk about it more. Certainly, I think we feel that we have more of a social ear to write and to speak to, that is more willing to listen.

● (1730)

The Chair: Thank you very much. That's the end of the time.

Thank you to all the professors. If you have additional comments that you would like to make, please send the information to the clerk. We would love to receive it.

For those of you on the committee, on Monday we'll be seeing more folks from the South Asian Women's Centre, the University of Victoria Anti-Violence Project, and Farrah Khan as an individual.

Have a great weekend and we'll see you next week.

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

Reproduction of the proceedings of the House of Commons and its Committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the *Copyright Act*. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a Committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the *Copyright Act*.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its Committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Also available on the Parliament of Canada Web Site at the following address: <http://www.parl.gc.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la *Loi sur le droit d'auteur*. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la *Loi sur le droit d'auteur*.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

Aussi disponible sur le site Web du Parlement du Canada à l'adresse suivante : <http://www.parl.gc.ca>